COUNCIL AGENDA
October 3, 2016
6:00 P.M., Council Chambers

1. **Call To Order**
   Invocation
   Pledge of Allegiance of the United States of America

2. **Roll Call**

3. **Presentations**

   1. Insurance Presentation By Segal
      Bi-annual Insurance Presentation by Segal

      Documents:

      CITY OF JOPLIN - INSURANCE 2017 BUDGET PROJECTIONS OCTOBER 2016.PDF

4. **Finalization Of Consent Agenda**

5. **Reports And Communications**

6. **Citizen Requests And Petitions**

7. **Public Hearings**

   1. PUBLIC HEARING PROCEDURES

   2. COUNCIL BILL NO. 2016-275
      AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located approximately 1,900 feet south and 1,800 feet west of the intersection of Apple Road and County Road 180 in Jasper County, Missouri.

      Documents:

      SUMMARY SHEET CB 2016-275 .PDF
      COUNCIL BILL 2016-275 .PDF
      SUPPLEMENTAL CB 2016-275.PDF

   3. COUNCIL BILL NO. 2016-276
      AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located approximately 1,900 feet south of the intersection of Apple Road and County Road 180 in Jasper County, Missouri.

      Documents:

      SUMMARY SHEET CB 2016-276 .PDF
      COUNCIL BILL 2016-276 .PDF
      SUPPLEMENTAL CB 2016-276.PDF

   4. COUNCIL BILL NO. 2016-277
      AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located approximately 1,400 feet south and 220 feet west of the intersection of Apple Road and County Road 180 in Jasper County, Missouri.

      Documents:

SUMMARY SHEET CB 2016-277 .PDF
COUNCIL BILL 2016-277 .PDF
SUPPLEMENTAL CB 2016-277.PDF

5. COUNCIL BILL NO. 2016-278
AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located approximately 340 feet west of the intersection of Apple Road and County Road 180 in Jasper County, Missouri.

Documents:

SUMMARY SHEET CB 2016-278 .PDF
COUNCIL BILL 2016-278 .PDF
SUPPLEMENTAL CB 2016-278.PDF

6. COUNCIL BILL NO. 2016-279
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 R-3 property as described below and located at 655 South Lavender Lane in the City of Joplin, Jasper County, Missouri.

Documents:

SUMMARY SHEET CB 2016-279 .PDF
COUNCIL BILL 2016-279 .PDF
SUPPLEMENTAL CB 2016-279.PDF

7. COUNCIL BILL NO. 2016-280
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 R-2 property as described below and located at 2024, 2025, and 2119 South Maryland Avenue in the City of Joplin, Jasper County, Missouri.

Documents:

SUMMARY SHEET CB 2016-280 .PDF
COUNCIL BILL 2016-280 .PDF
SUPPLEMENTAL CB 2016-280.PDF

8. COUNCIL BILL NO. 2016-281
AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located 570 feet west and 600 feet north of the intersection of 32nd Street and John Duffy Drive in Jasper County, Missouri.

Documents:

SUMMARY SHEET CB 2016-281 .PDF
COUNCIL BILL 2016-281 .PDF
SUPPLEMENTAL CB 2016-281.PDF

9. COUNCIL BILL NO. 2016-282
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 570 feet west and 600 feet north of the intersection of 32nd Street and John Duffy Drive in the City of Joplin, Jasper County, Missouri.

Documents:

SUMMARY SHEET CB 2016-282.PDF
COUNCIL BILL 2016-282 .PDF
SUPPLEMENTAL CB 2016-282.PDF

10. COUNCIL BILL NO. 2016-283
AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located 570 feet west of the intersection of 32nd Street and John Duffy Drive in Jasper County, Missouri.

Documents:

SUMMARY SHEET CB 2016-283 .PDF
COUNCIL BILL 2016-283 .PDF
SUPPLEMENTAL CB 2016-283.PDF

11. COUNCIL BILL NO. 2016-284
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 570 feet west of the intersection of 32nd Street and John Duffy Drive in the City of Joplin, Jasper County, Missouri.

Documents:

SUMMARY SHEET CB 2016-284 .PDF
COUNCIL BILL 2016-284 .PDF
SUPPLEMENTAL CB 2016-284.PDF

8. Consent Agenda

1. Minutes Of The September 19, 2016 Joplin City Council Meeting

Documents:

SEPT 19 CC MINS-.PDF

2. COUNCIL BILL NO. 2016-609
AN ORDINANCE approving the applications of Active Lifestyle Inc., for Joplin Memorial Marathon; George A. Spiva Center for the Arts for PhotoSpiva 2017; George Washington Carver Birthplace Association for the 74th Carver Day; Central Christian Center for the Joyful Hearts Conference; Carl Junction Chamber of Commerce for the 2017 CJ Bluegrass Festival; Joplin Disc Golf Club for their 12th annual, Four States Open; MSSU Alumni Association for the MSSU Homecoming 2017; Emancipation Celebration Committee for the Emancipation "Park Day" Celebration 2017; Joplin Trails Coalition for their two 2017 Bicycle Tours; Missouri Dental Association Foundation for MOMOM (Missouri Mission of Mercy); Rufus Racing for the 9th annual, Summer Roundup Triathlon; TwelveOne Race Management for their 2017 TwelveOne Race Series; Historic Murphysburg Preservation, Inc. for marketing development for a 2017 Heritage Tourism event; Joplin History and Mineral Museum for the Chautauqua Series--Thomas Hart Benton; Wildcat Glades Conservation & Audubon Center for Shoal Creek Water Festival and the development of a new Center Rack Card, for utilization of FY2017 Festivals and Celebrations support pursuant to Ordinance No. 2000-148, as authorized by the voters on

November 7, 2000; authorizing the City Manager to execute appropriate agreements with each such organization for the utilization of such funds.

3. COUNCIL BILL NO. 2016-610
   AN ORDINANCE approving the License Agreement between the City of Joplin and TwelveOne Race Management, a Missouri Limited Liability Company, and Douglas ("Tom") W. Rogers and Valerie D. Rogers, individually; authorizing the City Manager to execute appropriate agreements with each such organization for the utilization of such funds.

9. Resolutions

1. RESOLUTION NO. 2016-020

   A RESOLUTION releasing and terminating any of the City of Joplin's rights and given to the City of Joplin in Ordinance #21202, recorded in Book 1955, Page 72 in the Office of the Jasper County Recorder of Deeds.

   Documents:

   RESOLUTION 2016-020.PDF

10. Ordinances - Emergency

1. COUNCIL BILL NO. 2016-520
   AN ORDINANCE amending the Annual Budget of the City of Joplin for the Fiscal Year 2015-2016 as adopted by Ordinance 2015-168 on October 19, 2015, to adjust appropriations and containing an emergency clause.

   Documents:

   CB 2016-520 SUMMARY FY 2016 BUDGET ADJUSTMENT.PDF
   CB 2016-520 BUDGET AMENDMENT ORDINANCE.PDF
   CB 2016-520 SCHEDULE A BUDGET AMENDMENT OCTOBER 3 2016.PDF

11. Ordinances - First Reading

12. Ordinances - Second Reading And Third Reading

13. Unfinished Business

14. New Business

1. SITE PLAN REVIEW FOR SOUTHEAST CORNER 15TH AND RANGE LINE
   Site plan review for Southeast Corner 15th Street and Range Line Road.

   Documents:

   SUMMARY SHEET SITE PLAN REVIEW.PDF
   SUPPLEMENTAL SITE PLAN REVIEW.PDF

2. NEWS FROM THE PIO

Anyone wishing to address the Council should step to the podium and state his/her

name and address. If the matter is not a Public Hearing, a request to speak to the Council should be prepared prior to the meeting. Speaking time will be limited to five (5) minutes.

Sound enhancement units are available for hearing impaired customers who provide a form of identification as security, which will be returned to the customer upon the return of the unit.

Those in need of disability-related auxiliary aids or services should contact the City Clerk's office at (417) 624-0820, ext. 220 no later than 48 hours prior to the meeting.

Notice posted at ____ p.m. on this the __ day of ____, ____. (RSMo 610.020)






Summary Healthcare Budget Projections, Assumptions, Rates & Fees

October 1, 2016

City of Joplin

Segal Consulting

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1) **Budget Projections**
2) **Assumptions**
3) **2017 Renewals**
4) **City Contribution Structure**
5) **2016 Monthly Contribution Rates**
6) **2017 Projected Monthly Contribution Rates**
7) **Historical Insurance Premium Rates and Vendor Fees**
8) **Appendix: Financial History**

City of Joplin
Budget Projections

	Aggregate			PMPM		
12 Months Ending	**Dec-16**	**Dec-17**	**Dec-18**	**Dec-16**	**Dec-17**	**Dec-18**
Income						
City Contributions	$4,263,500	$4,737,300	$5,107,000	$693.92	$771.04	$831.22
Employee Contributions	1,136,600	1,249,400	1,339,700	184.99	203.36	218.05
Retiree/COBRA Contributions	82,100	90,300	97,000	13.36	14.70	15.78
Total Income	**$5,482,200**	**$6,077,000**	**$6,543,700**	**$892.27**	**$989.10**	**$1,065.05**
Expenses						
Medical	$3,148,700	$3,565,200	$3,814,900	$512.49	$580.28	$620.91
Prescription Drug	1,159,700	1,283,500	1,424,800	188.76	208.91	231.90
Dental Premium	316,000	316,000	328,600	51.43	51.43	53.49
Vision Premium	40,400	40,400	40,400	6.57	6.57	6.57
Life Insurance Premium	77,700	77,700	77,700	12.64	12.64	12.64
Stop-Loss Insurance Premium	461,700	503,200	558,600	75.14	81.90	90.91
Anthem ASO / EAP Fees	278,900	286,300	293,900	45.40	46.60	47.83
ACA Fees [1]	37,300	2,900	3,000	6.07	0.47	0.49
Total Expenses	**$5,520,400**	**$6,075,200**	**$6,541,900**	**$898.50**	**$988.80**	**$1,064.74**
Operating Surplus (Deficit)	**$(38,200)**	**$1,800**	**$1,800**	**$(6.23)**	**$0.30**	**$0.31**
Enrollment	512	512	512	512	512	512

[1] ACA fees include the comparative research and transitional reinsurance fees. The comparative research fees are paid on all participants per year. The transitional reinsurance fees are paid on all non-Medicare participants each month through December 31, 2016. Since we are unable to distinguish between Medicare and non-Medicare retirees, the transitional reinsurance fee is applied to all 8 retiree participants in our projections.

City of Joplin
Assumptions

Fiscal Year Ending December 31

	2016	2017	2018
Trend on Expenses			
Medical	7.0%	7.0%	7.0%
Prescription Drug	11.0%	11.0%	11.0%
Dental Premium	-10.8%	0.0%	4.0%
Vision Premium	-19.5%	0.0%	0.0%
Life Insurance Premium	-19.0%	0.0%	0.0%
AD&D	33.3%	0.0%	0.0%
Stop-Loss Insurance Premium	8.7%	9.0%	11.0%
Anthem ASO Fees	3.0%	3.0%	3.0%
Enrollment			
Actives	504	504	504
Retirees	8	8	8

Notes:

The percentage changes for medical and prescription drug are based on trend factors. The percentage changes shown for the remaining expenses are based on actual premiums and fees. Historical premiums and fees may be found on page 10 and 11 of this report.

City of Joplin
2017 Renewals

The Budget projections and Monthly Contribution rates reflect the following renewal rates:

- Anthem Administrative Services Only Fee – a rate increase of 3.0%, from $39.90 to $41.10, was proposed for the 12-month period – January 1, 2017 through December 31, 2017.
- Anthem Stop Loss Insurance – a premium increase of 9.0%, from a composite cost of $75.14 to $81.90, was proposed for the 12-month period – January 1, 2017 through December 31, 2017.
- CIGNA Dental Insurance – a premium decrease of 10.8% from Delta Dental's 2015 rates was accepted for the 24-month period – January 1, 2016 through December 31, 2017.
- EyeMed Vision Insurance – a premium decrease of 19.5% from Humana's 2015 rates was accepted for the 48-month period – January 1, 2016 through December 31, 2019.

City of Joplin
City Contribution Structure

- **Medical & Prescription Drug** – The City pays 100% of the medical and prescription drug costs for single coverage; whereas, the City's cost share for family coverage is 75% with the employee covering the other 25%. It is assumed the cost share will remain the same in 2017.
- **Dental** – The City and employee each pay a portion for both single and family coverage. For single coverage, the City's cost share was 70% in 2016 and is assumed to remain the same in 2017. For family coverage, the City's cost share was 65% in 2016 and is assumed to remain the same in 2017.
- **Life** – The City also provides 1.5 times the annual salary in life insurance benefits at no cost to the employee. Employees can purchase additional life insurance coverage as a voluntary benefit at full cost.
- **Vision** – Vision coverage is offered on a voluntary basis, and 100% is paid by employees.

City of Joplin
2016 Monthly Contribution Rates

Monthly Contributions
Fiscal Year Ending December 31, 2016

City Contributions	**Single**	**Family**	**Employee + Spouse**	**Employee + Child(ren)**
Anthem BCBS PPO	$417.60	$877.00		
CIGNA Dental	$18.70	$46.18		
Employee Basic Life Insurance	Contributions vary by age and salary			
Employee Contributions	**Single**	**Family**	**Employee + Spouse**	**Employee + Child(ren)**
Anthem BCBS PPO	No Cost	$292.34		
CIGNA Dental	$8.02	$24.88		
EyeMed Vision – Exam Only	$1.44	$4.22	$2.72	$2.88
EyeMed Vision – Plan H	$5.34	$15.66	$10.12	$10.66
Employee Supplemental Life - $50,000	Contributions vary by age			
Spouse Voluntary Life - $25,000		Contributions vary by age		
Child(ren) Voluntary Life - $10,000		$0.70 per child		
COBRA/Retiree Contributions	**Single**	**Family**	**Employee + Spouse**	**Employee + Child(ren)**
Anthem BCBS PPO	$425.96	$1,192.72		
CIGNA Dental	$27.26	$72.48		
EyeMed Vision – Exam Only	$1.48	$4.30	$2.78	$2.94
EyeMed Vision – Plan H	$5.44	$15.98	$10.32	$10.88

City of Joplin
2017 Projected Monthly Contribution Rates

Projected Monthly Contributions
Fiscal Year Ending December 31, 2017

City Contributions	Single	% Change	Family	% Change	Employee + Spouse	% Change	Employee + Child(ren)	% Change
Anthem BCBS PPO	$466.82	11.8%	$980.36	11.8%				
CIGNA Dental	$18.70	0.0%	$46.18	0.0%				
Employee Basic Life Insurance	Contributions vary by age and salary							
Employee Contributions	**Single**	**% Change**	**Family**	**% Change**	**Employee + Spouse**	**% Change**	**Employee + Child(ren)**	**% Change**
Anthem BCBS PPO	No Cost	0.0%	$326.78	11.8%				
CIGNA Dental	$8.02	0.0%	$24.88	0.0%				
EyeMed Vision – Exam Only	$1.44	0.0%	$4.22	0.0%	$2.72	0.0%	$2.88	0.0%
EyeMed Vision – Plan H	$5.34	0.0%	$15.66	0.0%	$10.12	0.0%	$10.66	0.0%
Employee Supplemental Life - $50,000	Contributions vary by age							
Spouse Voluntary Life - $25,000			Contributions vary by age					
Child(ren) Voluntary Life - $10,000			$0.70 per child					
COBRA/Retiree Contributions	**Single**	**% Change**	**Family**	**% Change**	**Employee + Spouse**	**% Change**	**Employee + Child(ren)**	**% Change**
Anthem BCBS PPO	$476.16	11.8%	$1,333.28	11.8%				
CIGNA Dental	$27.26	0.0%	$72.48	0.0%				
EyeMed Vision – Exam Only	$1.48	0.0%	$4.30	0.0%	$2.78	0.0%	$2.94	0.0%
EyeMed Vision – Plan H	$5.44	0.0%	$15.98	0.0%	$10.32	0.0%	$10.88	0.0%

City of Joplin
Historical Insurance Premium Rates & Vendor Fees

Anthem Specific Stop Loss	1/1/2010	1/1/2011	1/1/2012	1/1/2013	1/1/2014	1/1/2015	1/1/2016	1/1/2017	Next Renewal
Composite				$79.57	$59.94	$69.11	$75.14	$81.90	1/1/2018
Specific Deductible				$100,000	$150,000	$150,000	$150,000	$150,000	

Anthem BCBS Medical and Drug ASO [1]	1/1/2010	1/1/2011	1/1/2012	1/1/2013	1/1/2014	1/1/2015	1/1/2016	1/1/2017	1/1/2018	Next Renewal
Per Employee Per Month		$38.68	$40.61	$42.64	$43.49	$43.49	$39.90	$41.10	$42.33	1/1/2019

Anthem BCBS Employee Assistance Program (EAP)	1/1/2016	1/1/2017	1/1/2018	Next Renewal
Per Employee Per Month	$2.20	$2.20	$2.20	1/1/2019

Delta Dental	1/1/2010	1/1/2011	1/1/2012	1/1/2013	1/1/2014	1/1/2015	1/1/2016	1/1/2017	Next Renewal
Single	$28.08	$28.08	$28.77	$28.77	$29.51	$29.95			Terminated
Family	$74.70	$74.70	$76.54	$76.54	$78.50	$79.68			
CIGNA Dental									
Single							$26.74	$26.74	1/1/2018
Family							$71.05	$71.05	

Humana Vision Exam Plus (Basic)	1/1/2010	1/1/2011	1/1/2012	1/1/2013	1/1/2014	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019	Next Renewal
Single	$1.57	$1.57	$1.57	$1.66	$1.66	$1.77					Terminated
EE + 1	$3.15	$3.15	$3.15	$3.34	$3.34	$3.55					
EE + Children	$2.99	$2.99	$2.99	$3.17	$3.18	$3.37					
Family	$4.70	$4.70	$4.70	$4.98	$4.98	$5.30					
EyeMed Vision Exam Only											
Single							$1.43	$1.43	$1.43	$1.43	1/1/2020
EE + 1							$2.72	$2.72	$2.72	$2.72	
EE + Children							$2.87	$2.87	$2.87	$2.87	
Family							$4.22	$4.22	$4.22	$4.22	

Humana Vision Care Plan (Extended)	1/1/2010	1/1/2011	1/1/2012	1/1/2013	1/1/2014	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019	Next Renewal
Single	$4.80	$4.80	$4.80	$5.09	$5.10	$5.42					Terminated
EE + 1	$11.22	$11.22	$11.22	$11.89	$11.90	$12.65					
EE + Children	$10.58	$10.58	$10.58	$11.21	$11.22	$11.93					
Family	$17.52	$17.52	$17.52	$18.57	$18.58	$19.76					
EyeMed Vision Plan H											
Single							$5.33	$5.33	$5.33	$5.33	1/1/2020
EE + 1							$10.12	$10.12	$10.12	$10.12	
EE + Children							$10.65	$10.65	$10.65	$10.65	
Family							$15.65	$15.65	$15.65	$15.65	

[1] *Excludes the Blue Card fees.*

City of Joplin
Historical Insurance Premium Rates & Vendor Fees *continued*

Hartford Basic Life and AD&D	**1/1/2010**	**1/1/2011**	**1/1/2012**	**1/1/2013**	**1/1/2014**	**1/1/2015**	**1/1/2016**	**1/1/2017**	**1/1/2018**	**Next Renewal**
Life Premium Per $1,000 of Coverage		$0.110	$0.110	$0.110	$0.121	$0.121				Terminated
AD& D Premium Per $1,000 of Coverage		N/A	N/A	$0.015	$0.015	$0.015				Terminated
Symetra Basic Life and AD&D										
Life Premium Per $1,000 of Coverage							$0.098	$0.098	$0.098	1/1/2019
AD& D Premium Per $1,000 of Coverage							$0.020	$0.020	$0.020	1/1/2019

Hartford Voluntary Supplemental Life	**1/1/2010**	**1/1/2011**	**1/1/2012**	**1/1/2013**	**1/1/2014**	**1/1/2015**	**1/1/2016**	**1/1/2017**	**1/1/2018**	**Next Renewal**
Premium Per $1,000 of Coverage - By Age										Terminated
Under 35		$0.05	$0.05	$0.05	$0.05	$0.05				
35 - 39		$0.08	$0.08	$0.08	$0.08	$0.08				
40 - 44		$0.12	$0.12	$0.12	$0.12	$0.12				
45 - 49		$0.19	$0.19	$0.19	$0.19	$0.19				
50 - 54		$0.33	$0.33	$0.33	$0.33	$0.33				
55 - 59		$0.53	$0.53	$0.53	$0.53	$0.53				
60 - 64		$0.71	$0.71	$0.71	$0.71	$0.71				
65 - 69		$1.11	$1.11	$1.11	$1.11	$1.11				
70 - 74		$1.93	$1.93	$1.93	$1.93	$1.93				
75+		$3.34	$3.34	$3.34	$3.34	$3.34				
Child Rate		$0.07	$0.07	$0.07	$0.07	$0.07				
Symetra Supplemental Life										
Premium Per $1,000 of Coverage - By Age										
Under 25							$0.05	$0.05	$0.05	1/1/2019
25 - 29							$0.05	$0.05	$0.05	
30 - 34							$0.05	$0.05	$0.05	
35 - 39							$0.08	$0.08	$0.08	
40 - 44							$0.12	$0.12	$0.12	
45 - 49							$0.19	$0.19	$0.19	
50 - 54							$0.33	$0.33	$0.33	
55 - 59							$0.53	$0.53	$0.53	
60 - 64							$0.71	$0.71	$0.71	
65 - 69							$1.11	$1.11	$1.11	
70 - 74							$1.67	$1.67	$1.67	
75 +							$2.90	$2.90	$2.90	
Child Rate							$0.07	$0.07	$0.07	

Appendix: 2015 Financial Statement

	January	February	March	April	May	June	July	August	September	October	November	December	Year to Date
Beginning Balance	$2,871,077	$2,660,668	$2,790,352	$2,887,534	$2,906,965	$2,787,179	$2,885,624	$2,884,255	$2,721,410	$2,621,041	$2,464,576	$2,563,863	$2,871,077
Income													
City Contributions	351,877	347,952	347,273	350,448	349,448	352,219	358,067	355,431	349,942	348,238	362,230	356,246	4,229,370
Employee Contributions[1]	111,976	98,036	107,201	110,822	98,452	103,623	99,131	114,206	104,098	104,125	97,822	109,807	1,259,298
Interest Income	0	0	0	0	0	1,167	0	0	0	349	0	1,167	2,682
Total	$463,853	$445,988	$454,474	$461,270	$447,900	$457,009	$457,198	$469,637	$454,040	$452,712	$460,052	$467,219	$5,491,350
Expense													
Medical[2]	$416,166	$141,600	$164,401	$270,985	$361,029	$233,507	$195,159	$467,970	$322,605	$406,223	$175,329	$366,800	$3,521,774
Stop Loss Reimbursements	(14,931)	0	0	0	0	(75,200)	(8,967)	(3,319)	(1,431)	(334)	(22)	(45)	(104,249)
Prescription Drug[2]	87,422	72,916	94,433	65,220	104,047	97,493	97,248	68,607	124,937	103,052	87,263	63,240	1,065,878
Dental Premium	28,665	28,851	28,895	29,134	29,393	29,364	29,453	29,284	29,862	28,745	28,984	28,736	349,366
Vision Premium	3,911	3,862	3,843	3,891	3,952	3,891	3,977	3,955	4,023	3,899	3,896	3,861	46,963
Life Premium	6,468	6,385	6,415	6,417	6,475	6,492	6,424	6,444	6,468	6,388	6,365	6,358	77,097
Stop-Loss Premium	37,011	36,418	36,646	36,139	36,665	36,760	36,690	36,665	37,445	36,710	36,336	36,266	439,752
Medical Administration	22,832	22,441	22,658	22,441	22,876	23,006	23,006	22,876	23,180	22,745	22,615	22,615	273,291
Special Events & Promotions	404	582	0	1,111	0	0	0	0	0	0	0	0	2,097
ACA Fees	75,978	0	0	0	0	0	2,646	0	0	0	0	0	78,624
Administration[3]	10,335	3,250	0	6,500	3,250	3,250	72,930	0	7,320	1,749	0	0	108,584
Total	$674,262	$316,305	$357,292	$441,838	$567,687	$358,563	$458,567	$632,482	$554,409	$609,177	$360,765	$527,831	$5,859,177
Operating Surplus/(Deficit)	($210,409)	$129,683	$97,182	$19,432	($119,787)	$98,445	($1,368)	($162,845)	($100,369)	($156,465)	$99,286	($60,611)	($367,826)
Ending Balance	$2,660,668	$2,790,352	$2,887,534	$2,906,965	$2,787,179	$2,885,624	$2,884,255	$2,721,410	$2,621,041	$2,464,576	$2,563,863	$2,503,251	$2,503,251
Active/COBRA Lives	505	504	507	509	514	517	516	516	518	511	508	507	511
Retiree Lives	11	11	11	11	10	10	10	10	11	11	11	11	11
Total	516	515	518	520	524	527	526	526	529	522	519	518	522

[1] *Employee contributions include Retiree and COBRA contributions*

[2] *Based on financial statements received from City of Joplin personnel. Reported medical and prescription drug payments are combined on the financial statements received from the City.*

[3] *Administration expense includes "Equipment Operating" line item from financial statements.*

Appendix: 2016 YTD Financial Statement

	January	February	March	April	May	June	July	Year to Date
Beginning Balance	$2,503,251	$2,329,626	$2,339,210	$2,244,921	$2,344,626	$2,515,915	$2,475,750	$2,503,251
Income								
City Contributions	356,307	354,407	344,725	356,833	361,461	354,767	352,266	2,480,766
Employee Contributions[1]	102,878	99,505	98,628	101,902	99,451	106,154	100,635	709,154
Interest Income	0	0	0	0	0	1,167	0	1,167
Total	$459,185	$453,912	$443,353	$458,735	$460,912	$462,088	$452,901	$3,191,087
Expense								
Medical[2]	$362,593	$246,207	$359,956	$158,721	$104,099	$320,557	$110,770	$1,662,904
Stop Loss Reimbursements	0	0	0	0	0	0	0	0
Prescription Drug[2]	117,907	90,825	80,566	103,634	86,325	82,811	103,510	665,578
Dental Premium	26,380	26,572	26,234	26,190	26,767	26,830	26,048	185,022
Vision Premium	3,371	3,390	3,408	3,388	3,380	3,455	3,385	23,777
Life Premium	6,382	6,438	6,370	6,494	6,531	6,543	6,545	45,303
Stop-Loss Premium	38,474	38,008	38,205	37,168	38,191	38,394	37,961	266,401
Medical Administration	20,904	20,549	20,868	19,910	20,588	20,828	20,668	144,315
Special Events & Promotions	391	423	25	690	909	0	0	2,438
ACA Fees	56,408	0	0	0	0	1	2,771	59,180
Administration[3]	0	11,917	2,010	2,833	2,833	2,833	2,250	24,677
Total	$632,810	$444,329	$537,642	$359,030	$289,623	$502,253	$313,907	$3,079,594
Operating Surplus/(Deficit)	($173,625)	$9,584	($94,289)	$99,706	$171,289	($40,165)	$138,994	$111,493
Ending Balance	$2,329,626	$2,339,210	$2,244,921	$2,344,626	$2,515,915	$2,475,750	$2,614,744	$2,614,744
Active/COBRA Lives	508	511	506	507	508	507	510	508
Retiree Lives	8	8	7	8	8	8	8	8
Total	516	519	513	515	516	515	518	516

[1] *Employee contributions include Retiree and COBRA contributions*

[2] *Based on financial statements received from City of Joplin personnel. Reported medical and prescription drug payments are combined on the financial statements received from the City.*

[3] *Administration expense includes "Equipment Operating" line item from financial statements.*

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-275
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 030-16: Approximately 1,900 feet south and 1,800 feet west of the intersection of Apple Road and County Road 180 – A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Authority.

STAFF SUMMARY:
The applicant is requesting to voluntarily annex approximately 0.2 acres of land approximately 1,900 feet south and 1,800 feet west of the intersection of Apple Road and County Road 180. This is the first of four annexation requests by the Joplin Industrial Development Authority that will add approximately 26.5 acres into the City of Joplin.

Staff recommends approval of Case 030-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Kurt Higgins, Allgeier-Martin & Associates, works with the Joplin Industrial Development Authority (JIDA). He stated Case 030-16, Case 031-16, Case 032-16, and Case 033-16 are all linked together. JIDA is annexing some property that they and Richard and Diane Volk own. The annexation will allow JIDA to utilize some City Community Development Block Grant (CDBG) funding to complete a lift station and install a gravity sewer line to serve part of the Crossroads Industrial Park.

Mr. Duncan asked Mr. Higgins about the relationship between JIDA and Joplin Development Properties II in Case 040-16 and stated JIDA is also applying for the same plot. Mr. Higgins stated JIDA doesn't have any connection with Joplin Development Properties II.

Mr. Duncan asked if these properties are located in the same area, and Mr. Bolander replied Joplin Development Properties II is actually in the Wildwood Ranch area. The property in Case 030-16 is at the Crossroads Industrial Park.

PUBLIC COMMENT:
None.

P & Z Case 030-16
Joplin Industrial Development Authority
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-275 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located approximately 1,900 feet south and 1,800 feet west of the intersection of Apple Road and County Road 180 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 LOCATED IN THE NORTH HALF OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST IN JASPER COUNTY; MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 14, CORNER BEING A BRASS MONUMENT; THENCE S 01°51'47" W ALONG THE EAST LINE OF SAID SECTION, 30.00 FEET TO A POINT ON LINE; THENCE N 88°52'45" W, A DISTANCE OF 25.00 FEET TO THE INTERSECTION OF THE WEST APPARENT RIGHT-OF-WAY OF COUNTY ROAD 180 WITH THE SOUTH APPARENT RIGHT-OF-WAY LINE OF APPLE ROAD; THENCE N 88°52'45" W ALONG THE SAID SOUTH RIGHT-OF-WAY, 340.74 FEET TO THE POINT OF BEGINNING; THENCE S 00°44'04" W, A DISTANCE OF 100.00

FEET; THENCE N 88°52'45" W, A DISTANCE OF 100.00 FEET; THENCE N 00°44'04" E, A DISTANCE OF 100.00 FEET TO THE SAID APPARENT SOUTH RIGHT-OF-WAY LINE OF APPLE RD; THENCE ALONG SAID SOUTH LINE S 88°52'45" E, 100.00 TO THE POINT OF BEGINNING. CONTAINING 0.23 ACRES (9,999.8 SQ. FT.) MORE OR LESS.

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 December, 2016.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, 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: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Voluntary Annexation

CASE 030-16 A request to voluntarily annex approximately 0.2 acres into the City of Joplin

LOCATION Approximately 1,900 feet south and 1,800 feet west of the intersection of Apple Road and County Road 180

APPLICANT Joplin Industrial Development Authority

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County, MO)	Undeveloped	0.2 acres

DISCUSSION

The applicant is requesting to voluntarily annex approximately 0.2 acres of land approximately 1,900 feet south and 1,800 feet west of the intersection of Apple Road and County Road 180. This is the first of four annexation requests by the Joplin Industrial Development Authority that will add approximately 26.5 acres into the City of Joplin.

Staff recommends approval of Case 030-16.

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.

Diane M. Volk, Trustee
DIANE M. VOLK, TRUSTEE

Richard Volk, Trustee
RICHARD VOLK, TRUSTEE

STATE OF MISSOURI)
) ss:
COUNTY OF JASPER)

On this 8TH day of AUGUST 2016, before me appeared DIANE M. VOLK and RICHARD VOLK, husband and wife, to me known to be the persons described in and who acknowledged that they executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed..

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: JULY 23, 2018.

Earl R Higgins
Notary Public

EARL R. HIGGINS
Notary Public - Notary Seal
State of Missouri
Commissioned for Jasper County
My Commission Expires: July 23, 2018
Commission Number: 14914124



Case 030-16: Approximately 1,900 feet south and 1,800 feet west of the intersection of Apple Road and County Road 180 – A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Association.

N

Case 030-16: Approximately 1,900 feet south and 1,800 feet west of the intersection of Apple Road and County Road 180 – A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Authority.

Mr. Smith opened the public hearing for Case 030-16.

Mr. Kurt Higgins, Allgeier-Martin & Associates, 7231 East 24th Street, Joplin, stated he is the engineer who works with the Joplin Industrial Development Authority (JIDA). He stated Case 030-16, Case 031-16, Case 032-16, and Case 033-16 are all linked together. JIDA is annexing some property that they and Richard and Diane Volk own. The annexation will allow JIDA to utilize some City Community Development Block Grant (CDBG) funding to complete a lift station and install a gravity sewer line to serve part of the Crossroads Industrial Park.

Mr. Duncan asked Mr. Higgins about the relationship between JIDA and Joplin Development Properties II in Case 040-16 and stated JIDA is also applying for the same plot. Mr. Higgins stated JIDA doesn't have any connection with Joplin Development Properties II.

Mr. Duncan asked if these properties are located in the same area, and Mr. Bolander replied Joplin Development Properties II is actually in the Wildwood Ranch area. The property in Case 030-16 is at the Crossroads Industrial Park.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 030-16.

MR. CORTEZ MOVED, SECONDED BY MR. BROWN, THAT CASE 030-16 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, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-276
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 031-16: Approximately 1,900 feet south of the intersection of Apple Road and County Road 180 – A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Authority.

STAFF SUMMARY:
The applicant is requesting to voluntarily annex approximately 26 acres of land approximately 1,900 feet south of the intersection of Apple Road and County Road 180. This is the second of four annexation requests by the Joplin Industrial Development Authority that will add approximately 26.5 acres into the City of Joplin.

Staff recommends approval of Case 031-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Kurt Higgins, Allgeier-Martin & Associates, works with the Joplin Industrial Development Authority (JIDA). He stated Case 030-16, Case 031-16, Case 032-16, and Case 033-16 are all linked together. JIDA is annexing some property that they and Richard and Diane Volk own. The annexation will allow JIDA to utilize some City Community Development Block Grant (CDBG) funding to complete a lift station and install a gravity sewer line to serve part of the Crossroads Industrial Park.

PUBLIC COMMENT:
None.

P & Z Case 031-16
Joplin Industrial Development Authority
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-276 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located approximately 1,900 feet south of the intersection of Apple Road and County Road 180 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:

AN EASEMENT LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST IN JASPER COUNTY; MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 14, CORNER BEING A BRASS MONUMENT; THENCE S 01°51'47" W ALONG THE EAST LINE OF SAID SECTION, 1320.24 FEET TO A POINT ON LINE, FROM WHICH AN ALUMINUM MONUMENT BEARS N 03°06'41" E, A DISTANCE OF 5.31 FEET; THENCE N 88°08'41" W, A DISTANCE OF 25.00 FEET TO THE WEST APPARENT RIGHT-OF-WAY OF COUNTY ROAD 180 AND THE POINT OF BEGINNING; THENCE S 01°51'47" W ALONG SAID RIGHT-OF-WAY, 20.00 FEET; THENCE N 88°08'41" W, A

DISTANCE OF 222.69 FEET; THENCE S 40°19'11" W, A DISTANCE OF 417.93 FEET; THENCE S 0108'46" W, A DISTANCE OF 310.36 FEET; THENCE N 88°51'15" W, A DISTANCE OF 40.00 FEET; THENCE N 01°08'46" E, A DISTANCE OF 324.60 FEET; THENCE N 40°19'11" E, A DISTANCE OF 435.57 FEET; THENCE N 03°13'56" W, A DISTANCE OF 382.23 FEET; THENCE N 05°15'51" E, A DISTANCE OF 364.52 FEET; THENCE N 08°37'42" W, A DISTANCE OF 193.31 FEET; THENCE N 14°00'03" W, A DISTANCE OF 252.56 FEET; THENCE S 88°52'45" E, A DISTANCE OF 20.72 FEET; THENCE S 14°00'03" E, A DISTANCE OF 248.09 FEET; THENCE S 08°37'42" E, A DISTANCE OF 196.69 FEET; THENCE S 05°15'51" W, A DISANCE OF 365.48 FEET; THENCE S 03°13'56" E, A DISTANCE OF 390.11 FEET; THENCE S 88°08'41" E, A DISTANCE OF 231.15 FEET TO THE POINT OF BEGINNING. CONTAINING 1.34 ACRES (58,413.0 SQ. FT.) MORE OR LESS.

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 12:02 a.m., on the First (1st) day of December, 2016.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, 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: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Voluntary Annexation

CASE 031-16 A request to voluntarily annex approximately 26 acres into the City of Joplin

LOCATION Approximately 1,900 feet south of the intersection of Apple Road and County Road 180

APPLICANT Joplin Industrial Development Authority

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County, MO)	Undeveloped	26 acres

DISCUSSION

The applicant is requesting to voluntarily annex approximately 26 acres of land approximately 1,900 feet south of the intersection of Apple Road and County Road 180. This is the second of four annexation requests by the Joplin Industrial Development Authority that will add approximately 26.5 acres into the City of Joplin.

Staff recommends approval of Case 031-16.

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.

Rob O'Brian

Rob O'Brian, Vice President, JTDI7

STATE OF MISSOURI)
) ss:
COUNTY OF JASPER)

On this 9th day of August 2016, before me appeared Rob O'Brian and _____, ~~husband and wife~~, to me known to be the persons described in and who acknowledged that they executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed..

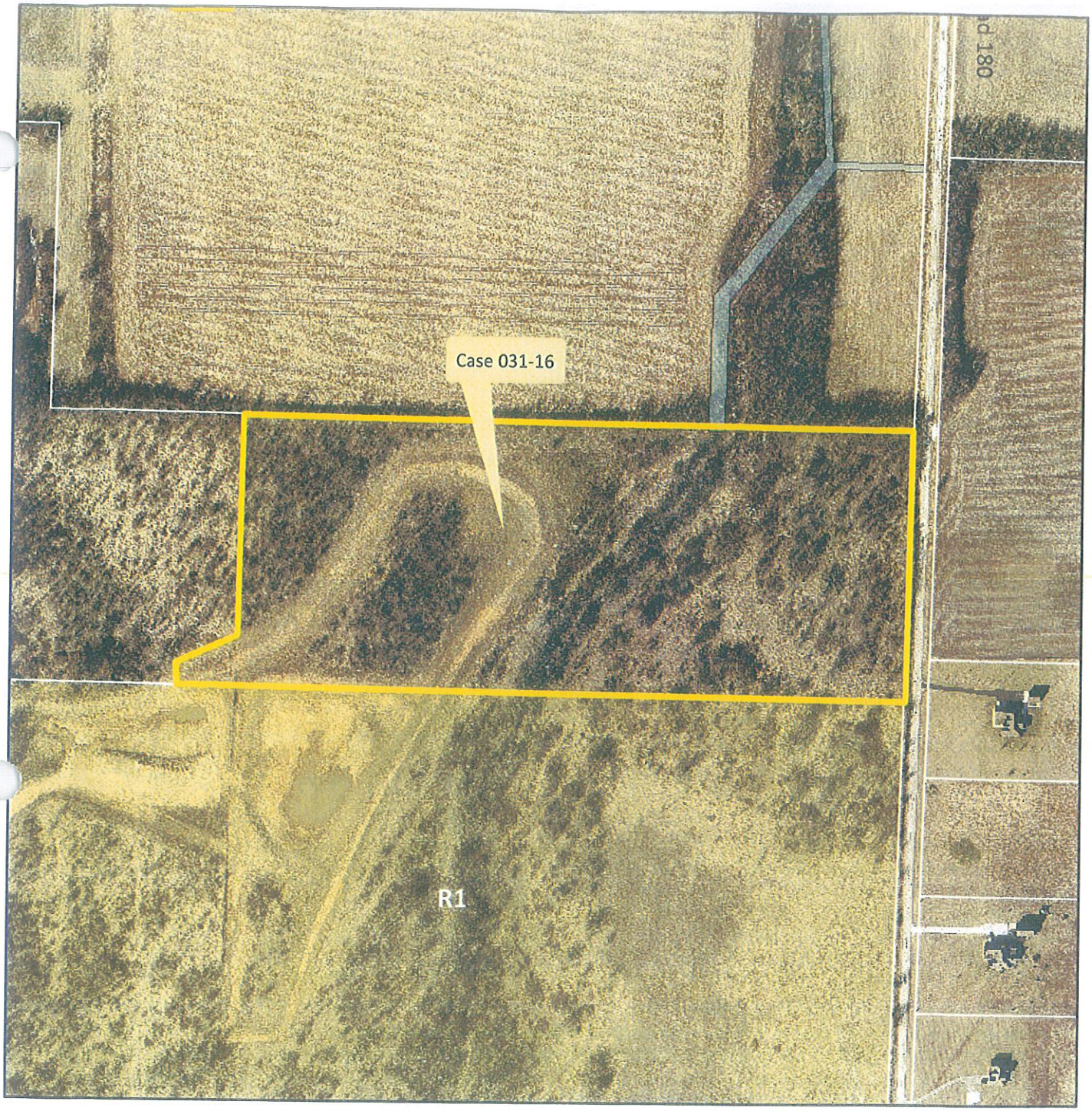
IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed by official seal, in the County and State aforesaid, the day and year first above written.

My commission expires: 4/6/18.

LeAnn J. Schroer

Notary Public

LEANN J. SCHROER
Notary Public - Notary Seal
State of Missouri
Commissioned for Jasper County
My Commission Expires: April 06, 2018
Commission Number: 14524522



Case 031-16: Approximately 1,900 feet south of the intersection of Apple Road and County Road 180 – A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Association.

N

Case 031-16: Approximately 1,900 feet south of the intersection of Apple Road and County Road 180 – A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Authority.

Mr. Smith opened the public hearing for Case 031-16. He asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 031-16.

MR. DUNCAN MOVED, SECONDED BY MR. DERMOTT, THAT CASE 031-16 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, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-277
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 032-16: Approximately 1,400 feet south and 220 feet west of the intersection of Apple Road and County Road 180– A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Authority.

STAFF SUMMARY:
The applicant is requesting to voluntarily annex a sewer easement approximately 340 feet west of the intersection of Apple Road and County Road 180. This is the third of four annexation requests by the Joplin Industrial Development Authority that will add approximately 26.5 acres into the City of Joplin.

Staff recommends approval of Case 032-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Kurt Higgins, Allgeier-Martin & Associates, works with the Joplin Industrial Development Authority (JIDA). He stated Case 030-16, Case 031-16, Case 032-16, and Case 033-16 are all linked together. JIDA is annexing some property that they and Richard and Diane Volk own. The annexation will allow JIDA to utilize some City Community Development Block Grant (CDBG) funding to complete a lift station and install a gravity sewer line to serve part of the Crossroads Industrial Park.

PUBLIC COMMENT:
None.

P & Z Case 032-16
Joplin Industrial Development Authority
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-277 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located approximately 1,400 feet south and 220 feet west of the intersection of Apple Road and County Road 180 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 S-1/2 OF THE NE-1/4 OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL BASE AND MERIDIAN IN JASPER COUNTY, MISSOURI, BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 14; THENCE N 88°50'48"W ALONG THE QUARTER SECTION LINE, 1851.66 FEET; THENCE N 08°21'42"E, 52.18 FEET; THENCE N 64°19'50"E, 162.18 FEET; THENCE N 01°49'59"E ALONG AN EXISTING FENCE, 532.81 FEET; THENCE S88°51'09"E, 1702.13 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 14; THENCE S 01°51'22"W, 657.95 FEET TO THE POINT OF BEGINNING. CONTAINING 26.00 ACRES (1,132,454 SQUARE FEET), MORE OR LESS.

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 12:03 a.m., on the First (1st) day of December, 2016.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, 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: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Voluntary Annexation

CASE 032-16 A request to voluntarily annex approximately a 2,100 ft sewer easement into the City of Joplin

LOCATION Approximately 1,400 feet south and 220 feet west of the intersection of Apple Road and County Road 180

APPLICANT Joplin Industrial Development Authority

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County, MO)	Undeveloped	1433 ft x 20 ft 728 ft x 40 ft

DISCUSSION

The applicant is requesting to voluntarily annex a sewer easement approximately 340 feet west of the intersection of Apple Road and County Road 180. This is the third of four annexation requests by the Joplin Industrial Development Authority that will add approximately 26.5 acres into the City of Joplin.

Staff recommends approval of Case 032-16.

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.

Diane M. Volk, Trustee
DIANE M. VOLK, TRUSTEE

Richard Volk, Trustee
RICHARD VOLK, TRUSTEE

STATE OF MISSOURI)
) ss:
COUNTY OF JASPER)

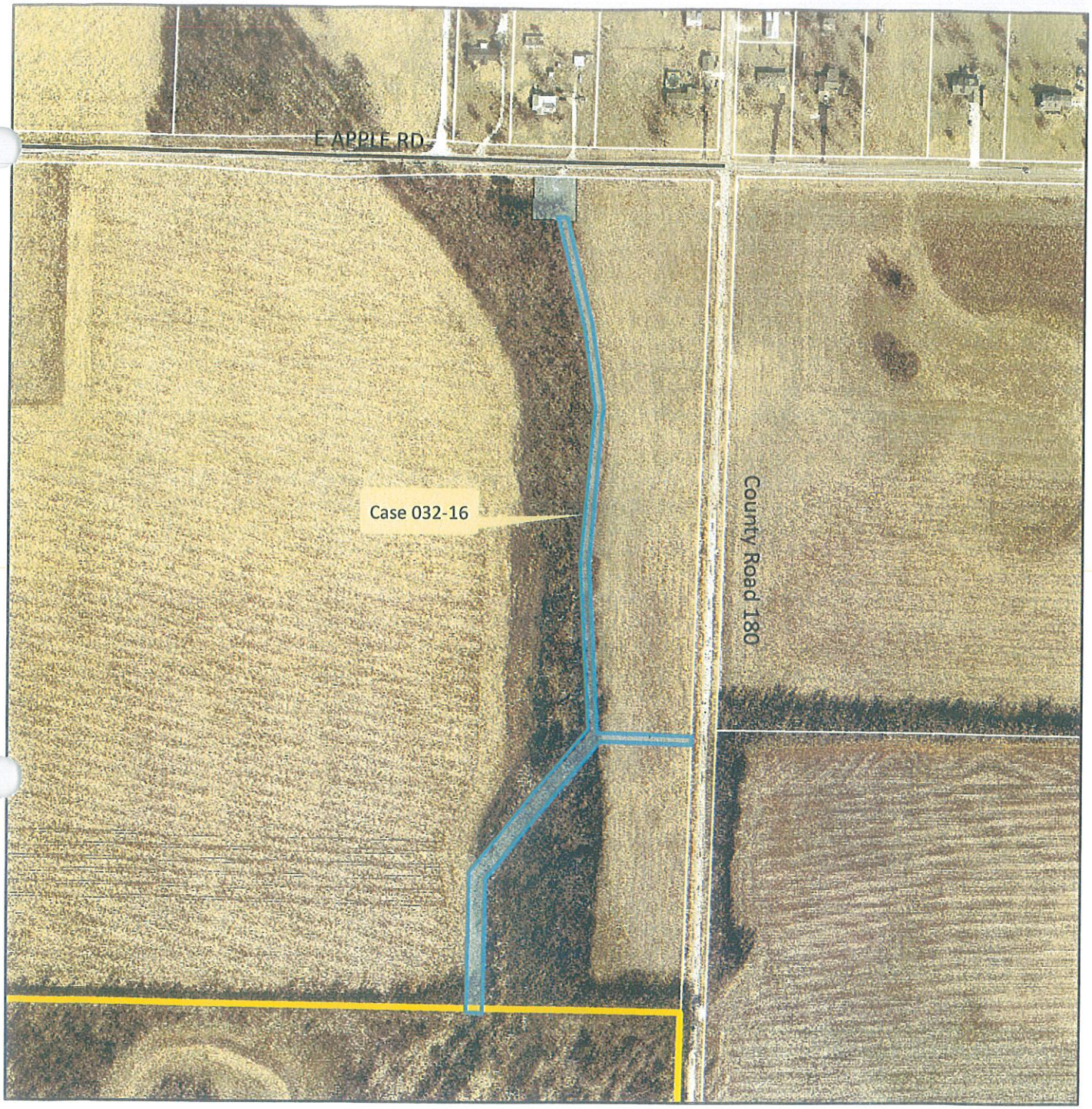
On this 8TH day of AUGUST 2016, before me appeared DIANE M. VOLK and RICHARD VOLK, husband and wife, to me known to be the persons described in and who acknowledged that they executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed..

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: JULY 23, 2018.

Earl R Higgins
Notary Public

EARL R. HIGGINS
Notary Public - Notary Seal
State of Missouri
Commissioned for Jasper County
My Commission Expires: July 23, 2018
Commission Number: 14914124



Case 032-16: Approximately 1,400 feet south and 220 feet west of the intersection of Apple Road and County Road 180– A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Association.

N

Case 032-16: Approximately 1,400 feet south and 220 feet west of the intersection of Apple Road and County Road 180– A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Authority.

Mr. Smith opened the public hearing for Case 032-16. He asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 032-16.

MR. DERMOTT MOVED, SECONDED BY MS. BRUECKNER-SEARS, THAT CASE 032-16 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, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-278
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 033-16: Approximately 340 feet west of the intersection of Apple Road and County Road 180– A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Authority.

STAFF SUMMARY:
The applicant is requesting to voluntarily annex approximately 0.2 acres into the City of Joplin approximately 340 feet west of the intersection of Apple Road and County Road 180. This is the site of the lift station. This is the last of four annexation requests by the Joplin Industrial Development Authority that will add approximately 26.5 acres into the City of Joplin.

Staff recommends approval of Case 033-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Kurt Higgins, Allgeier-Martin & Associates, works with the Joplin Industrial Development Authority (JIDA). He stated Case 030-16, Case 031-16, Case 032-16, and Case 033-16 are all linked together. JIDA is annexing some property that they and Richard and Diane Volk own. The annexation will allow JIDA to utilize some City Community Development Block Grant (CDBG) funding to complete a lift station and install a gravity sewer line to serve part of the Crossroads Industrial Park.

PUBLIC COMMENT:
None.

P & Z Case 033-16
Joplin Industrial Development Authority
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-278 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located approximately 340 feet west of the intersection of Apple Road and County Road 180 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 S-1/2 OF THE NE-1/4 OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL BASE AND MERIDIAN IN JASPER COUNTY, MISSOURI, BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14; THENCE N 88°50'48"W ALONG THE QUARTER SECTION LINE, 1851.66 FEET TO THE POINT OF BEGINNING; THENCE N 88°50'48"W ALONG THE QUARTER SECTION LINE, 140.16 FEET; THENCE N 64°19'50"E, 326.88 FEET; THENCE S 01°49'59"W, 22.55 FEET; THENCE S 64°19'50"W, 162.18 FEET; THENCE S 08°21'42"W, 52.18 FEET TO THE POINT OF BEGINNING. CONTAINING 0.20 ACRE (8,519 SQUARE FEET), MORE OR LESS.

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 12:04 a.m., on the First (1st) day of December, 2016.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, 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: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Voluntary Annexation

CASE 033-16 A request to voluntarily annex approximately 0.2 acres into the City of Joplin

LOCATION Approximately 340 feet west of the intersection of Apple Road and County Road 180

APPLICANT Joplin Industrial Development Authority

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County, MO)	Undeveloped	0.2 acres

DISCUSSION

The applicant is requesting to voluntarily annex approximately 0.2 acres into the City of Joplin approximately 340 feet west of the intersection of Apple Road and County Road 180. This is the site of the lift station. This is the last of four annexation requests by the Joplin Industrial Development Authority that will add approximately 26.5 acres into the City of Joplin.

Staff recommends approval of Case 033-16.

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.

Diane M. Volk, Trustee

DIANE M. VOLK, TRUSTEE

Richard Volk Trustee

RICHARD VOLK, TRUSTEE

STATE OF MISSOURI)
) ss:
COUNTY OF JASPER)

On this 8TH day of AUGUST 2016, before me appeared DIANE M. VOLK and RICHARD VOLK, husband and wife, to me known to be the persons described in and who acknowledged that they executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed..

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: JULY 23, 2018.

Earl R Higgins

Notary Public

EARL R. HIGGINS
Notary Public - Notary Seal
State of Missouri
Commissioned for Jasper County
My Commission Expires: July 23, 2018
Commission Number: 14914124



Case 033-16: Approximately 340 feet west of the intersection of Apple Road and County Road 180– A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Association.

N

Case 033-16: Approximately 340 feet west of the intersection of Apple Road and County Road 180– A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Industrial Development Authority.

Mr. Smith opened the public hearing for Case 033-16. He asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 033-16.

MR. RAMSOUR MOVED, SECONDED BY MR. CORTEZ, THAT CASE 032-16 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, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-279
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "6 in favor, 1 opposed, and 0 absent"

SUMMARY/REQUEST:
Case 035-16: 655 South Lavender Lane – A request to rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential) for the construction of a multi-family residential development – O'Reilly Holdings, LLC.

STAFF SUMMARY:
This property was recently annexed into the City of Joplin in August of 2015. It is approximately nine acres, with about one third of the parcel lying in the flood plain. Currently the site is undeveloped. The City of Joplin's future land use map shows future commercial development along East Seventh Street. There is a sewer line that runs along the east side of the northern half of the parcel.

The proposed development consists of approximately 48 affordable housing units; these would be a mixture of 2- and 3-bedroom units. The development consists of 10 residential buildings as well as a community building and playground. There will be landscaped parking and a storm water detention area on the northern portion of the parcel that lies in the flood plain. Staff considers this to be an appropriate use due to the transition of light commercial and residential development on East Seventh Street.

Staff recommends approval of Case 035-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Denise Heintz appeared representing O'Reilly Holdings, LLC, to request the rezoning of property for a proposed multi-family affordable housing development that has been submitted with the Missouri Housing Development Commission. The development would contain 48 affordable housing units in four and six-plex buildings. A portion of the buildings will be two-story since they are townhomes, with all the buildings having street access.

O'Reilly Holdings submitted a $9 million project with the Missouri Housing Development Commission in September. They review all applications and makes a decision during December and approves the successful applications. If O'Reilly Holdings are successful with their application, they would prepare development plans and begin construction next summer. Construction will take 12 months, with affordable housing being available during mid-2018. This application is a partnership between O'Reilly Holdings and Economic Security Corporation.

This is a combined workforce housing application, so a portion of the income qualifications are at 60 percent area median income, and 20 percent of the units are at 80 percent area median income. The development contains a mix of two-bedroom and three-bedroom units. There will be 12 two-bedroom units with monthly rental rates between $410.00 and $460.00, and 36 three-bedroom, two-bath units with rental rates from $550.00 to $650.00.

O'Reilly Holdings conducted a neighborhood meeting and discussed the project, with 14 to 20 attendees. Most of the attendees were from University Heights Subdivision that lies northwest of the property in this request. They expressed concern about the storm water detention and runoff, with O'Reilly Holdings assuring the neighbors that they would be developing the project with professional engineers and complying with all of the requirements set by the City of Joplin to seek approval and a building permit. The neighbors also expressed concerns about buffering and access into the proposed development.

Mr. Ramsour asked the City staff if Lavender Lane will ever be developed. Mr. Bolander asked if Lavender Lane is currently a driveway into another property, and Ms. Heintz replied yes.

Mr. Bolander stated Lavender Lane doesn't have the current right-of-way width to be a public street, so it will probably remain a private drive or a private lane. Ms. Heintz stated Lavender Lane lies to the west of the property in this request, with the access to the proposed development being east of that. They would not utilize Lavender Lane as access.

Mr. Duncan asked Ms. Heintz about the estimated width of the greenway between the proposed development and the property owners to the west. Ms. Cunningham stated the zoning code allows a 20-foot natural landscaping buffer between those two zoning districts.

Ms. Heintz stated there will be 65 feet between the property line and the back of the buildings on the west side. The tree line is a solid privacy line.

Mr. Duncan asked if any parking will be within that 65-foot space, and Ms. Heintz replied no parking will be in that area. The parking is all in the interior of the development.

Mr. Duncan asked Ms. Heintz if the proposed development lies to the east of Lavender Lane, and she replied yes. It appears that O'Reilly Holdings' property line starts on the east boundary of Lavender Lane.

Mr. Cortez asked about plans for a privacy fence or any kind of security fence between the University Circle neighborhood and this proposed development. Ms. Heintz plans on retaining the existing tree line, which is very thick and very solid, so she has not budgeted in a privacy fence. She is not opposed to looking at a privacy fence but stated the natural tree is very solid. They normally erect privacy fences around the parameters of their properties.

Mr. Ramsour thought the north end of the development should contain a circular turn-around instead of a hammerhead turn-around. Ms. Heintz stated the turn-around allows the emergency vehicles to back up and turn around. She will design it the way the Fire Department and the City staff requests. She stated the hammerhead uses less concrete and keeps the turn-around out of the 100-year flood plain.

Ms. Cunningham stated a turn-around must be provided per the City's fire code similar to what was developed on 14th Street west of Range Line Road.

PUBLIC COMMENT:
Comments in opposition were received from the following:

Mr. Robert Downey, 4226 University Circle, Joplin
Mr. Roger Gronewold, 4030 East Seventh Street, Joplin
Mr. John Alburty, 100 Lavender Lane, Joplin
Mr. Joe Lewis, 4222 University Circle, Joplin

They expressed concerns about drainage and storm water retention issues, along with access into the proposed development. They also expressed concerns about buffering and asked for the existing tree line to remain as opposed to fencing. Other concerns included a decrease in residential property values with adjoining low-income housing. Some of the residents who attended commission meeting are residents of Duquesne and Jasper County but stated the proposed development will affect them.

In response to the neighbors' concerns regarding drainage issues, Mr. Kurt Higgins from Allgeier-Martin & Associates stated the flood plain in this area is due to the drainage into Turkey Creek. Developments in Duenweg, Duquesne, and Crossroads Industrial Park all drain into Turkey Creek. The flood plain is impacted by a lot of developments in and outside of Joplin, so the area in this request is a dot on that drainage basin.

Mr. Higgins stated the drainage from the proposed development is not going to impact the FEMA flood plain. The development should be designed to the City standards and is a small piece of the overall drainage area that will have hardly any impact at all on this flood plain.

Mr. Duncan asked Mr. Higgins where along Turkey Creek the drainage from this property would have to flow. He replied Mr. Alburty is correct in that everything from this property drains from the south to the north, so it currently drains across his driveway and into Turkey Creek.

Mr. Bolander stated storm water retention doesn't keep water from flowing. It doesn't make it flow another direction uphill. It just slows it to the point where it keeps at the same velocity. It won't fix a problem if there is already a flooding problem, but it's not going to make it worse.

Mr. Higgins stated a detention basin collects the storm water and then releases it at the same pre-development rate. The quantity of water increases because water is being stored. There is more water runoff, but it is slowed down so that it doesn't increase the peak flows off the property. If storm water controls weren't in place, the flood plain would be increased as the Turkey Creek drainage basin continues to development. The proposed development will not have an impact on its own into Turkey Creek. A 1,000 acre development upstream would have a significant impact.

P & Z Case 035-16
O'Reilly Holdings, LLC
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-279 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 R-3 property as described below and located at 655 South Lavender Lane in the City of Joplin, Jasper 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 removing the following described property from District R-1and including same in District R-3:

BEGINNING 25 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 27, RANGE 32, JASPER COUNTY, MISSOURI, THENCE EAST 300 FEET, THENCE NORTH 1320 FEET, THENCE WEST 300 FEET, THENCE SOUTH 1320 FEET TO THE POINT OF BEGINNING.

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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, 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: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Rezoning

CASE 035-16 A request to rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential)

LOCATION 655 South Lavender Lane

APPLICANT O'Reilly Holdings, LLC

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1 Single Family Residential	Undeveloped	Approx. 9 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	N/A	N/A	N/A	R-1, Single Family Residential
Land Use	Undeveloped	Undeveloped	Residential	Residential

FUTURE LAND USE

The City of Joplin's future land use map classifies the area long 7th Street as future commercial development.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
7th Street (MoDOT)	Arterial	165'

UTILITIES Yes.

FLOOD PLAIN The northern portion of this site is in a flood zone.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

Currently, part of this site is zoned R-1 and does not accommodate multi-family residential development.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

This zoning change would not detrimentally affect nearby property.

DISCUSSION

This property was recently annexed into the City of Joplin in August of 2015. It is approximately nine acres, with about one third of the parcel lying in the flood plain. Currently the site is undeveloped. The City of Joplin's future land use map shows future commercial development along East 7th Street. There is a sewer line that runs along the east side of the northern half of the parcel.

The proposed development consists of approximately 48 affordable housing units; these would be a mixture of 2- and 3-bedroom units. The development consists of 10 residential buildings as well as a community building and playground. There will be landscaped parking and a storm water detention area on the northern portion of the parcel that lies in the flood plain. Staff considers this to be an appropriate use due to the transition of light commercial and residential development on East 7th Street.

Staff recommends approval of Case 035-16.

REZONING APPLICATION FORM

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.: 035-16
Filing Fee: $ 450.00
Date Advertised:
Date Notices Sent
Public Hearing Date:

APPLICANT: O'Reilly Holdings, LLC (Denise Heintz) PHONE:417-893-6006
ADDRESS:5051 S. National Avenue, Suite 7B, Springfield, MO ZIP:65810
OWNER:AM Properties, LLC PHONE:
ADDRESS:7231 E. 24th St., Joplin, MO (Glen Davidson) ZIP:64804
LOCATION OF PROPERTY:7th Street and Lavendar Lane
LEGAL DESCRIPTION:All of a tract of land described as follows: Beginning 25 feet East of the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 5, Township 27, Range 32, Jasper County, Missouri, thence East 300 feet, thence North 1320 feet, thence West 300 feet, thence South 1320 feet to the point of beginning.

Present Zoning R1 Requested Zoning R3 Acreage: 9.09
Present Use of Property: Residential

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Not in city limits	
South	Not in city limits	
East	Not in city limits	
West	Residential	R1

CHARACTER OF THE NEIGHBORHOOD: Residential

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   No
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?
   If yes, explain: Does not allow multi-family in a R1 zoning

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
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 effect 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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Yes
2. Classification of Street(s):
   Arterial X Collector Local
3. Right-of-Way Width: 165 Feet
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

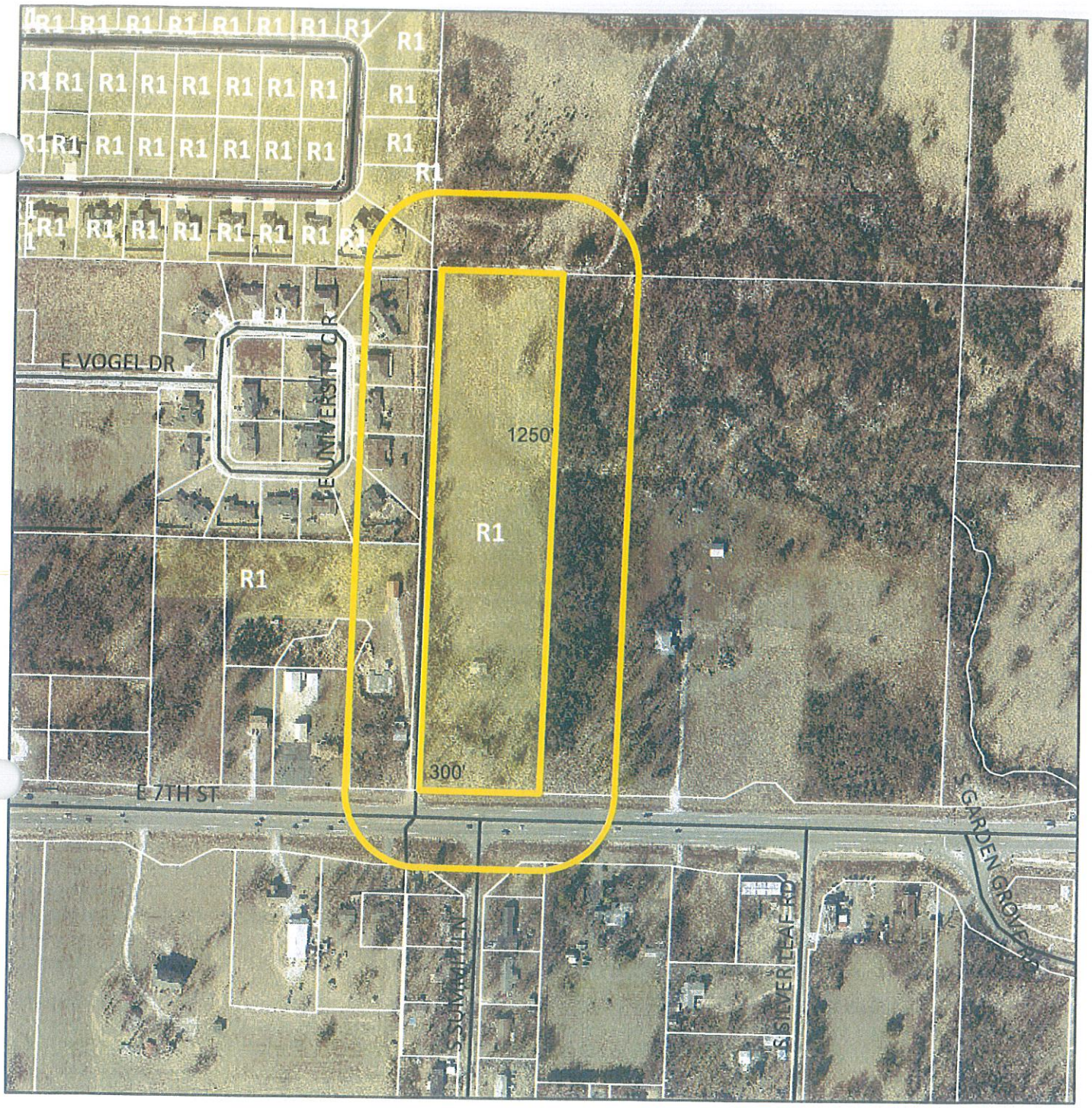
1. Appropriately Sized Lots?
2. Properly Sized Street Right-of-Way?
3. Drainage Easements?
4. Utility Easements:
   - Electricity?
   - Gas?
   - Sewers?
   - Water?
5. Additional Comments:

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: [signature] DATE: 8/1/2016

BY: Denise Heintz

TITLE: Partner / Director of Development



Case 035-16: 655 South Lavender Lane – A request to rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential) for the construction of a multi-family residential development – O'Reilly Holdings, LLC.

N

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Aug 05,2016 2:23pm



A3 SITE PLAN
SCALE: 1" = 50 FT

NORTH

LAVENDER MEADOWS APARTMENTS

SOUTH LAVENDER LANE & EAST 7TH ST.
JOPLIN, MISSOURI, JASPER COUNTY, 64804

STARK WILSON DUNCAN ARCHITECTS INC
315 NICHOLS RD. STE 228 • KANSAS CITY, MO 64112 • T 816.531.1600 F 816.531.1978

SWD ARCHITECTS EST 1935
ARCHITECTURAL CORPORATION
MISSOURI CERTIFICATE OF AUTHORITY NO. 000973

SEAL
ARCHITECT - TIMOTHY O.K. WILSON
MO. LICENSE NO. A-6972

PRELIMINARY NOT FOR CONSTRUCTION

5C
SITE PLAN

ISSUE DATE:
2016 07 31
REVISIONS:

PROJECT NO.: 0000

SP1.1

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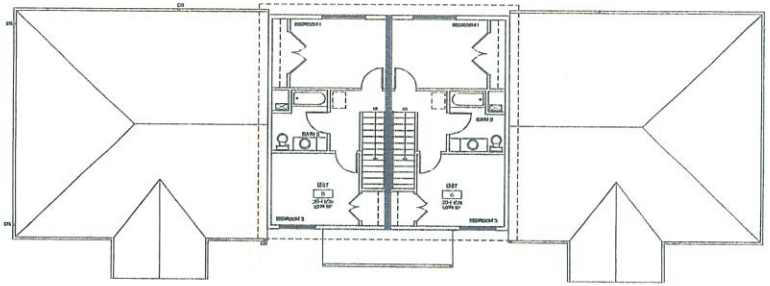
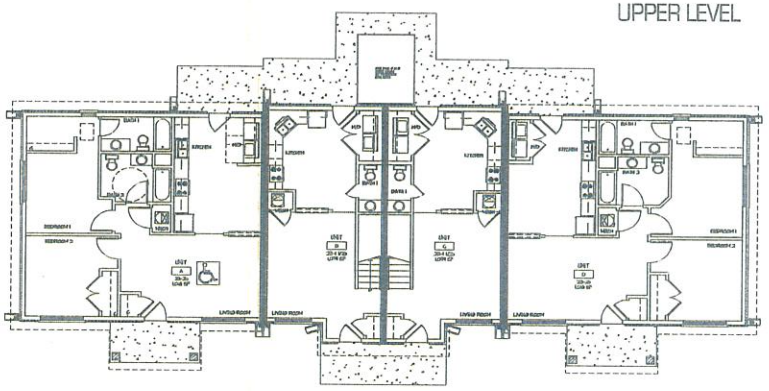


UPPER LEVEL



GROUND LEVEL

A3 TYPE A BUILDING PLANS
SCALE 1/8" = 1'-0"

SWD ARCHITECTS EST 1935
ARCHITECTURAL CORPORATION
MISSOURI CERTIFICATE
OF AUTHORITY NO. 000073

LAVENDER MEADOWS APARTMENTS
SOUTH LAVENDER LANE & EAST 7TH ST.
JOPLIN, MISSOURI, JASPER COUNTY, 64804

STARK WILSON DUNCAN ARCHITECTS INC
315 NICHOLS RD STE 228 KANSAS CITY, MO 64112 T 816 531 1668 F 816 531 1978

SEAL
ARCHITECT - TIMOTHY O K WILSON
MO LICENSE NO A-6972

PRELIMINARY NOT FOR CONSTRUCTION

14C
TYPE A BUILDING
PLANS

ISSUE DATE:
2016 07 31
REVISIONS:

PROJECT NO.: 0000

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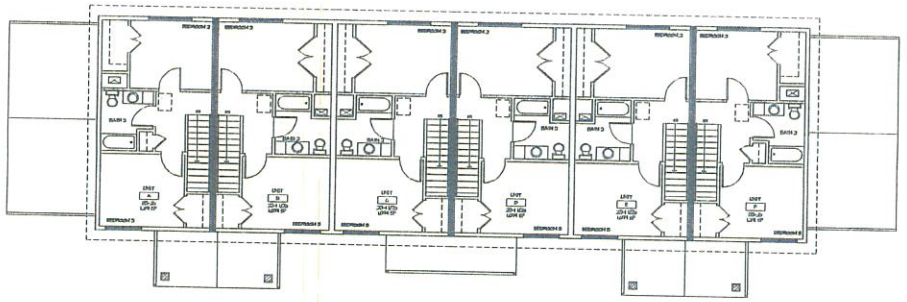
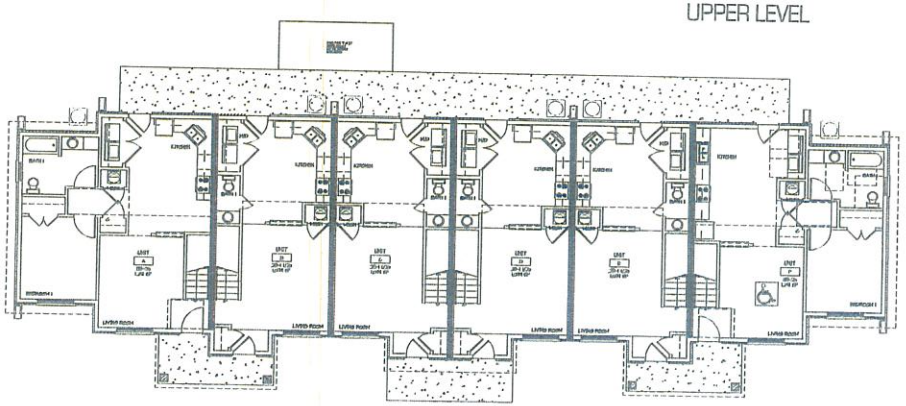


UPPER LEVEL



GROUND LEVEL

A3 TYPE B BUILDING PLANS
SCALE: 1/8" = 1'-0"

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ARCHITECTURAL CORPORATION
MISSOURI CERTIFICATE
OF AUTHORITY NO 000073

LAVENDER MEADOWS APARTMENTS

SOUTH LAVENDER LANE & EAST 7TH ST.
JOPLIN, MISSOURI, JASPER COUNTY, 64804

STARK WILSON DUNCAN ARCHITECTS INC
315 NICHOLS RD, STE 220 - KANSAS CITY, MO 64112 - T 816 531 1659 F 816 531 1978

SEAL
ARCHITECT - TIMOTHY O K WILSON
MO LICENSE NO A-6972

PRELIMINARY NOT FOR CONSTRUCTION

14C
TYPE B BUILDING PLANS

ISSUE DATE:
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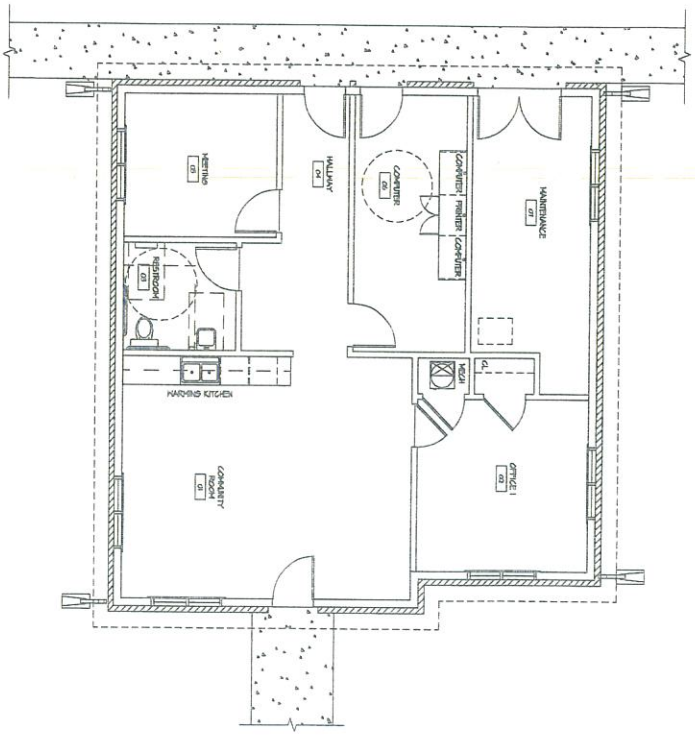

C3 OFFICE FLOOR PLAN
SCALE: 1/4" = 1'-0"
1234 GSF

NORTH

SEAL
ARCHITECT - TIMOTHY O K WILSON
MO LICENSE NO A-8972

PRELIMINARY NOT FOR CONSTRUCTION

14C
OFFICE
FLOOR PLAN

ISSUE DATE:
2016.07.31
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PROJECT NO.: 0000

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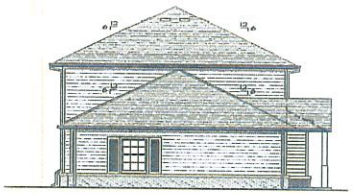

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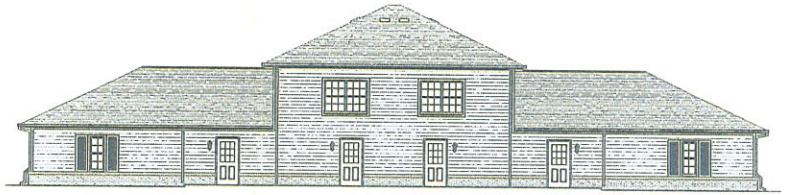

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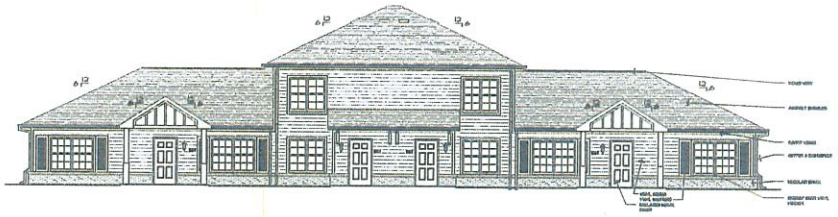

FRONT

A3 TYPE A BUILDING ELEVATIONS
SCALE: 1/8" = 1'-0"

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LAVENDER MEADOWS APARTMENTS

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14A
TYPE A BUILDING
ELEVATIONS

ISSUE DATE:
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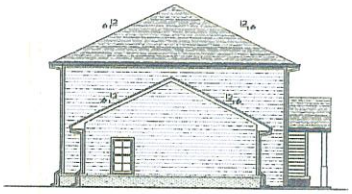

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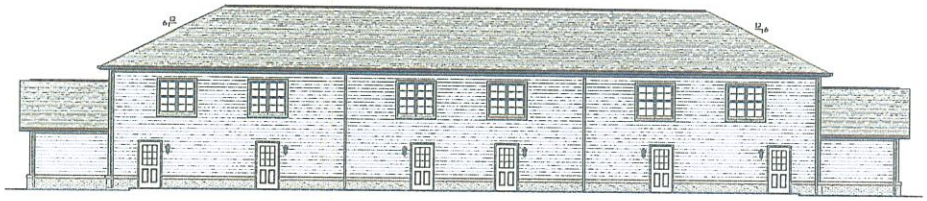

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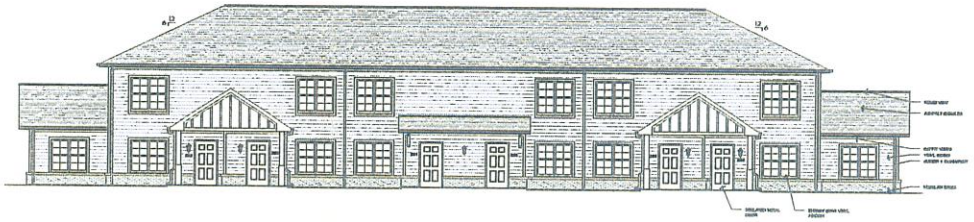

FRONT

A3 TYPE B BUILDING ELEVATIONS
SCALE: 1/8" = 1'-0"

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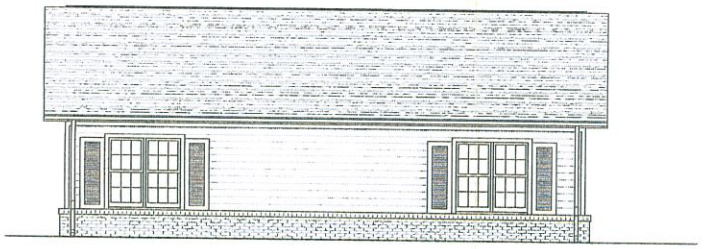
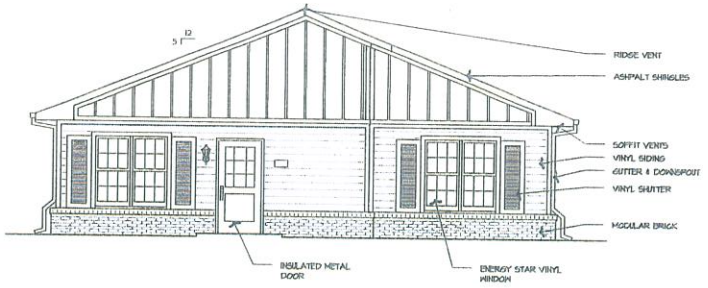
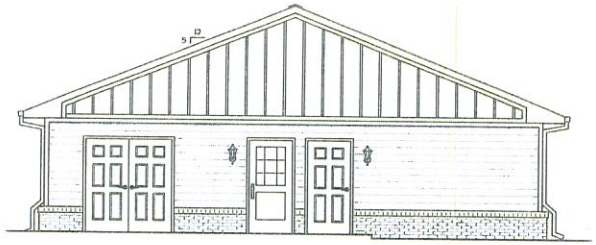


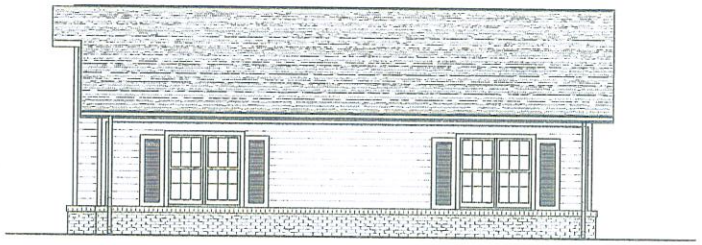
F8 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



F3 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



A8 REAR ELEVATION
SCALE: 1/4" = 1'-0"



A3 SIDE ELEVATION
SCALE: 1/4" = 1'-0"

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14A
OFFICE
BUILDING
ELEVATIONS

ISSUE DATE:
2016 07 31
REVISIONS:

PROJECT NO.: 0000

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Jul 29,2016 3:14pm

Case 035-16: 655 South Lavender Lane – A request to rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential) for the construction of a multi-family residential development – O'Reilly Holdings, LLC.

Mr. Smith opened the public hearing for Case 035-16.

Ms. Denise Heintz appeared representing O'Reilly Holdings, LLC, 5051 South National Avenue, Suite 7B, Springfield, Missouri, to request the rezoning of the property in Case 035-16 for a proposed multi-family affordable housing development that O'Reilly Holdings submitted with the Missouri Housing Development Commission. The development would contain 48 affordable housing units in four and six-plex buildings. A portion of the buildings will be two-story since they are townhomes, with all the buildings having street access.

O'Reilly Holdings submitted a $9 million project with the Missouri Housing Development Commission in September. That commission reviews all applications and makes a decision during December and approves the successful applications. If O'Reilly Holdings are successful with their application, they would prepare development plans and begin construction next summer. Construction will take 12 months, with affordable housing being available during mid-2018.

This is a combined workforce housing application, so a portion of the income qualifications are at 60 percent area median income, and 20 percent of the units are at 80 percent area median income. The development contains a mix of two-bedroom and three-bedroom units. There will be 12 two-bedroom units with monthly rental rates between $410.00 and $460.00, and 36 three-bedroom, two-bath units with rental rates from $550.00 to $650.00.

This application is a partnership between O'Reilly Holdings and Economic Security Corporation. They have joint-ventured and partnered on a number of similar projects in the City of Joplin. Most of the projects included historic tax credits, such as the Frisco Station and other projects.

O'Reilly Holdings conducted a neighborhood meeting and discussed the project, with 14 to 20 attendees. Most of the attendees were from University Heights Subdivision that lies northwest of the property in this request. Those present at the meeting expressed concern about the flood plain and the water issues. There is a defined flood plain on the north side of the property, with O'Reilly Holdings not developing within that flood plain. Other concerns included storm water detention and runoff, with O'Reilly Holdings assuring the neighbors that they would be developing the project with professional engineers and complying with all of the requirements set by the City of Joplin to seek approval and a building permit.

The neighbors also expressed concern about access on Seventh Street, and O'Reilly Holdings will work with the Missouri Department of Transportation (MoDOT) on access off of Seventh Street. A traffic study will most likely be conducted.

Mr. Smith asked if Seventh Street will be the only access into the development, and Ms. Heintz replied yes. O'Reilly Holdings will have a turn-around that will comply with the fire safety requirements.

Mr. Heintz visited the property following the neighborhood meeting to see if there are privacy tree lines on both sides of this property. O'Reilly Holdings would be able to preserve the existing tree line and do not expect any increase in visibility because the natural buffer should remain in place.

Ms. Heintz is requesting R-3 zoning, but the development contains less than five units per acre, so O'Reilly Holdings is well below what the maximum density would allow per acre.

Mr. Ramsour asked the City staff if Lavender Lane will ever be developed. Mr. Bolander asked if Lavender Lane is currently a driveway into another property, and Ms. Heintz replied yes.

Mr. Bolander stated Lavender Lane doesn't have the current right-of-way width to be a public street, so it will probably remain a private drive or a private lane. Ms. Heintz stated Lavender Lane lies to the west of the property in this request, with the access to the proposed development being east of that. They would not utilize Lavender Lane as access.

Mr. Duncan asked Ms. Heintz about the estimated width of the greenway between the proposed development and the property owners to the west. Ms. Cunningham stated the zoning code allows a 20-foot natural landscaping buffer between those two zoning districts.

Ms. Heintz stated there will be 65 feet between the property line and the back of the buildings on the west side. The tree line is a solid privacy line.

Mr. Duncan asked if any parking will be within that 65-foot space, and Ms. Heintz replied no parking will be in that area. The parking is all in the interior of the development.

Mr. Duncan asked Ms. Heintz if the proposed development lies to the east of Lavender Lane, and she replied yes. It appears that O'Reilly Holdings' property line starts on the east boundary of Lavender Lane.

Mr. Cortez asked about plans for a privacy fence or any kind of security fence between the University Circle neighborhood and this proposed development. Ms. Heintz plans on retaining the existing tree line, which is very thick and very solid, so she has not budgeted in a privacy fence. She is not opposed to looking at a privacy fence but stated the natural tree is very solid. They normally erect privacy fences around the parameters of their properties.

Mr. Ramsour thought the north end of the development should contain a circular turn-around instead of a hammerhead turn-around. Ms. Heintz stated the turn-around allows the emergency vehicles to back up and turn around. She will design it the way the Fire Department and the City staff requests. She stated the hammerhead uses less concrete and keeps the turn-around out of the 100-year flood plain.

Ms. Cunningham stated a turn-around must be provided per the City's fire code similar to what was developed on 14th Street west of Range Line Road.

Mr. Smith asked for additional questions from the commissioners, and none were received. He then asked for comments from the audience.

Mr. Robert Downey, 4226 University Circle, Joplin, appeared in opposition to the request. He discussed the neighborhood meeting, at which questions were specifically asked about the tree line. O'Reilly Holdings told the neighbors they didn't have any indication whether they would retain the tree line or wouldn't retain it. Now the developers are stating they will retain the tree line, so Mr. Downey would like to have that stipulated that they will maintain that tree line. What they told the neighbors is not what they are telling the commissioners.

Mr. Downey stated all the homeowners in University Circle received letters from the Federal Emergency Management Agency (FEMA) that the area had been designated as a flood plain. The City of Duquesne contracted with Allgeier-Martin and spent $22,000 to have each of the homes surveyed to see if they were in the flood plain, with 21 out of the 22 homes being out of the flood plain. Mr. Downey's property lies one foot out of the flood plain.

Mr. Downey expressed concern that O'Reilly Holdings' development will pouring a lot of water that would normally be consumed in the ground. The University Heights Subdivision and Tall Grass Estates will both be in serious jeopardy if the development contributes at all to the flood plain since it is very, very close.

Mr. Downey stated if water drains onto his property, he will file a lawsuit that O'Reilly Holdings were the major contributors because it adjudged to be out of the flood plain before they built. His real concern is maintaining that sight line. He is confident that none of the commissioners would like to see low-income housing next to their property. He discussed the potential for flood plain issues that the developers would need to make sure that they submit documentation from their engineers that they are not going to have any effect on any additional area.

Mr. Brown asked Mr. Downey if the tree line would be adequate privacy. He replied it is adequate at this time but would not be adequate during the winter months when the trees are barren.

Mr. Brown asked if a privacy fence would be preferable over a tree line. Mr. Downey did not believe a privacy fence would be preferable over a tree line, but it would certainly be a nice addition to the tree line. He will still see the rooftops of the buildings and expressed concern about the decrease in residential property values. Nobody wants to purchase a new home and then learn low-income housing is being constructed on adjoining property.

Mr. Ramsour asked Mr. Downey if his property lies in Duquesne, and he replied yes. The property in the request lies in Joplin, but Mr. Downey stated the development has a significant and direct bearing on the Duquesne residents. He expressed concern about the citizens of Duquesne not having a voice, but a development in Joplin affects them and decreases their home values, and that's an important consideration for the Duquesne residents.

Ms. Cunningham will add the city limit line to her map. The area that is shaded yellow with a zoning designation lies in Joplin, but she would add a clear city boundary line to the map.

Mr. Downey stated Tall Grass Estates lies in Joplin, with the person living behind him being in Joplin. The two residents are separated by 50 feet.

Mr. Duncan asked Mr. Downey if the property between University Circle and Seventh Street also in Duquesne. Ms. Cunningham stated that property contains a private residence that was annexed into Joplin last year, with the property to the south and west being in Duquesne and not in Joplin.

Mr. Smith understood the City staff would be dealing with O'Reilly Holdings' engineers. Ms. Cunningham stated O'Reilly Holdings must obtain a land disturbance permit which requires storm water calculations and plans to build storm water retention that the City's storm water engineer reviews, and it is also inspected. This is a requirement for any development containing over 1,000 square feet.

Mr. Downey asked about a stipulation that O'Reilly Holdings will address the storm water issues. Mr. Duncan personally prefers the tree line. Mr. Downey thought they would have sufficient room for both the tree line and fencing if they have 65 feet between the buildings and the property line.

Ms. Cunningham stated the only way to have a stipulation requiring that the tree line remain intact is if the property has a planned development overlay where the property is rezoned to District R-3-PD instead of District R-3. Stipulations can be attached to the rezoning. One of the landscaping options would removing the tree line and erecting a fence.

Mr. Downey asked if the trees would have to remain if the property is zoned to District C-3. Ms. Cunningham replied if the zoning was changed to a planned development, the City Council can attach stipulations to that rezoning.

Mr. Downey would opt for the tree line himself simply because it will be denser and thicker. He won't see the rooftops over the tree line, so that concern will be eliminated during the growing season.

Mr. Duncan drove that area and agreed the tree line is very thick. Even during the wintertime, there will be a lot of woods separating the homeowners from the development. Mr. Downey stated the tree line would be preferable to removing that and erecting fencing.

Mr. Cortez asked Mr. Downey about determining what the decrease in residential property values would be. He did not believe anybody has gotten to the point, but the values of the homes in University Circle run between $150,000 and $225,000. He stated the devaluation of the homes would be fairly substantial due to drainage concerns and a low-income development.

Mr. Duncan understood a couple of properties in Tall Grass Estates were rentals and asked if all the properties on University Circle were private properties without any rentals. Mr. Downey stated it is all private property. When he purchased his home, there was no development behind him. His builder purchased the four lots behind him and built several houses behind him. He believes at least 90 percent of the homes are privately owned.

Mr. Ramsour asked if anyone from Tall Grass Estates is present in the audience, but Mr. Downey was not sure the residents from Tall Grass Estates were advised of this request. His neighbors received a letter from the City of Joplin, but he did not. Ms. Cunningham stated letters are mailed to all property owners within 185 feet of property for which rezoning is being requested. The two properties in the southeast corner of Tall Grass Estates should have received letters, with all the property owners on the eastern side of University Circle receiving letters.

Mr. Ramsour asked if anyone representing the City of Duquesne is present in the audience, but Mr. Downey did not know if they were contacted in that regard.

Mr. Roger Gronewold, 4030 East Seventh Street, Joplin, appeared in opposition to the request and stated he has a home and a business along the north side of Seventh Street. He also has a home on the south side of Seventh Street. That property is not in Duquesne but lies in Jasper County.

Mr. Gronewold discussed the nature of the area being single-family homes, along with a business or two. He assumes Joplin is hoping to grow into the eastern corridor of Seventh Street, and he would encourage, if there is rezoning, that in the future that would be considered commercial

ground. As a taxpayer, he would be happier to be a part of a tax production instead of a tax absorption area such as this. He asked the commissioners to consider that seriously.

Mr. John Alburty, 100 Lavender Lane, Joplin, appeared in opposition and stated he owns property to the north and to the west of the property for which rezoning is being requested. Lavender Lane is his driveway. The majority of the tree line is on his property on either side of his driveway. He is in the process of thinning out the tree line so he can drive through. He is trying to keep all the trees he can, but the tree line is not thick all the way down the driveway. Most of the tree line is not on O'Reilly Holdings' property but is on his property.

Mr. Alburty stated all the drainage from the proposed development will flow across his driveway. Storm water detention only slows the drainage down but doesn't decrease the total amount of water coming off all the new concrete and rooftops.

Mr. Smith asked Mr. Alburty if his properties lies within the Joplin city limits, and he replied no. He did not receive a letter notifying him of this request since his residence is 600 feet away. Fifty (50) percent of his property is bordered by O'Reilly Holdings' property.

Mr. Smith understood part of Lavender Lane lies in Joplin, and Mr. Alburty stated the entrance lies within the Joplin city limits. Mr. Bolander stated only the south part of Lavender Lane is within the City of Joplin.

Mr. Duncan asked Mr. Alburty where the water would run across his access road, and he replied mostly to the north. He stated the ground mostly slopes towards the north to Turkey Creek, but there is a slight slope to the west also.

Mr. Duncan asked Mr. Alburty if he currently has drainage issues during heavy rains. He replied his driveway has been blocked by water and has washed out before.

Ms. Heintz stated O'Reilly Holdings was not required to hold a neighborhood meeting, but their policy is to always hold a neighborhood meeting since they can learn things from the neighbors that they can adjust their plans and accommodate according to their concerns. The tree line was one of those items, so after the meeting she drove the property and thought there was sufficient space to leave the tree line. She sent this information to her engineer and her architect to confirm, based on the existing topography and the proposed development. They thought they could preserve the tree line on both sides of the development.

Mr. Smith asked Ms. Heintz how much of the tree line is actually on the neighbor's property, and she suggested the commissioners look at the existing site plan. She stated the traffic from the proposed development will not go through or by University Heights, with their access to their development not going through O'Reilly Holdings' property either.

Mr. Duncan asked Ms. Heintz about any further discussion with her engineer on how they would accomplish the drainage. She replied O'Reilly Holdings fall under the City of Joplin's codes and requirements and does not want water standing in their development either.

Ms. Cunningham stated the storm water retention is based off the calculation of the total impermeable surface area that O'Reilly Holdings is actually disturbing. It must be based off of the square footage of land disturbance.

Mr. Duncan asked if the City of Joplin or the U.S. Army Corps of Engineers declares an area as a flood area. Mr. Bolander replied the Corps of Engineers and FEMA decide if it's a flood plain.

Mr. Joe Lewis, 4222 University Circle, Joplin, appeared in opposition to the request and stated Allgeier-Martin & Associates surveyed the University Circle development. He spoke with Allgeier-Martin trying to obtain a flood elevation survey on his home. He lives on the northeast corner of University Heights Subdivision. He was told by Allgeier-Martin that only seven properties were exempted from the flood plain, with his property not being one of them.

Mr. Lewis stated the parcel of land in this request drops significantly from Seventh Street to the north, and he did not see how the developer can prevent any of this water from running over across Mr. Alburty's driveway and into his back yard.

Mr. Lewis has not had any flooding but has had water come into his fence once, but the development is still 75 feet away from his house. He expressed concern that improvements with concrete making the water flow easier is going to increase the danger that he might get flooded. He has purchased flood insurance through FEMA, but he doesn't see how this is going to help that situation. It will actually hurt that situation.

Mr. Lewis works for the real estate department for a local bank and has had discussions with a few seasoned realtors and several appraisers. They all agree that low-income housing diminishes the value of the properties surrounding it. One person even told him to sell his property now, but he stated nobody wants to buy property in a FEMA flood zone.

Mr. Kurt Higgins, Allgeier-Martin & Associates, 7231 East 24th Street, Joplin, stated the flood plain in this area is due to the drainage into Turkey Creek. Turkey Creek's drainage basin runs all the way south of Interstate 44. Developments in Duenweg, Duquesne, and Crossroads Industrial Park all drain into Turkey Creek. The flood plain is impacted by a lot of developments in and outside of Joplin, so the area in this request is a dot on that drainage basin.

Mr. Higgins stated the drainage from the proposed development is not going to impact the FEMA flood plain. The development should be designed to the City standards and is a small piece of the overall drainage area that will have hardly any impact at all on this flood plain.

Mr. Duncan asked Mr. Higgins where along Turkey Creek the drainage from this property would have to flow. He replied Mr. Alburty is correct in that everything from this property drains from the south to the north, so it currently drains across his driveway and into Turkey Creek.

Mr. Duncan asked how the drainage runs through the area, and Mr. Higgins replied it is just a flat slope. He did not know if there is a ditch before Lavender Lane becomes Mr. Alburty's driveway.

Mr. Bolander stated storm water retention doesn't keep water from flowing. It doesn't make it flow another direction uphill. It just slows it to the point where it keeps at the same velocity. It won't fix a problem if there is already a flooding problem, but it's not going to make it worse.

Mr. Higgins stated a detention basin collects the storm water and then releases it at the same pre-development rate. The quantity of water increases because water is being stored. There is more water runoff, but it is slowed down so that it doesn't increase the peak flows off the property. If storm water controls weren't in place, the flood plain would be increased as the Turkey Creek

drainage basin continues to development. The proposed development will not have an impact on its own into Turkey Creek. A 1,000 acre development upstream would have a significant impact.

Mr. Smith asked for additional comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 035-16.

Mr. Duncan noted the concerns of the neighbors on University Circle and the discussion of landscaping and water retention, understanding that the development must comply with the City of Joplin codes.

MR. DUNCAN MOVED, SECONDED BY MR. CORTEZ, THAT CASE 035-16 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 MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE"; AND WITH MR. BROWN VOTING "NAY" (6 IN FAVOR, 1 OPPOSED, 0 ABSENT).

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-280
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "6 in favor, 1 abstention, and 0 absent"

SUMMARY/REQUEST:
Case 036-16: 2024, 2025 and 2119 South Maryland Avenue – A request to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) for the construction of duplexes – Brad Allphin Investments.

STAFF SUMMARY:
This property is located at 21st Street and Maryland Avenue. Currently, Maryland Avenue dead ends at the northern edge of the property and does not go through from 20th Street to 22nd Street. The developer will be improving the street to City of Joplin specifications in order to connect 20th Street to 22nd Street at Maryland Avenue. The duplex rentals will be three bedroom, two and a half bedrooms with storm shelters. There are a total of eleven proposed duplexes on the site.

The applicant presented a similar proposal to the commission in July, but the rezoning was denied by the City Council. Mr. Allphin re-submitted his request with the elimination of the two southernmost duplexes. These lots will remain zoned R-1, Single Family Residential.

Staff recommends approval of Case 036-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Dermott abstained from the discussion and vote due to a conflict of interest.

Mr. Bradley Allphin stated his residence abuts the property in this request. He stated this is a revision of his previously approved rezoning application, but he has made some changes at the south end of the property. He will add three single-family homes at the south end of the property near 22nd Street to separate the duplexes to continue the vision across East 22nd Street.

Mr. Allphin stated four homes have been constructed facing 22nd Street between Delaware and Maryland Avenues. Three additional homes will be constructed east of Maryland to separate the duplexes from the single-family homes. There will be 11 duplexes going up Maryland towards

20th Street. Maryland Avenue will be completed, with the current roadway being an eyesore to the community. Engineers will be hired for water retention. These will be nice duplexes that will add a lot of value to the properties Mr. Allphin currently owns in this area.

Mr. Duncan asked Mr. Allphin if the existing house on the east side of Maryland Avenue is to be demolished, and he replied yes.

Mr. Duncan asked if Maryland Avenue is being opened through to 22nd Street, and Mr. Allphin replied yes. That is how the street was designed originally, but the previous owner erected barriers to stop the traffic.

Mr. Duncan asked where single-family homes would be constructed, and Mr. Allphin replied along the southern border of the property. Two houses will be constructed facing 22nd Street, with one house facing Maryland Avenue.

Mr. Smith asked Mr. Allphin if he has checked with the utilities, and he replied yes. He believes there is gas service in this area, along with manholes for water lines.

Mr. Duncan asked Mr. Allphin if the revision was made following a neighborhood meetingsince several people spoke in opposition before. Ms. Cunningham stated concerns were expressed from neighborhood residents and some City Council members that the duplexes went too far south because they went all the way to 22nd Street. A motion to approve the request died for lack of a second. Mr. Allphin revised his plan to include single-family homes along the southern border of the property so the duplexes didn't go all the way through.

PUBLIC COMMENT:
Comments in opposition were received from the following:

Ms. Margaret Kannady, 2211 South McConnell Avenue, Joplin
Ms. Sharon Wheeler, 2122 South Patterson Avenue, Joplin
Mr. Ralph Gomez, 2106 South Patterson Avenue, Joplin

They expressed concerns about drainage issues and asked if the City of Joplin is required to improve that situation. They also expressed concerns about increased traffic throughout the neighborhood. They asked about the City's setback requirements and expressed concerns about duplexes adjoining their residential properties.

In response to drainage issue concerns, the City staff has all of the storm water requirements that pertain to all developments within the City of Joplin. Those calculations are based on impermeable surface areas by engineers, with that work being inspected by City staff.

Mr. Bolander stated the City staff does not require a developer to address a storm water problem that already exists, but they can't make it worse. The neighbors won't receive any more water than what they're currently receiving. The water will be released at a rate where it will not impact the neighbors.

With regard to the setback requirements, Ms. Cunningham stated six-foot side yard setbacks and 25-foot front and rear yard setbacks are required. She makes sure the development meets all of the City's setback requirements.

P & Z Case 036-16
Brad Allphin Investments
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-280 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 R-2 property as described below and located at 2024, 2025, and 2119 South Maryland Avenue in the City of Joplin, Jasper 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 removing the following described property from District R-1and including same in District R-2:

TRACT 1: ALL OF THE EAST ONE-HALF OF LOT NUMBERED ONE (1) AND ALL OF LOT NUMBERED TWO (2) EXCEPT THE WEST 179.83 FEET IN DELAWARE ADDITION TO THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF. TRACT 2: ALL OF THE EAST ONE-HALF OF A TRACT OF LAND DESCRIBED AS BEGINNING AT A POINT 412.5 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 27, RANGE 33, RUNNING THENCE SOUTH 302.93 FEET, THENCE EAST A DISTANCE OF 359.65 FEET, THENCE NORTH 302.63 FEET, THENCE WEST 359.65 FEET TO POINT OF BEGINNING, PART OF MISCELLANEOUS TRACT NUMBERED THIRTEEN (13) IN SAID SECTION, TOWNSHIP, AND RANGE IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, EXCEPT THE SOUTH 150 FEET THEREOF. TRACT 3: ALL THAT PART OF A TRACT OF LAND BEGINNIN AT POINT 359.65 FEET EAST AND 412.5 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST UARTER OF THE NORTHWEST QUARTER OF SECTION 13, TH ENCE SOUTH 302.68 FEET, THENCE NORTH 887 DEGREES 19 MINUTES EAST A DISTANCE OF 359.65 FEET, THENCE NORTH 302.46 FEET, THENCE WEST TO POINT OF BEGINNING. ALSO, A TRACT BEGINNING AT A POINT 359.65 FEET EAST AND 715.18 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, THENCE SOUTH 302.68 FEET, THENCE NORTH 88 DEGREES 17 MINUTES EAST A DISTANCE OF 35.65 FEET, THENCE NORTH A DISTANCE OF 302.46 FEET, THENCE WEST TO THE POINT OF BEGINNING, THE ABOVE TRACTS BEING PART OF MISCELLANEOUS TRACT NUMBERED THIRTEEN (13) IN SECTION 13, TOWNSHIP 27, RANGE 33 IN THE CITY OF JOPLIN, JASPER COUNTY MISSOURI, EXCEPT ALL OF THE EAST 150 FEET OF A TRACT OF LAND DESCRIBED AS BEGINNING AT A POINT 359.65 FEET EAST AND 412.5

FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 27, RANGE 33, THENCE SOUTH 605.36 FEET, THENCE NORTH 88 DEGREES 17 MINUTES EAST A DISTANCE OF 359.65 FEET, THENCE NORTH 604.925 FEET, THENCE WEST TO POINT OF BEGINNING, BEING PART OF MISCELLANEOUS TRACT NUMBERE THIRTEEN (13) IN SECTION 13, TOWNSHIP 27, RANGE 33 IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI SUBJECT TO A SEWER EASEMENT BEGINNING AT A POINT 162.60 FEET SOUTH OF THE NORTHEAST CORNER OF MISCELLANEOUS TRACT 13 IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 27, RANGE 33, JOPLIN, JASPER COUNTY, MISSOURI, THENCE WEST 150.0 FEET, THENCE SOUTH 10.0 FEET, THENCE EAST 150.0 FEET, THENCE NORTH 10.0 FEET TO THE POINT OF BEGINNING, EXCEPT THE SOUTH 181.0 FEET MORE OR LESS.

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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, 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: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Rezoning

CASE 036-16 A request to rezone from R-1 (Single Family Residential) to R-2 (Two-Family Residential) for the construction of duplexes

LOCATION 2024, 2025, and 2119 Maryland Avenue

APPLICANT Brad Allphin Investments

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1 Single-Family Residential	Undeveloped	3.95 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1 Single-Family Residential	R-2-PD Planned Two-Family Residential District	R-1 Single-Family Residential and	R-1 Single-Family Residential and
Land Use	Residential	Residential	Residential	Residential

FUTURE LAND USE

The City of Joplin's future land use map classifies this area as moderate and low-density residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
22nd Street	Secondary	50'
Future Maryland Ave	Secondary	50'

UTILITIES No. Utilities will be added in future construction.

FLOOD PLAIN N/A

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?
Yes.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED
Residential duplexes are not permitted in the R-1 zoning district.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY
This zoning change would not detrimentally affect nearby property.

DISCUSSION
This property is located at 21st Street and Maryland Avenue. Currently, Maryland Avenue dead ends at the northern edge of the property and does not go through from 20th Street to 22nd Street. The developer will be improving the street to City of Joplin specifications in order to connect 20th Street to 22nd Street at Maryland Avenue. The duplex rentals will be three bedroom, two and a half bedrooms with storm shelters. There are a total of eleven proposed duplexes on the site.

The applicant presented a similar proposal to the commission in July, but the rezoning was denied by the City Council. Mr. Allphin re-submitted his request with the elimination of the two southernmost duplexes. These lots will remain zoned R-1, Single Family Residential.

Staff recommends approval of Case 036-16.

REZONING APPLICATION FORM

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.: 036-16
Filing Fee: $450.00
Date Advertised: _____
Date Notices Sent: _____
Public Hearing Date: _____

APPLICANT: Brad Allphin PHONE: 417-850-5652
ADDRESS: 2121 Delaware Ave Joplin MO ZIP: 64804
OWNER: Brad Allphin PHONE: 417-592-9229
ADDRESS: 2121 Delaware Ave Joplin MO ZIP: 64804
LOCATION OF PROPERTY: 2024, 2025, 2119 Maryland Ave
LEGAL DESCRIPTION: See attached

Present Zoning R-1 Requested Zoning: R-2 Acreage: _____
Present Use of Property: None

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Duplexes	R-2
South	Residential	R-1
East	Residential	R-1
West	Residential	R-1

CHARACTER OF THE NEIGHBORHOOD: Mixed density residential

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   No
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? ____
   If yes, explain: Must be re-zoned to build duplexes

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
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 effect 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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: will improve with Maryland Street Finished
2. Classification of Street(s):
   Arterial _____ Collector _____ Local _____
3. Right-of-Way Width: _____
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   _____

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

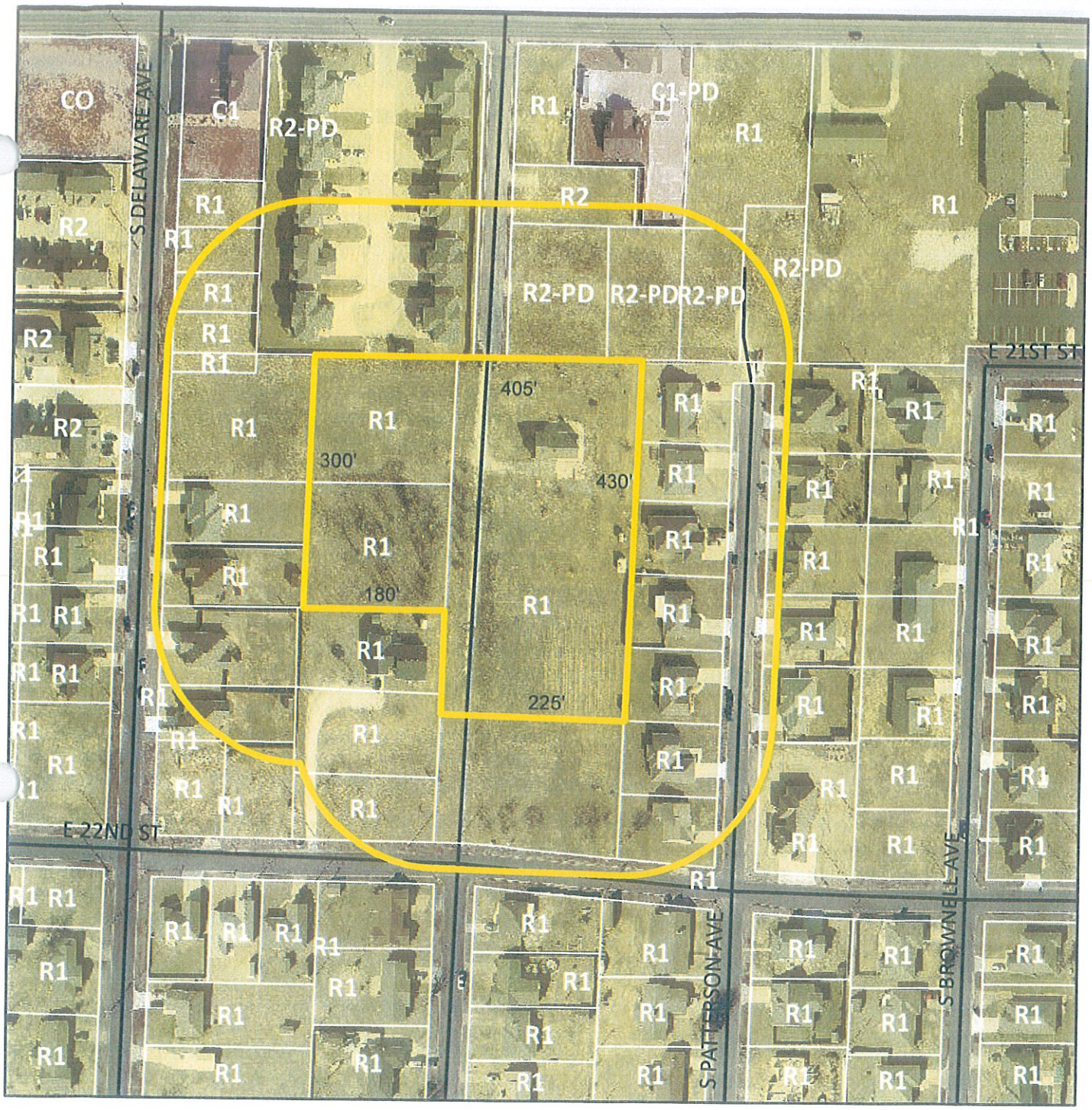
1. Appropriately Sized Lots? No
2. Properly Sized Street Right-of-Way? No
3. Drainage Easements? NO
4. Utility Easements:
   - Electricity? NO
   - Gas? NO
   - Sewers? NO
   - Water? NO
5. Additional Comments: N/A

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: _____ DATE: 8-4-16

BY: Brad Allphin

TITLE: Owner



Case 036-16: 2024, 2025 and 2119 South Maryland Avenue – A request to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) for the construction of duplexes – Brad Allphin Investments.

N

Brad Allphin Investments



OWNER/BUILDER TO VERIFY ALL DIMENSIONS AND DESIGN DETAILS

ARTISTIC RENDERING
N.T.S.

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

BRAD ALLPIN INVESTMENTS
MARYLAND PROJECT
JOPLIN, MO

DRAWINGS PROVIDED BY:
Fyock Home Design
Chuck Fyock
417-438-0120

DATE:
7/8/2016

SCALE:
1/4"=1'

SHEET #
1

Case 036-16: 2024, 2025 and 2119 South Maryland Avenue – A request to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) for the construction of duplexes – Brad Allphin Investments.

Mr. Dermott has a couple of real estate listings on Patterson Avenue in this neighborhood and asked if he should abstain from the discussion and vote on this request. He is not the agent but is a broker of the office.

Mr. Smith asked Mr. Dermott if he could render a fair and impartial judgment on this case, and he would prefer being excluded on this case. He left the dais at this point.

Mr. Smith opened the public hearing for Case 036-16.

Mr. Bradley Allphin, 2121 Delaware Avenue, Joplin, stated his residence abuts the property in this request. He stated this is a revision of his previously approved rezoning application, but he has made some changes at the south end of the property. He will add three single-family homes at the south end of the property near 22nd Street to separate the duplexes to continue the vision across East 22nd Street.

Mr. Allphin stated four homes have been constructed facing 22nd Street between Delaware and Maryland Avenues. Three additional homes will be constructed east of Maryland to separate the duplexes from the single-family homes. There will be 11 duplexes going up Maryland towards 20th Street. Maryland Avenue will be completed, with the current roadway being an eyesore to the community.

Mr. Allphin will hire engineers for water retention. He stated these will be nice duplexes containing 1,700 square feet with granite and tile. He believes the duplexes will add a lot of value to the properties he currently owns in this area.

Mr. Duncan asked Mr. Allphin if the existing house on the east side of Maryland Avenue is to be demolished, and he replied yes. He has visited with the Fire Department about possibly donating it to the City of Joplin for training purposes. He has also considered relocation, but it is constructed on a slab. Mostly likely it will be demolished and hauled away.

Mr. Duncan asked if Maryland Avenue is being opened through to 22nd Street, and Mr. Allphin replied yes. That is how the street was designed originally, but the previous owner erected barriers to stop the traffic.

Mr. Duncan asked where single-family homes would be constructed, and Mr. Allphin replied along the southern border of the property. Two houses will be constructed facing 22nd Street.

Mr. Smith asked Mr. Allphin if he has checked with the utilities, and he replied yes. He believes there is gas service in this area, along with manholes for water lines.

Mr. Duncan asked Mr. Allphin if the revision was made following a neighborhood meeting, or how that revision came about, since several people spoke in opposition before. Ms. Cunningham stated during the City Council meeting, concerns were expressed from residents of the neighborhood and from some members of the City Council that the duplexes went too far south because they went all the way to 22nd Street. A motion to approve the request died for lack of a

second. Mr. Allphin revised his plan to include single-family homes along the southern border of the property so the duplexes didn't go all the way through. The commissioners now have that revised plan.

Mr. Smith asked for comments from the audience.

Ms. Margaret Kannady, 2211 McConnell Avenue, Joplin, appeared in opposition and cannot see that a whole lot has changed from the time when the City Council denied the request. She stated Mr. Allphin is just adding three more houses and has not done anything about the drainage that will be pooled at 22nd Street and Patterson Avenue. His plan to construct three houses by 22nd Street will put the duplexes back north, but there will still be 26 duplexes with at least two cars in every duplex, totaling 52 cars, plus the cars from the three houses. There will be 58 additional cars in the neighborhood.

Ms. Kannady stated Mr. Allphin has not conducted a traffic study in that area and has not visited with the neighbors.

Ms. Kannady stated Mr. Allphin invested in this property following the tornado. She has worked very hard to pay for her property and maintain it, and she expressed concern about decreasing residential property values. She didn't receive a letter from the City this time notifying her about the rezoning request. She stated Mr. Allphin's request was denied before, and he made some ridiculous revisions and resubmitted the request without the neighborhood being notified except for signage that appeared last week. She asked the commissioners if they have visited this area when the water ran down Patterson Avenue to 24th Street and up to the houses and into Rosedale Park. She expressed concern about nothing being done to 22nd Street to handle that water. The water will go up into the houses of the people who reside at the intersection of 22nd and Patterson.

Ms. Kannady resents people bringing a development like this into a quiet neighborhood that already has a lot of traffic and where children play outside. She asked for a traffic analysis for McConnell Avenue, 22nd Street, and 24th Street. She expressed concern about Mr. Allphin leasing these duplexes to college students. She stated $1,000 monthly rent is a lot of money, but four college students may divide the rent to save money. She expressed concerns about the traffic and the drainage.

Ms. Kannady stated Mr. Allphin made the decision to invest in that property. She stated Maryland Avenue has been closed since the former owner dug a ditch across it and erected a barrier. When she first moved into her home, she drove down Maryland from 20th Street. She asked the commissioners and the City Council to develop some solution to solve the problems Mr. Allphin is going to create in her neighborhood.

Ms. Cunningham stated the plan was revised to move that southern boundary up. Letters are mailed to all property owners within 185 feet of the property to be rezoned. She understood Ms. Kannady resides south of 22nd Street.

Ms. Kannady stated part of her property lies within 185 feet, but Ms. Cunningham replied not when Mr. Allphin revised the boundary for which rezoning is being requested.

Ms. Kannady stated the three houses near 22nd Street will also bring additional traffic into the area. She expressed concern about Mr. Allphin trying to develop this property in any way possible. She

resents that the City of Joplin is helping Mr. Allphin instead of listening to the people who live in that neighborhood. She believes the City is trying to help him build this development, but there are plenty of other places that do not have residential areas where he can build his development. She does not care if he constructs private homes, but she does not want 26 units.

Mr. Smith asked for additional testimony.

Ms. Sharon Wheeler, 2122 South Patterson Avenue, Joplin, appeared in opposition and stated she resides directly behind where Mr. Allphin is trying to construct the multi-family dwellings. Her background is commercial/residential underwriting, so she asked what underwriting this property went through in order to get this, with a certain amount of feet to construct the roadway. She stated behind her home is a 10-foot easement for the electrical line that runs down the back of the property. She stated Mr. Allphin is trying to cram a street, houses, and duplexes into this property. The houses and duplexes will be on top of each other unless there are setbacks.

Ms. Cunningham discussed the setback requirements. The City staff reviewed Mr. Allphin's plans with his surveyor who prepared the layout for the proposed development. The duplexes must have 12 feet between them. The roadway meets all of the minimum setback requirements for the City of Joplin.

Ms. Wheeler asked if these setbacks won't push anything into her property, and Ms. Cunningham replied nothing is being pushed into her property.

Ms. Wheeler asked how far the houses will be from the setback. Ms. Cunningham stated 25-foot front yard and back yard setbacks are required.

Ms. Wheeler asked if two of the single-family houses are in front, with one in back, identical to what exists along the west side of Maryland Avenue. Ms. Cunningham replied it would be the same.

Ms. Wheeler asked which direction the house in the back is facing, and Ms. Cunningham replied it would be facing west towards the new, improved Maryland Avenue.

Ms. Wheeler asked about the setbacks for the two houses in the front. Ms. Cunningham replied 25 feet in the front and back, with six-foot side setbacks.

Ms. Wheeler asked if the houses would be six feet from the property line, and Ms. Cunningham replied those setbacks are the City of Joplin's requirements for single-family houses—six feet on the side yards and 25 feet on the front and back yards.

Ms. Wheeler stated the side yard setback was eight feet when her house was built. Ms. Cunningham wasn't employed by the City when Ms. Wheeler's home was built, but she goes by the zoning codes that she has.

Ms. Wheeler's concern is the back side. She stated Mr. Allphin's two-story duplexes will look down into the back of her property, with fencing not covering that.

Ms. Cunningham stated if single-family homes are built, they could also be two-story. The City cannot restrict the housing to one or two stories.

Ms. Wheeler asked if the 25-foot rear yard setback includes the 10-foot easement, and Ms. Cunningham replied part of that easement can be within that setback.

Ms. Wheeler expressed concern about the properties being so close together with so many buildings being crammed into that space. She asked if the one single-family house that still exists will remain. She mentioned the apartments along 20th Street with one lone single-family house. Then an insurance company has been allowed to build, with a church and another single-family dwelling. Three single-family dwellings face 20th Street, and all that property was zoned for single-family dwellings before the tornado except for the southeast corner of 20th Street and Connecticut Avenue. The library and other businesses and offices now exist along 20th Street.

Ms. Cunningham stated this proposal doesn't have any property that fronts on 20th Street, with 20th Street being designated as a future commercial corridor. There has been a lot of commercial rezoning along 20th Street in accordance with the City's future land us plan.

Ms. Wheeler stated traffic will be coming off of 20th Street onto an entirely total single-family area. She stated there are no apartments or duplexes on 22nd Street. Ms. Cunningham stated there will be no apartments or duplexes on 22nd Street with this proposal. Three single-family houses will be constructed near 22nd Street.

Ms. Wheeler asked how the distance between 22nd Street and the back property line of that third house, and Ms. Cunningham can check the survey. She stated this isn't her proposal, and that she is just the City staff person who is reporting and answering questions. She makes sure the development meets all of the City's setback requirements.

Ms. Wheeler asked about the setback requirements. Ms. Cunningham replied 25 front and back yard setbacks. Ms. Wheeler is discussing the area from 22nd Street to the back of the last house. Ms. Cunningham discussed the development plans with Ms. Wheeler.

Ms. Wheeler asked if Mr. Allphin has proposed any revisions for the drainage. Ms. Cunningham replied the City staff has all of the storm water requirements that pertain to all developments within the City of Joplin. Those calculations are based on impermeable surface areas by engineers, with that work being inspected by City staff.

Ms. Wheeler understands this is being done by the standards but asked what those standards are. Ms. Cunningham is not a storm water engineer who deals with this. Mr. Bolander doesn't know what the water situation is except what has been explained by the neighbors who experience it. The developer is not required to correct that situation, but they can't make it worse. What they do on site has to retain the water so it flows off at a rate where it doesn't make any of the water runoff worse than what it is right now.

Ms. Wheeler asked if there is no requirement to improve the drainage, and Mr. Bolander replied a developer is not required to improve a current situation.

Ms. Wheeler asked if the City is required to improve the situation. Mr. Bolander replied the City staff does not require a developer to improve a situation, but they can't make it worse. The neighbors won't receive any more water than what they're currently receiving. The water will be released at a rate where it will not impact the neighbors. A developer is not required to address a storm water problem that already exists.

Ms. Wheeler asked if the City of Joplin is required to take care of the situation, and Mr. Bolander replied not necessarily. The City makes improvements in some areas but is not required to address a current situation.

Ms. Wheeler asked about the residents' avenue, and Mr. Bolander replied visiting with Dan Johnson, the City's storm water engineer.

Mr. Smith asked Ms. Wheeler for any additional comments regarding the development, and she would prefer for all the buildings to be single-family dwellings within that area. She thought it would be fine for Mr. Allphin to construct duplexes but just not in her residential area.

Ms. Kannady discussed the recent heavy rainfall the area received, and she has seen water running on McConnell Avenue up into the residents' yards because it rained so hard. She stated the area will be flooded during heavy rainfall but stated the area won't be flooded if Mr. Allphin does not build there.

Mr. Bolander stated McConnell Avenue won't flood when Mr. Allphin builds there because he is required to hold his own water on site and release it at a rate where it doesn't make the issue worse. If the area is flooding right now, it will probably continue to flood, but Mr. Allphin cannot make the situation worse.

Ms. Kannady stated 22nd Street does not flood now, but a lot of new concrete will create flooding on 22nd Street. She stated Mr. Allphin is taking away a large field that absorbs that water, with the water having to go somewhere. The water will go into Ms. Wheeler's back yard or down Maryland Avenue to 22nd Street. Mr. Bolander stated that is correct, and that is why a developer is required to build detention facilities to hold that water and release it at a rate where it doesn't flood anyone downstream.

Mr. Ralph Gomez, 2106 Patterson Avenue, Joplin, appeared in opposition. He recently purchased his home and was told that nothing was going to be constructed behind his home. He is now hearing about flooding and other issues.

Mr. Smith understood the flooding has been an ongoing issue for more than 20 years. He understands the development will not make the situation worse.

Mr. Gomez purchased his property with the assumption that nothing was to be built behind his home. Mr. Smith stated Mr. Allphin and the City staff will be available following this meeting to address any issues the area residents may have.

Mr. Allphin stated he will be available after the meeting to visit with the neighbors. He is not really concerned about drainage issues since he owns the property containing the existing townhouses on 20th Street just east of Delaware Avenue. He spent over $20,000 to retain the water from that development. To ease the concerns of the duplexes he currently owns, he does not allow any college students to lease his duplexes. He encourages leasing to families since he resides in this area and wants to keep the community nice.

Mr. Ramsour asked Mr. Bolander about the pre and post-tornado conditions on this property. Mr. Ramsour asked if everything was pretty well devastated, or if there was ever anything on the property in this request, and Mr. Bolander replied one home existed on the property.

Ms. Wheeler stated the City Council minutes from August 1, 2016, show that Mr. Allphin's target demographic was college students, but now he is saying he will not rent to college students.

Mr. Smith stated Mr. Allphin is not targeting college students and stated he may have changed his mind if he previously mentioned leasing to college students.

Mr. Allphin is looking for families since the units will contain three bedrooms and two and one-half baths. Some of the medical students have that income level will be seeking residency. He will not allow several students to lease one unit and divide the rent since some of the individuals may opt out due to conflicts between them. He is seeking families who can afford the rent.

Mr. Smith closed the public hearing for Case 036-16 and entertained a motion.

MR. RAMSOUR MOVED, SECONDED BY MR. BROWN, THAT CASE 036-16 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, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE"; AND WITH MR. DERMOTT ABSTAINING (6 IN FAVOR, 1 ABSTENTION, AND 0 ABSENT).

Mr. Dermott returned to the dais at this point.

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-281
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 037-16: 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive – A request for the voluntary annexation into the corporate limits of the City of Joplin – O'Reilly Holdings, LLC.

STAFF SUMMARY:
The applicant is requesting to voluntarily annex approximately 5.7 acres of land approximately 570 feet west and 600 feet north of the intersection of 32nd Street and John Duffy Drive. This parcel is located in Wildwood Ranch and will be developed into a senior living center pending approval of the applicant's rezoning request.

Staff recommends approval of Case 037-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Jane Earnhart, Olsson Associates, stated this request is for a voluntary annexation within the Wildwood Ranch development. She is trying to annex the entire parcel into the Joplin city limits before O'Reilly Holdings develops the property. They already own the property. The eastern half lies within the Joplin city limits, with the western portion being outside.

Mr. Ramsour asked Ms. Cunningham about creating lines on her maps delineating which properties currently lie within the Joplin city limits. She showed the commissioners which properties lie inside and outside the current city boundaries.

Mr. Ramsour asked if everything east of John Duffy Drive lies inside the Joplin city limits, and Ms. Cunningham replied that is correct.

PUBLIC COMMENT: None.

P & Z Case 037-16
O'Reilly Holdings, LLC
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-281 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located 570 feet west and 600 feet north of the intersection of 32nd Street and John Duffy Drive 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:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 27 NORTH, RANGE 34 WEST, JASPER COUNTY MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE NORTH 88 DEGREES 40 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 1169.38 FEET; THENCE NORTH 00 DEGREES 0 MINUTES 0 SECONDS EAST, A DISTANCE OF 313.95 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF JOHN DUFFY DRIVE; THENCE SOUTH 57 DEGREES 54 MINUTES AND 25 SECONDS WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 42.77 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 32ND

STREET; THENCE NORTH 77 DEGREES 33 MINUTES AND 48 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 15.47 FEET TO A CURVE TO THE LEFT WITH A RADIUS OF 952.37 FEET; THENCE ALONG SAID CURVE AND SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 169.78 FEET; THENCE NORTH 87 DEGREES 18 MINUTES 50 SECONDS WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY, A DISTANCE OF 326.47 FEET TO A POINT ON THE WEST LINE OF THE JOPLIN CITY LIMITS AS IT NOW EXIST; THENCE NORTH 1 DEGREE 49 MINUTES 48 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 476.02 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE NORTH 88 DEGREES 10 MINUTES 12 SECONDS WEST, A DISTANCE OF 312.26 FEET; THENCE NORTH 01 DEGREES 49 MINUTES 48 SECONDS EAST, A DISTANCE OF 772.12 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST WILDWOOD RANCH PARKWAY; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2030 FEET AND A CHORD BEARING OF NORTH 81 DEGREES 30 MINUTES 08 SECONDS EAST, A CHORD DISTANCE OF 317.41 FEET, AN ARC DISTANCE OF 317.73 FEET TO A POINT ON THE WEST LINE OF THE JOPLIN CITY LIMITS; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE SOUTH 01 DEGREES 49 MINUTES 48 SECONDS ALONG SAID WEST LINE A DISTANCE OF 829.02 FEET TO THE POINT OF BEGINNING, CONTAINING 5.709 ACRES MORE OR LESS.

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 Sixth (6th) day of November, 2016.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, 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: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Voluntary Annexation

CASE 037-16 A request to voluntarily annex approximately 5.7 acres into the City of Joplin

LOCATION 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive

APPLICANT O'Reilly Holdings, LLC.

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County, MO)	Undeveloped	5.7 acres

DISCUSSION

The applicant is requesting to voluntarily annex approximately 5.7 acres of land approximately 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive. This parcel is located in Wildwood Ranch and will be developed into a senior living center pending approval of the applicant's rezoning request.

Staff recommends approval of Case 037-16.

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.

Denise Heintz, Partner
Joplin Senior Community

STATE OF MISSOURI)
COUNTY OF ~~JASPER~~ Christian) ss:
)

On this 2 day of August 2016, before me appeared Denise K. Heintz, to me known to be the Director of Operations of Joplin Senior Community, LLC, 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 Denise K. Heintz acknowledged said instrument to be the free act and deed of said corporation, and that the allegations contained therein are true.

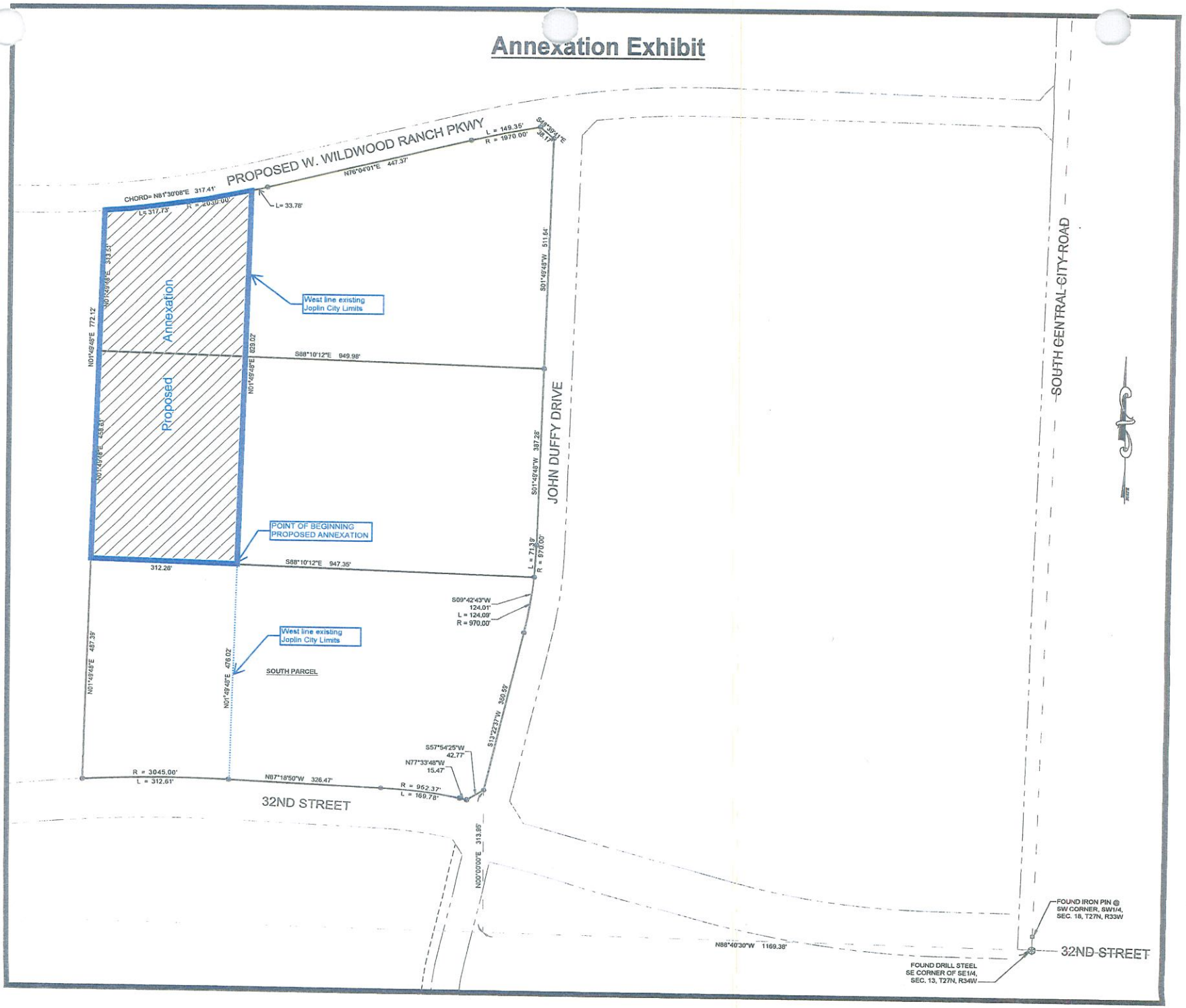
IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed by official seal, in the County and State aforesaid, the day and year first above written.

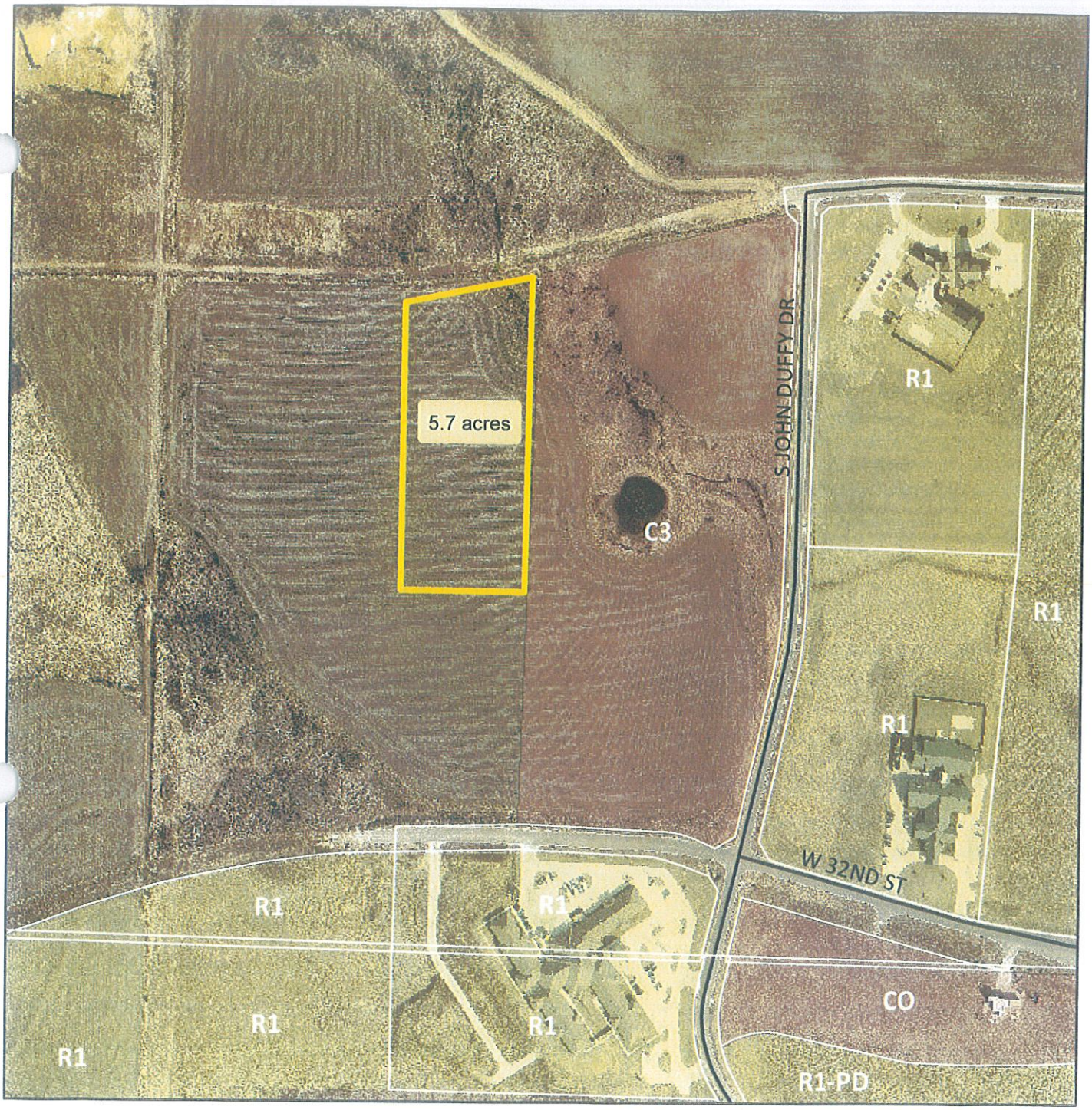
My commission expires: 10/6/19

Beverly Anderson
Notary Public

BEVERLY ANDERSON
Notary Public, Notary Seal
State of Missouri
Christian County
Commission # 15294881
My Commission Expires October 06, 2019

Annexation Exhibit





Case 037-16: 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive – A request for the voluntary annexation into the corporate limits of the City of Joplin – O'Reilly Holdings, LLC.

N

Case 037-16: 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive – A request for the voluntary annexation into the corporate limits of the City of Joplin – O'Reilly Holdings, LLC.

Mr. Smith opened the public hearing for Case 037-16.

Ms. Jane Earnhart, Olsson Associates, Springfield, Missouri, appeared and stated this request is for a voluntary annexation within the Wildwood Ranch development. She is trying to annex the entire parcel into the Joplin city limits before O'Reilly Holdings develops the property. They already own the property. The eastern half lies within the Joplin city limits, with the western portion being outside.

Mr. Ramsour asked Ms. Cunningham about creating lines on her maps delineating which properties currently lie within the Joplin city limits. She showed the commissioners which properties lie inside and outside the current city boundaries.

Mr. Ramsour asked if everything east of John Duffy Drive lies inside the Joplin city limits, and Ms. Cunningham replied that is correct.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 037-16.

MR. CORTEZ MOVED, SECONDED BY MS. BRUECKNER-SEARS, THAT CASE 037-16 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, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-282
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 038-16: 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive – A request to rezone from R-1 (Single-Family Residential) to C-3 (Commercial) – O'Reilly Holdings, LLC.

STAFF SUMMARY:
This property is located approximately 570 feet west and 600 feet north of the intersection of 32nd Street and John Duffy Drive in the Wildwood Ranch Development. This 5.7 acre parcel, in addition to a 14 acre parcel to the east, will provide the site for a future senior living center. This structure will include an independent living facility, an assisted living facility, and a memory care unit. This parcel needs to be annexed into the City of Joplin and rezoned to match the adjacent parcel to the east. Once a piece of property is annexed into the City of Joplin, it is automatically zoned R-1. Pending the annexation of this property, this rezoning would allow a convalescent care facility, which is not permitted in an R-1 zoning designation.

Staff recommends approval of Case 038-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Jane Earnhart, Olsson Associates, Springfield, Missouri, understands this property comes into the City of Joplin with R-1 zoning. O'Reilly Holdings are planning a senior residential development, including convalescent care, and need C-3 zoning for this property.

Mr. Duncan asked how this development is related to Joplin Development Properties II, and Ms. Cunningham replied they are unrelated.

Mr. Ramsour asked if everything annexed into the City of Joplin first comes in with R-1 zoning, and Ms. Cunningham replied that is correct.

PUBLIC COMMENT: None.

P & Z Case 038-16
O'Reilly Holdings, LLC
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-282 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 570 feet west and 600 feet north of the intersection of 32nd Street and John Duffy Drive in the City of Joplin, Jasper 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 removing the following described property from District R-1and including same in District C-3:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 27 NORTH, RANGE 34 WEST, JASPER COUNTY MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE NORTH 88 DEGREES 40 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 1169.38 FEET; THENCE NORTH 00 DEGREES 0 MINUTES 0 SECONDS EAST, A DISTANCE OF 313.95 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF JOHN DUFFY DRIVE; THENCE SOUTH 57 DEGREES 54 MINUTES AND 25 SECONDS WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 42.77 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 32ND STREET; THENCE NORTH 77 DEGREES 33 MINUTES AND 48 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 15.47 FEET TO A CURVE TO THE LEFT WITH A RADIUS OF 952.37 FEET; THENCE ALONG SAID CURVE AND SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 169.78 FEET; THENCE NORTH 87 DEGREES 18 MINUTES 50 SECONDS WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY, A DISTANCE OF 326.47 FEET TO A POINT ON THE WEST LINE OF THE JOPLIN CITY LIMITS AS IT NOW EXIST; THENCE NORTH 1 DEGREE 49 MINUTES 48 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 476.02 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE NORTH 88 DEGREES 10 MINUTES 12 SECONDS WEST, A DISTANCE OF 312.26 FEET; THENCE NORTH 01 DEGREES 49 MINUTES 48 SECONDS EAST, A DISTANCE OF 772.12 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST WILDWOOD RANCH PARKWAY; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2030 FEET AND A CHORD BEARING OF NORTH 81 DEGREES 30 MINUTES 08 SECONDS EAST, A CHORD DISTANCE OF 317.41 FEET, AN ARC DISTANCE OF 317.73 FEET TO A POINT ON THE WEST LINE OF THE JOPLIN CITY LIMITS; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE SOUTH 01 DEGREES 49

MINUTES 48 SECONDS ALONG SAID WEST LINE A DISTANCE OF 829.02 FEET TO THE POINT OF BEGINNING, CONTAINING 5.709 ACRES MORE OR LESS.

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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, 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: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Rezoning

CASE 038-16 A request to rezone from R-1 (Single Family Residential) to C-3 (Commercial) for the construction of a convalescent care facility

LOCATION 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive

APPLICANT O'Reilly Holdings, LLC.

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County)	Undeveloped	5.7 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	N/A (Jasper County)	C-3 (Commercial)	R-1 Single-Family Residential	N/A
Land Use	Undeveloped	Undeveloped	Residential	Undeveloped

FUTURE LAND USE

The City of Joplin's Future Land Use Map classifies this area as a Residential/Commercial Opportunity Area.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
John Duffy Drive (future access)	Secondary	60'

UTILITIES No. Utilities will be added in future construction.

FLOOD PLAIN N/A

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?
Yes.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED
Once a piece of property is annexed into the City of Joplin, it is automatically zoned R-1. Pending the annexation of this property, this rezoning would allow a convalescent care facility which is not allowed in an R-1 zoning designation.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY
This zoning change would not detrimentally affect nearby property.

DISCUSSION
This property is located approximately 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive in the Wildwood Ranch Development. This 5.7 acre parcel, in addition to a 14 acre parcel to the east, will provide the site for a future senior living center. This structure will include an independent living facility, an assisted living facility, and a memory care unit. This parcel needs to be annexed into the City of Joplin and rezoned to match the adjacent parcel to the east. Once a piece of property is annexed into the City of Joplin, it is automatically zoned R-1. Pending the annexation of this property, this rezoning would allow a convalescent care facility, which is not permitted in an R-1 zoning designation.

Staff recommends approval of Case 038-16.

REZONING APPLICATION FORM

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.: 038-16
Filing Fee: $ 450.00
Date Advertised:
Date Notices Sent
Public Hearing Date:

APPLICANT: **Joplin Senior Community, LLC (contact – Denise K. Heintz)** PHONE: **417-893-6006**
ADDRESS: **5051 S. National Avenue, Suite 7B, Springfield, MO** ZIP: **65810**
OWNER: **same** PHONE: **same**
ADDRESS: **same** ZIP: **same**
LOCATION OF PROPERTY: **Southwest of the intersection of W. Wildwood Ranch Parkway and S. John Duffy Drive**
LEGAL DESCRIPTION: **See Attached Description and Exhibit**

Present Zoning: **C-3** Requested Zoning: C-3 Acreage: **19.14 +/- acres**
Present Use of Property: **Undeveloped**

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	**Undeveloped**	**Not within City Limits**
South	**Undeveloped**	**C-3**
East	**Health Care**	**R-1**
West	**Undeveloped**	**Not within City Limits**

CHARACTER OF THE NEIGHBORHOOD: **This property is a part of the Wildwood Ranch Development. The Wildwood Ranch Design Development Guidelines will be followed. The nearest developed properties include the following uses: elementary school, health care, and assisted living facility. The property to the south is currently in design with a proposed use of assisted living.**

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts? **No**
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? If yes, explain: **The facilities for the Independent Living, Assisted Living, and Memory Care could be a part of the current zoning. However, the Senior Villas (triplexes) are not compatible with the current zoning. The owner/developer prefers that the entire property be a single zoning district. The proposed C-3 Zoning allows for all the uses proposed.**

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
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 effect 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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: **The eastern side of Tracts 1 and 2 are currently along S. John Duffy Drive. The northern side of Tract 1 will be along the extension of Wildwood Ranch Parkway once it is constructed.**
2. Classification of Street(s):
   Arterial_____ Collector_____ Local. **Both streets are Local**
3. Right-of-Way Width: **60'**
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? **No, not required**
2. Properly Sized Street Right-of-Way? **No, not required**
3. Drainage Easements? **Will be required with the site development plans (not platting)**
4. Utility Easements:
   - Electricity? **No, not required**
   - Gas? **No, not required**
   - Sewers? **Will be required as a part of the city extension of the sanitary sewer gravity main and force main (not platting)**
   - Water? **No, not required**
5. Additional Comments: **n/a**

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

There is a drainage corridor that bisects the property from the northwest to the southeast.

SIGNATURE: Denise Heintz DATE: 8/2/2016

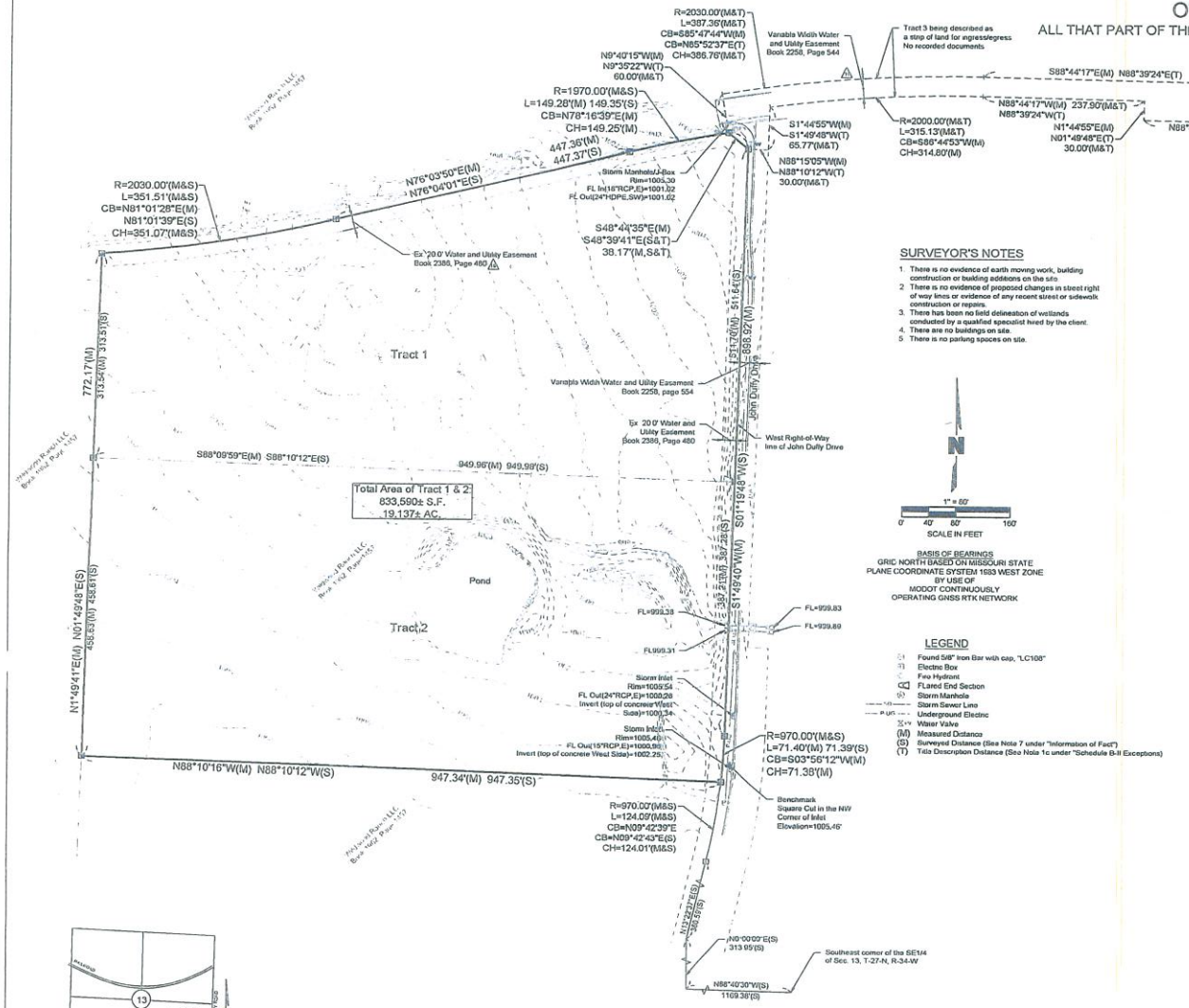
BY: Denise Heintz

TITLE: Partner / Director of Operations

BOUNDARY AND TOPOGRAPHIC SURVEY FOR

O'REILLY DEVELOPMENT COMPANY, LLC

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 27 NORTH, RANGE 34 WEST
JASPER COUNTY, MISSOURI



SURVEYOR'S NOTES

1. There is no evidence of earth moving work, building construction or building additions on the site.
2. There is no evidence of proposed changes in street right of way lines or evidence of any recent street or sidewalk construction or repairs.
3. There has been no field delineation of wetlands conducted by a qualified specialist hired by the client.
4. There are no buildings on site.
5. There is no parking spaces on site.

LEGEND

- Found 5/8" Iron Bar with cap, "LC108"
- Electric Box
- Fire Hydrant
- Flared End Section
- Storm Manhole
- Storm Sewer Line
- Underground Electric
- Water Valve
- (M) Measured Distance
- (S) Surveyed Distance (See Note 7 under "Information of Fact")
- (T) Title Description Distance (See Note 1c under "Schedule B-II Exceptions)

LOCATION MAP
SCALE: 1"=2000'

PREPARED FOR
O'REILLY DEVELOPMENT COMPANY, LLC
5051 SOUTH NATIONAL AVENUE
SUITE 7B
SPRINGFIELD, MO 65810

PREPARED BY
OLSSON ASSOCIATES
550 ST LOUIS STREET
SPRINGFIELD, MO 65806

SCHEDULE A TITLE COMMITMENT DESCRIPTION

Tract 1: All that part of the Southeast Quarter of Section 13, Township 27 North, Range 34 West, Jasper County, Missouri, more particularly described as follows: Commencing at the Southeast corner of said Section 13, thence North 88 degrees 40 minutes 30 seconds West along the South line of said Section 13, a distance of 1169.38 feet, thence North 00 degrees 00 minutes 00 seconds East 313.99 feet to a point on the West right-of-way line of John Duffy Drive, thence North 13 degrees 22 minutes 37 seconds East along said West right-of-way line, 360.59 feet to a curve to the left having a radius of 970.00 feet, thence along said curve and said West right-of-way line an arc distance of 163.46 feet, thence North 01 degrees 45 degrees 49 minutes East 387.28 feet to the Point of Beginning, thence North 88 degrees 10 minutes 12 seconds West 949.98 feet, thence North 01 degrees 49 minutes 48 seconds East 313.51 feet to a point on a non-tangent curve to the left having a radius of 2030.00 feet and a chord bearing and distance of North 81 degrees 01 minutes 39 seconds East 351.07 feet, thence along said non-tangent curve an arc distance of 351.51 feet, thence North 76 degrees 04 minutes 01 seconds East 447.37 feet to a curve to the right having a radius of 1970.00 feet, thence along said curve an arc distance of 149.35 feet to a point on the West right-of-way line of John Duffy Drive, thence South 48 degrees 39 minutes 41 seconds East away from said curve and along said West right-of-way line, 38.17 feet, thence South 01 degrees 49 minutes 48 seconds West along said West right-of-way line 511.64 feet to the Point of Beginning.

Tract 2: All that part of the Southeast Quarter of Section 13, Township 27 North, Range 34 West, Jasper County, Missouri, more particularly described as follows: Commencing at the Southeast corner of said Section 13, thence North 88 degrees 40 minutes 30 seconds West along the South line of said Section 13, a distance of 1169.38 feet, thence North 00 degrees 00 minutes 00 seconds East 313.95 feet to a point on the West right-of-way line of John Duffy Drive, thence North 13 degrees 22 minutes 37 seconds East along said West right-of-way line, 360.59 feet to a curve to the left having a radius of 970.00 feet, thence along said curve and said West right-of-way line an arc distance of 124.09 feet to the Point of Beginning, thence North 88 degrees 10 minutes 12 seconds West 947.35 feet, thence North 01 degrees 49 minutes 48 seconds East 458.61 feet, thence South 88 degrees 10 minutes 12 seconds East 949.98 feet to a point on the West right-of-way line of John Duffy Drive, thence South 01 degrees 49 minutes 48 seconds West along said West right-of-way line 387.28 feet to a curve to the left having a radius of 970.00 feet, thence along said curve and said West right-of-way line an arc distance of 71.39 feet to the Point of Beginning.

Tract 3: A strip of land for ingress and egress, lying in the Southeast Quarter of Section 13, Township 27 North, Range 34 West, Jasper County, Missouri, described as follows: Commencing at the Southeast corner of said Southeast Quarter of Section 13; Thence North 01 degrees 48 minutes 09 seconds East along the East line of said Southeast Quarter, 30.81 feet; Thence North 01 degrees 49 minutes 48 seconds East, along the East line of said Southeast Quarter, 1788.60 feet; Thence North 88 degrees 39 minutes 24 seconds West, 30.00 feet to a point on the West right-of-way line of Central City Road, said point being the Point of beginning; Thence continuing North 88 degrees 39 minutes 24 seconds West, 476.08 feet; Thence North 01 degrees 49 minutes 48 seconds East, 30.00 feet; Thence North 88 degrees 39 minutes 24 seconds West, 237.90 feet to a curve to the left having a radius of 2000.00 feet; Thence along said curve a distance of 315.13 feet; Thence South 01 degree 49 minutes 48 seconds West away from said curve, 65.77 feet; Thence North 88 degrees 10 minutes 12 seconds West, 30.00 feet; Thence North 48 degrees 39 minutes 42 seconds West, 38.17 feet; Thence North 09 degrees 35 minutes 22 seconds West, 60.00 feet to a point on a non-tangent curve to the right having a radius of 2030.00 feet and a chord bearing and distance of North 65 degrees 52 minutes 37 seconds East, 359.70 feet; Thence along said non-tangent curve a distance of 387.35 feet; Thence South 88 degrees 39 minutes 24 seconds East, 714.23 feet to a point on the West right-of-way line of Central City Road; Thence South 01 degree 49 minutes 48 seconds West along said West right-of-way line, 60.00 feet to the Point of Beginning.

INFORMATION OF FACT

1. This survey and plan is based upon the following data and/or exceptions:

	Yes	No	Item
a) Deed of Record	X		Book 1962, Page 1457
b) Filed Maps		X	
c) Title Search/Binder	X		Old Republic Title Insurance Company, File No 1547638 1st Revision, Effective Date: February 24, 2016, 7:00 am
d) Other	X		See Note 7

2. Certified To: O'Reilly Development Company, LLC,
This is to certify that, to the best of my knowledge and belief, this map or plan is the result of a field survey performed on March 8, 2016, by me or under my direct supervision, in accordance with the rules and regulations promulgated by the "State Board of Professional Engineers and Land Surveyors". The information depicted hereon, to the best of my knowledge and belief, represents the conditions found at, and as of the date of the field survey, except such improvements or easements, if any below the surface and not visible. Accordingly the undersigned professional is not responsible for the presence of underground utilities or structures, if same are not visible or otherwise disclosed by any aforementioned data listed above.

3. This survey or plan is made for and certified to the parties named hereon for the purpose(s) stated. No other purpose is intended nor implied. The undersigned professional is neither responsible nor liable for the use of this plan beyond its intended purpose.

4. The use of the word "certify" or "certification" constitutes an expression of professional opinion regarding those facts or findings which are the undersigned professional's knowledge, information and belief, and in accordance with the commonly accepted procedure consistent with the applicable standards of practice, and does not constitute a warranty or guarantee either expressed or implied.

5. Current Zoning: Agricultural
The above zoning is from information contained on the Jasper County Assessor's website. The above information can be verified once a zoning report or letter has been provided to the surveyor. (See Table A, Item 6(a) and (b) of the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys)

6. According to F.E.M.A. FLood Insurance Rate Map Community Panel Number: 29097C0265E, Effective Date: November 2, 2012, this property does not lie within a designated flood plane and is Zone X.

7. A survey for Wildwood Ranch, as prepared by Tri-State Engineering on February 11, 2016, Job No. 15116.

CERTIFICATE OF SURVEY AND ACCURACY

Know all men by these presents:

That I, Roddy G. Neff, do hereby certify to O'Reilly Development Company, LLC, that this survey was prepared under my supervision from an actual survey of the land herein described, prepared by Olsson Associates, Inc., dated April 8, 2016, and signed by Roddy G. Neff, P.L.S. 2671, and that the monuments and lot corner pins shown hereon were placed under the personal supervision of Roddy G. Neff, P.L.S. 2671, in accordance with the current "Missouri Minimum Standards For Property Boundary Surveys"

Roddy G. Neff
Roddy G. Neff, MO LS 2671
Olsson Associates, MO LC 366
rgneff@olssonassociates.com

4-08-16
Date

STATE OF MISSOURI
2671
RODDY G. NEFF
SURVEYOR
4-08-16

BOUNDARY AND TOPOGRAPHIC SURVEY FOR O'REILLY DEVELOPMENT COMPANY, LLC

	DATE	REVISION	BY
drawn by: DRC			
surveyed by: DD			
checked by: RGN			
approved by: RGN			
project no.: 15-0479			
file name: V_XALTA_60479			
	04.08.16	Original Preparation	DRC

OLSSON ASSOCIATES

550 St. Louis Street, Springfield, MO 65806
TEL 417.890.8002
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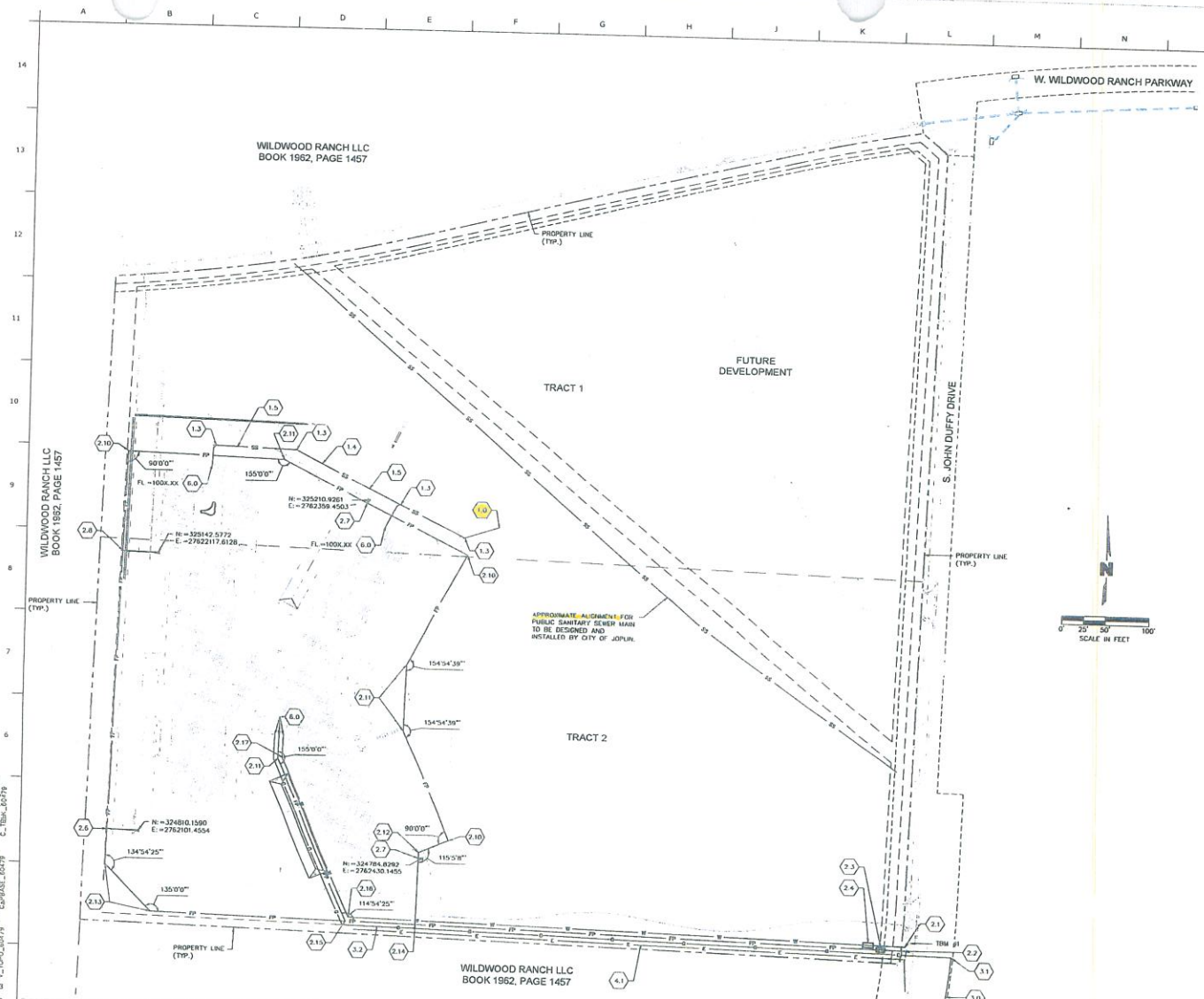
www.olssonassociates.com



UTILITY COMPANIES:

WATER
MISSOURI AMERICAN WATER (MAW)
2650 E. 32nd STREET
JOPLIN, MISSOURI 64804
CONTACT: JOHNNY SHEPARD
TELE: (417) 627-3800 EXT. 1004

SANITARY SEWER
CITY OF JOPLIN
602 S. MAIN STREET
JOPLIN, MISSOURI 64801
CONTACT: DAN JOHNSON
TELE: (417) 624-0820

ELECTRIC
EMPIRE DISTRICT ELECTRIC
602 S. JOPLIN AVENUE
P.O. BOX 127
JOPLIN, MO 64802
CONTACT: ED WARTHEN
TELE: (417) 625-5100

COMMUNICATION
AT&T
321 W. 6th STREET
JOPLIN, MISSOURI 64801
CONTACT: ROGER PAYNE OR KEN KENWORTHY
TELE: (417) 625-8135

NATURAL GAS:
MISSOURI GAS ENERGY (MGE)
520 E. 5th STREET
JOPLIN, MO 64801
CONTACT: KEN STEGALL OR DUSTIN BORLAND
TELE: (417) 626-4831

LEGEND

- PROPERTY LINES
- LOT LINES
- EASEMENT LINES
- SETBACK LINES
- FOUND 5/8" IRON BAR W/CAP "LC108"
- TEMPORARY BENCHMARK
- EXIST. ELECTRIC BOX
- EXIST. FIRE HYDRANT
- EXIST. WATER METER
- EXIST. WATER VALVE
- EXIST. STORM MANHOLE
- EXIST. FLARED END SECTION
- PROP. SANITARY SEWER LINE
- EXIST. STORM SEWER LINE
- PROP. STORM SEWER LINE
- EXIST. UNDERGROUND ELECTRIC
- PROP. UNDERGROUND ELECTRIC
- PROP. WATER LINE
- PROP. GAS LINE
- PROP. FENCE
- SIDEWALK RAMP – SLOPES @ 8.33% MAX.

UTILITY KEY NOTES:

1.0 CONNECTION TO SANITARY SEWER SHALL BE MADE ONCE CITY SEWER IS CONSTRUCTED. CONNECTION TO BE PER CITY OF JOPLIN REQUIREMENTS. REFER TO CITY OF JOPLIN STANDARD DRAWINGS. APPROXIMATE FL=XXXX.XX.

1.1 INSTALL X LF OF 6" SANITARY SEWER SERVICE @ MINIMUM 1.04% SLOPE PER CITY OF JOPLIN REQUIREMENTS. REFER TO CITY OF JOPLIN STANDARD DRAWINGS, FILE BEDDET AND SERVCONN.

1.2 INSTALL SANITARY SEWER MANHOLE PER CITY OF JOPLIN STANDARD DRAWING, FILE MHPRECAST.

1.3 INSTALL 6" 45° ELL AND SANITARY SEWER CLEAN-OUT. REFER TO DETAILS ON SHEET C7.1.

1.4 INSTALL IN-LINE SANITARY SEWER CLEAN-OUT. REFER TO DETAILS ON SHEET C7.1

1.5 INSTALL X LF OF 6" SANITARY SEWER SERVICE @ MINIMUM 1.04% SLOPE PER CITY OF JOPLIN REQUIREMENTS. REFER TO CITY STANDARD DRAWINGS, FILE BEDDET AND SERVCONN.

1.6 INSTALL SANITARY SEWER SEPARATOR. REFER TO DETAIL ON SHEET C7.1.

2.0 CONNECT TO EXISTING 8" WATER MAIN WITH 8"x 8" TAPPING SADDLE PER MISSOURI AMERICAN WATER (MAW) REQUIREMENTS. INSTALL 6" D.I. GATE VALVE AND 6" FIRE HYDRANT CONTRACTOR SHALL BE RESPONSIBLE FOR CONNECTION FEES. REFER TO MEP PLAN FOR DEMAND.

2.1 INSTALL 8"x 4" WET TAP AND 37 L.F. 4" WATER SERVICE PER MISSOURI AMERICAN WATER (MAW) REQUIREMENTS.

2.2 INSTALL 8"x 8" WET TAP AND 23 L.F OF 8" FIRE PROTECTION LINE PER MISSOURI AMERICAN WATER (MAW) REQUIREMENTS.

2.3 INSTALL 8" BACK FLOW PREVENTER AND VAULT FOR FIRE PROTECTION LINE. REFER TO DETAIL ON SHEET C7.2.

2.4 INSTALL 4" BACK FLOW PREVENTER, 4" WATER METER PURCHASED FROM MAW AND VAULT FOR DOMESTIC SERVICE LINE. REFER TO DETAIL ON SHEET C7.2.

2.5 PROPOSED FDC LOCATION. REFER TO MEP PLANS.

2.6 INSTALL 8"x 8"x 6" D.I. TEE, 34 LF 6" WATER MAIN, 6" D.I. GATE VALVE AND 6" FIRE HYDRANT. SEE DETAIL ON SHEET C7.2

2.7 INSTALL 8"x 8"x 6" D.I. TEE, 6" D.I. GATE VALVE AND 6" FIRE HYDRANT. SEE DETAIL ON SHEET C7.2

2.8 INSTALL 8"x 8"x 6" D.I. TEE, 38 LF, 6" WATER MAIN, 6" D.I. GATE VALVE AND 6" FIRE HYDRANT. SEE DETAIL ON SHEET C7.2

2.9 INSTALL 8"x 8"x 6" D.I. TEE, 38 LF, 6" WATER MAIN, 6" D.I. GATE VALVE AND 6" FIRE HYDRANT. SEE DETAIL ON SHEET C7.2

2.10 INSTALL 8" D.I. 90° ELL W/THRUST BLOCKING PER MAW REQUIREMENTS.

2.11 INSTALL 8" D.I. 22 1/2" & 11 1/4" ELLS W/THRUST BLOCKING PER MAW REQUIREMENTS.

2.12 INSTALL 8" D.I. 45° & 22 1/2° ELLS W/THRUST BLOCKING PER MAW REQUIREMENTS.

2.13 INSTALL 8" D.I. 45° ELL W/THRUST BLOCKING PER MAW REQUIREMENTS.

2.14 INSTALL 8"x 6"x 8" D.I. TEE PER MAW REQUIREMENTS

2.15 INSTALL 8"x 8"x 8" D.I. TEE, 8" 22 1/2° ELL AND X L.F. 8" FIRE PROTECTION LINE PER MAW REQUIREMENTS.

2.16 INSTALL 4" D.I. 22 1/2° ELL W/THRUST BLOCKING PER MAW REQUIREMENTS.

2.16 INSTALL 4" D.I. 45° ELL W/THRUST BLOCKING PER MAW REQUIREMENTS.

3.0 CONTRACTOR SHALL COORDINATE WITH MISSOURI GAS & ENERGY (MGE) REGARDING EXTENSION OF GAS MAIN FROM THE INTERSECTION OF S. JOHN DUFFY DRIVE AND 32ND STREET.

3.1 CONNECT TO EXISTING GAS MAIN. COORDINATE CONNECTION WITH MGE AND CITY OF JOPLIN.

3.2 INSTALL 946 LF OF GAS SERVICE LINE. REFER TO MEP PLAN. COORDINATE EXACT ROUTING WITH MGE

4.0 CONCRETE PAD FOR TRANSFORMER PER MEP AND STRUCTURAL PLANS.

4.1 CONTRACTOR SHALL COORDINATE WITH EMPIRE DISTRICT ELECTRIC AND MEP FOR INSTALLATION OF ELECTRIC SERVICE.

4.2 PARKING LOT LIGHT. REFER TO ELECTRICAL DRAWINGS.

4.3 AC UNITS. REFER TO MEP PLANS.

5.0 CONNECT TO EXISTING 8" WATER MAIN WITH 8"x 1 1/2" TAPPING SADDLE PER CITY UTILITIES REQUIREMENTS FOR IRRIGATION SERVICE LINE. INSTALL 1" WATER METER. CONTRACTOR SHALL BE RESPONSIBLE FOR CONNECTION FEES FROM CITY OF JOPLIN.

5.1 INSTALL X LF OF 1 1/2" IRRIGATION SERVICE LINE STUB.

6.0 REFER TO MEP PLANS FOR CONNECTION TO BUILDING.

DOMESTIC WATER & FIRE PROTECTION LINE GENERAL NOTES:

1. CONTRACTOR TO VERIFY WITH ARCHITECTURAL/MEP PLANS FOR SIZE AND LOCATION OF UTILITY SERVICE TO BUILDING BEFORE CONSTRUCTION.
2. WHERE THE WATER SERVICE IS TO BE CONSTRUCTED BELOW OR WITHIN 18 INCHES OF ANY SEWER PIPE, THE CONTRACTOR SHALL LAY A FULL LENGTH OF WATER SERVICE PIPE CENTERED ON THE SEWER OR SUCH LENGTH AS WILL PROVIDE THE MAXIMUM POSSIBLE SEPARATION OF THE JOINTS IN THE WATER SERVICE FROM THE SEWER LINE. IF NOT ALREADY SO, THE CONTRACTOR SHALL CONSTRUCT SANITARY SEWER WITH ONE 20 FOOT NOMINAL LENGTH OF PRESSURE PIPE MATERIAL CENTERED ON THE WATER SERVICE, SUCH THAT THE MAXIMUM POSSIBLE SEPARATION BETWEEN THE WATER SERVICE AND THE SEWER PIPE JOINTS WILL RESULT. THE BACKFILL MATERIAL SHALL BE SELECT, LOW PERMEABILITY SOIL.
3. REMOVE SPOIL MATERIAL FROM SITE.
4. THE CONTRACTOR SHALL NOT EXCEED MANUFACTURERS RECOMMENDATIONS FOR MAXIMUM PIPE JOINT DEFLECTIONS.
5. PRIOR TO MOVING OFF THE JOB THE CONTRACTOR SHALL NOTIFY THE ENGINEER TO DO A FINAL WALK-THROUGH OF THE CONSTRUCTION SITE.
6. PRIOR TO FINAL ACCEPTANCE ALL WATER SERVICE PIPE SHALL BE PRESSURE TESTED BY THE CONTRACTOR IN ACCORDANCE WITH THE CITY OF JOPLIN REQUIREMENTS.
7. PRIOR TO FINAL ACCEPTANCE ALL WATER SERVICE PIPE SHALL BE DISINFECTED BY THE CONTRACTOR IN ACCORDANCE WITH THE CITY OF JOPLIN REQUIREMENTS.
8. LOCATION AND ELEVATIONS OF IMPROVEMENTS TO BE MET (OR AVOIDED) BY WORK TO BE DONE SHALL BE CONFIRMED BY THE CONTRACTOR THROUGH FIELD EXPLORATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL REPORT TO THE ENGINEER OR CITY INSPECTOR ANY DISCREPANCIES BETWEEN HIS MEASUREMENTS AND THESE PLANS.
9. ALL WATER SERVICE CONSTRUCTION SHALL BE DONE UNDER A PLUMBERS PERMIT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
10. MAINTAIN 42" MINIMUM COVER ONCE TOP OF WATER SERVICE PIPE.
11. WATER SERVICE PIPE MATERIALS SHALL BE SCH40 PVC FOR IRRIGATION WATER LINE, AWWA C900 PVC FOR DOMESTIC SERVICE, FIRE PROTECTION SERVICE & PUBLIC MAIN EXTENSION.
12. INSTALLATION OF FIRE SERVICE SHALL BE IN ACCORDANCE WITH CURRENT NFPA 24 GUIDELINES.
13. CONTRACTOR SHALL BE RESPONSIBLE TO DEFLECT PIPE OR ADD FITTINGS AS NECESSARY TO MAINTAIN A MINIMUM 18" OF CLEARANCE BETWEEN FIRE/WATER LINES AND ALL OTHER UNDERGROUND UTILITIES.

SANITARY SEWER GENERAL NOTE:

MINIMUM SLOPE FOR SANITARY SEWER LATERALS.
SANITARY SERVICE LATERAL SHALL BE 4" OR 6" SCH40 PVC.
4" SEWER LATERAL SLOPE = 2.08% MIN.
6" SEWER LATERAL SLOPE = 1.04% MIN.

GENERAL NOTES:

1. ALL GAS AND WATER MAIN TAPS SHALL HAVE A SEPARATION OF 5' MIN.
2. PROVIDE 5' HORIZONTAL SEPARATION BETWEEN GAS AND FIRE PROTECTION MAIN.
3. THRUST BLOCKS SHALL BE INSTALLED WHERE NOTED PER CITY OF JOPLIN "THRUST BLOCK DETAIL".
4. WHERE THRUST BLOCKS AT BENDS ARE REQUIRED ADJACENT TO OTHER UTILITIES, BENCH UTILITIES AT LEAST 12" TO MAINTAIN THRUST BLOCKS AGAINST UNDISTURBED EARTH AS SHOWN ON DETAIL SHEET C7.2.
5. SEE DETAIL SHEET C7.2 FOR PRIVATE DOMESTIC WATER, FIRE PROTECTION & SANITARY SEWER PIPE BEDDING. PUBLIC WATER MAIN EXTENSION PIPE BEDDING SHALL FOLLOW CITY OF JOPLIN "PIPE BEDDING DETAIL".

OLSSON CALCULATED FIRE FLOW @ 30 PSI

MISSOURI AMERICAN WATER PROVIDED INFORMATION. FIRE HYDRANT LOCATED NEAR THE INTERSECTION OF 32ND STREET AND JOHN DUFFY DRIVE
PITOT PRESSURE 50 PSI
RESIDUAL PRESSURE 53 PSI
STATIC PRESSURE 70 PSI
CALCULATED AVAILABLE FIRE FLOW AT EXISTING HYDRANT (SEE CALCULATION BELOW)

Qr=RATED CAPACITY AT 30 PSI (GPM)
Qf=TOTAL TEST FLOW (GPM)
Hr=STATIC PRESSURE MINUS 30 PSI
Hf=STATIC PRESSURE MINUS RESIDUAL PRESSURE
Hr=70-30=40 PSI
Hf=70-53=17 PSI

Qr=1,186 GPM X (40/17)^0.54
Qr=1,882 GPM; I.E. AVAILABLE FIRE FLOW FROM THE PUBLIC SYSTEM

LARGEST STRUCTURE (INCLUDING FUTURE) 130,703 SF=6,500 GPM REQUIRED

6,500 GPM * .25 (75% REDUCTION FOR FULLY SPRINKLED)=1625 GPM (1,500 GPM MINIMUM REQUIRED.)

MISSOURI ONE CALL SYSTEM
1-800-DIG-RITE or 811
www.mo1call.com

Client

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(417) 883-0002 ph
(417) 889-0841 fx

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jhornhorst@olssonassociates.com

Structural Engineer
J & H Engineering
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Springfield, MO 65807
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jhucks@jhstruct.com

MEP Engineer:
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rarocca@direct.com

Technology Designer:
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6767 North Industrial Road
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Professional Seal

Revisions

No.	Description	Date

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New Project for:

Wildwood Senior Living
South John Duffy Drive
Joplin, MO 64804

UTILITY PLAN

Project No: 15-011
Drawn By: BRT
Reviewed By: JHH
Date: 09/28/2018

Sheet C4.0

DWG: F:\2015\015-0080-06 WILDWOOD RANCH\Civil\Sheets\Utility Plan.dwg
DATE: Aug 23, 2018 2:10pm
USER: jphornhorst
C:\TEMP_00779
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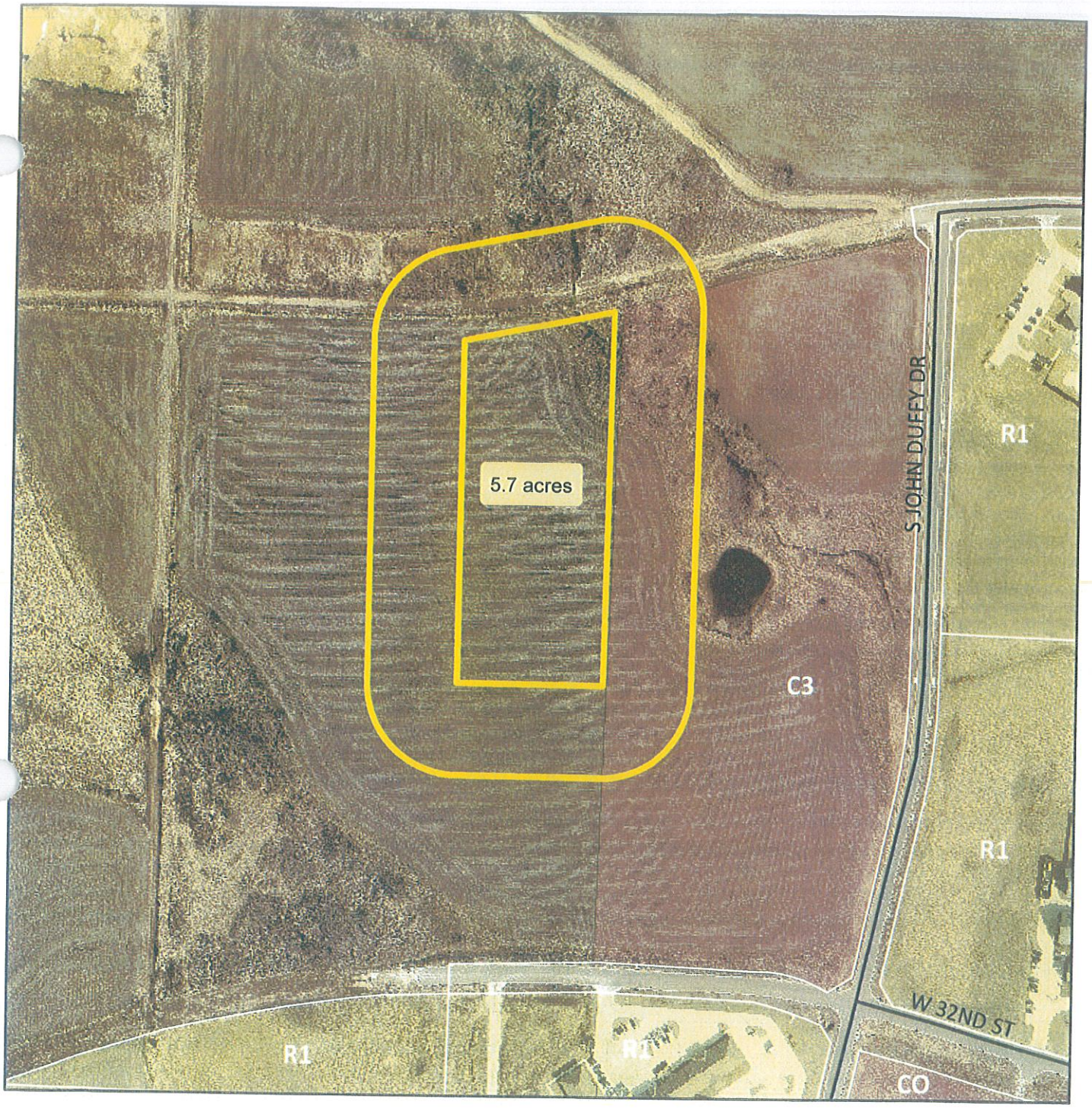


Case 038-16: 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive – A request to rezone from R-1 (Single-Family Residential) to C-3 (Commercial) – O'Reilly Holdings, LLC.

N

Case 038-16: 570 feet West and 600 feet North of the intersection of 32nd Street and John Duffy Drive – A request to rezone from R-1 (Single-Family Residential) to C-3 (Commercial) – O'Reilly Holdings, LLC.

Mr. Smith opened the public hearing for Case 038-16.

Ms. Jane Earnhart, Olsson Associates, Springfield, Missouri, understands this property comes into the City of Joplin with R-1 zoning. O'Reilly Holdings are planning a senior residential development, including convalescent care, and need C-3 zoning for this property.

Mr. Duncan asked how this development is related to Joplin Development Properties II, and Ms. Cunningham replied they are unrelated.

Mr. Ramsour asked if everything annexed into the City of Joplin first comes in with R-1 zoning, and Ms. Cunningham replied that is correct.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 038-16.

MR. BROWN MOVED, SECONDED BY MR. DERMOTT, THAT CASE 038-16 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, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-283
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 039-16: 570 feet West of the intersection of 32nd Street and John Duffy Drive – A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Development Properties II.

STAFF SUMMARY:
The applicant is requesting to voluntarily annex approximately 3.4 acres of land approximately 570 feet west of the intersection of 32nd Street and John Duffy Drive. This parcel is located in Wildwood Ranch and will be developed into a skilled nursing facility pending approval of the applicant's rezoning request.

Staff recommends approval of Case 039-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Gerald Norton, Olsson & Associates, appeared representing Joplin Development Properties II, the owner of the property. The parent company is LTC, who owns the residential care facility on the southwest corner of John Duffy Drive and 32nd Street. They will be constructing a second facility on the northwest corner of John Duffy and 32nd Street. This request is for a voluntary annexation to add the remaining 3.5 acres to property that was annexed into Joplin last year.

PUBLIC COMMENT:
None.

P & Z Case 039-16
Joplin Development Properties II
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-283 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located 570 feet west of the intersection of 32nd Street and John Duffy Drive 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:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 27 NORTH, RANGE 34 WEST, JASPER COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE N88°40'30"W ALONG THE SOUTH LINE OF SAID SECTION 13, 1169.38 FEET; THENCE N00°00'00"E, 313.95 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF JOHN DUFFY DRIVE; THENCE S57°54'25"W ALONG SAID RIGHT-OF-WAY LINE, 42.77 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 32ND STREET; THENCE N77°33'48"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 15.47 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 952.37 FEET; THENCE ALONG SAID CURVE AND SAID NORTH RIGHT-OF-WAY LINE, AN ARC DISTANCE OF 169.78 FEET;

THENCE N87°18'50”W CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 326.47 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 3045.00 FEET, AND THE POINT OF BEGINNING; THENCE ALONG SAID CURVE AND SAID NORTH RIGHT-OF-WAY LINE, AN ARC DISTANCE OF 312.61 FEET; THENCE N01°49'48”E AWAY FROM SAID CURVE, 487.39 FEET; THENCE S88°10'12”E, 312.26 FEET; THENCE S01°49'48”W, 476.02 FEET TO THE POINT OF BEGINNING; CONTAINING 3.4 ACRES MORE OR LESS.

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 12:02 a.m., on the Sixth (6th) day of November, 2016.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, 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: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Voluntary Annexation

CASE 039-16 A request to voluntarily annex approximately 3.4 acres into the City of Joplin

LOCATION 570 feet West of the intersection of 32nd Street and John Duffy Drive

APPLICANT Joplin Development Properties II

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County, MO)	Undeveloped	3.4 acres

DISCUSSION

The applicant is requesting to voluntarily annex approximately 3.4 acres of land approximately 570 feet West of the intersection of 32nd Street and John Duffy Drive. This parcel is located in Wildwood Ranch and will be developed into an skilled nursing facility pending approval of the applicant's rezoning request.

Staff recommends approval of Case 039-16.

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.

Donald B Bedell

STATE OF MISSOURI)
COUNTY OF ~~JASPER~~ New Madrid) ss:
)

On this 20th day of July, 2016 before me appeared Donald B. Bedell, to me known to be the President of Joplin Developent Properties, ~~Inc~~, and that 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 President acknowledged said instrument to be the free act and deed of said corporation, and that the allegations contained therein are true.

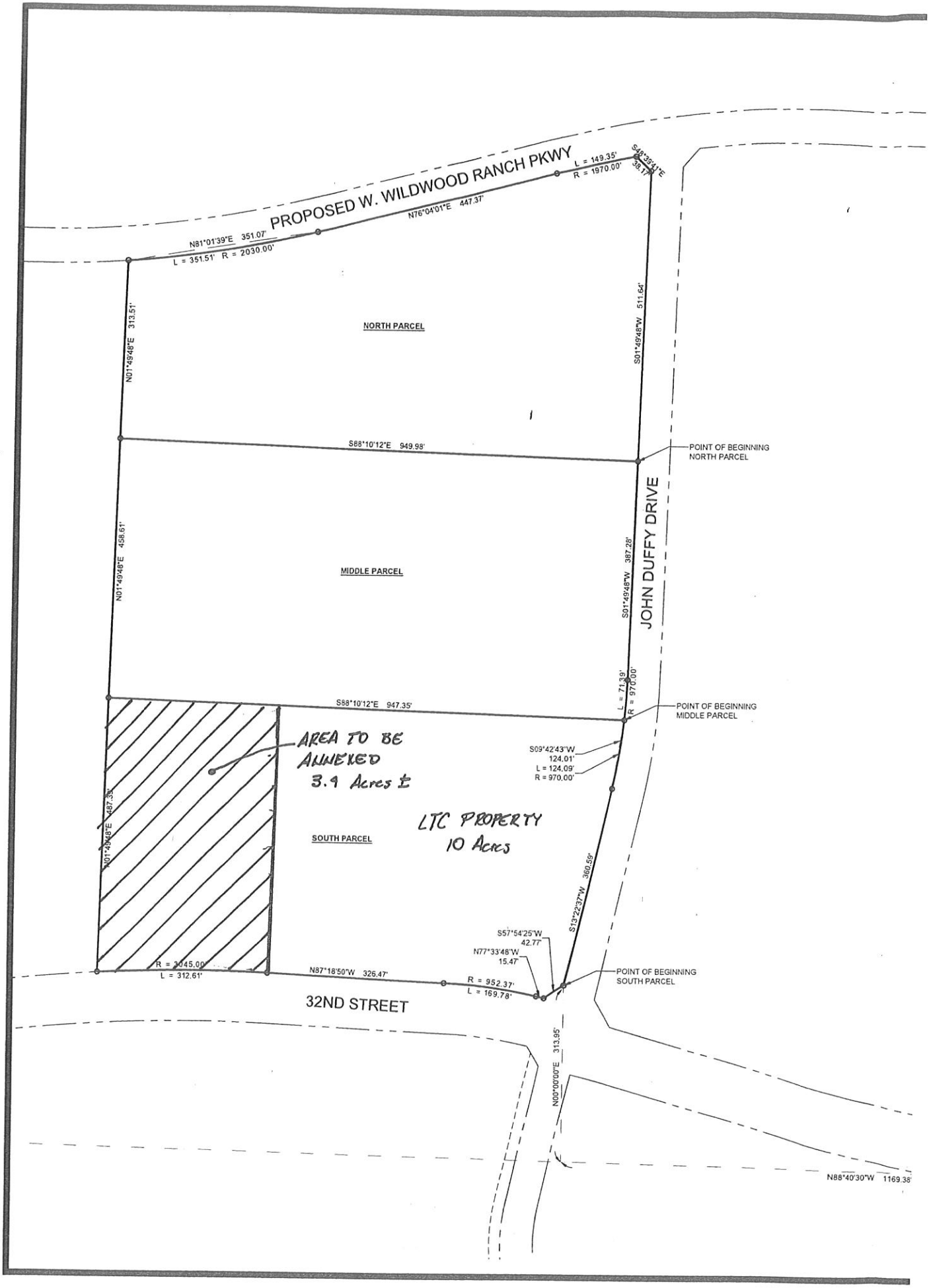
IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed by official seal, in the County and State aforesaid, the day and year first above written.

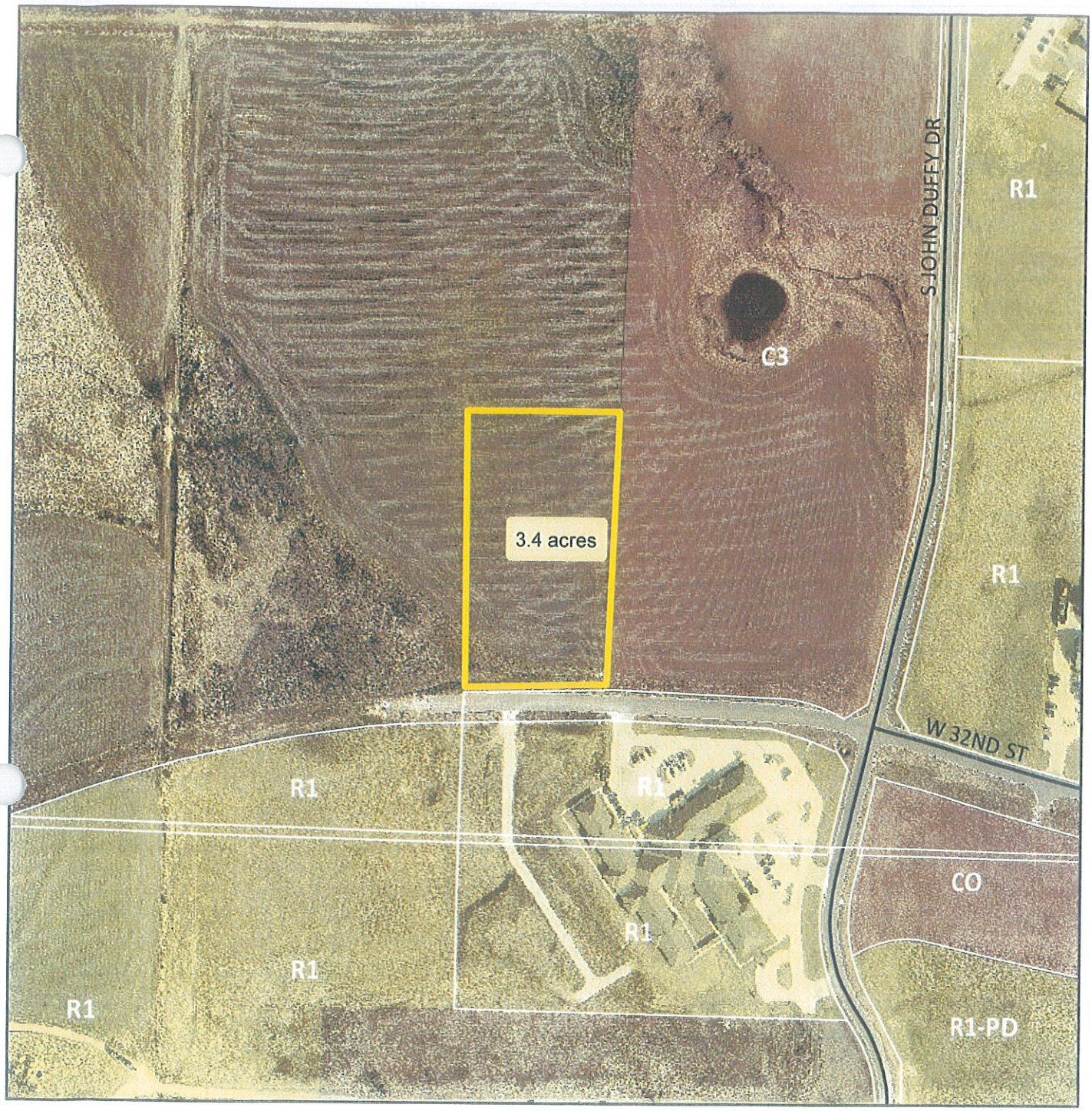
My commission expires: 9-8, 2016

Judy Sewell

Notary Public

JUDY SEWELL
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
NEW MADRID COUNTY
COMMISSION # 12449895
MY COMMISSION EXPIRES: SEPT. 8, 2016


PROPOSED W. WILDWOOD RANCH PKWY
N81°01'39"E 351.07'
L = 351.51' R = 2030.00'
N76°04'01"E 447.37'
L = 149.35'
R = 1970.00'
S48°39'41"E
38.17'
NORTH PARCEL
N01°49'48"E 313.51'
S01°49'48"W 511.64'
S88°10'12"E 949.98'
POINT OF BEGINNING
NORTH PARCEL
JOHN DUFFY DRIVE
MIDDLE PARCEL
N01°49'48"E 458.61'
S01°49'48"W 387.28'
L = 71.39'
R = 970.00'
S88°10'12"E 947.35'
POINT OF BEGINNING
MIDDLE PARCEL
AREA TO BE
ANNEXED
3.4 Acres ±
S09°42'43"W
124.01'
L = 124.09'
R = 970.00'
LTC PROPERTY
10 ACRES
SOUTH PARCEL
N01°49'48"E 487.35'
S13°22'37"W 360.59'
S57°54'25"W
42.77'
N77°33'48"W
15.47'
R = 3045.00'
L = 312.61'
N87°18'50"W 326.47'
R = 952.37'
L = 169.78'
POINT OF BEGINNING
SOUTH PARCEL
32ND STREET
N00°00'00"E 313.95'
N88°40'30"W 1169.38'



Case 039-16: 570 feet West of the intersection of 32nd Street and John Duffy Drive – A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Development Properties II.

N

Case 039-16: 570 feet West of the intersection of 32nd Street and John Duffy Drive – A request from Joplin Industrial Development Corporation for the voluntary annexation into the corporate limits of the City of Joplin – Joplin Development Properties II.

Mr. Smith opened the public hearing for Case 039-16.

Mr. Gerald Norton, Olsson & Associates, 702 South Main Street, Joplin, appeared representing Joplin Development Properties II, the owner of the property. The parent company is LTC, who owns the residential care facility on the southwest corner of John Duffy Drive and 32nd Street. They will be constructing a second facility on the northwest corner of John Duffy and 32nd Street. This request is for a voluntary annexation to add the remaining 3.5 acres to property that was annexed into Joplin last year.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 039-16.

MR. DUNCAN MOVED, SECONDED BY MR. RAMSOUR, THAT CASE 039-16 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, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-284
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 040-16: 570 feet West of the intersection of 32nd Street and John Duffy Drive – A request to rezone from R-1 (Single Family Residential) to C-3 (Commercial) – Joplin Development Properties II.

STAFF SUMMARY:
This property is located approximately 570 feet west of the intersection of 32nd Street and John Duffy Drive in the Wildwood Ranch Development. This 3.4 acre parcel, in addition to a 10 acre parcel to the east, will provide the site for a skilled nursing facility. This parcel needs to be annexed into the City of Joplin and rezoned to match the adjacent parcel to the east. Once a piece of property is annexed into the City of Joplin, it is automatically zoned R-1. Pending the annexation of this property, this rezoning would allow a skilled nursing facility, which is not permitted in an R-1 zoning designation.

Staff recommends approval of Case 40-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Gerald Norton, Olsson & Associates, stated Joplin Development Properties II owns 10 acres. The east 6.5 acres are already zoned C-3, with the 3.5 acre portion coming into the City of Joplin with R-1 zoning. Mr. Norton is requesting rezoning to District C-3 to make the zoning consistent.

PUBLIC COMMENT:
None.

P & Z Case 040-16
Joplin Development Properties II
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-284 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 570 feet west of the intersection of 32nd Street and John Duffy Drive in the City of Joplin, Jasper 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 removing the following described property from District R-1and including same in District C-3:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 27 NORTH, RANGE 34 WEST, JASPER COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE N88°40'30"W ALONG THE SOUTH LINE OF SAID SECTION 13, 1169.38 FEET; THENCE N00°00'00"E, 313.95 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF JOHN DUFFY DRIVE; THENCE S57°54'25"W ALONG SAID RIGHT-OF-WAY LINE, 42.77 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 32ND STREET; THENCE N77°33'48"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 15.47 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 952.37 FEET; THENCE ALONG SAID CURVE AND SAID NORTH RIGHT-OF-WAY LINE, AN ARC DISTANCE OF 169.78 FEET; THENCE N87°18'50"W CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 326.47 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 3045.00 FEET, AND THE POINT OF BEGINNING; THENCE ALONG SAID CURVE AND SAID NORTH RIGHT-OF-WAY LINE, AN ARC DISTANCE OF 312.61 FEET; THENCE N01°49'48"E AWAY FROM SAID CURVE, 487.39 FEET; THENCE S88°10'12"E, 312.26 FEET; THENCE S01°49'48"W, 476.02 FEET TO THE POINT OF BEGINNING; CONTAINING 3.4 ACRES MORE OR LESS.

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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2016, by a vote of _____.

_____

ATTEST: Michael L. Seibert, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

Z&P Meeting: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT
Rezoning

CASE 40-16 A request to rezone from R-1 (Single Family Residential) to C-3 (Commercial) for the construction of a skilled nursing facility

LOCATION 570 feet West of the intersection of 32nd Street and John Duffy Drive

APPLICANT Joplin Development Properties II

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County)	Undeveloped	5.7 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	N/A (Jasper County)	C-3 (Commercial)	R-1 Single-Family Residential	N/A
Land Use	Undeveloped	Undeveloped	Residential	Undeveloped

FUTURE LAND USE
The City of Joplin's Future Land Use Map classifies this area as a Residential/Commercial Opportunity Area.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
John Duffy Drive (future access)	Secondary	60'
West 32nd Street (future access)	Arterial	60'

UTILITIES No. Utilities will be added in future construction.

FLOOD PLAIN N/A

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?
Yes.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED
Once a piece of property is annexed into the City of Joplin, it is automatically zoned R-1. Pending the annexation of this property, this rezoning would allow a convalescent care facility which is not allowed in an R-1 zoning designation.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY
This zoning change would not detrimentally affect nearby property.

DISCUSSION
This property is located approximately 570 feet West of the intersection of 32nd Street and John Duffy Drive in the Wildwood Ranch Development. This 3.4 acre parcel, in addition to a 10 acre parcel to the east, will provide the site for a skilled nursing facility. This parcel needs to be annexed into the City of Joplin and rezoned to match the adjacent parcel to the east. Once a piece of property is annexed into the City of Joplin, it is automatically zoned R-1. Pending the annexation of this property, this rezoning would allow a skilled nursing facility, which is not permitted in an R-1 zoning designation.

Staff recommends approval of Case 40-16.

REZONING APPLICATION FORM

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.: 040-16
Filing Fee: ~~$350.00~~ $450.00
Date Advertised:
Date Notices Sent:
P&Z Date:
City Council Date:

APPLICANT: Joplin Development Properties II PHONE: 573-471-1276
ADDRESS: 731 N. Main Street Sikeston Mo. ZIP: 63801
EMAIL: wmitchell@tc-consulting.net
OWNER: Joplin Development Properties II PHONE: 573-471-1276
ADDRESS: 731 N. Main Street Sikeston Mo ZIP: 63801
EMAIL: wmitchell@tc-consulting.net
LOCATION OF PROPERTY: NW Corner of 32ND Street and John Duffy Drive
LEGAL DESCRIPTION: See Attached Description

Present Zoning Requested Zoning: C3 Acreage: 3.4 Acres ±
Present Use of Property: Undeveloped
Proposed Use of Property: Residential Care Facility

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Future Nursing Facility	C3
South	Skilled Nursing Facility	C3
East	Medical Clinic	C3
West	Undeveloped	

CHARACTER OF THE NEIGHBORHOOD: Built out of commercial properties

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts? No
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? ____
   If yes, explain: Commercial use not compatible with current zoning

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
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 effect 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
4. For Planned Developments the following must be submitted and reviewed before the rezoning can be advertised for public hearing:
   ___ Site Plan ___ Landscape Plan ___ Building Elevations

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 32ND Street, John Duffy Drive
2. Classification of Street(s):
   Arterial_____ Collector 32ND Street Local John Duffy Drive
3. Right-of-Way Width: 32ND Street - 80 Feet, John Duffy - 50 Feet
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

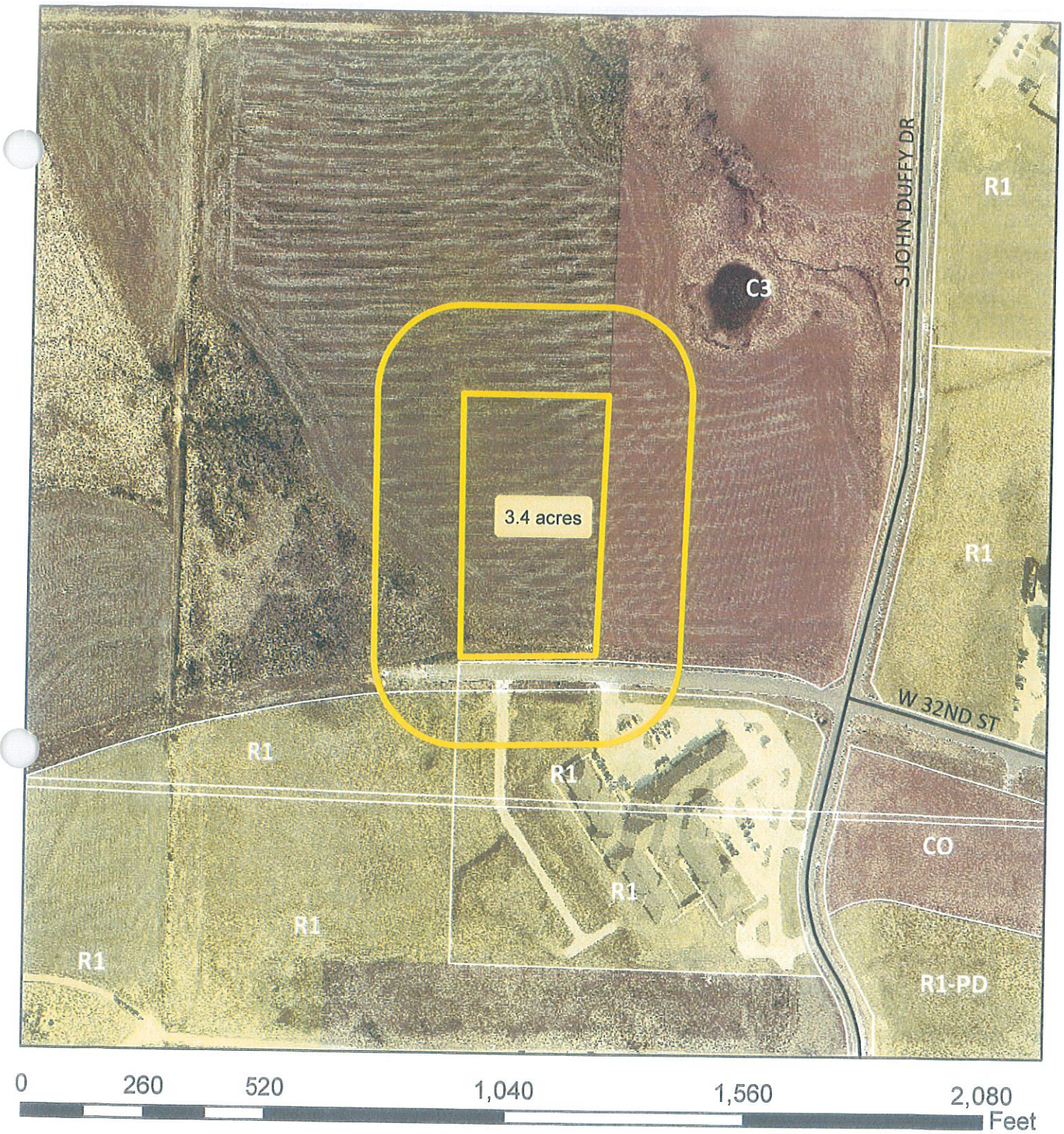
1. Appropriately Sized Lots?_____
2. Properly Sized Street Right-of-Way?_____
3. Drainage Easements?_____
4. Utility Easements:
   - Electricity?_____
   - Gas?_____
   - Sewers?_____
   - Water?_____
5. Additional Comments:_____

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: _____ DATE: 8-4-16

BY: Donald B. Bedell

TITLE: President



Case 040-16: 570 feet West of the intersection of 32nd Street and John Duffy Drive – A request to rezone from R-1 (Single Family Residential) to C-3 (Commercial) – Joplin Development Properties II.

N

Case 040-16: 570 feet West of the intersection of 32nd Street and John Duffy Drive – A request to rezone from R-1 (Single Family Residential) to C-3 (Commercial) – Joplin Development Properties II.

Mr. Smith opened the public hearing for Case 040-16.

Mr. Gerald Norton, Olsson & Associates, 702 South Main Street, Joplin, stated Joplin Development Properties II owns 10 acres. The east 6.5 acres are already zoned C-3, with the 3.5 acre portion coming into the City of Joplin with R-1 zoning. Mr. Norton is requesting rezoning to District C-3 to make the zoning consistent.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 040-16.

MR. CORTEZ MOVED, SECONDED BY MR. DERMOTT, THAT CASE 040-16 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, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

CITY OF JOPLIN
CITY COUNCIL MEETING
MINUTES September 19, 2016

CALL TO ORDER
The regular meeting for the Joplin City Council was called to order at 6:00 p.m.by Mayor Michael L. Seibert

INVOCATION - read by City Clerk Barbara Hogelin

PLEDGE OF ALLEGIANCE to the United States of America –led by Mr. Stinnett

ROLL CALL – Answering Roll Call were: Taylor Brown, Melodee Colbert-Kean, Miranda Lewis, Dan McCreary, Gary Shaw, Ryan Stanley, Phil Stinnett, Jim West and Mayor Seibert. Also in attendance were City Manager Sam Anselm and City Attorney Peter Edwards.

PRESENTATIONS
Presentation by Allen Shirley, Joplin Historical Museum President, of the signed 9-11 Special Edition Joplin newspaper. Allen Shirley brought a Special Edition Historical newspaper of the 9-11 Globe signed by Legislators at the time of the event depicting the tragedy of what happened on that day.

REPORTS AND COMMUNICATIONS

FINALIZATION OF CONSENT AGENDA - There being no further business to come before the Council, the Consent Agenda was finalized.

CITIZEN REQUESTS AND PETITIONS
Motion by Mr. Stinnett, second by Mr. Stanley, to allow Marge Upson, 1218 W. 9th, requesting to address council regarding council representing citizens. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0.
Mrs. Upson said she had attended the last couple of meetings of the council on budget and wanted to address council. Included in her statement was council food and the library.

PUBLIC HEARINGS
Public Hearing Procedures read by City Clerk Barbara Hogelin

PUBLIC HEARING FOR COUNCIL BILL NO. 2016-609 - AN ORDINANCE approving the applications of Active Lifestyle Inc., for Joplin Memorial Marathon; George A. Spiva Center for the Arts for PhotoSpiva 2017; George Washington Carver Birthplace Association for the 74th Carver Day; Central Christian Center for the Joyful Hearts Conference; Carl Junction Chamber of Commerce for the 2017 CJ Bluegrass Festival; Joplin Disc Golf Club for their 12th annual, Four States Open; MSSU Alumni Association for the MSSU Homecoming 2017; Emancipation Celebration Committee for the Emancipation "Park Day" Celebration 2017; Joplin Trails

Coalition for their two 2017 Bicycle Tours; Missouri Dental Association Foundation for MOMOM (Missouri Mission of Mercy); Rufus Racing for the 9th annual, Summer Roundup Triathlon; TwelveOne Race Management for their 2017 TwelveOne Race Series; Historic Murphysburg Preservation, Inc. for marketing development for a 2017 Heritage Tourism event; Joplin History and Mineral Museum for the Chautauqua Series--Thomas Hart Benton; Wildcat Glades Conservation & Audubon Center for Shoal Creek Water Festival and the development of a new Center Rack Card, for utilization of FY2017 Festivals and Celebrations support pursuant to Ordinance No. 2000-148, as authorized by the voters on November 7, 2000; authorizing the City Manager to execute appropriate agreements with each such organization for the utilization of such funds.

Mayor Seibert opened the Public Hearing

Ruth Sawkins appeared in favor of this request.

No one appeared in opposition of this request.

The public hearing was closed.

Mr. Stanley introduced Council Bill No. 2016-609. Motion by Mr. Stanley, second by Mr. West that Council Bill No. 2016-609 be Placed on First Reading and Advanced to Second Reading and Third Reading. Voting in favor were Council Members: Brown, Lewis, McCreary, Seibert, Stanley Stinnett and West, 7. Nays: 0. Abstention: 3, Colbert-Kean, Shaw. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0.

CONSENT AGENDA – Motion by Mr. Shaw, second by Mr. Stanley to approve the Consent Agenda. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0.

Minutes of the September 6, 2016 Council Meeting

COUNCIL BILL NO. 2016-274 - AN ORDINANCE authorizing, approving, and accepting a transfer of land from the City of Joplin, Missouri, to the City of Webb City, Missouri, pursuant to RSMo., Section 71.011, 2003 as amended, providing for the giving of notice thereof, and establishing an effective date. **Ordinance No. 2016-139**

COUNCIL BILL NO. 2016-455 - AN ORDINANCE authorizing the City of Joplin to enter into a Pharmaceutical Services Agreement by and between the City of Joplin, Missouri, and Pharm Joplin Acquisition, LLC, a MO LLC, dba The Medicine Shoppe, providing generally for the utilization of The Medicine Shoppe pharmacy as the City Health Department's pharmaceutical provider; and authorizing the City Manager of the City of Joplin, Missouri, to execute the same by and on the behalf of the City of Joplin, Missouri. **Ordinance No. 2016-140**

RESOLUTIONS

ORDINANCES – EMERGENCIES

Mr. Stinnett introduced COUNCIL BILL NO. 2016-140 - AN ORDINANCE approving a Work Authorization for Allgeier Martin & Associates Inc. in the not to exceed amount of Eighty-five Thousand Two Hundred Ninety-Eight and No/100 Dollars ($85,298.00) for Professional Engineering Consulting Services for the Villa Heights #15 Sanitary Sewer Crossing Re-route at Newman Road project and containing an emergency clause. Motion by Mr. Stinnett, second by Ms. Colbert-Kean that Council Bill No. 2016-140 be approved on an emergency basis Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-141**

Mr. Stanley introduced COUNCIL BILL NO. 2016-141- an ordinance approving a Work Authorization for Allgeier Martin & Associates Inc. in the not to exceed amount of Eighty-five Thousand Two Hundred Ninety-Eight and No/100 Dollars ($85,298.00) for Professional Engineering Consulting Services for the Villa Heights #15 Sanitary Sewer Crossing Re-route at Newman Road project and containing an emergency clause. Motion by Mr. Stanley, second by Mr. McCreary to amend Council Bill 2016-141 to reflect the completed project date to read May 22, 2018. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. Motion by Mr. Stanley, second by Mr. McCreary that Amended Council Bill No. 2016-141 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-142**

Mr. West introduced COUNCIL BILL NO. 2016-373 - an ordinance approving the contract by and between the City of Joplin and Jordan Disposal for the demolition of the structure(s) and clearing of lot area located at 911 W. 6TH St. in the City of Joplin, Missouri, for the amount of Two Thousand Four Hundred Ninety-Nine and 00/100 Dollars (2,499.00); providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. West, second by Mr. Brown that Council Bill No. 2016-373 be approved on an emergency basis Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-143**

Mr. West introduced COUNCIL BILL NO. 2016-374 - an ordinance approving the contract by and between the City of Joplin and Nelson Demolition for the demolition of the structure(s) and clearing of lot area located at 1905 Missouri. in the City of Joplin, Missouri, for the amount of One Thousand Seven Hundred Forty-Nine and 00/100 Dollars (1,749.00); providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. West, second by Mr. Brown that Council Bill No. 2016-374 be approved on an emergency basis Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-144**

Mr. Stinnett introduced COUNCIL BILL NO. 2016-375 - an ordinance approving an agreement between the City of Joplin, Missouri, and the Economic Security Corporation generally pertaining to FY2015 and FY2016 HOME funds for the rehabilitation of housing; authorizing the City Manager or his designee, the Director of Planning, Development, and Neighborhood Services to execute same on behalf of the City, and containing an emergency clause. Motion by Mr. Stinnett, second by Mr. West that Council Bill No. 2016-375 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley,

Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-145**

Mr. Stanley introduced COUNCIL BILL NO. 2016-376 - an ordinance approving an Agreement between the City of Joplin, Missouri, and the Joplin Area Habitat for Humanity that pertains to 2016 HOME housing developer funds; authorizing the City Manager to execute same on behalf of the City; and, containing an emergency clause. Motion by Mr. Stanley, second by Mrs. Lewis that Council Bill No. 2016-376 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-146**

Mr. West introduced COUNCIL BILL NO. 2016-611 - an ordinance authorization to accept a grant from the Department of Transportation, Federal Aviation Administration, (FAA) Airport Improvement Program (AIP) for the Construction of Taxiway "C & F" (formally B & N) at the Joplin Regional Airport; and containing an emergency clause. Motion by Mr. West, second by Mr. McCreary that Council Bill No. 2016-611 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-147**

Mr. Brown introduced COUNCIL BILL NO. 2016-612 - an ordinance approval of an Agreement by and between the City of Joplin and Capitol Paving and Construction, LLC for the construction of a Taxiway "C & F" at the Joplin Regional Airport; and containing an emergency clause. Motion by Mr. Brown, second by Mr. Stinnett that Council Bill No. 2016-612 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-148**

Mr. Stanley introduced COUNCIL BILL NO. 2016-613 - an ordinance approval of an Agreement by and between the City of Joplin and Crawford, Murphy & Tilly, Inc., for Construction Observation Services for the construction of Taxiways "C & F" at the Joplin Regional Airport; and containing an emergency clause. Motion by Mr. Stanley, second by Mr. Stinnett that Council Bill No. 2016-613 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-149**

Mr. Stanley introduced COUNCIL BILL NO. 2016-614 - an ordinance authorization to accept an Air Service Grant by and between the City of Joplin and Missouri Department of Transportation (MoDOT) for assistance in promotion of Air Service at the Joplin Regional Airport and containing an emergency clause. Motion by Mr. Stanley, second by Mrs. Lewis that Council Bill No. 2016-614 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-150**

ORDINANCES – FIRST READING

Mr. Stanley introduced COUNCIL BILL NO. 2016-610 - an ordinance approving the License Agreement between the City of Joplin and TwelveOne Race Management, a Missouri Limited Liability Company, and Douglas ("Tom") W. Rogers and Valerie D. Rogers, individually;

authorizing the City Manager to execute appropriate agreements with each such organization for the utilization of such funds. Motion by Mr. Stanley, second by Mrs. Colbert-Kean to Pass Council Bill No. 2016-610 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Bill was read as being **Council Bill No. 2016-610.**

ORDINANCES – SECOND AND THIRD READING

Mr. Stinnett introduced COUNCIL BILL NO. 2016-273 – 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 District C-3 and including in District C-3-PD property as described below and located at the northeast corner of Main Street and 27th Street in the City of Joplin, Jasper County, Missouri. Motion by Mr. Stinnett, second by Mr. McCreary to Pass Council Bill No. 2016-273 on Second Reading and Advance to Third Reading and Pass. Voting in favor were Council Members: Brown, Colbert-Kean, McCreary, Lewis, Seibert, Shaw, Stanley, Stinnett and, 8. Nays:0. Abstention: 1, West. The Bill was declared adopted and entitled **Ordinance No. 2016-151**

NEW BUSINESS:
Declare excess surplus property for the annual auction. Lynden Lawson reported 30 additional cartridges were added to the list of surplus items.

News from the PIO
The City's annual Auction is set for Saturday, October 8. The Auction begins at 9 a.m. and will be held in the Street Maintenance Barn located northwest of the Public Works Center, on West 2nd Street.

Merchandise to be auctioned will be available for viewing from 1 to 4 p.m. on Friday, October 7, and from 8 to 9:30 a.m. Saturday, October 8, prior to the start of the auction.

The list of auction items is available on the City of Joplin's website, www.joplinmo.org/auctionlist.

The Tri-State Gem and Mineral Society presents "Rock-A-Thon", its 18th annual gem and mineral expo, during the weekend of September 23 through September 25. Held at the Joplin Museum Complex, hours of the show are 9 a.m. to 5 p.m. on Friday & Saturday. On Sunday, September 25, the show's hours are 9 a.m. to 5 p.m.

Admission is free, and attendees have a chance to win door prizes during the event. For more information, contact the museum at 417-623-1180.

In honor of the U.S. National Park Service marking its 100th year in 2016, September 24th is designated as RIDE YOUR BIKE TO YOUR NATIONAL PARK day.

From either Joplin, Carthage, and Neosho, cyclists can enjoy the outdoors during their ride to the George Washington Carver National Monument - our nearest National Park.

Riders will depart from one of three locations at 7:30 a.m. and ride to GWC National Monument. It is up to each rider if they travel just to the Park, then get picked up, or if they ride back to the

starting point. NO SHUTTLES provided so each rider is responsible for their own return transportation. Limited water and snacks will be available at George Washington Carver.

Experienced riders will lead and follow each group so no one is left behind. Riders are encouraged to spend time and tour the GWC National Monument. More information can be found at visitjoplinmo.com.

More information about these topics can be found on our website, www.joplinmo.org.

Vote to go into closed session, which shall pertain to legal action, causes of action, or litigation including a public governmental body and any confidential or privileged communications between a governmental body or its representatives and its attorneys pursuant to state law, and to discuss leasing, purchase or sale of real estate by a governmental body where public knowledge of the transaction might adversely affect the legal consideration thereof, pursuant to state law; as set forth in Section 610.021 (1) (2) RSMo, as amended, 2015. This meeting, record, and vote be closed. Council shall adjourn at the end of the session. Motion by Mr. Stanley, second by Mr. Brown to go in closed session. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0.

There being no further business the meeting adjourned at 7:35p.m.

Submitted,

Barbara L Hogelin

Barbara L. Hogelin, MMC/MPCC, City Clerk

RESOLUTION NO. 2016-020

A RESOLUTION releasing and terminating any of the City of Joplin's rights and given to the City of Joplin in Ordinance #21202, recorded in Book 1955, Page 72 in the Office of the Jasper County Recorder of Deeds.

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

Section 1. That the City of Joplin hereby releases and terminates any and all of its rights the City has in Ordinance #21202, recorded in Book 1955, Page 72 in the Office of the Jasper County Recorder of Deeds.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2016.

_____
Michael L. Seibert, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

City of Joplin City Council Agenda Item

REQUESTED COUNCIL MEETING DATE: OCTOBER 3, 2016

ITEM: COUNCIL BILL NO. 2016-520
ORIGINATING DEPARTMENT: FINANCE DEPARTMENT
ATTACHMENTS: 1) Copy of Council Bill with attached Schedule A

Department Head: Leslie Haase
City Attorney: Peter Edwards
City Manager: Sam Anselm

INTRODUCTION:
This Council Bill amends the adopted 2015-2016 Budget of the City of Joplin.

DISCUSSION:
In compliance with Charter regulations and accounting principles, the proposed adjustment is required to ensure that department expenditures do not exceed approved budget appropriations.

Here is the explanation for the items in Schedule A:

- Amending the police patrol budget by $3,930 to use drug forfeiture funds to purchase supplies for the additional K9.
- Amending the revenue and expenditure budget by $8,170 for a new Region M grant received for battery and electronic waste recycling purposes.
- Amending the sewer treatment electric charges by $355,000 due to increased usage as the result of upgrading the two treatment plants.

The purpose of the budget amendment is to recognize changes that have occurred since the annual budget was adopted. This budget amendment increases revenues by $8,170.00 and increases expenditures by $367,100.00.

RECOMMENDATION:
City Staff recommends this Council Bill be approved on an emergency basis.

COUNCIL BILL NO. 2016-520 **ORDINANCE NO.**

AN ORDINANCE amending the Annual Budget of the City of Joplin for the Fiscal Year 2015-2016 as adopted by Ordinance 2015-168 on October 19, 2015, to adjust appropriations and containing an emergency clause.

WHEREAS, the City of Joplin, Missouri passed Ordinance 2015-168 on October 19, 2015, which estimated revenues and appropriated funds for the fiscal year 2015-2016, and

WHEREAS, the Council of the City of Joplin has previously approved the programs and projects which require additional appropriations for completion.

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

Section 1. That fiscal year 2015-2016 budgeted appropriations as adopted by Ordinance 2015-168 be amended by increasing revenues by the total amount of Eight Thousand One Hundred Seventy Dollars and No Cents ($8,170.00) and by amending appropriations by the total amount of Three Hundred Sixty-Seven Thousand One Hundred Dollars and No Cents ($367,100.00) for the purposes and amounts as shown in Schedule A attached hereto.

Section 2. That the Director of Finance is hereby directed to make all necessary entries on the City records to show the increase in revenues and increase in appropriations.

Section 3. This Ordinance is declared by the City Council to be an emergency within this meaning of Section 2.12 (4), of the Home Rule Charter of the City of Joplin, Missouri, in order to continue the day-to-day operations of the City and as such shall become effective immediately upon its passage.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day

of _____, 2016, by a _____vote.

_____
Mayor, Michael L. Seibert

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

SCHEDULE A

CITY OF JOPLIN
BUDGET AMENDMENT
2015-2016 ADOPTED BUDGET
3-Oct-16

FUND	ACTIVITY	ACCOUNT	DESCRIPTION		REVENUES	EXPENDITURES
001	General Fund					
	Police Patrol	001-5502-510-2730	K9 Patrol Supplies	$		3,930
	Total General Fund			$	-	3,930
120	SWM Fund					
	SWM Fund	120-0000-480-1002	Region M Grant	$	8,170	
	Recycling	120-4591-540-2815	Special Events			8,170
	Total SWM Fund			$	8,170	8,170
415	Sanitary Sewer Fund					
	Sewer Treatment	415-4541-540-3005	Electric Charges	$		355,000
	Total Sewer Fund			$	-	355,000
	Grand Total			$	8,170	367,100

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: October 3, 2016

Item: SITE PLAN REVIEW SOUTHEAST CORNER 15TH & RANGE LINE
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Copy of Site Plans
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: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 034-16: Southeast Corner of 15th Street and Range Line Road – A request to review a Site Plan for the construction of a restaurant – Woodsonia Real Estate.

STAFF SUMMARY:
Buffalo Wild Wings will be moving from their current location near Fourth Street and Range Line Road to a free-standing location near 16th and Rangeline. The new restaurant will have a maximum seating capacity of 242, with up to 50 new employees. The structure is approximately 5,445 square feet with 111 additional parking spaces. The building will sit directly behind Panda Express with additional parking behind Kum and Go.

This property requires a site plan review and approval because of its "PD" zoning designation.

Staff recommends approval of Case 034-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Jeff Elliott, Woodsonia Real Estate, requested the site plan review for Buffalo Wild Wings. Mr. Wayne Stephenson with Anderson Engineering was also present.

Mr. Elliott has modified the site plan slightly. Woodsonia Real Estate is purchasing approximately 0.9 acres. A parking lot is planned along the south side of 15th Street east of Range Line Road. The existing Buffalo Wild Wings will be relocated, with a free-standing building to be constructed. The building will contain 5,445 square feet, with an outside patio adding another 200 square feet. There will be 117 parking spaces, with the restaurant having 242 seats total, including the patio. This will be Buffalo Wild Wings' newest prototype restaurant.

Mr. Duncan asked about the revision from the site plan the commissioners initially received, and Mr. Elliott thought the building was shifted slightly to the north. The old site plan contained a

larger parking field on the north side. The parking on the north lot is in a north-south direction for people to walk more straight and directly down into the restaurant.

Mr. Smith asked if the entrance faces Range Line Road, and Mr. Elliott replied that is correct.

Mr. Cortez asked if the City staff has conducted any traffic studies to determine the traffic count on the roadway between Panda Express and Kum & Go and asked if there will be any issues with patrons crossing that roadway. Mr. Bolander stated this is a platted subdivision that formerly contained a theater. The squares and boxes shown on the map are actually lots. Part of the agreement with that subdivision is that everyone has access from those easements. This is not a public roadway but is a private drive, with all those lots using that private drive.

Mr. Bolander stated the staff has not conducted a study but is discussing acquisition of the easement known as 15th Street in that subdivision and making it a public right-of-way to control some of that access and the traffic flow. Studies will be conducted at the intersection of 15th Street and Range Line Road.

PUBLIC COMMENT:
None.

Z&P Meeting: September 12, 2016
City Council Meeting: October 3, 2016

STAFF PLANNING REPORT

Site Plan Review

CASE 034-16 A request for a Site Plan Review for Buffalo Wild Wings

NAME OF PROJECT Buffalo Wild Wings

LOCATION 300 feet east of the intersection of 16th Street and Rangeline Road

APPLICANT Woodsonia Real Estate

CORRIDOR Rangeline Road

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-2-PD Planned Central Business District	Undeveloped	Approx. 08 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-2-PD	C-2-PD	C-2-PD	C-2-PD
Land Use	Commercial	Commercial	Commercial	Commercial

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Rangeline Road	Arterial	100'

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES: The property has utility connections.

FLOOD PLAIN: N/A

DISCUSSION

Buffalo Wild Wings will be moving from their current location near 4th and Rangeline to a free-standing location near 16th and Rangeline. The new restaurant will have a maximum seating capacity of 242, with up to 50 new employees. The structure is approximately 5,445 square feet with 111 additional parking spaces. The building will sit directly behind Panda Express with additional parking behind Kum and Go.

This property requires a site plan review and approval because of its "PD" zoning designation.

Staff recommends approval of Case 034-16.

CITY OF JOPLIN, MISSOURI

SITE PLAN REVIEW CHECKLIST

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: 034-16
Filing: $450.00
Date Advertised:
Date Notices Sent:
Public Hearing Date:

I. **Name of Project:** Buffalo Wild Wings (BWW) - 15th & Rangeline

II. **Location of Project:** 15th and Rangeline (Parcel # 20300730004022005)

III. **Name of Owner:** Woodsonia Real Estate, Inc.

IV. **Name of Person who Prepared the Site Plan:** Joshua Oathout, Anderson Engineering Inc

V. **Instructions:**

The following checklist is to be completed by the applicant/developer and shall accompany the Site Plan when it is submitted to the Planning and Zoning Commission. The Site Plan shall include the following data, details and supporting information which are found to be relevant to the proposal. All site plans shall be prepared by an architect or landscape architect registered in the State of Missouri, or by a professional engineer licensed in the State of Missouri. The number of pages submitted will depend on the proposal's size and complexity.

Does the Site Plan comply with or show the following?	Yes	No
A. Name of the project, address, boundaries, date, north arrow and scale of the plan.	X	
B. Name and address of the owner of record, developer, and seal of the engineer, architect or landscape architect.	X	
C. Name and address of all owners of record of abutting parcels.	X	
D. All existing lot lines, easements, and rights-of-way. Include area in acres or square feet, abutting land uses and structures.	X	
E. The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area, show all exterior entrances and all anticipated future additions and alterations. For developments	Shown on separate attachments	

	in the "C-2" Central Business District (CBD), indicate design details to make new construction compatible with existing structures.	X	
F.	The location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs and fences. Location type and screening details for all waste disposal containers shall also be shown.	X	
G.	The Municipal Planner may require location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties.	Noted. X	
H.	The location, height, size, materials, and design of all proposed signage.	X	
I.	A landscape plan showing all existing open space, trees forest cover and water sources, and all proposed changes to these features including the size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, flood plains, and drainage retention areas.	X	
J.	The location of all existing and proposed utility systems including:		
	1. sewer lines and manholes;	X	
	2. water lines and fire hydrants;	X	
	3. telephone, cable and electrical systems; and	X	
	4. storm drainage system including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales.	X	
K.	Plans to prevent the pollution of surface or groundwater, the erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable.	X	
L.	Existing and proposed topography shown at not more than two-foot contour intervals. All elevation shall refer to United States Geodetic Survey (U.S.G.S.) datum. If any portion of the parcel is within the 100-year flood plain, the area shall be shown, with base flood elevations; and the developer shall present plans for meeting Federal Emergency Management Agency (F.E.M.A.)	Existing grade will be used at site.	

requirements. X ____

M. Zoning district boundaries adjacent to the sites perimeter shall be drawn and identified on the plan. Commercial X ____

N. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within 100 feet of the site. The City Engineer may require a detailed traffic study for mixed use and multi-tenant developments, or for developments in heavy traffic areas to include:

50% of traffic will enter between Panda Express and Kum and Go. Rest will enter off Rangeline and 15th street.

1. The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels. ____ X

2. The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and ____ X

3. The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall also be given. ____ X

O. For new construction or alterations to any existing structure, a table containing the following information must be included:

1. Area of structure to be used for a particular use, such as retail operation, office, storage, etc.; X ____

See Additional Attachments

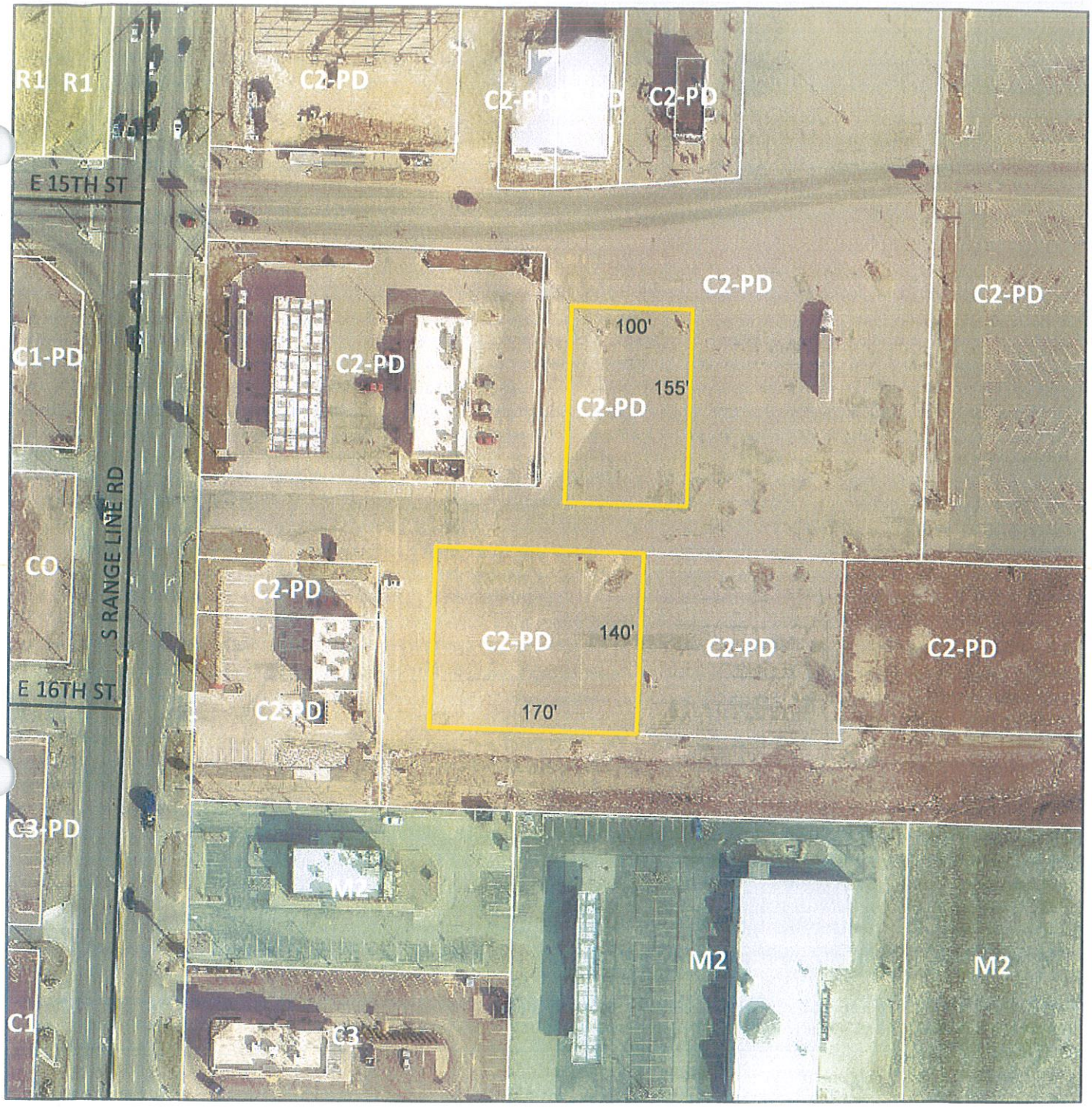
2. Maximum number of employees; X ____

50

3.	Maximum seating capacity, where applicable; See Attachments	X	
4.	Number of parking spaces existing and required for the intended use; and	X	
5.	A landscape plan for improving large areas of paved parking with appropriate landscaping may be required.	X	

SIGNATURE: _____ DATE: 08/05/2016

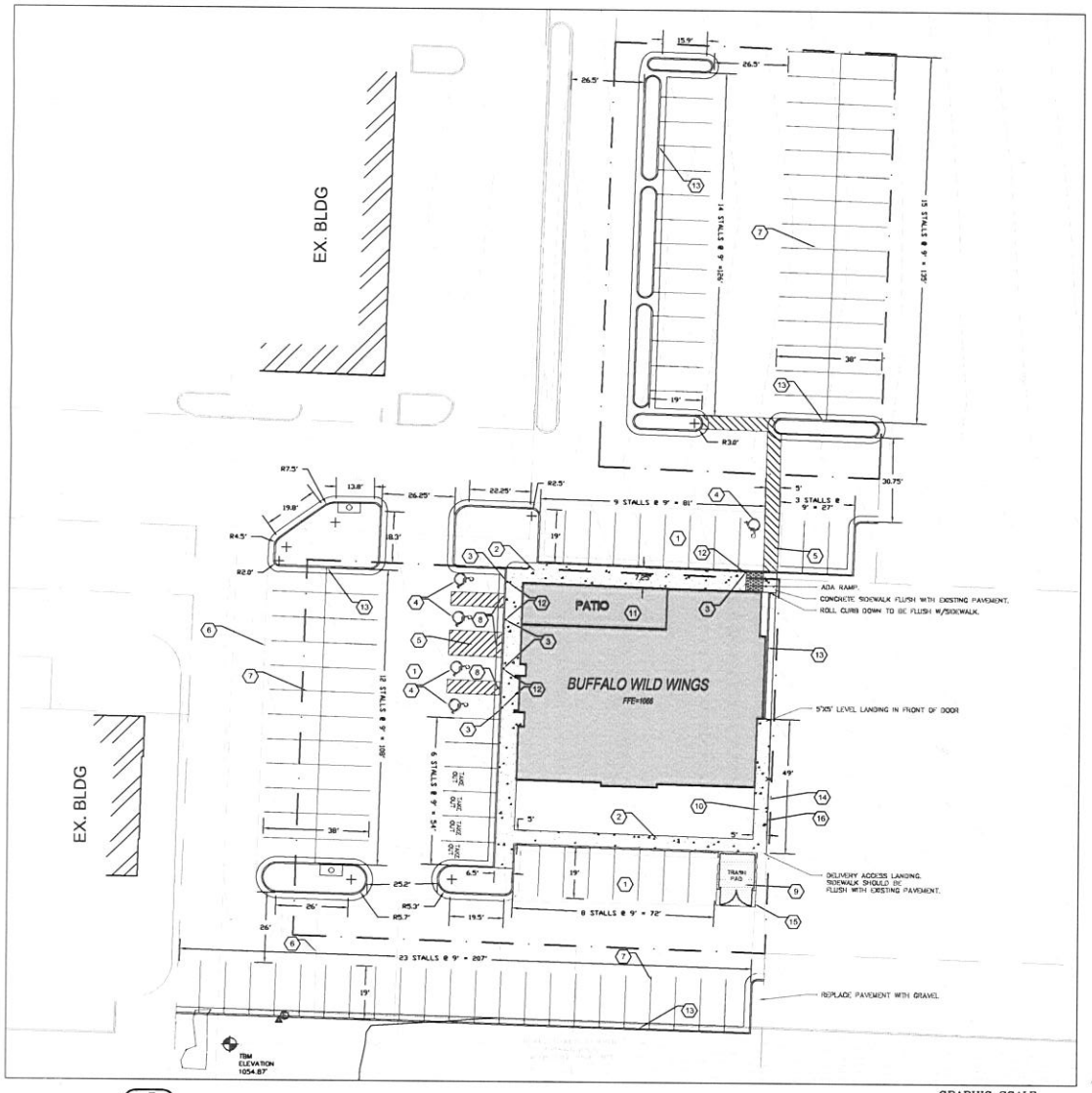
BY: TITLE: Wayne Stephenson, PE



0 105 210 420 630 840 Feet

Case 034-16: Southeast Corner of 15th Street and Rangeline Road – A request to review a Site Plan for the construction of a restaurant – Woodsonia Real Estate.

N



1 C4 LAYOUT PLAN
SCALE: 1" = 20'

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

MISSOURI ONE CALL SYSTEM, INC. 1-800-344-7483 STOP-CALL BEFORE YOU DIG

SYMBOLS LEGEND

REFER TO SURVEY FOR EXISTING CONDITION SYMBOLS LEGEND

	NEW BUILDING CONSTRUCTION
	SIDEWALK
	ASPHALT REPAIR
	TRASH PAD

GENERAL NOTES:

A. ALL SITE DIMENSIONS TO THE EDGE OF PAVEMENT, CONCRETE OR PROPERTY LINE UNLESS OTHERWISE NOTED.

B. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS BY DETAILED INSPECTION PRIOR TO SUBMITTING BID AND STARTING CONSTRUCTION.

B. COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.

C. REFER TO STRUCTURAL PLANS FOR DEVELOPMENT OF SIDEWALKS ADJACENT TO FOUNDATIONS.

D. REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.

E. DIMENSIONS THAT LOCATE THE BUILDING ARE MEASURED TO THE OUTSIDE FACE OF THE BUILDING.

F. SIGN CONSTRUCTION AND PAVEMENT MARKINGS SHALL CONFORM TOT HE REQUIREMENTS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), LATEST EDITION.

KEY NOTES:

1. FULL DEPTH PAVEMENT REPLACEMENT. REFER TO DETAIL 8/C9.
2. CONCRETE SIDEWALK; REFER TO DETAIL 2/C9.
3. HANDICAP PARKING SIGN: REFER TO DETAIL 5/C9.
4. HANDICAP PARKING SYMBOL: REFER TO DETAIL 3/C9.
5. HANDICAP ACCESS UNLOADING ZONE; SLOPE 2% MAX EACH WAY (ADA COMPLIANT) AND STRIPE AS SHOWN.
6. LIMITS OF NEW PAVING; MATCH EXISTING PER CITY AND OR STATE STANDARDS. SEE DETAIL 8/C9.
7. PARKING LOT STRIPING: SYSL/4" (TYP.)
8. HANDICAP ACCESS: REFER TO DETAIL 2/C5.
9. TRASH PAD CONCRETE PAVING; MIN. 20'x14', REFER TO DETAIL 7/C9.
10. DELIVERY RAMP
11. PATIO AREA (SIDEWALK PAVEMENT)
12. STEEL BOLLARD: REFER TO DETAIL 4/C9. PROVIDE BEHIND CURB.
13. CURB AND GUTTER; REFER TO DETAIL 10/C9.
14. HANDRAIL FOR DELIVERY ACCESS RAMP. REFER TO DETAIL 9/C9.
15. TRASH PAD ENCLOSURE. REFER TO DETAIL 12/C9.
16. RETAINING WALL FOR SIDEWALK. REFER TO DETAIL 13/C9.

PAINT LEGEND

BOLLARDS	SURFACES SHOULD BE CLEAN, DRY AND METAL SURFACES FREE OF HEAVY RUST. 2 COATS SHERWIN WILLIAMS - KEM 4000 ACRYLIC ALKYD ENAMEL SAFETY YELLOW B55Y300.
STRIPING AND HANDICAP STRIPING	SURFACES SHOULD BE CLEAN, DRY, TOP COAT SHERWIN WILLIAMS - PRO MAR TRAFFIC MARKING PAINT YELLOW TM5495
HANDICAP PARKING "SYMBOLS" ONLY	SURFACES SHOULD BE CLEAN, DRY, TOP COAT SHERWIN WILLIAMS - PRO MAR TRAFFIC MARKING PAINT "H.C." BLUE

PAVEMENT MARKING KEY:

SYSL/4" - SINGLE YELLOW SOLID LINE, 4" WIDE

ANDERSON ENGINEERING
EMPLOYEE OWNED
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811 E. THIRD STREET • JOPLIN, MISSOURI 64801 • PHONE (417) 782-7239
A LICENSED MISSOURI ENGINEERING & SURVEYING CORPORATION • LC #2

NO.	REVISIONS DESCRIPTION	BY	DATE

DRAWING INFO.

DRAWN BY:	JCD
CHECK BY:	WAYNE STEPHENSON
LICENSE NO.	PE-2012018139
DATE:	9/7/16
FIELD BOOK:	
JOB NUMBER:	700.36-16

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WOODSONIA REAL ESTATE

BUFFALO WILD WINGS DEVELOPMENT

GENERAL LAYOUT

JOPLIN, MISSOURI

DRAWING NO. JOP 100-4214
SHEET NUMBER C4
OF 9



1 WEST ELEVATION



2 NORTH ELEVATION

LEGEND

1. METAL WALL PANELING 2–VERTICAL(MWP2)PAC–CLAD FLUSH PANEL–16", OR APPROVED EQUIVALENT. MATTE BLACK–KYNAR 500.
2. METAL WALL PANELING 1–HORIZONTAL(MWP1)PAC–CLAD REVEAL PANEL–11", OR APPROVED EQUIVALENT. MATCH PAINT COLOR(C1) CITRUS.
3. METAL WALL PANELING 3–VERTICAL/FLAT PABEL(MWP3)PAC–CLAD FLUSH PANEL–12" OR APPROVED EQUIVALENT. MATTE BLACK–KYNAR 500.
4. EIFS–PAINT COLOR TO MATCH CITRUS.
5. EIFS–PAINT COLOR TO MATCH–SHERWIN WILLIAMS 7019 "GAUNTLET GRAY".
6. TEXSTON TUSCANY LIME STONE CEMENT PLASTER. FINISH CODE # VPC–43381.
7. NOT USED
8. VINTAGE BRICK FIBER CEMENT PANEL–"ALEXANDRIA BUFF" BY NICHIHA.
9. METAL PANEL & ILLUMINATED SIGN SUPPLIED AND INSTALLED BY OWNER.
10. NOT USED.
11. BLACK SPANDREL GLAZING.
12. NOT USED.
13. BENT METAL PLATE–PAINT(C3) IRON ORE.
14. NOT USED.
15. CONCRETE–8" CAST IN PLACE WALL–WALL TYPE CB(CONC4)–SEALED BOARD FORM FINISH.
16. NOT USED.
17. NOT USED.
18. NOT USED
19. EXTERIOR LIGHT FIXTURE.
20. NOT USED

BUFFALO WILD WINGS

JOPLIN, MISSOURI

PAGE TITLE:

LOCATION: STADIA

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1 EAST ELEVATION



2 SOUTH ELEVATION

LEGEND

1. METAL WALL PANELING 2–VERTICAL(MWP2)PAC–CLAD FLUSH PANEL–16", OR APPROVED EQUIVALENT. MATTE BLACK–KYNAR 500.
2. METAL WALL PANELING 1–HORIZONTAL(MWP1)PAC–CLAD REVEAL PANEL–11", OR APPROVED EQUIVALENT. MATCH PAINT COLOR(C1) CITRUS.
3. METAL WALL PANELING 3–VERTICAL/FLAT PABEL(MWP3)PAC–CLAD FLUSH PANEL–12" OR APPROVED EQUIVALENT. MATTE BLACK–KYNAR 500.
4. EIFS–PAINT COLOR TO MATCH CITRUS.
5. EIFS–PAINT COLOR TO MATCH–SHERWIN WILLIAMS 7019 "GAUNTLET GRAY".
6. TEXSTON TUSCANY LIME STONE CEMENT PLASTER. FINISH CODE # VPC–43381.
7. NOT USED
8. VINTAGE BRICK FIBER CEMENT PANEL–"ALEXANDRIA BUFF" BY NICHIHA.
9. METAL PANEL & ILLUMINATED SIGN SUPPLIED AND INSTALLED BY OWNER.
10. NOT USED.
11. BLACK SPANDREL GLAZING.
12. NOT USED.
13. BENT METAL PLATE–PAINT(C3) IRON ORE.
14. NOT USED.
15. CONCRETE–8" CAST IN PLACE WALL–WALL TYPE C8(CONC4)–SEALED BOARD FORM FINISH.
16. NOT USED.
17. NOT USED.
18. NOT USED
19. EXTERIOR LIGHT FIXTURE.
20. NOT USED

BUFFALO WILD WINGS

JOPLIN, MISSOURI

STADIA

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Existing:
BUFFALO WILD WINGS
PANDA EXPRESS
DRIVE THRU
PANDA
Proposed:


Existing:
Proposed:
BUFFALO WILD WINGS
PANDA EXPRESS
DRIVE THRU

Case 034-16: Southeast Corner of 15th Street and Range Line Road – A request to review a Site Plan for the construction of a restaurant – Woodsonia Real Estate.

Mr. Smith opened the public comment period for Case 034-16.

Mr. Jeff Elliott, Woodsonia Real Estate, 11909 Arbor Street, Suite B, Omaha, Nebraska 68144, appeared requesting the site plan review for Buffalo Wild Wings. Mr. Wayne Stephenson with Anderson Engineering was also present.

Mr. Elliott has modified the site plan slightly. Woodsonia Real Estate is purchasing approximately 0.9 acres. A parking lot is planned along the south side of 15th Street east of Range Line Road. The existing Buffalo Wild Wings will be relocated, with a free-standing building to be constructed. The building will contain 5,445 square feet, with an outside patio adding another 200 square feet. There will be 117 parking spaces, with the restaurant having 242 seats total, including the patio. This will be Buffalo Wild Wings' newest prototype restaurant.

Mr. Duncan asked about the revision from the site plan the commissioners initially received, and Mr. Elliott thought the building was shifted slightly to the north. The old site plan contained a larger parking field on the north side. The parking on the north lot is in a north-south direction for people to walk more straight and directly down into the restaurant.

Mr. Smith asked if the entrance faces Range Line Road, and Mr. Elliott replied that is correct.

Mr. Cortez asked if the City staff has conducted any traffic studies to determine the traffic count on the roadway between Panda Express and Kum & Go and asked if there will be any issues with patrons crossing that roadway. Mr. Bolander stated this is a platted subdivision that formerly contained a theater. The squares and boxes shown on the map are actually lots. Part of the agreement with that subdivision is that everyone has access from those easements. This is not a public roadway but is a private drive, with all those lots using that private drive.

Mr. Bolander stated the staff has not conducted a study but is discussing acquisition of the easement known as 15th Street in that subdivision and making it a public right-of-way to control some of that access and the traffic flow. Studies will be conducted at the intersection of 15th Street and Range Line Road.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He then closed the public comment period for Case 034-16.

MR. DUNCAN MOVED, SECONDED BY MR. DERMOTT, THAT THE SITE PLANS AS PRESENTED IN CASE 034-16 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC COMMENT PERIOD. THE MOTION CARRIED, WITH MR. BROWN, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).