City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: March 7, 2016

Item: COUNCIL BILL NO. 2016-256
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: 2/10/2016

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

SUMMARY/REQUEST:
Case 007-16: Northeast corner of Broadway Street and Buchanan Road – A request to Review the Final Plat of Buchanan Place for the construction of duplexes – Rick Benson.

STAFF SUMMARY:
The final plat approval is for Buchanan Place. This addition will be a 7 lot two-family residential subdivision at the Northeast Corner of Broadway Street and Buchanan Road. Mr. Benson has also successfully rezoned this property to R-2, Two Family Residential and vacated a portion of the street easement for development. The Final Plat does require City Council approval.

Staff recommends approval of Case 007-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. John Bolte, Small Arrow Engineering, appeared representing Rick Benson, the developer on this project. This seven-lot addition basically re-plats all of the smaller lots from the original subdivisions. Utility and drainage easements will be created throughout the parcel to convey the drainage runoff from Broadway Street and to provide the corridor for the installation of the sanitary sewer to be dedicated to the City of Joplin.

Mr. Bolte may dedicate an additional private easement to Missouri American Water Company once it is determined where they want to build their system.

Mr. Duncan asked if the preliminary plat and the final plat are exactly the same, and Mr. Bolte replied they are basically the same. The final plat includes the space for the vacation of the portion of Buchanan Road, which is now part of Lot 5.

Mr. Smith asked about access to Lot 6. Mr. Bolte replied Lot 6 and Lot 7 will actually face Broadway Street. A driveway serving those two lots will enter from Broadway, with two access points along that driveway to serve Lots 6 and 7.

PUBLIC COMMENT:
None.

Z&P Meeting: February 10, 2016
City Council Meeting: March 7, 2016

STAFF PLANNING REPORT
Final Plat

CASE 007-16 Final Plat review

NAME OF SUBDIVISION Buchanan Place

LOCATION: Northeast Broadway Street and Buchanan Road

APPLICANT: Rick Benson

PRESENT ZONING: R-2, Two-Family Residential

PRESENT LAND USE: Undeveloped

SITE CONTEXT:

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

SUBDIVISION:

Number of lots
7

TRANSPORTATION:

Streets with access	Classification	Right-of-way width
Broadway Street	Arterial	70'
Buchanan Road	Arterial	70'

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

No.

UTILITIES A new gravity sewer extension will be placed along the back of the property to service the new development.

FLOOD PLAIN N/A

STAFF ANALYSIS:

DOES THE PROPOSED SUBDIVISION COMPLY WITH THE CITY'S SUBDIVISION REGULATIONS?

Yes.

DISCUSSION

The final plat approval is for Buchanan Place. This addition will be a 7 lot two-family residential subdivision at the Northeast Corner of Broadway Street and Buchanan Road. Mr. Benson has also successfully rezoned this property to R-2, Two Family Residential and vacated a portion of the street easement for development. The Final Plat does require City Council approval.

Staff recommends approval of Case 007-16.

ENCLOSURES:

Final Plat

Submit by Email | Print Form

CITY OF JOPLIN, MISSOURI

FINAL PLAT CHECKLIST

Subdivision No.: 007-16
Date Filed: _____
Date of Meeting: 2-10-16
Fee: _____

Return Form To:
Municipal Planner
321 East 4th Street
P.O. Box 1355
Joplin, Missouri 64802
417-624-0820 Ext. 511
FAX 417-625-4738

I. Name of Subdivision: Buchanan Place

II. Name of Owner: RBC Enterprises Limited, Inc.

III. Name of Subdivider: Rick Benson

IV. Name of Person who prepared the Plat: MJ Surveying, LLC (Brian Atnip, PLS)

V. Date of Hearing: Feb 8, 2016

VI. Location of Property by Streets: E/o Patterson Ave, N/o Broadway St. and E/o Buchanan Road

VII. Present Zoning of Property R2

VIII. Present Uses of Property Undeveloped

IX. No. of Acres in Total Tract 2.5 No. of Lots 7

Instructions:

The following checklist is to be completed by the Municipal Planner and may accompany the Final Plat when it is submitted to the Planning and Zoning Commission. If the answer to any of the questions is "No", a written explanation may accompany this checklist.

X. Does the Final Plat show the following information?	Yes	No
A. Name of the subdivision.	☒	☐
B. Location of section, township, range, county and state, including the descriptive boundaries of the subdivision based on an accurate traverse, giving angular and linear dimensions which must be mathematically correct.	☒	☐

C.	Location of monuments or bench marks. Location of such monuments shall be shown in reference to existing official monuments or the nearest established street, lines, including the true angles and distances to such reference points or monuments.	☒	☐
D.	The location of lots, blocks, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimals of feet with the length of radii on all curves, and other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all curbs to lot lines.	☒	☐
E.	Lots numbered clearly. Blocks numbered or lettered clearly in the center of the block.	☒	☐
F.	Exact locations, widths and names of all streets and alleys to be dedicated.	☒	☐
G.	Boundary lines and descriptions of the boundary lines of any area other than streets and alleys, which are to be dedicated or reserved for public use.	☒	☐
H.	Minimum area and associated minimum elevation for the building on each lot planned as a building site when requested by the Planning and Zoning Commission.	☒	☐
I.	Bullding setback lines on the front and side streets with dimensions.	☒	☐
J.	Name and address of the registered land surveyor preparing the plat.	☒	☐
K.	Scale of plat, 1" = 100' or larger, date or preparation and north point.	☒	☐
L.	Statement dedicating all easements, streets, alleys, and all other areas not previously dedicated.	☒	☐
XI.	Was the original on mylar, tracing cloth, or similar material, and were 10 copies submitted?	☒	☐

XII. Have all acknowledgments been signed?

A. Owner or owners and all mortgager. ☒ ☐

B. Dedications or reservations. ☐ ☐

C. Surveyor preparing plat. ☒ ☐

XII. Has certification been submitted stating that all taxes and special assessments due and payable have been paid? ☒ ☐

XIII. Deed Restrictions:

A. Are any deed restrictions planned for subdivision? ☒ ☒

B. If so, has a copy been submitted? ☐ ☐

XIV. How has installation of the following improvement been guaranteed?

	Construction	Bond	Petition(%)
Streets			
Water			
Sewer			
Sidewalks			
Other, as required			
1.			
2.			
3.			

XV. Are additional comments attached? ☐ ☒

BUCHANAN PLACE

BEING A REPLAT OF LOTS 3 THROUGH 8 AND LOTS 16 THOUGH 22 IN BLOCK 25 OF COLLEGE HILL ADDITION AND LOT 8 OF O.F. NICHOLS SUBDIVISION

CITY OF JOPLIN, JASPER COUNTY, MISSOURI

DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 16 BLOCK 25 OF COLLEGE HILL ADDITION;
THENCE S89°30'22"W ALONG THE NORTH RIGHT-OF-WAY OF BROADWAY STREET, A DISTANCE OF 330.00 FEET;
THENCE N01°29'29"E A DISTANCE OF 94.91 FEET;
THENCE 6n9°16'37"E A DISTANCE OF 11.61 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 70.00 FEET;
THENCE ALONG SAID CURVE TO THE LEFT A DISTANCE OF 64.22 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF BUCHANAN ROAD;
THENCE N21°47'37"E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 304.88 FEET TO A POINT ON THE NORTH LINE OF LOT 8 OF O.F. NICHOLS SUBDIVISION;
THENCE S89°22'33"E A DISTANCE OF 104.89 FEET TO THE NORTHEAST CORNER OF SAID LOT 8;
THENCE S02°51'54"W A DISTANCE OF 150.25 FEET;
THENCE S89°19'51"E A DISTANCE OF 13.57 FEET;
THENCE S00°12'47"W A DISTANCE OF 180.43 FEET TO THE SOUTHEAST CORNER OF LOT 6 BLOCK 25 OF COLLEGE HILL ADDITION;
THENCE N89°33'27"W A DISTANCE OF 30.04 FEET TO THE NORTHEAST CORNER OF LOT 16 BLOCK 25 OF COLLEGE HILL ADDITION;
THENCE S01°37'27"W A DISTANCE OF 140.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.5 ACRES MORE OR LESS

BASIS OF BEARINGS

BEARINGS ARE BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983 MISSOURI WEST ZONE.

CLASS OF PROPERTY

URBAN

FLOOD ZONE INFORMATION

ZONE X
MAP NUMBER 29097C0278E
MAP REVISED AUG. 10, 2012

PROPERTY OWNER

BSC ENTERPRISES LIMITED, INC.
P. O. BOX 2283
JOPLIN, MISSOURI 64802

BUILDING SETBACKS

FRONT SETBACK - 25'
SIDE SETBACK - 7'
SIDE SETBACK ALONG A STREET - 15'
REAR SETBACK - 25'

SUBDIVISION INFORMATION

TOTAL ACRES: 2.5±
TOTAL NO. OF LOTS: 7
ZONING: R-2

SOURCE DOCUMENTS

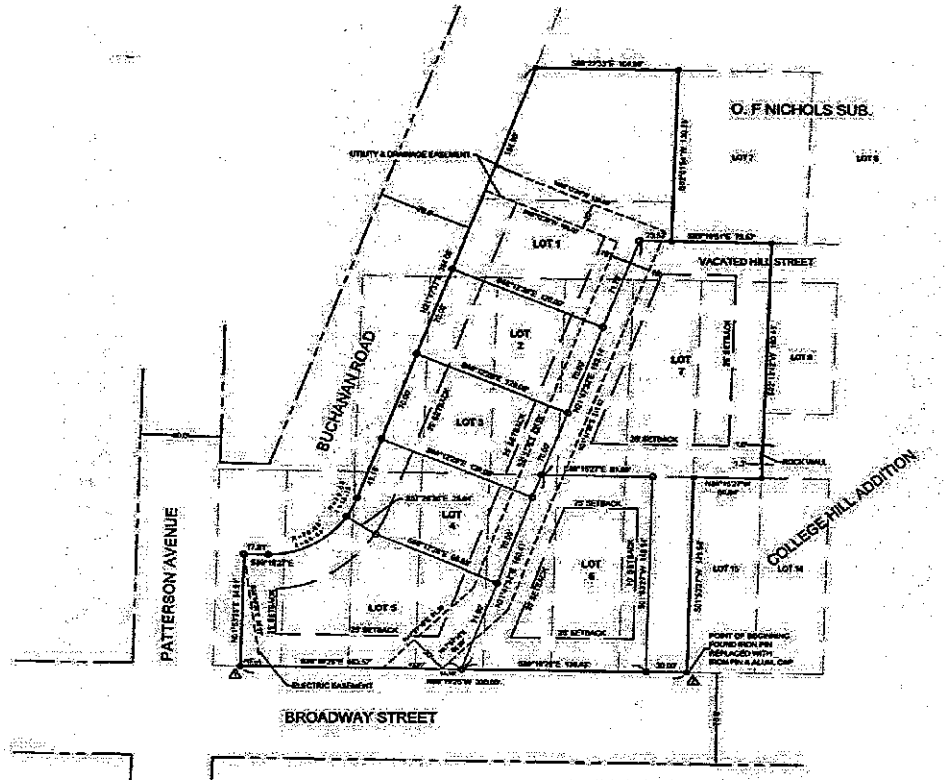
BOOK 1538 PAGE 2003
BOOK 1546 PAGE 1251
BOOK 1590 PAGE 1409
BOOK 1568 PAGE 45
WILZ COUNTY SURVEY FILE #1999-74-04

NOTES

LOT OWNERS TO BE NOT WITHIN 15 MONTHS OF THE RECORDING OF THE ROWE PLAT.

LEGEND

- ⊙ - FOUND IRON PIN
- ○ - SET IRON PIN
- ⊙ - SET IRON PIN WITH ALUM. CAP
- (M) - MEASURED
- (D) - DEED



	DESCRIPTION	NORTHING	EASTING
A	NW COR. OF PROPERTY	374434.85	771167.23
B	SE COR. OF PROPERTY	139841.09	771167.84

COORDINATES ARE BASED ON STATE PLANE GRID

SURVEYORS CERTIFICATE

I, BRIAN A. ATNIP, A REGISTERED LAND SURVEYOR OF JOPLIN, MISSOURI DO HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE REPRESENTATION OF THE WORK DONE IN THE FIELD FOR PLATTING AND STAKING.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND SEAL THIS _____ DAY OF _____, 2016.

BRIAN A. ATNIP LS 2009000438

DEDICATION

KNOW ALL ME BY THESE PRESENTS RICK WINSOR, PRESIDENT OF BSC ENTERPRISES LIMITED, INC., DO HEREBY PUBLISH, DECLARE, AND ACKNOWLEDGE THE ANNEXED PLAT THEREOF WITH THE LOTS AND EASEMENTS ARE SHOWN THEREON AND DO HEREBY DEDICATE ALL STREETS AND EASEMENTS TO THE PUBLIC FOREVER, AND DO HEREBY CERTIFY THAT THE TAXES FOR THE YEAR _____ AND ALL PREVIOUS YEARS ARE PAID.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS AND SEAL THIS ____ DAY OF _____, 20__.

RICK WINSOR, PRESIDENT

THIS PLAT OF BUCHANAN PLACE HAS BEEN SUBMITTED TO AND APPROVED BY THE CITY OF JOPLIN PLANNING AND ZONING COMMISSION THIS ____ DAY OF _____, 20__.

CHAIRMAN

THIS PLAT OF BUCHANAN PLACE INCLUDING EASEMENTS ACCEPTED BY THE CITY COUNCIL, HAS BEEN SUBMITTED TO AND APPROVED BY THE JOPLIN CITY COUNCIL BY ORDINANCE NO. _____ DULY PASSED AND APPROVED BY THE MAYOR OF JOPLIN, MISSOURI ON THIS ____ DAY OF _____, 20__.

MAYOR _____ CITY CLERK _____

STATE OF MISSOURI }
COUNTY OF JASPER } ss

ON THIS ____ DAY OF _____, 2016, BEFORE ME, A NOTARY PUBLIC IN SAID COUNTY AND STATE, PERSONALLY APPEARED RICK WINSOR, PRESIDENT OF SAID BSC ENTERPRISES LIMITED, INC., A MISSOURI COMPANY, TO ME KNOWN TO BE THE PRESIDENT OF SAID COMPANY, WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL IN JOPLIN, MO IN SAID COUNTY AND STATE.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

STATE OF MISSOURI }
COUNTY OF JASPER } ss

IN THE OFFICE OF THE RECORDER OF DEEDS, I, CHARLOTTE PICKERING, RECORDER OF SAID COUNTY AND STATE DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT OF WRITING AND PLAT WAS FILED FOR RECORD AT ____ O'CLOCK AND ____ MINUTES ____ M. ON THIS _____ DAY OF _____, 2016, DULY FILED FOR RECORD IN THIS OFFICE IN BOOK _____ AT PAGE _____.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT CARTHAGE, MISSOURI THIS ____ DAY OF _____, 2016.

RECORDER OF DEEDS _____

THIS SURVEY HAS BEEN PERFORMED BASED ON KNOWLEDGE AND INFORMATION IN ACCORDANCE WITH COMMONLY ACCEPTED PROCEDURES CONSISTENT WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND IS NOT A GUARANTEE OR WARRANTY EITHER EXPRESSED OR IMPLIED.

CERTIFICATE OF AUTHORITY LICENSE NUMBER LS-2004048 EXPIRATION 12/31/2016

SURVEY NOT VALID UNLESS SIGNED IN BLUE INK

MJ SURVEYING INC
PH 417.623.3826
FAX 417.623.1796
314 E. MAIN ST.
JOPLIN, MO 64801

DRAWN BY: JEF	DATE: 1/26/2016	RICK WINSOR COMM.	
APPROVED: BAA	DATE: 2/1/2016	PART OF COLLEGE HILL ADDITION TO JOPLIN	
SCALE: 1" = 40'	SHEET: 1 OF 1	JASPER COUNTY, MISSOURI	
		PROJECT # 15346	

Case 007-16: Northeast corner of Broadway Street and Buchanan Road – A request to Review the Final Plat of Buchanan Place for the construction of duplexes – Rick Benson.

Mr. Eastman opened the public comment period for Case 007-16.

Mr. John Bolte, Small Arrow Engineering, 216 South Main Street, Joplin, appeared representing Rick Benson, the developer on this project. This seven-lot addition basically re-plats all of the smaller lots from the original subdivisions. Utility and drainage easements will be created throughout the parcel to convey the drainage runoff from Broadway Street and to provide the corridor for the installation of the sanitary sewer to be dedicated to the City of Joplin.

Mr. Bolte may dedicate an additional private easement to Missouri American Water Company once it is determined where they want to build their system.

Mr. Duncan asked if the preliminary plat and the final plat are exactly the same, and Mr. Bolte replied they are basically the same. The final plat includes the space for the vacation of the portion of Buchanan Road, which is now part of Lot 5.

Mr. Smith asked about access to Lot 6. Mr. Bolte replied Lot 6 and Lot 7 will actually face Broadway Street. A driveway serving those two lots will enter from Broadway, with two access points along that driveway to serve Lots 6 and 7.

Mr. Eastman asked for comments from the commissioners and the audience, and none were received. He then closed the public comment period for Case 007-16.

MR. DERMOTT MOVED, SECONDED BY MR. RAMSOUR, THAT THE FINAL PLAT AS PRESENTED IN CASE 007-16 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENATION FOR APPROVAL, BASED ON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC COMMENT PERIOD. THE MOTION CARRIED, WITH MR. BROWN, MR. CORTEZ, MR. DERMOTT, MR. DUNCAH, MR. EASTMAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

P & Z Case 007-16
Rick Benson
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-256 ORDINANCE NO.

AN ORDINANCE requesting the review of the Final Plat of BUCHANAN PLACE, located at the northeast corner of Broadway Street and Buchanan Road in the City of Joplin, Jasper County, Missouri.

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

Section 1. That the grades in the Plat of Final Plat for BUCHANAN PLACE in the City of Joplin, Jasper County, Missouri, be and the same are herby fixed and established as follows:

Using the bench mark located at the Northeast Corner of Second and Main Streets, in the City of Joplin, Missouri, as adopted as the standard form which grades and elevations are to be measured in said City of Joplin, and by Ordinance No. 77-67 which readopted Section 49.33 of the 1957 CODE OF JOPLIN, MISSOURI, as a datum, and assuming the elevation of said point to be represented by the figure "100", the grades and elevations of the streets and alleys in the Plat of BUCHANAN PLACE, described as follows:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 16
BLOCK 25 OF COLLEGE HILL ADDITION;
THENCE N89°19'25"W ALONG THE NORTH RIGHT-OF-WAY
OF BROADWAY STREET A DISTANCE OF 330.00 FEET;
THENCE N01° 53'25"E A DISTANCE OF 84.91 FEET;
THENCE S89°15'27"E A DISTANCE OF 17.81 FEET TO A
CURVE TO THE LEFT HAVING A RADIUS OF 70.00 FEET;
THENCE ALONG SAID CURVE TO THE LEFT A DISTANCE
OF 84.22 FEET TO A POINT ON THE EASTERLY
RIGHT-OF-WAY OF BUCHANAN ROAD;
THENCE N21°47'37"E ALONG SAID RIGHT-OF-WAY A
DISTANCE OF 354.08 FEET TO A POINT ON THE
NORTH LINE OF LOT 8 OF O.F. NICHOLS SUBDIVISION;
THENCE S89°22'33"E A DISTANCE OF 104.99 FEET TO THE
NORTHEAST CORNER OF SAID LOT 8;
THENCE S02°01'54"W A DISTANCE OF 130.25 FEET;
THENCE S89°19'51"E A DISTANCE OF 73.57 FEET;
THENCE S02°12'42"W A DISTANCE OF 180.43 FEET TO THE
SOUTHEAST CORNER OF LOT 8 BLOCK 25 OF COLLEGE HILL ADDITION;
THENCE N89°15'27"W A DISTANCE OF 50.04 FEET TO THE
NORTHEAST CORNER OF LOT 16 BLOCK 25 OF COLLEGE HILL ADDITION;
THENCE S01° 53'27"W A DISTANCE OF 149.54 FEET TO THE POINT OF
BEGINNING.

CONTAINING 2.5 ACRES MORE OR LESS.

Section 2. That said plat, have been filed, showing that the lots have been staked out and platted and the street and alleys have been dedicated to the public for public use, and that the proper levels have been run and the grades established for said addition, is hereby accepted by the City of Joplin, Jasper County, Missouri, according to the Statutes of the State of Missouri.

Section 3. That the City Clerk hereby authorized and directed to endorse upon such plat the approval of the Council under her hand and the Seal of the City of Joplin, Missouri.

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