CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2023-272 – Street Vacation

MEETING DATE:
June 5, 2023

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services – Troy Bolander
Director of Finance – Leslie Haase
City Attorney – Peter Edwards
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:
These payments are included in the FY2023 budget of the Community Planning Fund.

SUMMARY REQUEST:
Case 023-23: Vacation of Streets – A request to vacate approximately 200 feet of 9th St between S Rex Ave and S Peters Ave – RBC Holding Co.

BACKGROUND:
Rick Benson is requesting to vacate an undeveloped portion of 9th St., to construct duplexes. Their team plans to have a building on the undeveloped public right-of-way. During the City's review of the project, staff required that Mr. Benson request to vacate the portion of 9th St his buildings were on.

Sanitary sewer is the only utility with any interest in the right of way. They are asking that they retain the 20-foot-wide utility easement and to protect their existing facility, matching the existing easement north of 9th St. The proposed building will not impact where sanitary sewer currently has facilities. A utility easement will be kept on this portion of 9th St running North.

Mr. Benson's proposed development does not have any buildings on top of sanitary sewer easements.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Wayne Stephenson with GB Engineering spoke in favor of the case and represented the owner. Mr. Jackson asked Mr. Bolander how the vacated property is divided. Mr. Bolander responded that it is split between adjacent property owners.

PUBLIC COMMENT;
Darci Peterson stated she was in favor of vacating 9th St. They had lived there for 25 years, and they own almost two acres right there on 9th St where it dead ends into Peters. She stated she does have a question because she had been unable to find the answer. She directed the question to Mr. Stephenson. She asked if they plan to open 9th St into your development. Wayne Stephenson stated that 9th St will not continue through. Ms. Peterson stated she did not want the extra traffic through the neighborhood.

RECOMMENDATIONS:
Staff recommends approval for Council Bill 2023-272
Planning & Zoning Commission recommends approval of Case 023-23 (6 in Favor, 0 Opposed, 1 Absent)

ATTACHMENTS
Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map