CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-262-Street Vacation

MEETING DATE:
June 1, 2020

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

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

SUMMARY REQUEST:
Case 018-20: Street Vacation – A request to vacate Pearl Ave. street right-of-way lying North of W. 7th St. and South of W 6th St. – Jasper County.

BACKGROUND:
Jasper County is planning for a new courthouse near their existing one and have purchased property along Pearl Ave. This construction planning and the large footprint of the proposed courthouse has created the need for a consolidation of their land holdings along Pearl Ave.

We are continuing to work with the applicant to study the traffic situation more, but initial study shows that there will be a minimal disruption to traffic flow. As Pearl ends at 10th Street, it does not go through as Joplin and Wall do, so traffic on Pearl is already diverting once it hits 10th Street.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Stanton stated that he does have a representative for this case on the video. Matt Murphy, TreanorHL, 1040 Vermont St., Lawrence, KS. I am representing Jasper County on this request tonight. On the map we are requesting a vacation from Pearl Ave from 6th to 7th as well as a portion of the adjacent alley way. It will be in support of the new courthouse, which is currently in design and planning. This will allow a contiguous site for construction of the courthouse and improvements for parking and other utilities

Mr. Murphy stated that the County will be taking access to the garage that will go over to Byers. There will be a cross access underneath that alleyway to get into the garage. That is why that portion of the alley is important. The placement of the Courthouse is such that the southern half of Pearl Ave would be interfering with the Courthouse and the new entry drive coming into the public parking will be 6th Street. From Byers will be the entrance to the basement garage under the courthouse.

PUBLIC COMMENT;
Darius Adams, Western District Commissioner for Jasper County and Commissioner that is involved in this project. It is going to be a beautiful building when complete. After the discussion you can see why it is imperative that we have the vacation. As far as the parking in the corner, it will not be all parking, there will be some green space there too.

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

RECOMMENDATION:

Planning & Zoning Commission recommends approval of Case 018-20 (7 in Favor, 0 Nays.)
Staff recommends approval.

ATTACHMENTS

CB 2020- 262, Staff Planning Report, P&Z Commission Minutes, and Pearl Ave. Traffic Study.

CB 2020-262

Case 018-20: Street Vacation – A request to vacate Pearl Ave. street right-of-way lying North of W. 7th St. and South of W 6th St. – Jasper County

Mr. Stanton stated that he does have a representative for this case on the video. Matt Murphy, TreanorHL, 1040 Vermont St., Lawrence, KS. I am representing Jasper County on this request tonight. On the map we are requesting a vacation from Pearl Ave from 6th to 7th as well as a portion of the adjacent alley way. It will be in support of the new courthouse, which is currently in design and planning. This will allow a contiguous site for construction of the courthouse and improvements for parking and other utilities.

Mr. Ramsour asked about the alleyway between Pearl and Wall, what is the importance of that small Portion?

Mr. Murphy stated the intent is to vacate the alley on Mineral alley just to west not the east that would but up against 7th Street.

Mrs. Steele mention that they are wanting just part of the alley not the whole alley.

That small part of the alley will be used for side parking lot and side access for prisoner transport.

Mr. Murphy stated that the County will be taking access to the garage that will go over to Byers. There will be a cross access underneath that alleyway to get into the garage. That is why that portion of the alley is important. The placement of the Courthouse is such that the southern half of Pearl Ave would be interfering with the Courthouse and the new entry drive coming into the public parking will be 6th Street. From Byers will be the entrance to the basement garage under the courthouse.

Mr. Ramsour asked if the Commissioners had any questions?

Mrs. Koelkebeck stated that if she understands correctly the property on 7th Street are part of the new courthouse as well?

Mr. Stanton stated yes both the C-3s and the one R-3 on the map will become part of the parking.

Mr. Ramsour asked if there was anyone else that would like to speak in favor of this case?

Darius Adams, Western District Commissioner for Jasper County and Commissioner that is involved in this project. It is going to be a beautiful building when complete. After the discussion you can see why it is imperative that we have the vacation. As far as the parking in the corner, it will not be all parking, there will be some green space there too. We are very diligent about that.

Mr. Eastman wanted to know if there was a time frame?

Mr. Adams stated that they were hoping to have this bid out in late July, early August and then start turning dirt shortly after that.

Mr. Ramsour asked if anyone else would like to speak in favor of this case? There were not. Mr. Ramsour asked if there was anyone that would like to speak in opposition to this case? There were not.

MR. DERMOTT MOVED, SECONDED BY MRS. STEELE, CASE 018-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. KOELKEBECK, MRS. BRUCKNER-SEARS (CALL IN), MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (7 IN FAVOR, 0 NAYS).

Z&P Meeting: May 11, 2020
City Council Meeting: June 1, 2020

STAFF PLANNING REPORT
Vacation

CASE 018-20 A request to vacate Pearl Ave. street right-of-way lying North of W. 7th St. and South of W 6th St. and a portion of alley right-of-way lying approximately 180' West and 50' North of the intersection of W. 7th St. and S. Pearl Ave.

APPLICANT City of Joplin

REPRESENTATIVE Keegan Stanton

LOCATION North of W. 7th St. and South of W 6th St.

EXISTING CONDITIONS

Easement Type(s)	Easement Size
Street Right-of-Way	Approximately 460' x 60'
Alley Right-of-Way	Approximately 170' x 20'

REASON FOR VACATION

Jasper County has acquired all property on the East and West sides of Pearl Ave. between 6th and 7th Streets and along the portion of alley requested to be vacated. The County would like to consolidate their land in order to build a new courthouse on the site to accommodate growing needs and population.

UTILITIES CURRENTLY LOCATED IN THE RIGHT-OF-WAY?

Utilities are currently in the Right-of-Way. Rerouting of utilities is not required to maintain current services to adjoining properties. A savings clause will be provided in the ordinance.

UTILITIES PLANNED TO LOCATE IN THE RIGHT-OF-WAY?

No plans for new utilities to be located in the right-of-way.

DISCUSSION

Jasper County is planning for a new courthouse near their existing one and have purchased property along Pearl Ave. to ensure room for not only a new courthouse, but also for the current courthouse to still be used while construction is done on the new one. This construction planning and the large footprint of the proposed courthouse has created the need for a consolidation of their land holdings along Pearl Ave.

We have requested and received a traffic study from the firm handling the design of the new courthouse looking into the affect closing Pearl Ave. will have on traffic in the local area. This was requested during the demolition of the old church on the site, so Pearl Ave. was closed at that time. We did request a follow-up for more extrapolation and interpretation and that was conducted once the COVID-19 closures and stay-at-home order was in place.

We are continuing to work with the applicant to study the traffic situation more, but initial study shows that there will be a minimal disruption to traffic flow. As Pearl ends at 10th Street, it does not go through as Joplin and Wall do, so traffic on Pearl is already diverting once it hits 10th Street.

Staff recommends approval of Case 018-20 with a savings clause to allow for utilities to access and maintain their infrastructure.

ENCLOSURES

- Application
- Map

CITY OF JOPLIN

APPLICATION FOR VACATION OF STREET OR RESERVATION

Return Form and Attachments 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.: 018-20
Filing Fee: $500.00
Date Advertised: 4-26-20
Date Notices Sent 4-27-20
Public Hearing Date: 5-11-20

I. Applicant Name: County of Jasper Phone: 417.358.0421

If more than one property applicant, please submit additional names, address and phone numbers on attached sheet(s)

Address: 302 S. Main Street, Carthage, MO Zip: 64836

II. Type of vacation requested (check one):

Street Vacation X

Alley Vacation X

Utility vacation

Other (Please specify)

III. Please indicate below the extent to which the following standards are met, in the applicant's opinion.

1. Private rights will not be injured or endangered by the vacation.

All property adjacent to the areas of vacation request is owned by the County. There will be no private rights endangered by the vacation.

2. The vacation will not cause the public to suffer a loss or inconvenience.

The downtown street grid allows for easy navigation of the area such that granting the vacation should have very minimal impact to public convenience of travel.

3. In justice to the applicant(s) the vacation should be granted.

Granting the vacation will allow for construction of a safer and more efficient local government building to serve the residents of Jasper County.

IV. Required Attachments:

1. Legal description of the street, alley, or utility easement to be vacated from a deed of record or certified survey. Digital copies are acceptable. Must be legible.

2. Survey or such other drawing acceptable to the Planning / Community Development Manager depicting the street, alley or public reservation sought to be vacated and the properties and property ownerships surrounding said street, alley or public reservation.

3. Affidavit(s) from each owner of land adjoining said area that is proposed to be vacated, whom are not listed as an applicant, indicating their consent to the vacation.

4. Affidavit(s) from the following private utility companies indicating their consent to vacate the easement. The following private companies must be contacted and consent to the vacation before the Public Hearing can take place.

Utility	Contact	Email	Phone
AT&T	Kenny Kenworthy	kk7429@att.com	417-625-8092
Missouri American Water	Andrew Holderness	andrew.holderness@amwater.com	417-623-0676 x1009
Liberty Utilities (Power)	Jeff Lebeda	jeff.lebeda@libertyutilities.com	417-625-6159
Republic Services (Trash)			(800) 431-1507
Cable One/Sparklight	Keri Bledsoe	keri.bledsoe@sparklight.biz	
Spire Energy (Gas)*	Ken Stegall	ken.stegall@spireenergy.com	
Spire Energy (Gas)*	Mandy Butkovich	mandy.butkovich@spireenergy.com	816-472-3767

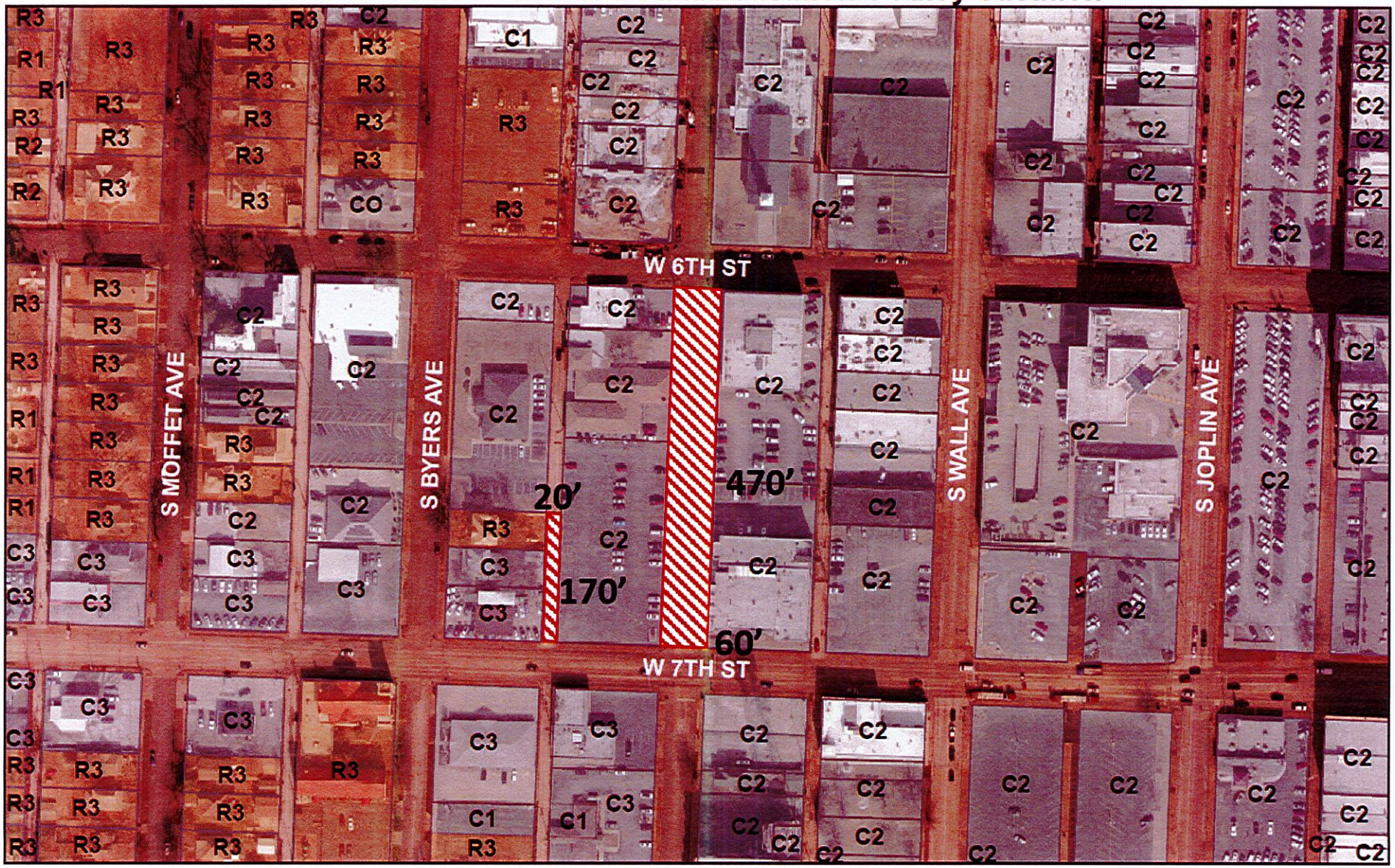
*Must contact BOTH contacts at Spire Energy.

Signature

2-6-20

Date

Case 018-20 Pearl Ave. Street Vacation & Alley Vacation



A request to vacate Pearl Ave. street right-of-way lying North of W. 7th St. and South of W 6th St. and a portion of alley right-of-way lying approximately 180' West and 50' North of the intersection of W. 7th St. and S. Pearl Ave. – Jasper County

0 50 100 200 300 400 Feet

N

TREANORHL

18 February 2020

Mr. Dakota Rusk
Joplin City Hall
602 Main Street
Joplin, MO 64801

Re: Jasper County Courthouse, Pearl Avenue and Meridian Alley right-of-way vacation traffic analysis.
Project No. JS0814.1901

Dear Mr. Rusk:

On behalf of our Client, Jasper County, Missouri, we, TreanorHL, Inc., respectfully submit this documentation in response to the traffic analysis request received 7 February 2020, after the submittal of the County's request for vacation of Pearl Street from 6th to 7th Street as well as a portion of Meridian Alley just north of 7th Street.

The vacation of right-of-way in this area as noted above is for the construction of a new Jasper County Courthouse to be sited along the northern side of 7th Street between Meridian and Mineral Alleys. All vehicular site access for the facility will be via 6th Street and the former Pearl Street intersection. A secondary access drive from Byers to Meridian Alley will also be constructed for Sheriff's Office use as well as limited overflow parking. All on-site parking will be north of the new building with staff parking to the west and visitor parking to the east. Visitors to the Courthouse must enter through the security check area on the northeast corner of the building adjacent to the main building plaza.

Per the City's request, a vehicular traffic analysis is included below, and in the attached calculations, for the new Jasper County Courthouse, in the downtown district of Joplin, Missouri. The project site is bound on the north by 6th Street, the south by 7th Street, to the east by Mineral Alley, and the west by Byers Avenue. The analysis includes several existing uses that have direct access to the Pearl Street right-of-way, including: Church (historical use; more recent- office/storage), Law Office, Jasper County Courts Building, and an Office building. Other uses shown in the calculations have access to Meridian Alley, located between Byers Avenue and Pearl Avenue, including: (2) single-family residences, and a used car sales lot.

Based upon the use changes occurring with the project, and the 10th Edition of the Trip Generation Manual, as prepared by the Institute of Transportation Engineers, we submit the following information for review:

The proposed weekday morning peak hour trips versus existing/recent uses are estimated to increase by 81 trips, weekday afternoon trips are estimated to increase by 64 trips.

The proposed weekend morning and afternoon peak hour trips versus existing/recent uses are estimated to decrease from 43 and 18 trips respectively, to 0.

Based upon this analysis, the weekday total AM and PM peak hours increase an estimated 145 total trips. The weekend total AM and PM peak hour trips decrease by an estimated 61 trips.

In addition to this trip information, some additional information was requested. A response to each of these items is as follows:



a. *What are the effects of the increase of traffic moving to neighboring streets such as Wall Ave. and Byers Ave.?*
RESPONSE: Wall Avenue is classified as a Minor Arterial street, per the adopted JATSO 2036 Metropolitan Transportation Plan, and is a two-lane north-bound street operating in conjunction with Joplin Avenue to the east, which is also classified as a Minor Arterial street, and is a two-lane south-bound street. Byers Avenue is classified as a local street per the adopted JATSO 2036 Metropolitan Transportation Plan. Given the downtown grid system north of the site will remain unchanged and in-place, and access into the site from the north, we do not expect adverse efforts on the adjacent streets. The overall square footage of buildings within the impacted area will decrease and trips are estimated to create only a slight morning and afternoon peak hour increase.

b. *Will the signal at 7th St. & Pearl Ave. still be warranted once Pearl Ave. has been vacated?*
RESPONSE: The traffic signal on the south side of the 7th Street and Pearl Avenue intersection will no longer be needed for southbound traffic, once construction begins for the new Courthouse. The remaining signals at 7th & Pearl can remain in-place to provide controlled access to 7th Street for northbound traffic, as well as controlled access southbound onto Pearl Avenue.

c. *Should the signal at 7th St. & Pearl Ave. be moved to Byers Ave. or further West?*
RESPONSE: In follow-up discussions with MoDOT, as 7th Street is state jurisdiction, a past signal study for this area is not available; however, future improvements to the intersection at 7th and Wall Avenue are under consideration. These improvements may include a left turn lane at Wall for east bound traffic; however, a final plan is not been confirmed at this time.

d. *Will there be a need for pedestrian signals at Pearl Ave. and 7th St. due to an increase in foot traffic after the courthouse has been completed.*
RESPONSE: We do not foresee any additional pedestrian traffic generated by the Courthouse on the south side of the project site, given all public and staff parking for the facility will be to the north. Some additional pedestrian access from the east may result with the completion of the Arts Center, as additional public parking would be located at this site. Pedestrian signals are currently in-place at Wall Avenue and 7th Street, in the event that the project parking is used as overflow for the new Art Center.

If additional traffic analysis above the information presented herein is required, please contact us so that we schedule a time for a follow-up call to review.

Thank you for your expeditious review of this submittal. Any questions, please advise via voice or e-mail: 785.727.2407 (direct dial) or mmurphy@treanorHL.com.

Respectfully,
TreanorHL, INC.

Matthew L. Murphy, PE
PRINCIPAL

Enclosures
Cc: Eric Theis, Jasper County

j:\lw\ce0000.00.00 civil projects\js0814.1901.70 jasper county courthouse\01_pm\08_supporting docs\traffic\2020.02.17 right-of-way vacation request traffic analysis.docx

JASPER COUNTY COURTHOUSE
TRAFFIC COUNTS

Traffic estimation for existing and historical uses on Pearl Avenue between 6th and 7th Streets

Existing/historical Uses	Address	ITE Use classification	Building Gross Floor Area (s.f.)	Weekday AM peak hour trips	Weekday PM peak hour trips	Weekend AM peak hour trips	Weekend PM peak hour trips
Church	633 Pearl Ave.	Church (560)	49,900	32	40	1379	499
Edwards Law Office	606 Pearl Ave.	General Office Building (710)	15,000	22	21	33	8
Jasper County Courts Building	601 Pearl Ave.	Government Office Building (730)	38,400	142	122	n/a	n/a
Office Building	602 Pearl Ave.	Single Tennant Office Bldg (715)	3,720	7	6	n/a	n/a
		Total	107,020	203	190	1,412	506

Traffic estimation for existing and recent uses on Pearl Avenue between 6th and 7th Streets

Existing/recent Uses	Address	ITE Use classification	Building Gross Floor Area (s.f.)	Weekday AM peak hour trips	Weekday PM peak hour trips	Weekend AM peak hour trips	Weekend PM peak hour trips
Jasper County Offices (in former Church)	633 Pearl Ave.	Government Office Building (730)	17,800	66	57	n/a	n/a
Jasper County Storage (in former Church)		Mini-Warehouse (151)	32,100	3	5	10	10
Edwards Law Office	606 Pearl Ave.	General Office Building (710)	15,000	22	21	33	8
Jasper County Courts Building	601 Pearl Ave.	Government Office Building (730)	38,400	142	122	n/a	n/a
Office Building	602 Pearl Ave.	Single Tennant Office Bldg (715)	3,720	7	6	n/a	n/a
		Total	107,020	239	212	43	18

Traffic estimation for new Courthouse

Proposed Use	Address	ITE Use classification	Building Gross Floor Area (s.f.)	Weekday AM peak hour trips	Weekday PM peak hour trips	Weekend AM peak hour trips	Weekend PM peak hour trips
Courthouse	TBD	Government Office Building (730)	86,700	320	277	n/a	n/a
		Total	86,700	320	277		
		Trip difference vs. historical/existing uses		117	86	-1,336	-481
		Trip difference vs. recent/existing uses		81	64	-43	-18

P & Z Case 018-20
Jasper County
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-262 ORDINANCE NO.

AN ORDINANCE providing the vacation for a public street located at Pearl Ave. street right-of-way lying North of W. 7th St. and South of W 6th St. and a portion of alley right-of-way lying approximately 180' West and 50' North of the intersection of W. 7th St. and S. Pearl Ave. 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 part of a public street right-of-way being located at Pearl Ave. street right-of-way lying North of W. 7th St. and South of W 6th St. and a portion of alley right-of-way lying approximately 180' West and 50' North of the intersection of W. 7th St. and S. Pearl Ave.in the City of Joplin, Jasper County, Missouri. described as follows and hereby vacated, conveyed, relinquished, and reverted to the owners of the abutting lots and land:

Beginning at the intersection of the South right-of-way line of Sixth Street with the West right-of-way line of Pearl Avenue, said point also being the Northeast Corner of Lot 94, Pitcher's Addition; Thence easterly along said South right-of-way line of Sixth Street, 60.00 feet to the intersection of said South right-of-way line of Sixth Street with the East right-of-way line of Pearl Avenue, said point also being the Northwest Corner of lot 75, Pitcher's Addition; Thence southerly along said East right-of-way line of Pearl Avenue, 450.00 feet; Thence westerly, perpendicular to the last described course, 60.00 feet, to a point on the West right-of-way line of Pearl Avenue; Thence northerly along said West right-of-way of Pearl Avenue, 450.00 feet to the point of beginning, and that part of an existing alley right-of-way situated in the Southeast Quarter of Section 3, Township 27 North, Range 33 West of the fifth principal meridian in the City of Joplin, Jasper County, Missouri, being more particularly described as follows: Beginning at a point on the North right-of-way line of Seventh Street, as presently established, said point also being the Southeast Corner of Lot 80, J.B. Seargent's 2nd Addition; Thence northerly along the West right-of-way line of said alley, 170.00 feet to the Northeast corner of lot 78, J.B. Seargent's Addition; Thence easterly, perpendicular to the last described course, 20.00 feet to a point on the easterly right-of-way line of said alley, said point also being the Northwest Corner of Lot 88, Pitcher's Addition; Thence southerly along said East right-of-way line, 170.00 feet to a point on the North right-of-way line of Seventh Street, said point also being the Southwest Corner of Lot 85, Pitcher's Addition; Thence westerly along saith North right-of-way line of Seventh Street, 20.00 feet to the point of beginning, more generally described as Pearl Ave. street right-of-way lying North of W. 7th St. and South of W 6th St. and the southern 170 feet of Meridian Alley.

Section 2. That this vacation of the portion of the street easement hereby vacated shall not affect or derogate from the existing rights of way or other easements of public utility companies now having installations in the portion of the street hereby vacated. Such utility companies shall have the right to maintain and repair any such installations now on the vacated portion of said street and shall be subject to the rights of the city of Joplin for sewer construction and maintenance.

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

_____
ATTEST: Gary L. Shaw, Mayor

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney