CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-264-Easement 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 020-20 Easement Vacation – A request to vacate a stormwater easement lying approximately 500' South of the intersection of E 26th St. and S Irwin Ave. – Jasper Products

BACKGROUND:
The applicant is planning on expanding their facility and the proposed expansion will encroach into this existing storm water easement. The applicant will be dedicating a new easement that allows for both the expanded facility as well as a realigned storm water system.

PLANNING & ZONING COMMISSION TESTIMONY:
John Bolte, Small Arrow Engineering, 216 S. Main Street, Joplin, MO. Working with Jasper Products to relocate a blue line stream currently runs thru the drainage easement. We're looking at a new warehouse addition in that parcel. To the south there is an existing building which will intersect with and trim off the "L" on the current drainage easement. Basically, vacating this one and the rededicating new ones along the left side. The southern portion will be rededicated further to the south. Jasper Products was planning on expanding and the current building is at the north end of the lot. We are going to connect to the north building with wrapping around Hampshire building.

PUBLIC COMMENT;
None.

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

RECOMMENDATION:
Planning & Zoning Commission recommends approval, 7 in favor, 0 Nays.
Staff recommends approval of Case 020-20.

ATTACHMENTS
CB 2020-264, Staff Planning Report, P&Z Commission Minutes

CB 2020-264

Case 020-20 Easement Vacation – A request to vacate a stormwater easement lying approximately 500' South of the intersection of E 26th St. and S Irwin Ave. – Jasper Products

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Mr. Eastman asked if Jasper Products was planning on expanding?

Mr. Bolte stated they were. The current building is at the north end of the lot. We are going to connect to the north building with wrapping around Hampshire building.

Mr. Ramsour asked if the Commissioners have any questions? There was not. Mr. Ramsour asked if there was anyone that would like to speak in favor of this case? There was not. Mr. Ramsour asked if there was anyone that would like to speak in opposition to this case? There was not.

MRS. STEELE MOVED, SECONDED BY MR. MCCULLOUGH, CASE 020-20 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 020-20 A request to vacate a storm water easement 500 feet South of the intersection of E 26th St. and S Irwin Ave.

APPLICANT Jasper Products

REPRESENTATIVE Jasper Products

LOCATION 1000 feet East of the intersection of E 26th St. and S Irwin Ave.

EXISTING CONDITIONS

Easement Type(s)	Easement Size
Storm water Easement	Approximately 80' x 400'

REASON FOR VACATION

The applicant is planning on expanding their facility and are wanting to use some of the land currently in the stormwater easement.

UTILITIES CURRENTLY LOCATED IN THE RIGHT-OF-WAY?

There are currently no utilities in the easement, only a storm water ditch system.

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

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

DISCUSSION

The applicant is planning on expanding their facility and the proposed expansion will encroach into this existing storm water easement. The applicant will be dedicating a new easement that allows for both the expanded facility as well as a realigned storm water system.

Staff recommends approval of Case 020-20

ENCLOSURES

- Application
- Map

CITY OF JOPLIN

APPLICATION FOR VACATION OF STREET OR RESERVATION

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.: 020-20
Filing Fee: $500.00
Date Advertised: 4-26-20
Date Notices Sent 4-27-20
Public Hearing Date: 5-11-20

I. Applicant Name: Jasper Products, LLC Phone: (417) 206-3877

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

Address: 3877 E. 27th Street Zip: 64804

II. Type of vacation requested (check one):

Street Vacation_____

Alley Vacation_____

Utility vacation_____

Other (Please specify) Storm Water Easement

III. Legal Description of area requested to be vacated: All of the West 80 feet and all of the South 80 feet of the West 400 feet of a Tract of Land in the North Half of the Southeast Quarter of Section 15, Township 27 North, Range 32 West in Jasper County, Missouri.

(Easement is Recorded in Book 2300 Page 0175 and Parent Tract is Recorded in Book 2213 Page 0683 in the Jasper County Recorders Office in Carthage, Missouri)

IV. 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. A new storm water easement is to be recorded over the relocated alignment of the "Blue-line" Stream.

2. The vacation will not cause the public to suffer a loss or inconvenience. The existing "Blue-line" stream is being relocated as per the requirements of the ACOE (Army Corps of Engineers) permit.

3. In justice to the applicant(s) the vacation should be granted. The stream alignment will continue to use the western portion of the present drainage easement, and a new portion on the southern leg.

V. Required Attachments:

1. 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.

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.

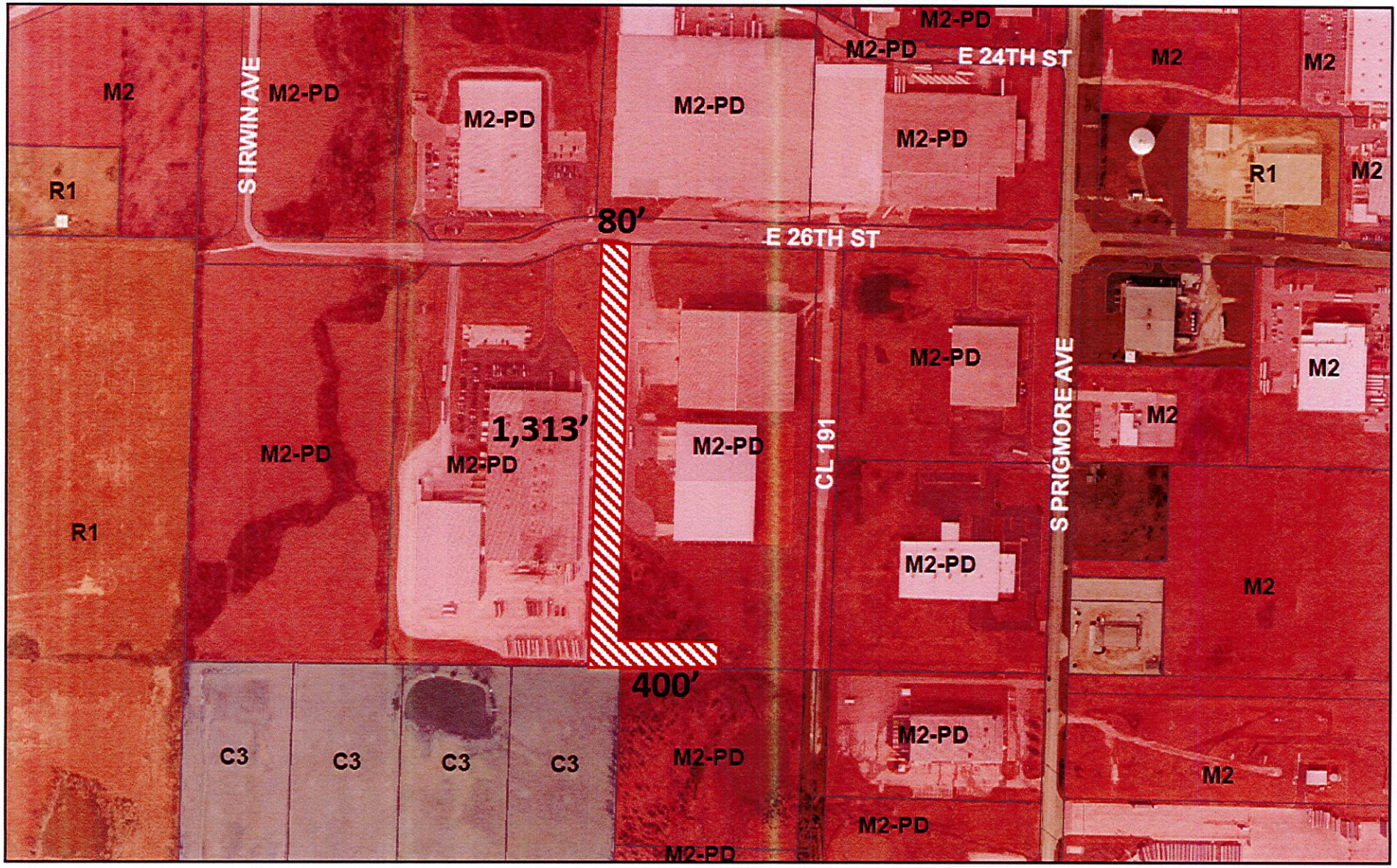
3. Affidavit(s) from the following private utility companies indicating their consent to vacate the easement. The following private companies must be contacted and consent to the vacation before the Public Hearing can take place.

a.) MGE Missouri Gas Energy	(800) 582-1234
b.) Empire District Electric Company	(417) 624-0300
c.) Cable One	(417) 624-6340
d.) MO American Water Company	(800) 256-6426
e.) AT&T	(800) 464-7928
f.) Republic Services (Trash)	(800) 431-1507

By:

John H. Bolte, P.E.
Project Engineer
Small Arrow Engineering, LLC
(417) 624-2333

Case 020-20 Easement Vacation



Easement Vacation – A request to vacate a stormwater easement lying approximately 1000' East of the intersection of E. 26th St. and S. Irwin Ave. – Jasper Products

0 125 250 500 750 1,000 Feet

N

P & Z Case 020-20
Jasper Products
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-264 ORDINANCE NO.

AN ORDINANCE providing to vacate an easement approximately 1000 feet East of the intersection of E 26th St. and S Irwin 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 all that part of approximately 500 feet South of the intersection of E 26th St. and S Irwin Ave in the City of Joplin, Jasper County, Missouri described as follows is hereby vacated, conveyed, relinquished, and reverted to the owners of the abutting lots and land:

> All of the West 80 feet and all of the South 80 feet of the West 400 feet of a tract of land in the North half of the Southeast Quarter of Section 15, Township 27 North, Range 32 West in Jasper County Missouri.

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