Z&P Meeting: June 13, 2016
City Council Meeting: July 5, 2016

STAFF PLANNING REPORT

Vacation

CASE 020-16 A request for the vacation of a 20' utility easement

APPLICANT Redwood Development, Inc.

REPRESENTATIVE Anderson Engineering

LOCATION 2030 Connecticut Avenue

EXISTING CONDITIONS

Easement Type(s)	Easement Size
Utility	20x310 ft

REASON FOR VACATION

Currently no utilities exist in this easement. The sewer line was relocated following the tornado.

UTILITIES CURRENTLY LOCATED IN THE EASEMENT? No.

UTILITIES PLANNED TO LOCATE IN THE EASEMENT? No.

DISCUSSION

This is the second of two utility easement vacation requests for the property located at 2030 Connecticut Avenue. Prior to the tornado, these easements were for sewer lines servicing the apartments at this location. After the apartments were destroyed by a tornado, this property was acquired by a new developer and the sewer lines were relocated. The property was then sold to a new developer without vacating the old easements and dedicating a new easement for the new sewer line.

These two easements are city easements and are not publicly platted utility easements. A new easement that matches the new sewer line will be dedicated to the City of Joplin.

Staff recommends approval of Case 020-16.

ENCLOSURES

Application

Vacation Sketch

RECEIVED
5-12-16

CITY OF JOPLIN
APPLICATION FOR VACATION OF STREET OR RESERVATION

Please return form to:
Joplin City Hall
Planning Division, 4th Floor
602 South Main Street
Joplin Missouri, 64801
Phone: 417-624-0820, ext. 511
Fax: 417-625-4738

For office use only

Case Number	020-16
Filing Fee	$450.00
Date Advertised	
Date Notices Sent	5-31-16
P&Z Date	6-13-16
City Council Date	7-5-16

I. Applicant Name: Redwood Development, Inc. Phone: 417-624-4144

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

Address: 3609 E. 20th Street Joplin, MO Zip: 64804

Email: bbrand@red-wood.com

II. Type of vacation requested (check all that apply):

Street Vacation_____

Alley Vacation_____

Utility vacation x

Other (Please specify)_____

III. Legal Description of area requested to be vacated: See Attachments

_____

_____

_____

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. No

2. The vacation will not cause the public to suffer a loss or inconvenience. No

3. In justice to the applicant(s) the vacation should be granted. Redwood Development, Inc.

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(s). The following private companies must be contacted and consent to the vacation before the request can be advertised for public hearing.

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

SIGNATURE: RL DATE: 5-6-16

BY: Ralph F. (Rick) Schroeder

TITLE: President



Case 020-16: 2030 Connecticut Avenue – A request for the vacation of a twenty (20) foot wide utility easement – Redwood Development, LLC.

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Case 020-16: 2030 Connecticut Avenue – A request for the vacation of a twenty (20) foot wide utility easement – Redwood Development, Inc.

Mr. Smith opened the public hearing for Case 020-16.

Mr. Greg Bowers, Anderson Engineering, appeared representing Redwood Development and stated this is the second part of the same non-existent sewer. They would like to vacate this easement also.

Mr. Dermott asked if there is a vacation and a new easement, or if it is strictly a vacation on this site. Ms. Cunningham stated there are two vacations, with the developer working with the City staff to dedicate a new easement over the new sewer line. The requests are just for the two vacations.

Mr. Smith asked if the new easement must come before this commission, and Ms. Cunningham replied it will be handled through the planning department.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 020-16.

MR. CORTEZ MOVED, SECONDED BY MR. BROWN, THAT CASE 020-16 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, AND MR. SMITH VOTING "AYE"; AND WITH MR. RAMSOUR BEING ABSENT (6 IN FAVOR, 1 ABSENT).