City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: July 2, 2018

Item: COUNCIL BILL NO. 2018-261
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Council Bill 2018-261
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
Finance Director: Leslie Haase
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 6/11/18

Recommended Action: Planning and Zoning Commission recommended Approval by a vote of "6 in Favor, 0 Nay, 1 Absent."

SUMMARY/REQUEST:
Case 021-18:
Street Vacation – Request to vacate a portion of County Lane 191 located north of the intersection of County Lane 191 and 31st Street – Joplin Industrial Development Authority.

STAFF SUMMARY:
This vacation request is for an 801-foot portion of County Lane 191, located north of the intersection of County Lane 191 and 31st Street. This request will vacate the street, but will leave all utility easements in place. Much of the requested right-of-way to be vacated is currently unimproved.

Staff recommends approval of Case 021-18.

PLANNING & ZONING COMMISSION TESTIMONY:
Kurt Higgins, 7231 E 24th Street, Joplin, MO., Allgeier Martin and Associates. He is representing Joplin Industrial Development Authority. This has been platted years ago. There is a portion of the road to the north that was never dedicated to the City. It was never constructed except the curb and guttering. The traffic study was completed approximately a year ago, and showed that the Industrial Park did not need that portion of road. All adjoining property owners have no objections.

PUBLIC COMMENT: None.

CB 2018-261

Case 021-18: Street Vacation – Request to vacate a portion of County Lane 191 located north of the intersection of County Lane 191 and 31st Street – Joplin Industrial Development Authority.

Mr. Duncan opened this case and asked if there was anyone else to speak in favor of this case?

Kurt Higgins, 7231 E 24th Street, Joplin, MO, Allgeier Martin and Associates. He is representing Joplin Industrial Development Authority. This has been platted years ago. There is a portion of the road to the north of this request that was never dedicated to the city. It was never improved except the curb and guttering. This property was never developed, but the property owner to the north, KDH Properties, has been acquiring properties in the vicinity. The traffic study was completed approximately a year ago, and showed that the Industrial Park did not need that portion of road. That is the reason for the Street Vacation application with the intention of selling the north half to KDH Properties to incorporate with the other properties purchased. All adjoining property owners have no objections.

Mr. Duncan asked if there were any questions from the Commissioners? Mr. Duncan stated that from the write up there aren't utility issues.

Mr. Higgins stated that yes, there are utilities on the property.

Mr. Ramsour stated that in an observation today, he was surprised by the amount of traffic that came off Prigmor onto 31st Street, which then went over and turned south again on this road.

Mr. Higgins stated the traffic is probably going to the nearby call center.

Mr. Duncan asked if there was anyone here to speak in favor of this case, there was not. He also asked if there was anyone to speak against this case and there was not. This case is closed.

MR. CORTEZ MOVED, SECONDED BY MRS. KOELKEBECK THAT CASE 021-18, BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MRS. KOELKEBECK, MRS. STEELE, AND MRS. BRUCKNER-SEARS VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).

Z&P Meeting: June 11, 2018
City Council Meeting: July 2, 2018

STAFF PLANNING REPORT
Vacation

CASE 021-18 A request for the vacation of approximately 801 feet of County Lane 191, an 80-foot wide designated right-of-way.

APPLICANT Joplin Industrial Development Authority

REPRESENTATIVE Rob O'Brian

LOCATION County Lane 191, north of the intersection of County Lane 191 and 31st Street

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EXISTING CONDITIONS

Easement Type(s)	Easement Size
Street	80' x 801'

REASON FOR VACATION

Consolidation of industrial property.

UTILITIES CURRENTLY LOCATED IN THE EASEMENT?

Yes.

UTILITIES PLANNED TO LOCATE IN THE EASEMENT?

All existing utilities (water, gas, electric) will remain in the easement.

DISCUSSION

This vacation request is for an 801-foot portion of County Lane 191, located north of the intersection of County Lane 191 and 31st Street. This request will vacate the street, but will leave all utility easements in place. Much of the requested right-of-way to be vacated is currently unimproved.

Joplin Industrial Development Authority currently owns the portion of County Lane 191 that is north of the requested street vacation. If this street vacation is approved, Joplin Industrial Development Authority intends to sell the vacated portion of CL-191 up to 26th Street, and its lot to the west of the vacation, to KDH Properties on the north. This street vacation will allow for a consolidation of property under the ownership of one company. All adjacent property owners and relevant utility companies have submitted notarized affidavits stating that they don't have a concern with the vacation request.

Staff recommends approval of Case 021-18.

ENCLOSURES

- Application



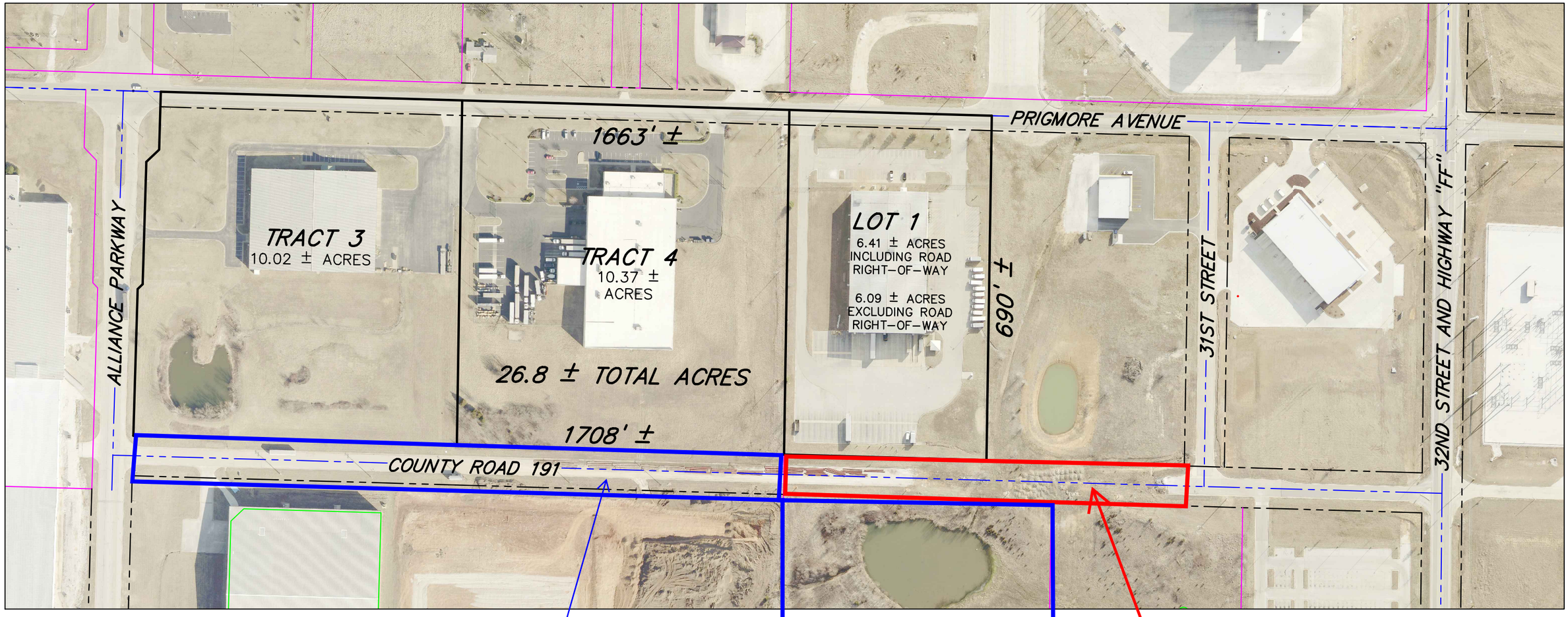
Feet

0 205 410 820 1,230 1,640

Case 021-18: A portion of County Lane 191 located north of the intersection of County Lane 191 and 31st Street -- A request to vacate a street easement -- Joplin Industrial Development Authority

N

SCALE: 1"=200'



ALLGEIER, MARTIN and ASSOCIATES, INC.
CONSULTING ENGINEERS and SURVEYORS
7231 EAST 24th STREET JOPLIN, MISSOURI 64804 (417) 680 - 7200

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CERTIFICATE OF AUTHORITY MISSOURI NO. 000427

DATE	REVISION

DWN. BY:	BF
CKD. BY:	MDS
APPD. BY:	MDS
DATE :	12-5-2017

CROSSROADS INDUSTRIAL PARK - EXHIBIT

SECTION 15, T27N, R32W JASPER COUNTY, MO

DWG. NO.

P & Z Case 021-18
Kurt Higgins for JIDA
(P & Z Recommended Approval)

COUNCIL BILL NO. 2018-261 ORDINANCE NO.

AN ORDINANCE providing for the vacation for 801-foot portion of County Lane 191 located north of the intersection of County Lane 191 and 31st Street, 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 a public street right-of-way located County Lane 191 located north of the intersection of County Lane 191 and 31st Street, the City of Joplin, Jasper County, Missouri, described as follows are hereby vacated, conveyed, relinquished, and reverted to the owners of the abutting lots and land:

> ALL THAT PART OF COUNTY LANE 191 LYING WEST OF LOTS 1 AND 2 OF SOUTH CROSSROADS ADDITION PLAT #1 IN SECTION 15, TOWNSHIP 27 NORTH, RANGE 32, IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI.

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, repair and replace 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 _____, 2018, by a vote of _____.

_____
ATTEST: Gary L. Shaw, Mayor

_____
Barbara L. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney