City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: July 3, 2017

Item: COUNCIL BILL NO. 2017-267
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2017-267
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 06/12/17

Recommended Action: Planning and Zoning Commission recommended approval by a vote of 6 In Favor, 1 Absent

SUMMARY/REQUEST:
Case 019-17: Northeast Corner of 22nd Street and Maryland Avenue – A request to review the final plat for 'Maryland Crossing' – Allphin Investments.

STAFF SUMMARY: This final plat approval is located at the northeast corner of 22nd and Maryland. It consists of three single-family lots and one dedicated street right-of-way. When this parcel was rezoned, the Joplin City Council requested that the lots along 22nd Street remain single-family to serve as a buffer zone between the new two-family units and the existing single-family neighborhood. The developer made these requested changes and is now submitting a plat to dedicate future Maryland Avenue, which will connect 20th Street to 22nd. Additionally, it creates three new single-family lots.

Staff recommends approval of Case 014-17.

PLANNING & ZONING COMMISSION TESTIMONY:
Lori Neece, Stewart and Neece Land Surveying, 1201 E. 15th Street, Joplin, MO. This is the final plat for this same property.

Mr. Duncan stated he did have a question. When this came before the board before there was a lot of discussion about the drainage. Has that been resolved? Ms. Cunningham stated that they had a meeting last week with staff and the drainage for the development is going to be in one of the lot and there will be one less duplex. These houses are included in that drainage with the duplexes

PUBLIC COMMENT:
None.

CB 2017-267

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Mr. Smith asked if there was anyone present to speak in favor of this proposal? There were not. Is there anyone here like to speak against this proposal? There were not.

MR. DERMOTT MOVED, SECONDED BY MR. CORTEZ, THAT CASE 019-17 BE FORWARD TO CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. THE MOTION CARRIED, WITH MR. SMITH, MR. DUNCAN, MR. CORTEZ, MR. DERMOTT, MR. RAMSOUR, AND MS. BRUECKNER-SEARS VOTING "AYE". (6 IN FAVOR, 0 NEY'S, 1 ABSENT).

Z&P Meeting: June 12, 2017
City Council Meeting: July 3, 2017

STAFF PLANNING REPORT
Final Plat

CASE 019-17 Final Plat review

NAME OF SUBDIVISION Maryland Crossing

LOCATION Northeast Corner of 22nd Street and Maryland Avenue

APPLICANT Allphin Investments

PRESENT ZONING R-1 (Single-Family Residential)

PRESENT LAND USE Undeveloped

EXISTING CONDITIONS

	North	East	South	West
Existing Zoning	R-2	R-1	R-1	R-1 and R-2
Land Use	Undeveloped, Duplexes	Single-Family Residential	Single-Family Residential	Single-Family Residential

SUBDIVISION

Number of lots
3

TRANSPORTATION

Streets with access	Classification	Right-of-way width
22nd Street	Secondary	50’
Maryland Avenue	Secondary	50’

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?
No. Maryland Avenue is being constructed by the developer to connect from 22nd to 21st Street, which will alleviate traffic in the area.

UTILITIES Utilities are being installed by the developer.

FLOOD PLAIN N/A

STAFF ANALYSIS

DOES THE PROPOSED SUBDIVISION COMPLY WITH THE CITY'S SUBDIVISION REGULATIONS?

Yes. This subdivision plat has been reviewed by city staff and meets minimum lot size requirements and right-of-way requirements.

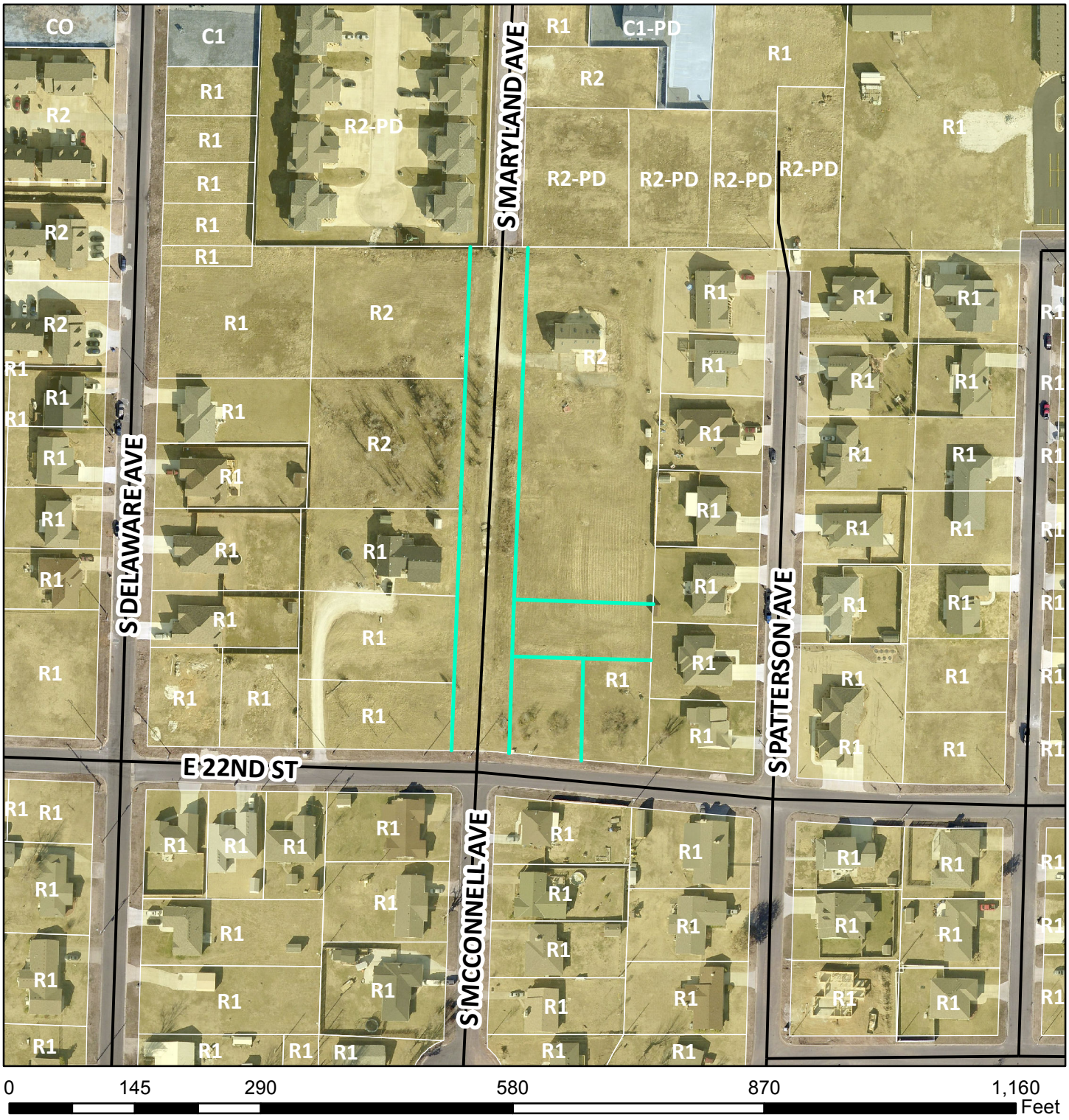
DISCUSSION

This preliminary plat approval is located at the northeast corner of 22nd and Maryland. It consists of three single-family lots and one dedicated street right-of-way. When this parcel was rezoned, the Joplin City Council requested that the lots along 22nd Street remain single-family to serve as a buffer zone between the new two-family units and the existing single-family neighborhood. The developer made these requested changes and is now submitting a plat to dedicate future Maryland Avenue, which will connect 20th Street to 22nd. Additionally, it creates three new single-family lots. Because the subdivision has less than twelve lots, the preliminary and final plats can be approved at the same meeting. The final plat will go to the Joplin City Council for approval.

Staff recommends approval of Case 019-17.

ENCLOSURES

Final Plat



Case 019-17: Northeast Corner of 22nd Street and Maryland Avenue – A request to review the final plat for 'Maryland Crossing' – Allphin Investments.

N

Allgood

SCALE: One inch equals 50 feet.

0 25 50 75 100

Final Plat of
Maryland Crossing Subdivision

Being a part if Miscellaneous Tract Numbered Thirteen (13), in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 13, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri

DEDICATION:

Know all men by these presents that Brad Allphin Investments L.L.C., owners of Maryland Crossing Subdivision, in the City of Joplin, Jasper County, Missouri, do hereby publish, declare, and acknowledge the annexed plat thereof with the lots, streets, and easements as shown hereon, and do hereby dedicate all streets and easements as shown to the public forever.

In Witness whereof, we have hereunto set our hands and seal this __ day of _____, 20__.

_____
NAME:

STATE OF MISSOURI)
ss
COUNTY OF _____)

On this __ day of _____, 20__, before me a Notary Public, in and for said County and State, personally appeared _____, to me known, and who executed the foregoing instrument, and acknowledged that they executed the same as their own act and deed.

In witness where of I have set my hand and affixed my official seal in _____, said County and State, the day and year first above written.

_____
NOTARY PUBLIC My commission expires:

STATE OF MISSOURI)
ss
COUNTY OF _____)

I, _____, City Clerk of Joplin, said County and State, do hereby certify that the attached Plat of _____ Subdivision in _____, was filed with said city for approval on the __ day of _____, 20__, and that the same was approved by the Mayor and Councilmen of the City of _____ by ordinance #_____, duly passed and approved by the Mayor on the __ day of _____, 20__.

_____ _____ _____
CITY CLERK MAYOR CITY ENGINEER

Approval of the Zoning and Planning Commision on this __ day of _____, 20__.

_____
CHAIRMAN OF ZONING AND PLANNING COMMISSION

STATE OF MISSOURI)
ss
COUNTY OF _____)

In the office of the Recorder of Deeds, I, _____, recorded of said County and State, do hereby certify that the within instument of writting and plat was with certificate thereon at __O'Clock and __ Minutes _.M. on the __ day of _____, 20__, duly filed for record in this office in Book _____ at Page _____.

In witness whereof, I have hereunto set my hand and seal this __ day of _____, 20__.

_____
RECORDER OF DEEDS

COUNTY COMMISSIONER'S CERTIFICATE:

Approved by the Jasper County Commisioner this __ day of _____, 20__.

_____
COUNTY COMMISIONER

LEGAL DESCRIPTION:
A part of Miscellaneous Tract Numbered Thirteen (13), in the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼ of Section 13, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri, being more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 13, Thence South 01 Degrees, 44 Minutes, 52 Seconds East along the West line of said Quarter, Quarter 412.50 feet, Thence South 89 Degrees, 50 Minutes, 57 Seconds East 370.50 feet to the Point of Beginning, Thence continuing South 89 Degrees, 50 Minutes, 57 Seconds East 50.07 feet, Thence South 03 Degrees, 52 Minutes, 06 Seconds West 304.34 feet, Thence South 01 Degrees, 40 Minutes, 52 Seconds West 109.36 feet, Thence South 89 Degrees, 50 Minutes, 57 Seconds East 159.36 feet to the West line of Beale Subdivision, Thence along the West line of Beale Subdivision South 01 Degrees, 42 Minutes, 16 Seconds West 181.15 feet to the North line of 22nd Street, Thence along the North line of 22nd Street North 85 Degrees, 58 Minutes, 03 Seconds West 209.40 feet, Thence North 01 Degrees, 40 Minutes, 52 Seconds East 277.67 feet, Thence North 03 Degrees, 52 Minutes, 06 Seconds East 303.00 feet to the Point of Beginning, Being subject to all easements, right-of-ways, and reservations of record. Containing 1.31 Acres {57099.71 sq ft}more or less.

BASIS OF BEARINGS:
The West line of the Northeast Quarter (NE 1/4) of the Northwest Quarter NW 1/4) of Section 13, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri taken as South 01 Degrees, 44 Minutes, 52 Seconds West, Beaings are based upon Grid North, as per Missouri West NAD83 per MoDot GPS Network.

Owner & Developer
Brad Allphin Investments L.L.C.
12607 Raccon Road
Granby Mo. 64844

SETBACKS:
Front Setback 25.00 feet
Rear Setback 25.00 feet
Side Setback 6.00 feet
Side Setback Adjacent to Street 15.00 feet.

AREAS:
Total Area of Subdivision 1.31 acres more or less
Lot #1 {7858.71 square feet 0.18 Acres + -}
Lot #2 {9679.37 square feet 0.22 Acres +-}
Lot #3 {10353.88 square feet 0.24 Acres + -}

GENERAL NOTES:
1. Centerline of Street is taken as and the same as adjacent Lot lines.

2. Approval of this Plat does not obligate the City of Joplin, or the County of Jasper, to any of the construction or maintenance cost for the Streets or Utilities or any other expenses connected with the development of this Subdivision.

3. The owner does hereby waive any claim for damages occurred by the construction of or the establishment of grades or alterations of surface of any portion of the Streets, to conform with the grades established.

4. The owner shall be responsible for all taxes associated with all Streets until the Streets are accepted by the City of Joplin, or the County, of Jasper.

5. Utility Easements are shown or lay within the Right-of-way of Streets.

6. All Streets within this Subdivision are curb and guttered.

7. All Lots are served by a Sanitary Sewer and a Public Water Source.

8. The described property hereon does not appear to fall in a FEMA designated Flood Zone as shown on FEMA Flood Insurance Map Community Panel #29097C0278E Dated 11-02-2012

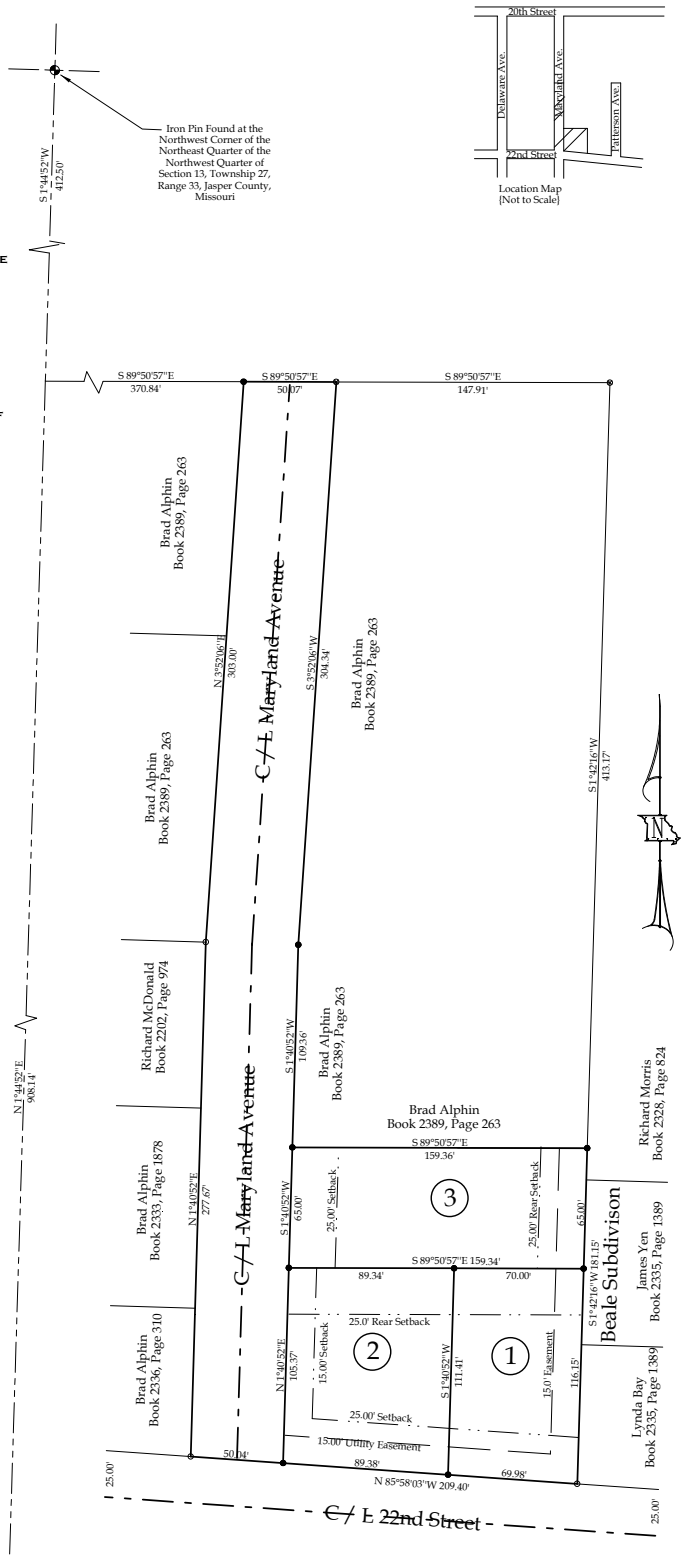
9. The Zoning for the described property is R-1 {Single Family}

LEGEND	
⊕	1/2" Iron Pin Found at the Quarter Quarter Corner
●	1/2" Iron Pin Set
○	1/2" Iron Pin Found
⊗	Cross Found

SURVEYOR'S CERTIFICATE

I, Rodney C. Neece, a Registered Land Surveyor of Joplin, Jasper County, Missouri, do hereby certify that the field notes and the attached plat are a true and accurate description of the work performed and measurements taken; Survey was made in accordance with the Missouri Minimum Standards for Property Boundary Surveys of the Missouri Department of Agriculture, Division of Weights & Measures and Land Survey, and is not a warranty of title either expressed or implied. This declaration is made to the original owner and/or purchaser of the survey as of the date indicated in the title block. It is not transferable to additional institutions or subsequent owners and may not be used in connection with a "survey affidavit" or similar document, statement, or mechanism to obtain title insurance for any subsequent or future grantees. Furthermore, this survey is not valid without the original signature and embossed seal in blue ink.

Rodney C. Neece, Mo.L.S. #2691



Final Plat of:

Maryland Crossing

Section - 13	Township - 27	Range - 33
Scale: 1 = 50'.00"	Date: 5-22-17	

STEWART & NEECE LAND SURVEYING COMPANY INC.
1201 East 15th Street, Joplin, Missouri 64804
Phone: 417-624-0311 Fax: 417-624-0365
Serving Southwest Missouri since the year 1922
Land Surveys, Lot Surveys, Subdivisions, Mine Data, Blueprints
Cert of Authority LSC-2004000198

P & Z Case 014-17
Allphin Investments
(P & Z Recommended Approval)

COUNCIL BILL NO. 2017-267 ORDINANCE NO.

AN ORDINANCE requesting to review the Final Plat of the Maryland Crossing 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 the grades in the Plat of MARYLAND CROSSING located Northeast Corner of 22nd Street and Maryland Avenue in the City of Joplin, Jasper County, Missouri be and the same are hereby fixed and established as follows: A part of Miscellaneous Tract Numbered Thirteen (13), in the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼ of Section 13, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri, being more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 13, Thence South 01 Degrees, 44 Minutes, 52 Seconds East along the West line of said Quarter, Quarter 412.50 feet, Thence South 89 Degrees, 50 Minutes, 57 Seconds East 370.50 feet to the Point of Beginning, Thence continuing South 89 Degrees, 50 Minutes, 57 Seconds East 50.07 feet, Thence South 03 Degrees, 52 Minutes, 06 Seconds West 304.34 feet, Thence South 01 Degrees, 40 Minutes, 52 Seconds West 109.36 feet, Thence South 89 Degrees, 50 Minutes, 57 Seconds East 159.36 feet to the West line of Beale Subdivision, Thence along the West line of Beale Subdivision South 01 Degrees, 42 Minutes, 16 Seconds West 181.15 feet to the North line of 22nd Street, Thence along the North line of 22nd Street North 85 Degrees, 58 Minutes, 03 Seconds West 209.40 feet, Thence North 01 Degrees, 40 Minutes, 52 Seconds East 277.67 feet, Thence North 03 Degrees, 52 Minutes, 06 Seconds East 303.00 feet to the Point of Beginning, Being subject to all easements, right-of-ways, and reservations of record. Containing 1.31 acres more or less.

Section 2. That said plat, having been filed showing that the lots have been staked out and platted and the streets and alleys have been dedicated to the public for public use, and that the proper levels have been run and the grades established for said addition, is hereby accepted by the City of Joplin, Jasper County, Missouri, and according to the statues of the State of Missouri.

Section 3. That the City Clerk is hereby authorized and directed to endorse upon such plat the approval of the Council under her hand and the Seal of the City of Joplin, Missouri.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2017, by a vote of _____.

_____
Michael L. Seibert, Mayor

ATTEST:

_____

Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney