Z&P Meeting: August 1, 2016
City Council Meeting: August 15, 2016

STAFF PLANNING REPORT

Vacation

CASE 026-16 A request for the vacation of a utility easement

APPLICANT Joplin Redevelopment Corporation

REPRESENTATIVE City of Joplin

LOCATION Northwest corner of 26th Street and Main Street

EXISTING CONDITIONS

Easement Type(s)	Easement Size
Street	20ft x 310ft

REASON FOR VACATION

Future development of the site requires some construction within the utility easement and relocation of the utilities.

UTILITIES CURRENTLY LOCATED IN THE EASEMENT? Yes. They will be relocated.

UTILITIES PLANNED TO LOCATE IN THE EASEMENT? No.

DISCUSSION

The Joplin Redevelopment Corporation is requesting the vacation of a utility easement at the northwest corner of 26th Street and Main Street. Pending rezoning and site plan approval, this site will be developed by Braum's. The utilities that are currently in this easement will be relocate, with the sanitary sewer line running along Joplin Avenue.

Staff recommends approval of Case 026-16.

ENCLOSURES

Application

Site Plan

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	026-16
Filing Fee	$450.00
Date Advertised	
Date Notices Sent	
P&Z Date	8-4-16
City Council Date	8-15-16

I. Applicant Name: Joplin Redevelopment Corporation Phone: 417-624-0820

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

Address: 602 S Main St, Joplin, MO Zip: 64801

Email: TCunning@joplinmo.org

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: A request to vacate a twenty (20) foot utility easement running north and south located between 25th Street and 26th Street bounded on the west by lots eighteen (18) to twenty-three (23) in O'Keefe's second addition and bounded on the east by lots one hundred and sixty-two (162) to one hundred and sixty-seven (167) in O'Keefe's first addition all in the City of Joplin, Jasper County, 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.

   All of the lots located within the legal description are owned by the applicant. There will be no private property impacted by this vacation.

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

   All of the lots located within the legal description are owned by the applicant. The public will not suffer a loss or inconvenience.

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

   The utility easement vacation will allow the property to be developed without encumbrance. These utilities will be relocated with the dedication of a new utility easement.

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: _____ DATE: 7-28-16

BY: FRED OSBORN

TITLE: CHAIRMAN - JRC

A request to vacate a twenty (20) foot utility easement running north and south located between 25th Street and 26th Street bounded on the west by lots eighteen (18) to twenty-three (23) in O'Keefe's second addition and bounded on the east by lots one hundred and sixty-two (162) to one hundred and sixty-seven (167) in O'Keefe's first addition all in the City of Joplin, Jasper County, Missouri.

ALL OF LOTS EIGHTEEN (18) THROUGH TWENTY-ONE (21) IN O'KEEFE'S SECOND ADDITION TO THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI ACCORDING TO THE RECORDED PLAT THEREOF.



Case 026-16: Northwest Corner of 26th Street and Main Street - request to vacate a 20' utility easement - Joplin Redevelopment Corporation.

Case 026-16: Northwest corner of 26th Street and Main Street – A request to vacate a twenty (20) foot utility easement described as follows – Joplin Redevelopment Corporation.

Mr. Duncan opened the public hearing for Case 026-16.

Ms. Taylor Cunningham, 602 South Main Street, appeared representing the City of Joplin and the JRC to request the vacation of the utility easement so the developer will be able to relocate utilities on the west side of the property. The building will be constructed on the edge of the current easement, but through traffic will still be allowed in the alley. Once all the utilities are relocated, a new easement will be dedicated to the City of Joplin.

Mr. Duncan asked if the existing alley lines up with the north and south entrances for Braum's, and Ms. Cunningham replied the entrances will still align with the alley.

Mr. Duncan asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 026-16.

MR. BROWN MOVED, SECONDED BY MS. BRUECKNER-SEARS, THAT CASE 026-16 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. DERMOTT, MR. DUNCAN, AND MR. RAMSOUR VOTING "AYE"; AND WITH MR. CORTEZ AND MR. SMITH BEING ABSENT (5 IN FAVOR, 2 ABSENT).