CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2019-272-Voluntary Annexation

MEETING DATE:
September 3, 2019

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, Interim City Manager- Daniel Pekarek.

SUMMARY REQUEST:
Case 028-19: Voluntary Annexation – A request to voluntarily annex property into the City of Joplin, located approximately 650 feet South and 200 feet West of the intersection of W. 32nd St. and S. John Duffy Dr. – Richard Benson, President of RBC Enterprises

BACKGROUND:
Richard Benson, President of RBC Enterprises, is requesting to voluntarily annex a single tract of approximately 1.7 acres of land containing three apartment buildings, known as Willow Vista Apartment Complex.

This property shares a contiguous border with the city; no unincorporated areas separate this property from the City. This tract is already near city sewer and not within an 100-year floodplain.

PLANNING & ZONING COMMISSION TESTIMONY:

Troy Bolander, 602 S. Main Street, Joplin, MO. Mr. Bolander represents the applicant, part of the reason for the annexation is the City of Joplin has an agreement with Wildwood Subdivision that all property in the subdivision will be annexed into the city. The agreement was sign with Mr. Pinjuv when he first purchased that property. That property was purchased by Mr. Rick Benson, on which he has built apartments.

PUBLIC COMMENT: None.

FUNDING SOURCE
These payments are included in the FY 2018-19 budget of the Community Planning Fund.

RECOMMENDATION:
Staff recommends approval of Case 028-19.

ATTACHMENTS
CB 2019- 272, Staff Planning Report, P&Z Commission Minutes

CB 2019-272

Case 028-19: Voluntary Annexation – A request to voluntarily annex property into the City of Joplin, located approximately 650 feet South and 200 feet West of the intersection of W. 32nd St. and S. John Duffy Dr. – Richard Benson, President of RBC Enterprises

Mrs. Bruckner-Sears has abstained herself from Case 028-19.

Troy Bolander, 602 S. Main Street, Joplin, MO. Mr. Bolander represents the applicant, part of the reason for the annexation is the City of Joplin has an agreement with Wildwood Subdivision that all property in the subdivision will be annexed into the city. The agreement was sign with Mr. Pinjuv when he first purchased that property. That property was purchased by Mr. Rick Benson, on which he has built apartments. They have city utilities and sewer. It is about 1.7 acres and the apartments were built to the city specifications and the building code.

Mr. Ramsour asked if there any questions from the Commissioners?

Ms. Kolkebeck wanted to know what changes the annexation would make if they already have utilities?

Mr. Bolander mentioned that there is savings by being in the City of Joplin. Many times, the Fire District tax is far more than the city tax.

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 who would like to speak in opposition to this case? There was not.

MRS. KOLKEBECK MOVED, SECONDED BY MR. EASTMAN, TO BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL FOR CASE 028-19. MOTION CARRIED, MR. RAMSOUR, MRS. KOELKEBECK, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (5 IN FAVOR, 0 NAYS, 1 ABSENT, 1 ABSTAINED).

Z&P Meeting: August 12, 2019
City Council Meeting: September 3, 2019

STAFF PLANNING REPORT
Voluntary Annexation

CASE 028-19 A request to voluntarily annex property into the City of Joplin

LOCATION 5703, 5707, and 5711 S. John Duffy Dr., approximately 650 feet South and 200 feet West of the intersection of W. 32nd St. and S. John Duffy Dr.

APPLICANT Richard Benson, President of RBC Enterprises

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Newton County, MO)	Multi-family Apartments	Approximately 1.7 acres

DISCUSSION

Richard Benson, President of RBC Enterprises, is requesting to voluntarily annex a single tract of approximately 1.7 acres of land containing three apartment buildings, known as Willow Vista Apartment Complex.

This property shares a contiguous border with the city; no unincorporated areas separate this property from the City. This tract is already near city sewer and not within an 100-year floodplain. It is consistent with our future land use map, which indicates this area as a residential and commercial opportunity area.

Staff recommends approval of Case 028-19.

ENCLOSURES

- Map of area to be annexed
- Photo of current site
- Application

BEFORE THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI

PETITION FOR VOLUNTARY ANNEXATION
PURSUANT TO 71.012, RSMO., 1994

TO WHOM IT MAY CONCERN:

Pursuant to the terms of V.A.M.S. 71.02, the undersigned, being all of the owners of fee interests of record in all tracts of real property attached hereto and incorporated herein as Exhibit "A", do hereby request the voluntary annexation of said land to the City of Joplin, Missouri.

Richard Benson president RBC Enterprises Limited Inc.

STATE OF MISSOURI)
) ss:
COUNTY OF JASPER)

On this 25th day of June 2019, before me appeared Richard Benson, to me known to be the President of RBC Enterprises Limited Inc., and the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was singed and sealed on behalf of said corporation by authority of its Board of Directors of the consideration stated therein and no other, and said he acknowledged said instrument to be the free act and deed of said corporation, and that the allegations contained therein are true.

IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed by official seal, in the County and State aforesaid, the day and year first above written.

My commission expires: 6-29-2020.

Lindsay Dunn

Notary Public

LINDSAY J. DUNN
NOTARY PUBLIC
NOTARY SEAL
#12380334
JASPER COUNTY
STATE OF MISSOURI
MY COMMISSION EXPIRES 6-29-2020

Case 028-19: 3200 Block of S. John Duffy Road



Case 028-19: 3200 Block of S. John Duffy Road - A request to annex into the corporate limits of the City of Joplin - Richard Benson, President of RBC Enterprises

P & Z Case 028-19
Richard Benson
(P & Z Recommended Approval)

COUNCIL BILL NO. 2019-272 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the Council of the City of Joplin, Missouri, located approximately 650 feet South and 200 feet West of the intersection of W. 32nd St. and S. John Duffy Dr., Joplin, MO., Newton County, Missouri.

WHEREAS, pursuant to Section 71.012, RSMo., 2001 as amended, a verified Petition requesting annexation and signed by the owners of all fee interests in record in the tract of real property described herein, was presented to the governing body of the City of Joplin, Missouri; and,

WHEREAS, pursuant to said Section having referred this matter to the Planning and Zoning Commission for Public Hearing thereon and having obtained the favorable recommendation and support of said annexation; and,

WHEREAS, having held a Public Hearing concerning the proposed annexation not less than fourteen (14) nor more than sixty (60) days after the Petition is received after first having given fifteen (15) days' notice of the Hearing in the Joplin Globe; and,

WHEREAS, after said Public Hearing, the City of Joplin determines that the annexation is reasonable and necessary to the proper development of the City of Joplin, and that the City of Joplin has the ability to furnish normal municipal services to the area to be annexed within a reasonable time; and,

WHEREAS, having received no written objections to the proposed annexation within fourteen (14) days after the Public Hearing.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the following described tract of land be and the same is hereby annexed into the City of Joplin, Missouri, said tract of land be described as follows, to-wit:

All that part of the North Half (N1/2) of Section 24, Township 27, Range 34, Newton County, Missouri, described as follows: Commencing at the Northeast corner of said Section 24; thence N88°40'30"W along the North line of said Section 24 a distance of 1229.45 feet; thence S00°00'00"E a distance of 329.07 feet to the point on the Western Right-of-Way of John Duffy Drive and the Point of Beginning; thence S31°43'41"E along said Right-of-Way line a distance of 52.21 feet to a curve to the Right having a radius of 260.00 feet; thence along said curve a distance of 184.85 feet to the Northeast Corner of Lot 1 in Quail Park Estates; thence leaving said Right-of-Way N73°00'49" a distance of 198.81 feet to the Northwest Corner of Lot 2 of Quail Park Estates; thence N84°29'46"W a distance of 177.92 feet to the Northeast Corner of Lot 5 of Quail Park Estates; thence N88°50'39"W a distance of 80.01 feet to the Northwest Corner of Lot 5 of Quail Park Estates; thence N0°00'00"W a distance of 145.09 feet; thence N90°00'00"E a distance of 384.121 feet to the Point of Beginning.

Section 2. That the City Clerk is hereby authorized and directed to cause three (3) certified copies of this Ordinance to filed with the Clerk of Newton County, Missouri.

Section 3. That this Ordinance shall be in full force and effect as of 12:01 a.m., on the 6th day of October 2019.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2019, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney