City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: September 8, 2015

Item: COUNCIL BILL NO. 2015-268
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill
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: 8/10/2015

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "4 in favor, 3 absent"

SUMMARY/REQUEST:
Case 027-15: 8125 East 26th Street – A request to voluntarily annex into the corporate limits of the City of Joplin – Cold Harbor.

STAFF SUMMARY:
The applicant is requesting to voluntarily annex approximately 3.89 acres of land at 8125 East 26th Street. This is part of the Crossroads Industrial Park and is currently being used by NEI Industrial Services.

Staff recommends approval of Case 027-15.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Bolander discussed recent annexations of property located east of Prigmore Road in the Crossroads Industrial Park. That property was intentionally left out of the City of Joplin due to incentives from the State of Missouri. Those incentives have almost been exhausted, so the staff is now requesting the remaining portion of the Crossroads Industrial Park be annexed into the City of Joplin.

This request is by Cold Harbor, who have signed a voluntary annexation request. The staff recommends approval of the annexation.

Mr. Eastman asked if the property will be rezoned later, and Mr. Bolander replied yes. The property comes into the City of Joplin with R-1 zoning since it is the most protected zoning classification. The Comprehensive Plan shows that property as heavy industrial, with the remainder of the park to be rezoned to heavy industrial once it is annexed.

PUBLIC COMMENT: None.

P & Z Case 027-15
Cold Harbor
(P & Z Recommended Approval)

COUNCIL BILL NO. 2015-268 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located at 8125 East 26th Street in Jasper 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 of record in the tracts 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 a 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 seven (7) 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.

NOW, THEREFORE, 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 described as follows, to-wit:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST, IN JASPER COUNTY, MISSOURI, BEING DESCRIBED MORE FULLY AS FOLLOWS: COMMENCING AT THE WEST QUARTER (W1/4) CORNER OF SAID SECTION 14, A FOUND 5/8 INCH IRON PIN; THENCE NORTH 00°54'45" EAST ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 424.25 FEET; THENCE SOUTH 89°05'15" EAST, A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°05'15" EAST A DISTANCE OF 467.07 FEET; THENCE SOUTH 00°54'45"WEST, A DISTANCE OF 376.96 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF EAST ALLIANCE PARKWAY, A PROPOSED ROAD TO JASPER COUNTY, MISSOURI; THENCE NORTH 85°07'34"WEST, ALONG SAID

RIGHT-OF-WAY LINE, A DISTANCE OF 317.84 FEET; THENCE NORTH 89°05'15" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 149.98 FEET; THENCE NORTH 00°54'45" EAST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 355.00 FEET TO THE POINT OF BEGINNING. SUBJECT TO A 10 FOOT UTILITY EASEMENT ALONG ALL FIVE SIDES THEREOF.

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

Section 3. That this Ordinance shall be in full force and effect as of 12:01 a.m., on the First (1st) day of November, 2015.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2015, by a vote of _____.

_____
Michael L. Seibert, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

Z&P Meeting: August 10, 2015
City Council Meeting: September 8, 2015

STAFF PLANNING REPORT
Voluntary Annexation

CASE 027-15: A request to voluntarily annex approximately 3.89 acres at 8125 E 26th Street.

LOCATION: 8125 E 26th

APPLICANT: Cold Harbor

EXISTING CONDITIONS:

Zoning	Land Use	Property Size
N/A (Jasper County, MO)	NEI Industrial Services	3.89 acres

DISCUSSION

The applicant is requesting to voluntarily annex approximately 3.89 acres of land at 8125 E 26th Street. This is part of the Crossroads Industrial Park and is currently being used by NEI Industrial Services.

Staff recommends approval of Case 027-15.

ENCLOSURES:

Map of area to be annexed

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.

Thomas K. Crook
Signed

Thomas K. Crook
Printed

STATE OF MISSOURI)
) ss:
COUNTY OF JASPER)

On this 15 day of July, 2015 before me appeared Thomas Crook to me known to be the partner of Cold Harbor.

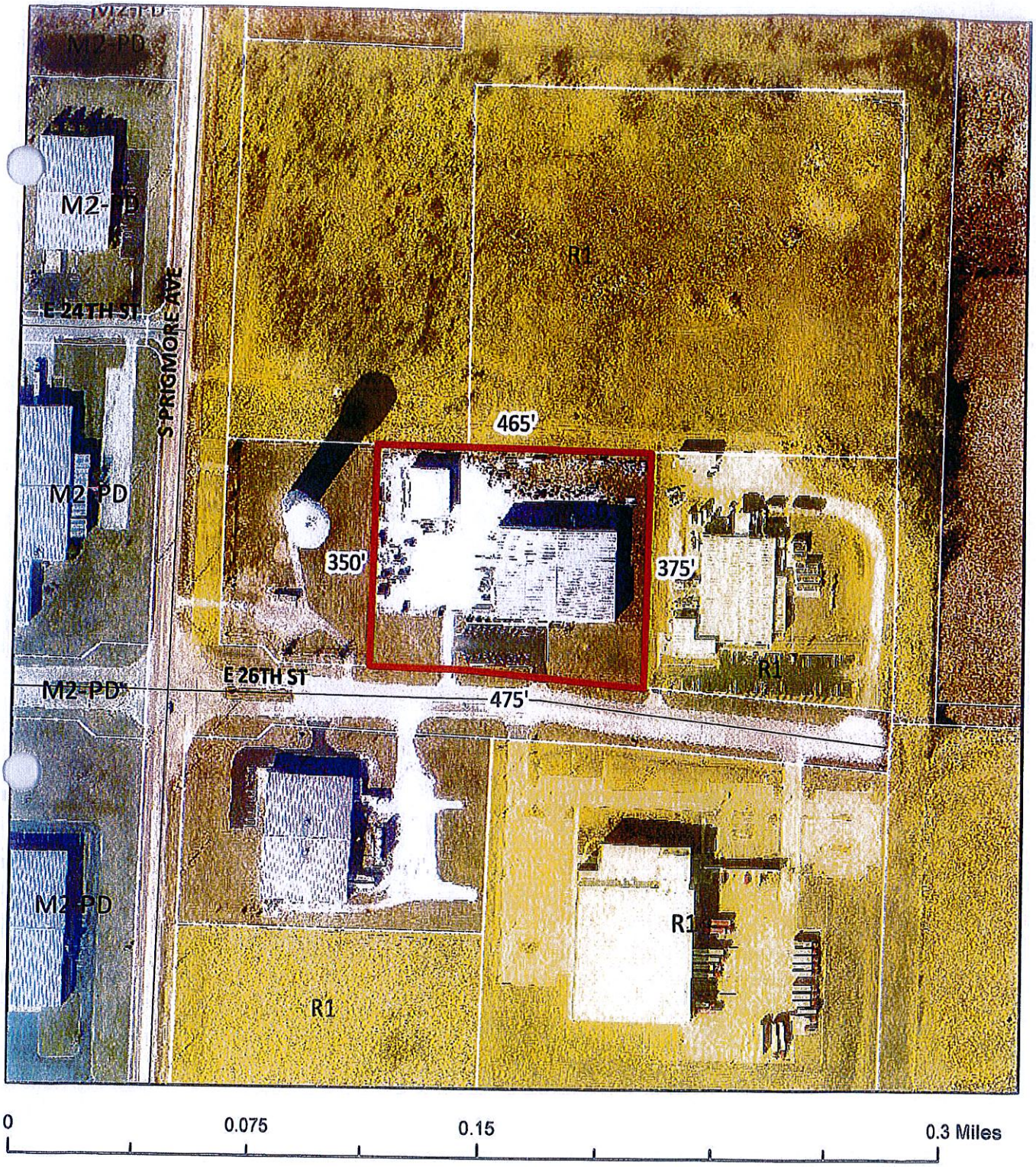
and the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors of the consideration stated therein and no other, and said - partner acknowledged said instrument 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: 5-10-17.

Cynthia R. Weiss
Notary Public

CYNTHIA R. WEISS
Notary Public - Notary Seal
State of Missouri
Commissioned for Newton County
My Commission Expires: May 06, 2017
Commission Number: 13892192



Case 027-15: 8125 E 26th Street – A request to voluntarily annex into the corporate limits of the City of Joplin – Cold Harbor.



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Mr. Eastman opened the public hearing for Case 027-15.

Mr. Bolander discussed recent annexations of property located east of Prigmore Road in the Crossroads Industrial Park. That property was intentionally left out of the City of Joplin due to incentives from the State of Missouri. Those incentives have almost been exhausted, so the staff is now requesting the remaining portion of the Crossroads Industrial Park be annexed into the City of Joplin.

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Mr. Eastman asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 027-15.

MR. SMITH MOVED, SECONDED BY MR. DERMOTT, THAT CASE 027-15 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. CORTEZ, MR. DERMOTT, MR. EASTMAN, AND MR. SMITH VOTING "AYE"; AND WITH MR. BROWN, MR. DUNCAN, AND MR. RAMSOUR BEING ABSENT (4 IN FAVOR, 3 ABSENT).