CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-272 - Alley Vacation

MEETING DATE:
October 5, 2020

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, City Manager- Nicholas Edwards.

SUMMARY REQUEST:
Case 033-20: Alley Vacation – A request to vacate alley right-of-way lying North of W. 8th St. and South of W 7th St. located on property at the Southwest corner of S. Joplin Ave. and W. 7th St. – City of Joplin.

BACKGROUND:
The Cornell Arts Complex is planning on redeveloping this site and the alley, being located in the middle of the site, inhibits potential construction on the site. No plans for new utilities to be located in the right-of-way. Currently, the site is a parking lot for Memorial Hall, and the alley as platted is not used. Right now, it is not possible to access the alley as platted with a vehicle as it is being used as pedestrian access through the parking lot.
There are currently utilities in the alley, including sewer, that will need to be rerouted.

PLANNING & ZONING COMMISSION TESTIMONY:
Keegan Stanton, 602 S. Main Street, Joplin, MO. The City is requesting to vacate this alley right-of-way, generally known as the Memorial Hall Parking Lot. Currently, the right-of-way is not accessible to vehicular traffic, there are no curb cuts on the North or South end. It has been set aside for pedestrian access. The request comes down to the Cornell Arts Complex, who is planning on a redevelopment of the site for their Arts Complex. The location of the building will be generally in the center. The utilities will have to be relocated. We are protected in the Memorandum of Understanding with the Cornell Arts Complex that if they do not complete construction, the land comes back to the City.

PUBLIC COMMENT;
Lacrisha Olsson and she is recently homeless due to a domestic on July 7, 2020. She stated that she was in favor of this project.

FUNDING SOURCE
These payments are included in the FY 2019-20 budget of the Community Planning Fund.

RECOMMENDATION:
Planning & Zoning Commission recommends approval (6 in Favor, 0 Nays, 1 Absent).
Staff recommends approval of Case 033-20.

ATTACHMENTS
CB 202- 272, Staff Planning Report, P&Z Commission Minutes

CB 2020-272

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Mr. Ledford wanted to know about the time frame are we looking at?

Mr. Stanton asked if he was talking about the utilities, and Mr. Ledford stated he was. When the site work gets started we will have to coordinate with them. They have hinted at starting construction sometime in the Spring of 2021.

Mr. Ramsour asked if anyone in the audience would like to speak in favor of this case?

Lacrisha Olsson and she is recently homeless due to a domestic issue on July 7, 2020. She stated that she was in favor of this project. It will help the children out with the concept of the Arts.

Mr. Ramsour asked if there was anyone else that would like to speak in favor of this case? There were not. Mr. Ramsour asked if there was anyone in opposition to the case? There were not.

MR. EASTMAN MOVED, SECONDED BY MR. LEDFORD, CASE 033-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MRS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE AND MR. LEDFORD VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).

Z&P Meeting: September 14, 2020
City Council Meeting: October 5, 2020

STAFF PLANNING REPORT
Vacation

CASE 033-20 A request to vacate alley right-of-way lying North of W. 8th St. and South of W 7th St.

APPLICANT City of Joplin

REPRESENTATIVE Keegan Stanton

LOCATION Southwest corner of S. Joplin Ave. and W. 7th St.

EXISTING CONDITIONS

Easement Type(s)	Easement Size
Alley Right-of-Way	Approximately 200' x 30'

REASON FOR VACATION

The Cornell Arts Complex is planning on redeveloping this site and the alley, being located in the middle of the site, inhibits potential construction on the site.

UTILITIES CURRENTLY LOCATED IN THE RIGHT-OF-WAY?

Utilities are currently in the Right-of-Way. Rerouting of utilities will be required.

UTILITIES PLANNED TO LOCATE IN THE RIGHT-OF-WAY?

No plans for new utilities to be located in the right-of-way.

DISCUSSION

The Cornell Arts Complex is looking to construct a performing arts center on this site. The proposed preliminary plans show the structure to be more or less centered on the site. Alley right-of-way would restrict the ability of the Cornell Arts Complex from building according to their design. This alley right-of-way would also be a hinderance to any other development that could occur at the site.

Currently, the site is a parking lot for Memorial Hall, and the alley as platted is not used. Right now, it is

not possible to access the alley as platted with a vehicle as it is being used as pedestrian access through the parking lot.

There are currently utilities in the alley, including sewer, that will need to be rerouted.

Staff recommends approval of Case 033-20.

ENCLOSURES

- Application
- Map

CITY OF JOPLIN

APPLICATION FOR VACATION OF STREET OR RESERVATION

Return Form and Attachments to:
Planning / Community Development Specialist
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only

Case No.: 033-20
Filing Fee: $550.00
Date Advertised:
Date Notices Sent
Public Hearing Date: 9-14-20

I. Applicant Name: City of Joplin Phone: 417-624-0820 ext 511

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

Address: 602 S. Main St. Zip: 64801

II. Type of vacation requested (check one):

Street Vacation____

Alley Vacation X

Utility Vacation____

Other (Please specify)_____

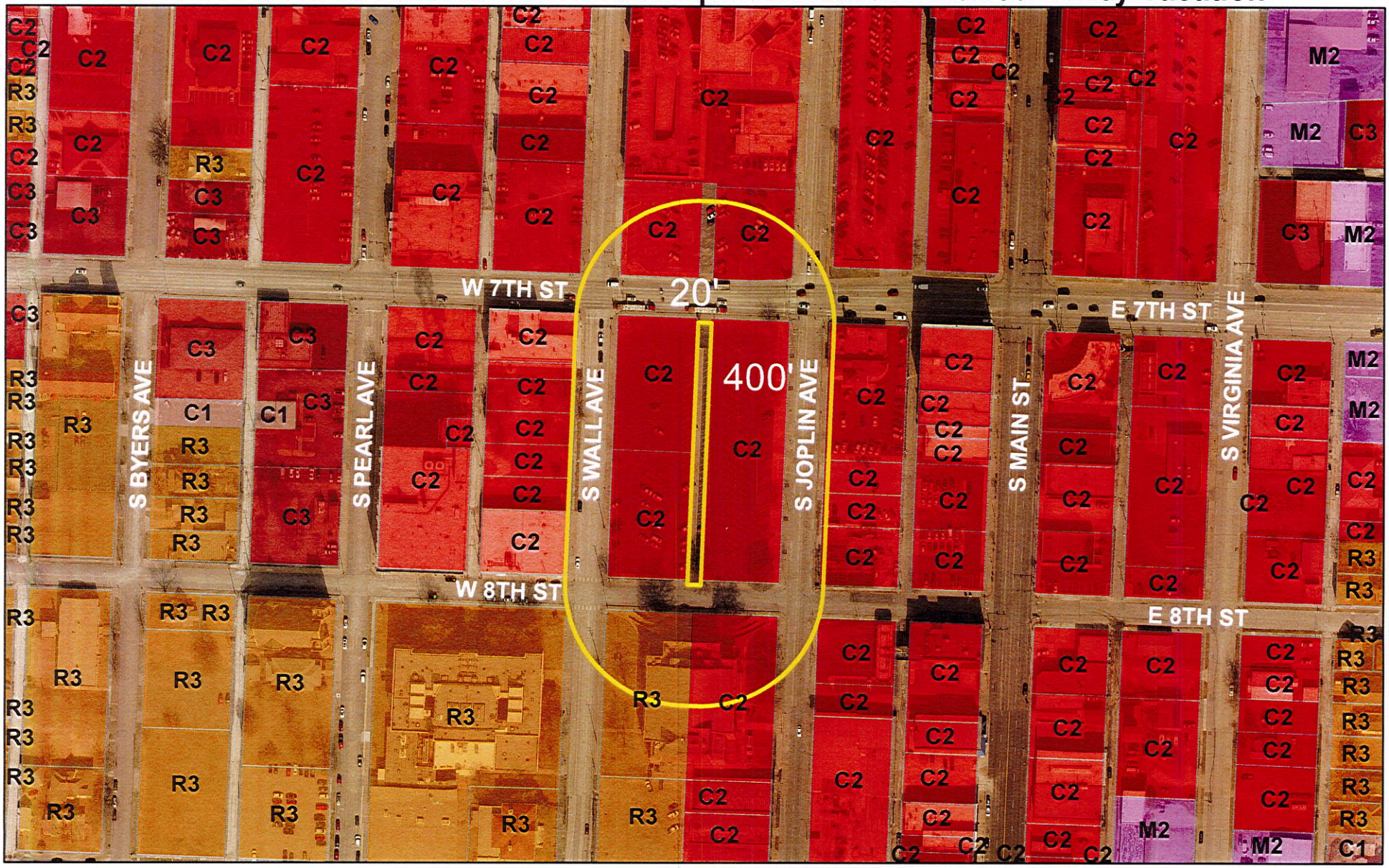
III. Please indicate below the extent to which the following standards are met, in the applicant's opinion.

1. Private rights will not be injured or endangered by the vacation. True. However, all existing utilities will need to vacate the alley.

2. The vacation will not cause the public to suffer a loss or inconvenience. True. The existing sanitary sewer is being rerouted with this project.

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

Case 033-20: Southwest corner of S. Joplin Ave. and W. 7th St. - Alley Vacation



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0 105 210 420 630 840 Feet

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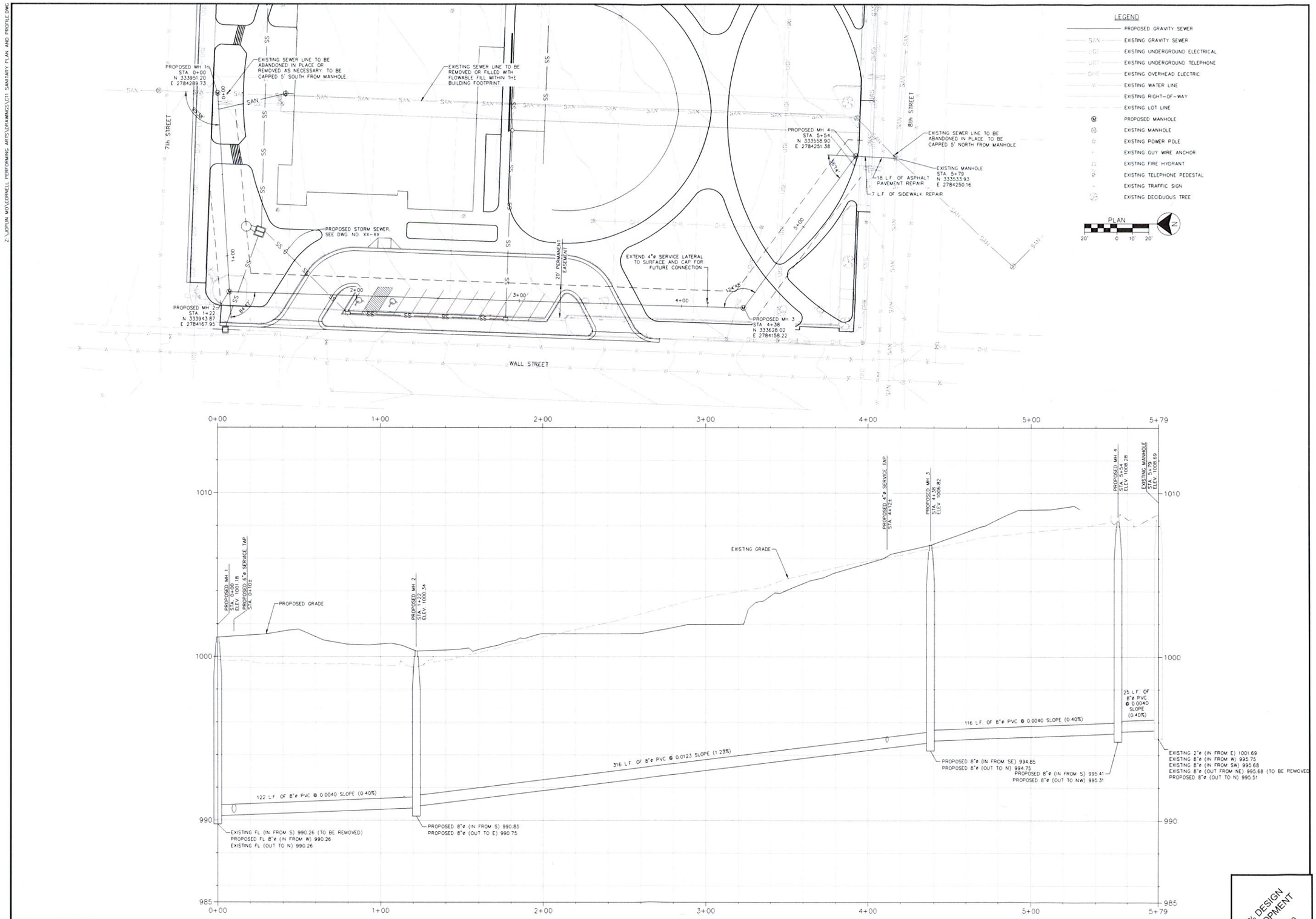

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ALLGEIER, MARTIN and ASSOCIATES, INC.
CONSULTING ENGINEERS and SURVEYORS
7231 EAST 24th STREET JOPLIN, MISSOURI 64804 (417) 680 - 7200

DATE	REVISION

DWN. BY	MHJ
CKD. BY	MCK
APPD. BY	MCK
DATE	VALUE

SANITARY PLAN AND PROFILE
CORNELL PERFORMING ARTS CENTER
JOPLIN, MISSOURI

DWG. NO. C11

100% DESIGN DEVELOPMENT
6/12/2020

Z:\JOPLIN MO\CORNELL PERFORMING ARTS\DRAWINGS\XR-EXISTING.DWG



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	SRM
CKD. BY	CSE
APPD. BY	CSE
DATE	8/30/2019

EXISTING SITE PLAN
CORNELL PERFORMING ARTS
JOPLIN, MISSOURI

DWG. NO.
X

P & Z Case 033-20
City of Joplin
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-272 ORDINANCE NO.

AN ORDINANCE providing to vacate an alley right-of-way and all accompanying utility easements lying North of W. 8th St. and South of W 7th St. located on property at the Southwest corner of S. Joplin Ave. and W. 7th St.

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

Section 1. The City hereby vacates the following described alley way and all accompanying utility easements lying North of W. 8th St. and South of W 7th St. located on property at the Southwest corner of S. Joplin Ave. and W. 7th St described as:

> An Alley Way 20 feet in width to be vacated, being part of Byers and Murphy's Addition to Murphysburg, now a part of the City of Joplin, Jasper County, Missouri. Being described more fully as follows: said Alley Way lying East of Lots 93 through 100, lying West of Lots 85 through 92 in said Byers and Murphy's Addition, lying South of East 7th Street and Lying North of East 8th Street, all in Byers and Murphy's Addition to Murphysburg, now a part of the City of Joplin, Jasper County, Missouri, more generally described as 400 feet of 20-foot-wide alley right-of-way lying North of W. 8th St. and South of W. 7th St.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2020, by a vote of _____.

_____
ATTEST: Ryan D. Stanley, Mayor

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney