CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-290-Street Vacation

MEETING DATE:
November 1, 2021

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 057-21: Approximately 700 feet East of the intersection of E. 9th St. and S. Rex Ave. – A request to vacate street right-of-way – Jim Satlak

BACKGROUND:
This vacation is being sought for the consolidation of the site.

PLANNING & ZONING COMMISSION TESTIMONY:
Keegan Stanton, 602 S. Main Street, Joplin, MO. This is roughly the same property that came before you for rezoning, there is some 9th Street right-of-way up on the north side, which is unimproved. Orr Ave, which is now in Duquesne was originally platted abutting the East side of Mr. Satlak's property. He is requesting that both rights-of-way be vacated.

PUBLIC COMMENT:
None.

FUNDING SOURCE
These payments are included in the FY 2020-21 budget of the Community Planning Fund.

RECOMMENDATION:
Staff recommends approval of Case 057-21.
Planning & Zoning Commission recommends Case 057-32 for approval, 6 in favor, 0 Nays, 1 Absent.

ATTACHMENTS
CB 2021-290, Staff Planning Report, P&Z Commission Minutes

CB 2021-290

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Mr. Kimble mentioned the old sewer is how long or how big.

Mr. Stanton stated he did not know.

Mr. Eastman asked the Commissioners if they had any other questions? They did not. Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

MS. STEELE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 057-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)

Z&P Meeting: October 11, 2021
City Council Meeting: November 1, 2021

STAFF PLANNING REPORT
Vacation

CASE 057-21 A request to vacate 9th St. and Orr Ave. right-of-way.

APPLICANT Jim Satlak

REPRESENTATIVE Jim Satlak

LOCATION 3431 E. 10th St.

EXISTING CONDITIONS

Easement Type(s)	Easement Size
Street Right-of-Way	Approximately 20' x 410'
Street Right-of-Way	Approximately 40' x 220'

REASON FOR VACATION

Jim Satlak has petitioned for this street vacation in order to consolidate his land holdings to the North and East and redevelop the site for future residential development.

UTILITIES CURRENTLY LOCATED IN THE RIGHT-OF-WAY?

Utilities are not currently in the Right-of-Way. Rerouting of utilities is not required to maintain current services to adjoining properties.

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

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

STAFF ANALYSIS

PRIVATE RIGHTS WILL NOT BE INJURED OR ENDANGERED BY THIS VACATION.

The applicant holds the land on either side of this proposed vacation, so no private party would be affected by the vacation but the applicant.

THE VACATION WILL NOT CAUSE THE PUBLIC TO SUFFER A LOSS OR INCONVENIENCE.

The street right-of-way is presently unimproved. There is no public access through this right-of-way and it currently serves as access to no property.

IN JUSTICE TO THE APPLICANT(S) THE VACATION SHOULD BE GRANTED.

Yes.

DISCUSSION

This vacation is being sought for the consolidation of the site. This property is presently zoned R-2, and that designation would be extended to the vacated property should this item pass. Orr Ave. is presently located in Duquesne – the right-of-way being requested to be vacated is the originally planned alignment for Orr Ave. that was never built.

Staff recommends approval of Case 057-21.

ENCLOSURES

- Application
- Map

CITY OF JOPLIN

APPLICATION FOR VACATION OF STREET OR RESERVATION

Return Form and Attachments to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
FAX 417-625-4738

For Office Use Only

Case No.: 057-21
Filing Fee: $550.00
Date Advertised:
Date Notices Sent 10-4-21
Public Hearing Date: 10-12-21

I. Applicant Name: JIM SOTCAK Phone: 417 540 5976

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

Address: P.O. Box 597 JOPLIN MO 64802-0597 Email:

II. Type of vacation requested (check one):

Street Vacation X

Alley Vacation_____

Utility Vacation____

Other (Please specify)_____

III. Location of street, alley, utility easement, or other reservation: 9TH AND ORA

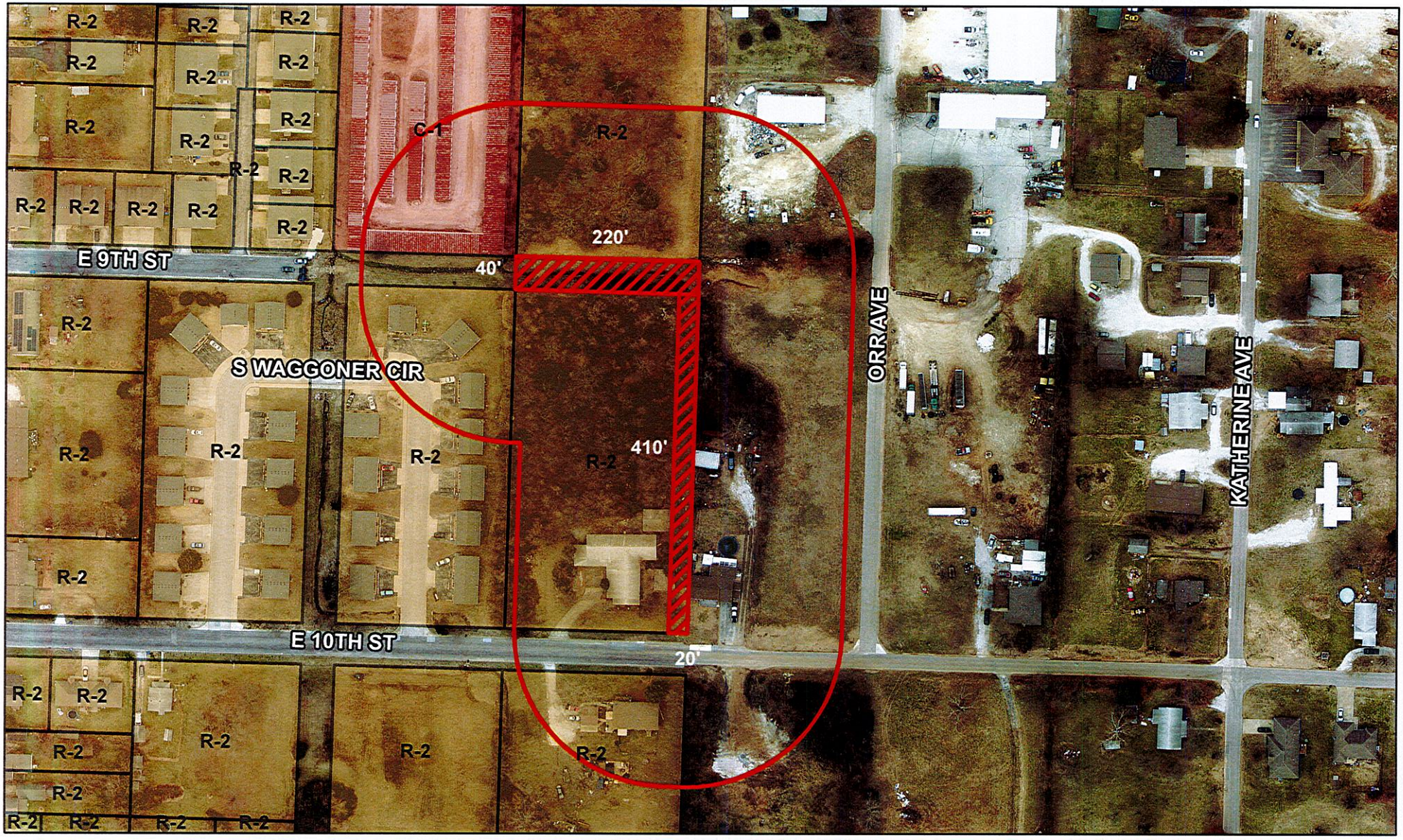
IV. Please indicate below the extent to which the following standards are met, in the applicant's opinion.

1. Private rights will not be injured or endangered by the vacation. NO

2. The vacation will not cause the public to suffer a loss or inconvenience. NO

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

Approximately 700 feet East of the intersection of E. 9th St. and S. Rex Ave. – Vacation



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P & Z Case 057-21
Jim Satlak
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-290 ORDINANCE NO.

AN ORDINANCE providing to vacate approximately 700 feet East of the intersection of E. 9th Street and S. Rex Ave., City of Joplin, Jasper County, Missouri.

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

Section 1. That all that part of approximately700 feet East of the intersection of E. 9th Street and S. Rex Ave. City of Joplin, Jasper County, Missouri described as follows is hereby vacated, conveyed, relinquished, and reverted to the owners of the abutting lots and land:

As all that part of Orr Street being Twenty Feet (20') wide lying East of and contiguous to Lots 61 thru 64 inclusive, being bound on the North by the projection of the South line of Lot Numbered Sixty-five (65) and being bound by the projection of the South Line of Lot Numbered Sixty-one (61) in Oak Ridge Addition to the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof. All that part of 9th Street being Forty Feet (40') wide lying North of and contiguous to Lot 64 in Oak Ridge Addition to the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 21, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney