CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-280-Rezone to District R-1-HP

MEETING DATE:
December 7, 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 042-20: Osborne Cemetery – A request to remove from District R-1 (Single-family Residential) and include in District R-1-HP (Single-family Residential Historic Preservation) for Historic Preservation – City of Joplin

BACKGROUND:
The Historic Preservation Commission approved the cemetery for recommendation to the Planning and Zoning Commission on criteria:

1. Its character, interest, or value as part of the development heritage, or cultural characteristics of the community, county, state, or county.
2. Its location as a site of significant local, county, state or national event.
3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or county.
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials.
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant.
10. Suitability of preservation or restoration.

The overlay will not have any changes or restrictions in the use of nearby property.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Jill Sullivan, Chairperson for the Historic Preservation Commission, stated how the project came about is we had the idea to follow suit with other cities, such ask Kansas City, for example. There are four city cemeteries, but only three are coming before you today. Cemeteries are cultural wonders and reflect the broad spectrum of the heritage and values of the communities. Joplin cemeteries are reflections of our past. Cemeteries are visited most often by heritage tourists.

Mr. Ramsour had a question about two of the three, especially Osborne Cemetery. The land to the West is underdeveloped what happens if all that property is zoned R-1-HP and 30 years down the road someone wanted to take the Western half and put an office building or another hospital?

Mr. Stanton stated that it is presently zoned R-1 (Single Family Residential). If the city decided to sell off and unused portion of this land, they or a potential developer would have to rezone that portion of land to make it

useable. The HP overlay would not be beneficial to new development.

Mr. Ramsour wanted to know if you rezone this with the HP overlay does that make it more difficult to sell or to repurpose the land for another use.

Mr. Stanton stated it would not make it more difficult, unless someone wanted to develop a single-family residential neighborhood. In that case we would want them to rezone to R-1. For any other development that is beyond what is permitted in R-1, rezoning would need to take place whether the property is zoned R-1 or R-1-HP.

PUBLIC COMMENT;
None.

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

RECOMMENDATIONS:
Planning & Zoning Commission recommends approval, (5 in Favor, 1 Absent).
Planning & Zoning Staff recommends approval.

ATTACHMENTS:
CB 2020-280, Staff Planning Report, P&Z Commission Minutes

CB 2020-280

Case 042-20: Osborne Cemetery – A request to remove from District R-1 (Single-family Residential) and include in District R-1-HP (Single-family Residential Historic Preservation) for Historic Preservation – City of Joplin

Ms. Jill Sullivan, Chairperson for the Historic Preservation Commission. I would like your permission to speak about all three of the cemeteries at once to save on time. There are some differences in the three cemeteries, but much is the same.

Mr. Ramsour and the Commission stated that would be fine to speak about all three at once.

Ms. Jill Sullivan stated how the project came about is we had the idea to follow suit with other cities, such ask Kansas City, for example. There are four city cemeteries, but only three are coming before you today. Cemeteries are cultural wonders and reflect the broad spectrum of the heritage and values of the communities. Joplin cemeteries are reflections of our past. Cemeteries are visited most often by heritage tourists.

Osborne and Parkway cemeteries were built around the same time. Osborne became official and opened in 1938, Parkway opened in 1933. All the stone for the gates, wall, and the entrance way were built by the city. They are architecturally significant and do have other significance and meet numerous criteria that is set by Preservation Commission.

Mr. Ramsour had a question about two of the three, especially Osborne Cemetery. The land to the West is underdeveloped what happens if all that property is zoned R-1-HP and 30 years down the road someone wanted to take the Western half and put an office building or another hospital?

Mr. Stanton stated that it is presently zoned R-1 (Single Family Residential). If the city decided to sell off and unused portion of this land, they or a potential developer would have to rezone that portion of land to make it useable. The HP overlay would not be beneficial to new development.

Mr. Ramsour wanted to know if you rezone this with the HP overlay does that make it more difficult to sell or to repurpose the land for another use.

Mr. Stanton stated it would not make it more difficult, unless someone wanted to develop a single-family residential neighborhood. In that case we would want them to rezone to R-1. For any other development that is beyond what is permitted in R-1, rezoning would need to take place whether the property is zoned R-1 or R-1-HP.

Mr. Ramsour asked if the Commissioners had any questions for Ms. Sullivan? They did not. Mr. Ramsour asked if there is anyone else to speak in favor of this case? There was not. Mr. Ramsour asked if there is anyone to speak in opposition of this case? There was not.

MS. STEELE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 042-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MS. STEELE, MR. MCCULLOUGH, MR. EASTMAN AND MR. KIMBLE VOTING "AYE". (5 IN FAVOR, 1 ABSENT

Z&P Meeting: November 9, 2020
City Council Meeting: December 7, 2020

STAFF PLANNING REPORT
Rezoning

CASE 042-20 A request to rezone from R-1 (Single-family Residential) to R-1-HP (Single-family Residential Historic Preservation)

LOCATION Osborne Cemetery

APPLICANT City of Joplin

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Cemetery	Approx. 75 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-1/C-O-PD	R-1	Out of City Limits	Out of City Limits
Land Use	Office	Cemetery/Vacant	Single-family Residential	Vacant

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future low-density residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
S McClelland Blvd	Arterial	70'

UTILITIES

Utilities do not need to be extended to this property. Utilities are currently in place.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The request is consistent with the comprehensive plan. The future land use map does show this property to be used for a residential which is appropriate for continued use as a cemetery.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

The current zoning of R-1 is suitable in this area. The current and intended future use as a cemetery is consistent with the zoning.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to R1-HP overlay will not be detrimental to the nearby property. The overlay will not have any changes or restrictions in the use of nearly property.

DISCUSSION

R1-HP overlay zoning at this location is appropriate considering current use as a cemetery and the property meeting the criteria for local landmark designation as reviewed and recommended for approval by the Historic Preservation Commission. The Commission approved the cemetery for recommendation to the Planning and Zoning Commission on criteria:

1. Its character, interest, or value as part of the development heritage, or cultural characteristics of the community, county, state, or county.
2. Its location as a site of significant local, county, state or national event.
3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or county.
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials.
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant.
10. Suitability or preservation or restoration.

Staff recommends approval of Case 042-20.

ATTACHMENTS

- Application
- Map

REZONING APPLICATION FORM

Return Form 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.: 042-20
Filing Fee: ~~$550.00~~
Date Advertised:
Date Notices Sent 10-26-20
Public Hearing Date: 11-9-20

APPLICANT: City of Joplin PHONE: 417-624-0820
ADDRESS: 602 S. Main Street ZIP: 64801

OWNER: City of Joplin PHONE:
ADDRESS: ZIP:

LOCATION/ADDRESS OF PROPERTY: Osborne Cemetery

Present Zoning R-1 Requested Zoning: R1-HP Acreage: 74
Present Use of Property: Cemetery

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Commercial	C-1, C-0
South	residential	out of City limits
East	Cemetery	R-1
West	residential	Out of City limits

Character of the Neighborhood:

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   No
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? No
   If yes, explain:

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? yes
2. Consistent with Future Land Use Map? yes

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: McClelland Blvd
2. Classification of Street(s):
   Arterial X Collector _____ Local _____
3. Right-of-Way Width: 100'
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   no

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

1. Appropriately Sized Lots? no
2. Properly Sized Street Right-of-Way? no
3. Drainage Easements? no
4. Utility Easements:
   - Electricity? no
   - Gas? no
   - Sewers? no
   - Water? no
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may affect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
3. Owner Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned

SIGNATURE: Thomas Walters DATE: 10-21-20

EMAIL: twalters@joplinmo.org

TITLE: City Planner

HISTORIC JOPLIN PRESERVATION COMMISSION

602 S Main Street, Joplin, MO 64801 (417)624-0820

HPC Case No. 2019-11

Meeting Date: 7-16-19

LOCAL LANDMARK NOMINATION FORM

LOCATION

Address: 33rd & McClelland Blvd. (west side), Joplin, MO, 64804

Property Name (historic or common): Jesse F. Osborne Memorial Cemetery

OWNER INFORMATION

Name: City of Joplin, Missouri

Phone: 417-624-0820

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

FORM PREPARED BY (if other than owner)

Name: Jill Sullivan

Phone: 417-365-1420

Address: 721 N. Sergeant Ave., Joplin, MO 64801

Relationship to Owner: Commissioner, Joplin Historic Preservation Commission

*A notarized letter of consent from the legal owner is required.

CLASSIFICATION

Present Use: Cemetery

Historic Use (if known): Cemetery

Public or Private: Public

Occupied or Unoccupied: N/A

ARCHITECTURAL and PHYSICAL DESCRIPTION (attach a separate sheet if needed)

Construction Date: Established 1938

Architect and/or Builder (if known): City of Joplin, FERA, and WPA

Building Materials (foundation, walls, roof, etc.): The fence and gate are made of native stone; the information kiosks are made of wood; tombstone and monument materials vary.

Architectural Style: This cemetery does not adhere to any one specific architectural style, but, through the headstones, illustrates varying architecture types, as noted in the Cemetery Survey

Form included in the supporting documentation for this nomination. **Please see Cemetery Survey Form in supporting documentation.**
Site Description (property and surrounding area): Newton County, Township 27, Range 33, Section 21. The cemetery's terrain is sloping. The cemetery has a FERA/WPA-era native stone entryway and is surrounded by a stone fence/wall of that same era. The surrounding area includes development, such as bank, hospital, offices, etc. **Please see copies of original Plat filings in supporting documentation.**

HISTORICAL SIGNIFICANCE

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the community, county, state, or country: Cemeteries are cultural wonders in their own right that reflect the broad spectrum of the heritage and the values of the communities in which they lay. Indeed, Joplin's cemeteries are reflections of the settling of our city. Like our historic architecture and landmark sites, our historic cemeteries are important factors in the telling of the development, values, and cultural character of our city. Additionally, cemeteries may be considered a facet of Heritage Tourism, defined as "traveling to experience the places, artifacts and activities that authentically represent the stories and people of the past." Cemeteries are among the places visited often by heritage tourists, illustrating that people have a deep interest in learning about the past through cemeteries. **Please see Attachment A.**

2. Its location as a site of a significant local, county, state, or national event: The creation and early maintenance of Osborne Cemetery came about as the result of an unfortunate event—the Great Depression (1929-39). At a time when work was scarce, first the Federal Emergency Relief Administration (FERA) and then the Works Progress Administration (WPA) put people to work in Joplin. Osborne's native rock entranceway and native rock stone walls were created as result of this federal program. Thus, Osborne Cemetery is part of the nation-wide legacy left by the national FERA/WPA program. **Please see Attachment A.**

3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or country: The most prominent person associated with the Jesse F. Osborne Memorial Cemetery is the namesake himself, Jesse F. Osborne. Osborne was a beloved community leader who was elected mayor of Joplin five times, more than any other mayor, and considered an outstanding political leader throughout Jasper County and southwest Missouri. Having started his political career in the 1890s, Osborne contributed significantly to the early development of our community. In fact, he was serving as mayor at the time of his death, in 1926. When officials at City Hall learned of his death, flags over city buildings were immediately lowered to half-mast. Osborne is buried in Joplin's historic Fairview Cemetery, as that

was the only city cemetery at that time. City Council chose to name this cemetery the Jesse F. Osborne Memorial Cemetery in 1938. At the time of their decision, then-Mayor, Orville P. Mahoney, said, "He would not permit a memorial to be created for him in his lifetime and I think it entirely proper and fitting that we create the memorial after his death." Among those interred at Osborne are veterans from the Spanish-American War, both World Wars, Korea, and Vietnam. Also, members of the Masons, the Order of the Eastern Star, Oddfellows, Shriners, Woodsman, and law enforcement are buried in Osborne Cemetery. **Please see Attachment A.**

4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials: The native stone walls and native stone entryway at Osborne Cemetery are an embodiment of FERA/WPA architecture and are valuable for the study of the architectural legacy left by that federal program.

5. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of a community, county, state, or country: N/A

6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant: Like other cemeteries in Joplin (and cemeteries in general), the design, detailing, materials, and craftsmanship of the monuments within Osborne Cemetery embody a variety of architecturally significant types. For example, the FERA/WPA-era native stone entranceway and fence/wall. Further examples include the headstones/monuments themselves, the materials from which they are made, and the detail and decorative carvings found on them. Municipal cemeteries, such as Osborne, are meant to be useful to generations of residents and to reflect the tastes and values of the public in general. Thus, the entirety of the monuments within will not adhere to *one* particular style or type; rather they are a collection of the embodiments of different styles and types. In Osborne, one may find monuments comprised of materials that were in common use at the time the monuments were made, including metals (bronze and zinc) and stone (granite and marble). A wide variety of religious, military, and other decorative carvings are found on Osborne's monuments. In Osborne, some monument types include die in socket, die on base, lawn markers, plaques, urn, architectural forms, statuaries, and a columbarium.

7. Its embodiment of design elements that make it structurally or architecturally innovative: N/A

8. Its unique location or singular physical characteristics that make it an established or familiar visual feature: N/A

9. Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance: N/A

10. Its suitability for preservation or restoration: Osborne Cemetery is well-suited for preservation and, as needed, restoration. Osborne, like the other city-owned cemeteries, is maintained by the Parks and Recreation Department of the City of Joplin. This department has performed ongoing maintenance and restoration at Osborne since its establishment. Creating a Local Historic Landmark District for Joplin's cemeteries does not alter the city's current commitment to maintaining its public cemeteries. **Please see Cemetery Survey Form in Attachment D – Supporting Documents for further details on physical condition of tombstones, markers, and monuments.**

(*Any structure, property, or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. Ord. No. 86-31, ' 1, 3-17-86*)

SUPPORTING DOCUMENTS

A. Bibliography – Please provide a list of all sources used to complete this nomination form. **Please see Attachment B.**
B. Photographs – Please provide current photographs of the property, as well as historic photographs (if available). **Please see Attachment C.**
C. Any other sources (such as maps, newspaper clippings, etc.) that help support the nomination as a local historic landmark. **Please see Attachment D.**

Please submit completed nomination forms to:

Planning & Community Development
Joplin City Hall
602 S. Main Street
Joplin, MO 64801

Please sign below once the nomination form is complete and ready for submittal:

Printed Name: Jill Sullivan

Signature: Jill Sullivan

Date: 28 June 2019

ATTACHMENT A – HISTORY

History of Jesse F. Osborne Memorial Cemetery *(Note: This history is derived from the attached supporting documentation.)*

Contrary to popular belief, the Jesse F. Osborne Memorial Cemetery, henceforth referred to simply as Osborne Cemetery, was not open to the public any earlier than 1938. Osborne Cemetery became the City of Joplin's third public, city-owned cemetery, with Fairview Cemetery being its first (1873) and Parkway Cemetery being its second (1933).

In 1931, Joe H. Myers, then Commissioner of Public Property and Public Utilities, realized that Fairview Cemetery would soon be full and considered plans for establishing a new cemetery on the new cemetery tract that ran along the east and west sides of McClelland park road. This cemetery tract eventually became two cemeteries—Parkway (east) and Osborne (west). Although this tract of land is commonly thought to have been donated to the city by the Osborne family, it was, in fact, purchased by the city during one of former Mayor Jesse F. Osborne's administrations, around 1922.

In the early 1930s, the city began developing the McClelland park road cemetery tracts, with Parkway Cemetery opening in 1933. Although preparations were being made as early as 1935 to open Osborne Cemetery, it wasn't until 1937 that Council began seeking a name for the new cemetery. In 1938, Council announced that the new city cemetery was named the Jesse F. Osborne Memorial Cemetery in his honor because "the tract of land converted into the cemetery was purchased by the city while Osborne was mayor and he promoted the project." They announced, too, that the newly-named, city-owned Osborne Cemetery was now, finally, open for public use.

In early 1939, soldiers' plots were dedicated for the American Legion, the United Spanish War Veterans, and the Veterans of Foreign Wars. By mid-1939, the WPA (formerly FERA) was still working on the cemetery's stone wall and entrance. In 1940, The Robert S. Thurman American Legion Post and George Klingman donated a 75-foot flagpole to be placed in the cemetery.

Osborne Cemetery has an extensive military section, with veterans of varying ranks who served in World War I, World War II, Korea, and Vietnam. Additionally, members of the Masons, Oddfellows, the Order of the Eastern Star, Shriners, and Woodsman are interred at Osborne. Uniquely, Osborne has a "Babyland" monument (see Attachment C – Photographs).

Interestingly, Osborne Cemetery records list the earliest burials in 1852, 1854, 1857, 1875, and 1877, prior to the time the tract was developed as a cemetery. All other burials in the cemetery, however, took place from 1938—the year which Osborne was, in fact, established as

a city-owned cemetery—onward. It's not uncommon for cemeteries to be developed in an area where older burials took place, which could explain the existence of gravesites dated prior to the time Osborne was developed.

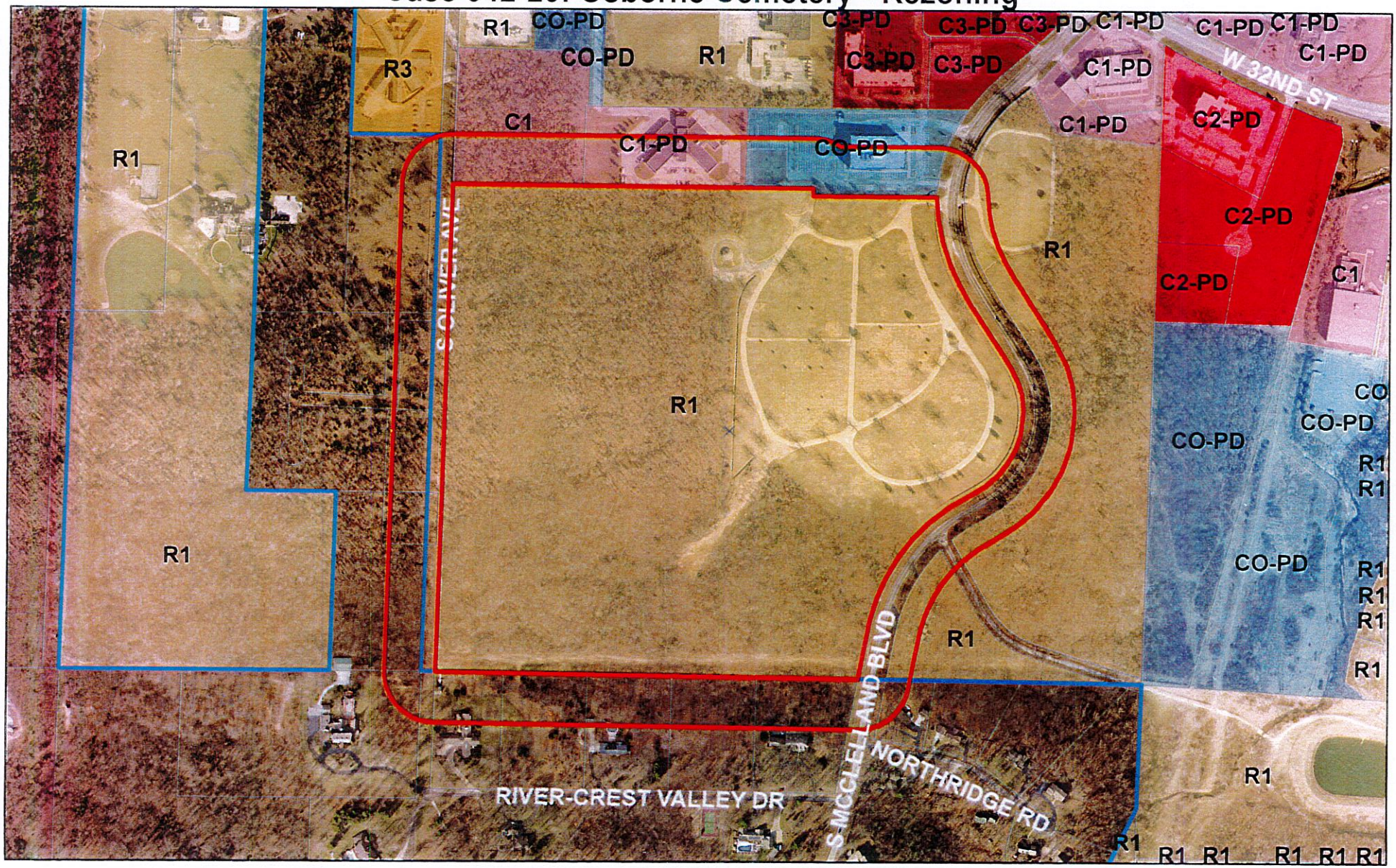
Persons of Note *Either* Interred at *or* Associated with Osborne Cemetery *(Note: This list is a work in progress rather than a comprehensive list.)*

- Osborne, Jesse F. – Community leader, former mayor, lawyer, realtor The Jesse F. Osborne House is listed as a Local Landmark.

Veterans Interred at Osborne Cemetery

- Spanish-American War
- World War I
- World War II
- Korea
- Vietnam

Case 042-20: Osborne Cemetery - Rezoning



Case 042-20: Osborne Cemetery – A request to remove from District R-1 (Single-family Residential) and include in District R-1-HP (Single-family Residential Historic Preservation) for Historic Preservation – City of Joplin

0 255 510 1,020 1,530 2,040 Feet

N

P & Z Case 042-20
City of Joplin
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-280 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District R-1 and including in District R-1-HP property as described below and known as Osborne Cemetery, City of Joplin, Newton County, Missouri.

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

Section 1. Having referred the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2004-256 is hereby amended by the following described property and including in District R-1-HP:

That part of the Northeast Quarter of Section 21, Township 27, Range 33, Newton County, Missouri, lying South of 32nd Street and West of McClelland Boulevard. EXCEPT All of a tract of land located in the Northeast Quarter of Section 21, Township 27 North, Range 33 West, Newton County, Missouri and described as follows: Beginning at the Northeast corner of Section 21, Township 27 North, Range 32 West, Newton County, Missouri; thence South 1°28'West along the East line of said Section 186.41 feet, more or less, to a point on the Northeast right of way line of proposed 32nd Street relocation; thence at an angle to the right of 118°55'30" (bearing North 59°36'30"West) a distance of 80.92 feet to a point on the Northeast right of way line of proposed 32nd Street relocation (100 feet Southeasterly from the Southeast right of way line of McClelland Boulevard); thence at an angle to the right of 39°56'30" (bearing North 19°40'West) a distance of 129.47 feet to a point on the Southeast right of way line of McClelland Boulevard and 150 feet Northeasterly from the center line of proposed 32nd Street relocation; thence at an angle to the right of 47°59'30" (bearing North 28°19'30"East) a distance of 26.58 feet to a point on the North line of said Section 21; thence at an angle to the right of 61°40'30" (bearing North 90°East) a distance of 105.5 feet, more or less to the point of beginning. AND EXCEPT Beginning at a point 634 feet East and 50 feet South of the Northwest corner of the Northeast Quarter of Section 21, Township 27 North, Range 33 West; thence East 870 feet parallel to the North line of said Northeast Quarter of said Section; thence South 500 feet parallel to the West line of said Northeast Quarter of said Section; thence West 870 feet, parallel to the North line of said Northeast Quarter of said Section; thence North 500 feet parallel to the West line of said Northeast Quarter of said Section to the point of beginning. All within the North Half of the Northeast Quarter of Section 21, Township 27 North, Range 33 West, Newton County, Missouri. AND EXCEPT A tract of land in the Northwest Quarter of the Northeast Quarter of Section 21, Township 27 North, Range 33 West, in the city of Joplin, Newton County, Missouri, being more particularly described as follows: Commencing at a 60d nail found at the North Quarter corner of Section 21, Township 27 North, Range 33 West, Newton County, Missouri; thence South 01°19'14"West 50.01 feet along the West line of the Northwest Quarter of the Northeast Quarter of said Section 21; thence East 25.01 feet to a 5/8 inch iron pin set at the intersection of the South right of way line of 32nd Street and the East right of way line of Oliver Avenue, for the true point of beginning; thence East 300.00 feet along the South right of way line of 32nd Street to a 5/8 inch iron pin set at the Northeast corner of the tract; thence South 01°19'14"West 300.00 feet to a 5/8 inch iron pin set at the Southeast corner of the tract; thence West 300.00 feet to a 5/8 inch iron pin set at the Southwest corner of the tract and the East right of way line of Oliver Avenue; thence North 01°19'14"East 300.00 feet along the East right of way line of Oliver Avenue to

the true point of beginning. AND EXCEPT A tract of land located in the Northeast Quarter of Section 21, Township 27, Range 33, in the city of Joplin, Newton County, Missouri and described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Northeast Quarter; thence South 01°42'35"West along the West line of said Northeast Quarter, a distance of 50.01 feet; thence South 89°36'28"East and parallel with the North line of said Northeast Quarter a distance of 1504.01 feet to the point of beginning of the tract to be described; thence continuing South 89°36'28"East and parallel with said North line a distance of 377.53 feet; thence on a curve to the right having a radius of 905.37 feet, a chord bearing of South 79°12'25"East a chord distance of 326.26 feet, an arc distance of 328.06 feet, thence South 06°25'38"East a distance of 121.77 feet to a point on the West right of way line of McClelland Boulevard; thence on a curve to the right, along said West right of way line, having a distance of 1292.44 feet, a chord bearing of South 46°56'48"West a chord distance of 179.41 feet, an arc distance of 179.56 feet; thence continuing along said West right of way line South 50°47'10"West a distance of 111.62 feet; thence continuing along said West right of way line on a curve to the left having a radius of 624.78 feet, a chord bearing of South 26°59'20"West, a chord distance of 504.89 feet, an arc distance of 519.75 feet; thence North 89°36'28"West and parallel with said North line of the Northeast Quarter, a distance of 444.92 feet; thence North 00°23'33"East a distance of 29.00 feet; thence North 89°36'28"West and parallel with said North line of the Northeast Quarter, a distance of 244.00 feet; thence North 01°42'35"East and parallel with the West line of said Northeast Quarter, a distance of 297.02 feet; thence South 89°36'28"East and parallel with said North line of the Northeast Quarter, a distance of 400.00 feet; thence North 01°42'35"East and parallel with the West line of said Northeast Quarter, a distance of 500.00 feet to the point of beginning. AND EXCEPT Part of the Northeast Quarter of Section 21, Township 27, Range 33, city of Joplin, Newton County, Missouri, described as: Commencing at the Northwest corner of the Northeast Quarter of said Section 21; thence South 01°42'35"West along the West line of said Northeast Quarter 50.01 feet; thence South 89°36'28"East and parallel with the North line of said Northeast Quarter 534.01 feet to the true point of beginning; thence continuing South 89°36'28"East 100.00 feet; thence South 00°41'30"West 500.00 feet; thence North 89°36'28"West 100.00 feet; thence North 00°41'30"East 500.00 feet to the true point of beginning. AND EXCEPT Part of the Northeast Quarter of Section 21, Township 27, Range 33, city of Joplin, Newton County, Missouri, described as: Commencing at the Northwest corner of the Northeast Quarter of said Section 21; thence South 01°42'35"West along the West line of said Northeast Quarter 50.01 feet; thence South 89°36'28"East and parallel with the North line of said Northeast Quarter 1404.01 feet to the true point of beginning; thence continuing South 89°36'28"East 100.00 feet; thence South 00°41'30"West 500.00 feet; thence North 89°36'28"West 100.00 feet; thence North 00°41'30"East 500.00 feet to the true point of beginning. AND EXCEPT Commencing at the Northwest corner of the Northeast Quarter of Section 21, Township 27, Range 33, in the city of Joplin, Newton County, Missouri, thence South 89°36'28"East 325.0 feet along the North line of said Section; thence South 01°42'35"West 60.0 feet to the point of beginning; thence South 89°36'28"East 209.0 feet; thence South 01°42'35"West 290.0 feet; thence North 89°36'28"West 209.0 feet; thence North 01°42'35"East 290.0 feet to the point of beginning. AND EXCEPT Commencing at the Northwest corner of the Northeast Quarter of Section 21, Township 27, Range 33, in the city of Joplin, Newton County, Missouri, thence South 01°42'35"West along the West line of the Northeast Quarter of said Section 50.01 feet; thence South 89°36'28"East and parallel with the North line of said section 1504.01 feet to a point on the South right of way of West 32nd Street; thence South 01°42'35"West 500.00 feet; thence North 89°36'28"West 400.00 feet to the point of beginning; thence South 01°42'35"West 297.00 feet; thence North 89°36'28"West 586.67 feet; thence North 01°42'35"East 297.00 feet; thence South 89°36'28"East 586.67 feet to the point of beginning. AND EXCEPT A portion of the Northeast Quarter of Section 21, Township 27 North, Range 33 West, in the city of Joplin, Newton County, Missouri, described as follows: Commencing at the Northwest corner of the Northeast Quarter of Section 21, Township 27 North, Range 33 West, in the city of Joplin, Newton County, Missouri; thence South 01°42'35"West along the West line of the Northeast Quarter of said section 50.01 feet; thence South 89°36'28"East and parallel with the North line of said section 1504.01 feet to a point on the South right of way of West 32nd Street; thence South 01°42'35"West 500.00 feet; thence North 89°36'28"West 986.67 feet to the point of beginning; thence South 01°42'35"West 297.00 feet; thence North 89°36'28"West 517.34 feet; thence North

01°42'35"East 500 feet; thence South 89°36'28"East 517.34 feet; thence South 01°42'35"West 203 feet to the point of beginning.

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided thereon.

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

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney