

**CITY OF JOPLIN
COUNCIL AGENDA ITEM**

ITEM:

CB 2019-253-Easement Vacation

MEETING DATE:

February 4, 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, City Manager- Sam Anselm.

SUMMARY REQUEST:

Case 003-19: Easement Vacation – A request to vacate a portion of an easement running north/south located north of 26th Street between Pearl Avenue and Wall Avenue – CA Gringos Property, LLC.

BACKGROUND:

There is a 321-foot utility easement that runs through the center of a half-acre parcel on 26th Street. Irving Elementary School formerly existed on that parcel and was constructed over the easement. The owner of the property plans to develop this parcel with a drive-through restaurant. On August 6, 2018 the Joplin City Council approved a rezoning request for this property. On such date the City Council examined the proposed site plan and approved it. However, that site plan would require the developer to build over the utility easement. If the easement vacation were approved, the applicant plans to have the utility easement re-routed to a location on the property that does not interfere with current development plans.

PLANNING & ZONING COMMISSION TESTIMONY:

Chris Parrish, 10435 County Road 260, Carl Junction, MO. He is also requesting the Easement vacation, which Andersen Engineering stated only gas runs through on that property. They have sent affidavits to the different utility companies. The utilities will horseshoe around the building.

Mr. Cortez asked Mr. Parrish if the building was going to sit in the middle of that lot. Mr. Parrish stated it will be on the south side of the wall, where the school was located.

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 003-19.

ATTACHMENTS

CB 2019- 253, Staff Planning Report, P&Z Commission Minutes