



**City Planning & Development Department**  
Development Management Division

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**STAFF REPORT**

**April 3, 2018**

**(2)**

**RE:** **Case No. 1743-V**

**APPLICANT:** Sheryl Vickers  
CRV, LLC  
3543 Broadway Ave  
Kansas City, MO 64111

**LOCATION:** Generally located at the east/west alley next south of E 31st Street from Mersington Avenue to Myrtle Avenue.

**REQUEST:** To vacate the east/west alley next south of E 31st Street from Mersington Avenue to Myrtle Avenue.

**SURROUNDING LAND USE:**  
**North** – undeveloped, zoned B3-2  
**South** – single-family residential, zoned R-5  
**East** – Myrtle Avenue, zoned B3-2 and R-5  
**West** – Mersington Avenue, zoned O-2

**LAND USE PLAN:** The Heart of the City Area Plan recommends mixed use neighborhood uses for the location.

**MAJOR STREET PLAN:** No adjacent Major Streets

**ARTERIAL STREET IMPACT FEE:** Not subject to impact fees as required by Chapter 39.

**PREVIOUS CASES:**

**Case 14892-P-** About 0.78 acre generally located at south of E 31<sup>st</sup> Street from Mersington on the west to Myrtle on the east, to consider approval of a project plan in District B3-2, to allow for the construction of 9,040 square foot retail building with a surface parking lot.

**PLAN REVIEW/ANALYSIS:**

The alley proposed for vacation is an east-west alley next south of E. 31<sup>st</sup> Street in between Mersington Avenue to the west and Myrtle Avenue to the east. The right-of-way is unconstructed and the subject site is currently unoccupied and a vacant field. Family Dollar recently purchased the property at 3909 E. 31<sup>st</sup> Street and now owns all property on the north side of the site.

A project plan for the construction of a new Family Dollar building was approved by City Plan Commission in 2017. The project plan conditioned that the east/west alley be vacated prior to issuance of building permit.

Staff has reviewed the request and required petition, consent and utility forms. Chapter 75, Vacation of Streets, Alleys, Plats and Easements requires that the Council may approve a vacation only if it determines that:

- (1) No private rights will be unreasonably injured or endangered by the vacation; and
- (2) The public will suffer no unreasonable loss or inconvenience thereby.

KCPL, AT&T, and Public Works Streetlights Division have identified utilities within the right-of-way. KCPL and AT&T request a full width easement. Public Works Streetlights requests that the existing transformer within the subject site be relocated at the owner's expense.

**RECOMMENDATION:**

Staff recommends **approval** of Case No. 1743-V with the following conditions of approval based on the application, plans and documents provided prior to the hearing:

1. That a full-width utility easement and any existing utilities be retained.
2. That the existing transformer within the subject area be relocated at the owner's expense. The relocation shall be coordinated with KCPL and KCMO Street Lighting Division.

Respectfully submitted,



Zach Nelson  
Planner