



# CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri  
City Planning & Development Department  
[www.kcmo.gov/cpc](http://www.kcmo.gov/cpc)

October 16, 2024

**Project Name**  
Archibald Avenue Vacation

**Docket #5**

**Request**  
CD-ROW-2024-00026  
Vacation of Public Right of Way

**Applicant**  
Aaron March  
Rouse Frets White Goss Gentile Rhodes,  
PC

**Location** 905 Westport Rd  
**Area** About 7,300 SF  
**Zoning** B3-2  
**Council District** Jackson  
**County** Jackson  
**School District** Kansas City

**Surrounding Land Uses**  
**North:** Commercial, Zoned B3-2  
**South:** Undeveloped, Zoned B3-2  
**East:** Residential, Zoned UR  
**West:** Undeveloped, Zoned B3-2

**Land Use Plan**  
The Midtown/Plaza Area Plan recommends Mixed Use Community uses for the subject property.

**Major Street Plan**  
The City's Major Street Plan does not identify Archibald Avenue at this location

## APPROVAL PROCESS



## SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of a Vacation of Public Right-of-Way in District B3-2 (Commercial) of about 7,300 SF generally located on Archibald Avenue between Roanoke Road and Madison Avenue.

## PROJECT TIMELINE

The application for the subject request was filed on September 4, 2024. No scheduling deviations from 2024 Cycle 10.2 have occurred.

## NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification is not required for Vacations of Public Right of Way therefore notice is not sent.

## REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 does not apply to this request.

## EXISTING CONDITIONS

The subject right of way which is proposed to be vacated is a portion of an improved parking lot. It serves as one of two primary accesses to the parcels for the commercial center.

## CONTROLLING CASE

There is no controlling case for this site.

## PROFESSIONAL STAFF RECOMMENDATION

Docket #5 Recommendation: **Approval Subject to Conditions**

**VICINITY MAP****VACATION REVIEW**

The street requested to be vacated is currently improved street which connects dead ends to the west before Madison Avenue. It only serves as parking and vehicular ingress/egress from the commercial center which formerly has been anchored by Blockbuster and Mattress Firm. It does not serve as the access to any other parcel.

There are public and private utilities within the Public Right-of-Way. Public Utilities include KCMO Water Services and KCMO Public Works Street Lights. Private Utilities include Spire, Spectrum Charter, and Evergy. Please see the attached Conditions Report for associated conditions placed by the Utility Companies.

**SPECIFIC REVIEW CRITERIA****Street, Alley or Plat Vacations**

In order to determine that no private rights will be unreasonably injured or endangered by the vacation and the public will suffer no unreasonable loss or inconvenience, the city planning and development director, city plan commission, and city council must consider at least the following factors:

**88-560-10-A. All property owners adjacent to the right-of-way shall have legal access to another public right-of-way. Such access shall be physically feasible and shall not result in an unreasonable burden or unsafe conditions on the alternate right-of-way.**

All adjacent property owners will retain legal access to public right-of-way.

**88-560-10-B. The retention of the public right-of-way or subdivision serves no current purposes and no future**

**useful public purpose is anticipated.**

The street in question does not serve any current or future public purpose other than access to the parcel containing the commercial center.

**88-560-10-C. The vacation will not result in a violation of 88-405.**

The vacation will not be in violation of 88-405.

**88-560-10-D. The vacation shall not disrupt the constructed street network or reduce existing physical connectivity.**

The vacation will not disrupt any street network and will not have an impact on the physical connectivity.

**88-560-10-E. The vacation shall not result in a dead-end street or alley.**

The proposed vacation will not result in a dead-end street or alley, as the entirety of the street is proposed for vacation.

**88-560-10-F. The vacation shall not result in street traffic being routed through an alley.**

No traffic will be routed through an alley as a result of this vacation.

**88-560-10-G. The vacation shall not vacate half the width of a street or alley.**

This vacation will not vacate half the width of any street or alley.

**88-560-10-H. The right-of-way to be vacated is not on the Major Street Plan.**

The area being vacated is not on the Major Street Plan.

**ATTACHMENTS**

1. Conditions Report
2. Applicants Submittal
  - a. Exhibit
  - b. Legal Description
  - c. Petition to Vacate
  - d. Consent to Vacate
  - e. Utility Comment Sheets

**PROFESSIONAL STAFF RECOMMENDATION**

City staff recommends **Approval Subject to Conditions** as stated in the conditions report.

Respectfully Submitted,



Matthew Barnes, AICP  
Lead Planner



## Plan Conditions

Report Date: October 10, 2024

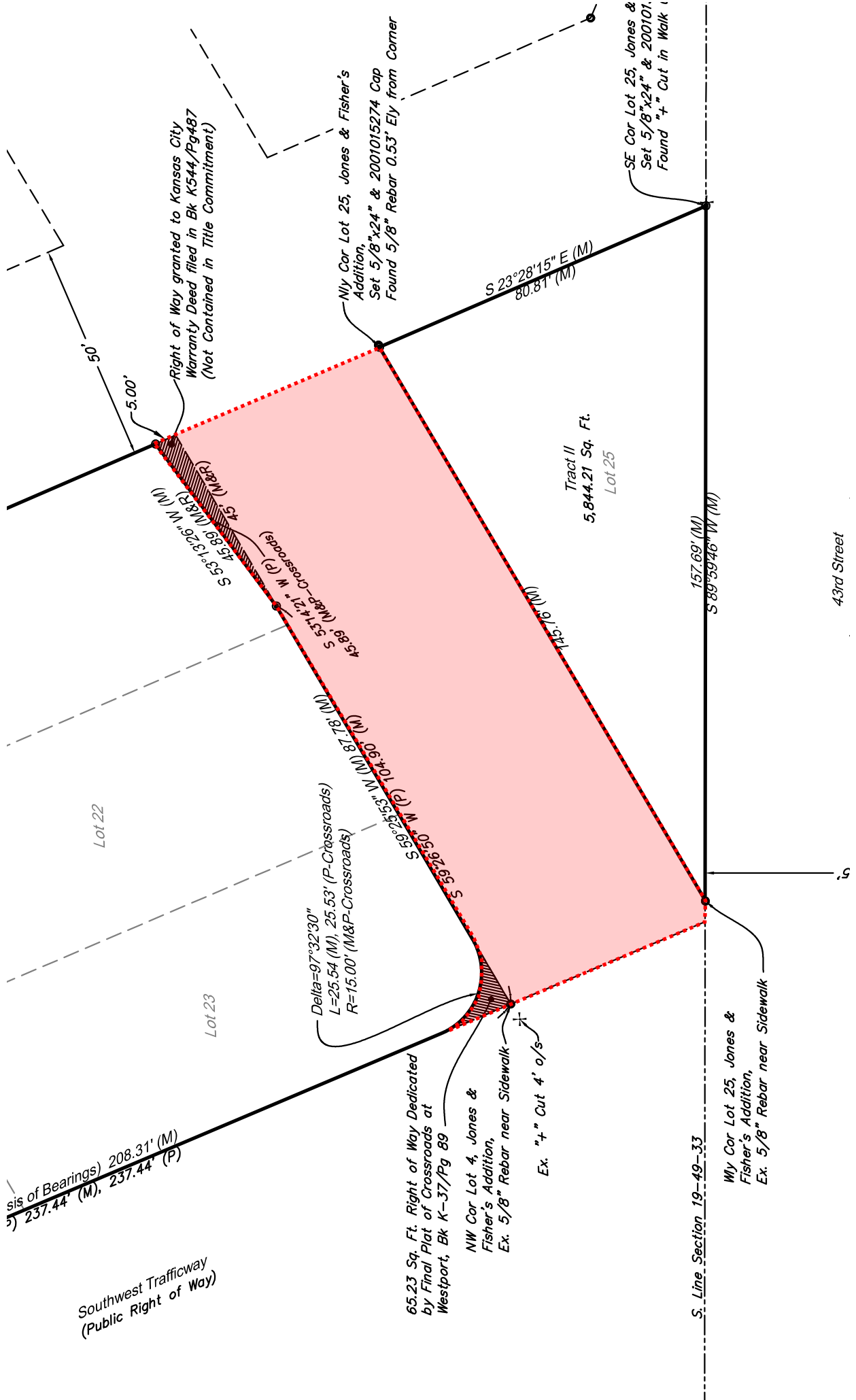
Case Number: CD-ROW-2024-00026

Project: Archibald Avenue Vacation

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*Condition(s) by City Planning and Development Department. Contact Matthew Barnes at (816) 513-8817 / matthew.barnes@kcmo.org with questions.*

1. That the applicant shall retain all utility easements and protect facilities required by Evergy.
2. That the applicant remove all streetlight poles along Archibald Avenue between Roanoke Road and Madison Avenue and return the streetlights to Public Works in coordination with Public Works Streetlighting at the applicant's cost.
3. That the applicant shall retain all utility easements and protect facilities required by KCMO Water Services.
4. That the applicant shall retain all utility easements and protect facilities or relocate facilities as required by Spectrum Charter.
5. That the applicant shall retain all utility easements and protect facilities required by Spire.



(Basis of Bearings) 208.31' (M)  
 237.44' (M), 237.44' (P)

Southwest Trafficway  
 (Public Right of Way)

Lot 22

Lot 23

Right of Way granted to Kansas City  
 Warranty Deed filed in Bk K544/Pg487  
 (Not Contained in Title Commitment)

Nly Cor Lot 25, Jones & Fisher's  
 Addition,  
 Set 5/8" x 24" & 2001015274 Cap  
 Found 5/8" Rebar 0.53' Ely from Corner

SE Cor Lot 25, Jones &  
 Fisher's Addition,  
 Set 5/8" x 24" & 200101.  
 Found "+" Cut in Walk

Tract II  
 Lot 25  
 5,844.21 Sq. Ft.

Delta=97°32'30"  
 L=25.54 (M), 25.53' (P-Crossroads)  
 R=15.00' (M&P-Crossroads)

NW Cor Lot 4, Jones &  
 Fisher's Addition,  
 Ex. 5/8" Rebar near Sidewalk

Ex. "+" Cut 4' o/s

S. Line Section 19-49-33

NW Cor Lot 25, Jones &  
 Fisher's Addition,  
 Ex. 5/8" Rebar near Sidewalk

43rd Street

5.00'

45' (M&P)

S 53°13'26" W (M)

45.89' (M&P)

S 53°13'26" W (M)

45.89' (M&P)

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S 53°13'26" W (M)

45.89' (M&P)

S 53°13'26" W (M)

45.89' (M&P)

S 23°28'15" E (M)  
80.81' (M)

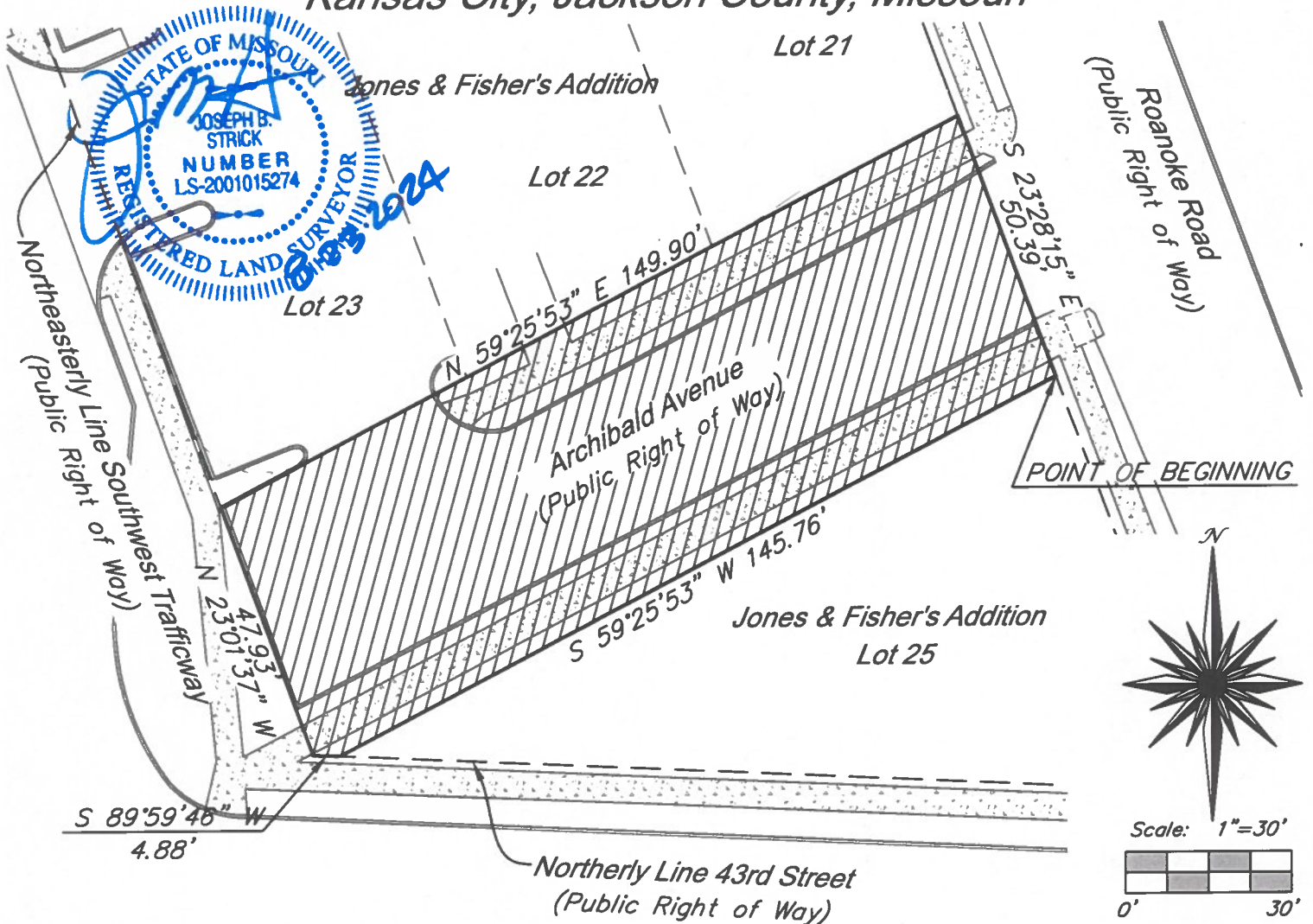
157.69' (M)

S 89°59'46" W (M)

# Attachment A

## Vacation Exhibit

**Pt. ARCHIBALD AVENUE within JONES & FISHER'S ADDITION**  
**Kansas City, Jackson County, Missouri**



### Vacation Description:

All that part of Archibald Avenue, lying within Jones & Fisher's Addition, a subdivision in Kansas City, Jackson County, Missouri an lying between Roanoke Road and Southwest Trafficway as they both now exist, the area to be vacated being more particularly described as follows:

**BEGINNING** at the Northeast corner of Lot 25, said Jones and Fisher's Addition, thence South 59°25'33" West, along the Northwestern line of said Lot 25, a distance of 145.76 feet to the Westernmost corner of said Lot 25; thence South 89°59'46" West, along the Westerly prolongation of the Southerly line of said Lot 25, a distance of 4.88 feet to the intersection of said Southerly line with the Southerly prolongation of the Westerly line Lot 23, said Jones and Fisher's Addition; thence North 23°01'37" West, along said Westerly line, a distance of 47.93 feet to the Southwesterly corner of Lot 23, said Jones and Fisher's Addition; thence North 59°25'53" East, along the Southerly line of Lots 23 to 21, inclusive, of said Jones and Fisher's Addition, a distance of 149.90 feet to the Southeast corner of said Lot 21, said point being on the Westerly line of Roanoke Road as now exists; thence South 23°28'15" East, along said Westerly line, a distance of 50.39 feet to the POINT OF BEGINNING.

**STRICK**  
& COMPANY, INC.

PROFESSIONAL LAND SURVEYORS

806 S. Creekside Drive, Gardner KS 66030 913.856.0164 (fax) 913.856.0165

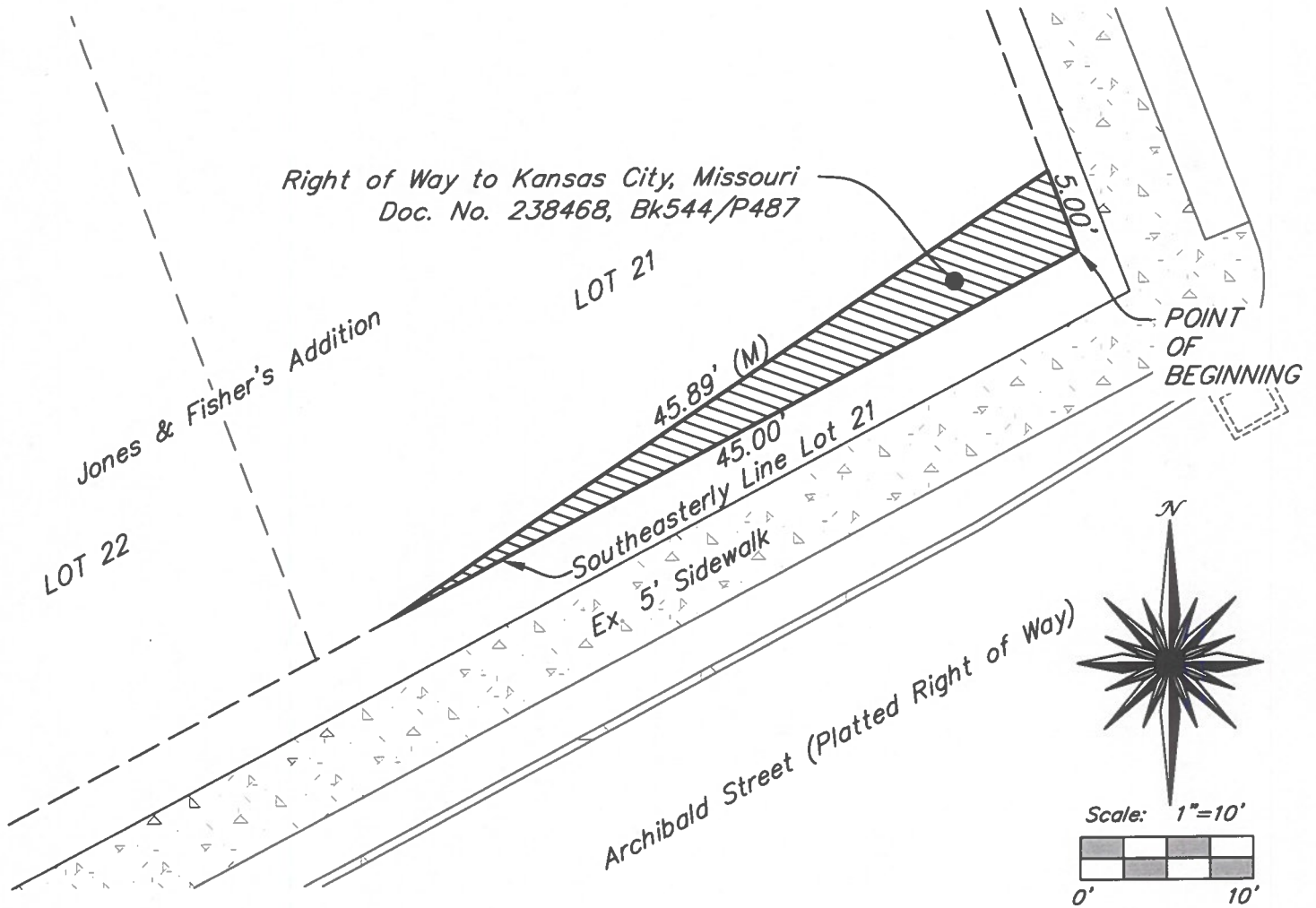
Proj. No: 23041\_Vac Exhibit\_Lot 21

# Attachment A

## Vacation Exhibit

### Pt. LOT 21, JONES & FISHER'S ADDITION

#### Kansas City, Jackson County, Missouri



**Vacation Description:**

All that part of Lot 21, Jones & Fisher's Addition, a subdivision in Kansas City, Jackson County, Missouri which is described in Corporation Warranty Deed filed for record as Document K238468, in Book K544 at Page 487 as follows:

*BEGINNING* at the Southeast Corner of said Lot 21; thence Northwestly along the Easterly line of said lot, 5 feet; thence Southwestly along a straight line to a point on the Southeasterly line of said Lot 21, 45 feet West of the Southeast corner thereof; thence Northeastly along the Southerly line of said lot, 45 feet to the *POINT OF BEGINNING*.



# STRICK

## & COMPANY, INC.

PROFESSIONAL LAND SURVEYORS

806 S. Creekside Drive, Gardner KS 66030 913.856.0164 (fax) 913.856.0165

Proj. No: 23041\_Vac Exhibit\_Lot 21

K238468

Demaree Stationery Co., 205 Walnut, Kansas City, Mo.

44, 01

# Corporation Warranty Deed

K 544P 487

This Indenture, Made on the 12th day of February, A. D., One Thousand Nine Hundred and Seventy-four, by and between MIDWEST BANCORPORATION, INC.,

a corporation duly organized under the laws of the State of Missouri -----, of the County of Jackson -----, State of Missouri -----, party of the first part, and KANSAS CITY, MISSOURI, A MUNICIPAL CORPORATION,

of the County of Jackson -----, State of Missouri -----, party of the second part, (Mailing address of said first named grantee is 2800 City Hall, Kansas City, Missouri )

WITNESSETH: THAT SAID PARTY OF THE FIRST PART, in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration ----- DOLLARS, to it in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, does by these presents, GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM, unto the said party ---- of the second part, its succes<sup>9018</sup>ors and assigns, the following described lots, tracts or parcels of land, lying, being and situate in the County of Jackson ----- and State of

Missouri, ----- to-wit: All that part of lot 21 Jones and Fisher's Addition, a subdivision in Kansas City, Jackson County, Missouri, described as follows: Beginning at the Southeast corner of said Lot 21; thence Northwesterly along the Easterly line of said lot, 5 feet; thence Southwesterly along a straight line to a point in the Southerly line of said Lot 21, 45 feet West of the Southeast corner thereof; thence North-easterly along the Southerly line of said lot, 45 feet to the point of beginning.

05-14-74

For street purposes as a part of Archibald Avenue together with easements in remaining lands on the abutting property along and adjacent to said street where required for the location, construction and maintenance of an embankment or for sloping the sides of cuts back to construct and maintain said street at the established grade; also, said party of the first part is hereby waiving damages, if any, by reason of the grading of said street.

TO HAVE AND TO HOLD, The premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said party ----- of the second part and unto its successors ----- heirs and assigns forever, the said first party -----

herby covenanting that ~~the said premises are free and clear from any~~ the said premises are free and clear from any incumbrance done or suffered by it; ~~or those under which it is claimed~~ and that it

will warrant and defend the title of the said premises unto the said party ----- of the second part and unto its succes<sup>9018</sup>ors and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part has caused these presents to be signed by its President and attested by its Secretary, and the corporate seal to be hereto attached, the day and year first above written.

R. J. Mellie  
R. J. MELLIE Secretary.

MIDWEST BANCORPORATION, INC.  
By Clark G. McCorkle  
CLARK G. McCORKLE President.

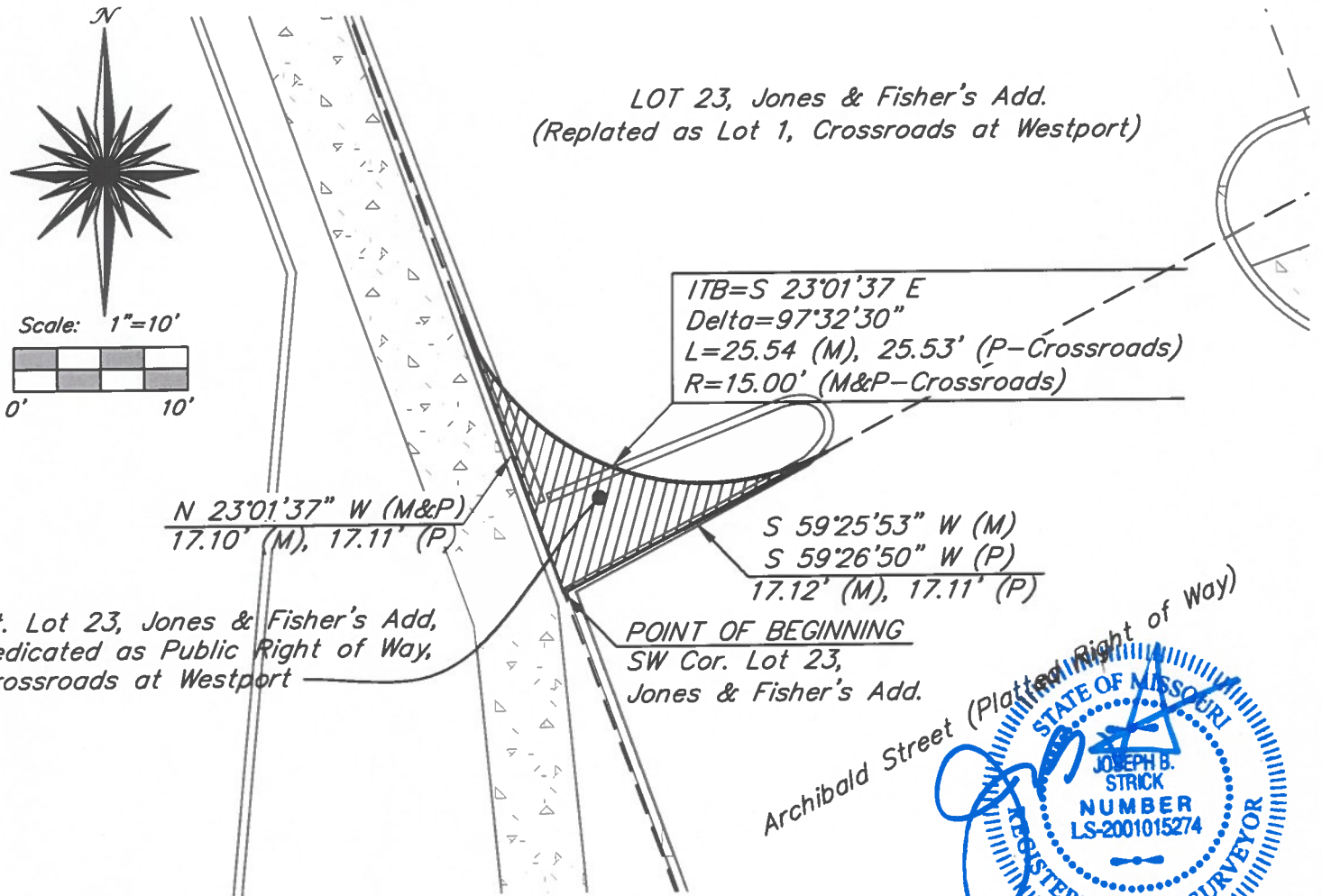


# Attachment A

## Vacation Exhibit

### Pt. LOT 23, JONES & FISHER'S ADDITION & Pt. LOT 1, CROSSROADS AT WESTPORT

Kansas City, Jackson County, Missouri



#### Vacation Description:

All that part of Lot 23, Jones & Fisher's Addition, a subdivision in Kansas City, Jackson County, Missouri, dedicated as public right of way by the plat of Crossroads at Westport, filed for record as Document K883488 in Plat Book K37 at Page 89 and more particularly described as follows:

BEGINNING at the Southwest corner of Lot 23, said Jones and Fisher's Addition; thence North 23°01'37" West, along the Westerly line of said Lot 23, a distance of 17.10' (measured, 17.11' platted) to a point on the southerly line of Crossroads at Westport; thence Southeasterly and Easterly along a curve to left along the Southerly line of said Crossroads at Westport, said curve having an Initial Tangent Bearing of S 23°01'37" East, Radius of 15.00 feet, Delta of 97°32'30" (measured), for an Arc Length of 25.54' (measured, 25.53' platted) to a point on the Southeast line of Lot 23, said Jones and Fisher's Addition; thence South 59°25'53" West, a distance of 17.12 feet (measured, S59°26'50" W, 17.11' platted) to the POINT OF BEGINNING.

# STRICK

& COMPANY, INC.

PROFESSIONAL LAND SURVEYORS

806 S. Creekside Drive, Gardner KS 66030 913.856.0164 (fax) 913.856.0165

Proj. No: 23041\_Vac Exhibit\_Lot 23



# PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12<sup>th</sup> Street, 15<sup>th</sup> floor; Kansas City, MO 64106-2795  
Phone (816) 513-8801 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

**CASE NO. CD-ROW-2024-00026**

To the Honorable Council of Kansas City, Missouri:

The undersigned, being an owner of real estate fronting and abutting on the portion of the area hereinafter described, for the vacation of which this petition is filed, does hereby petition the Council of Kansas City to pass an ordinance vacating:

Archibald Avenue (see attached legal descriptions)

The undersigned petitioner agrees in consideration of the vacation that if, because of said vacation, any public improvements are to be made, or repaired, or made or repaired by the City on any street, avenue, alley, thoroughfare or public property intersected by the area to be vacated, the cost of such improvements or repairs shall be paid by the undersigned petitioner upon demand from the City.

<p>Filed _____, 20____</p> <p>_____ by _____</p> <p>City Clerk Deputy</p>
---



# PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12<sup>th</sup> Street, 15<sup>th</sup> floor; Kansas City, MO 64106-2795  
Phone (816) 513-8801 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

**CASE NO. CD-ROW-2024-00026**

Following are the names of the property owners owning or claiming to own all the property abutting said area proposed to be vacated:

Owner's name	Legal description of property	Residence of owner
Zwillo Westport Crossing LLC	Church Jones Fishers Addition Lot 25  Lots 4, 5, 21 and 23, and the Southerly 40 feet of Lot 6, and all of the vacated alley adjoining said lots, JONES & FISHER'S ADDITION. Aforesaid property included with the boundaries of the recorded plat of CROSSROAD AT WESTPORT.	817 Westport Road Kansas City, MO 64111

(attach additional sheets if required)

ZWILLO WESTPORT CROSSING LLC

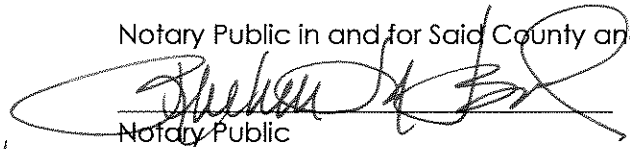
  
\_\_\_\_\_  
Petitioner

STATE OF MISSOURI )  
COUNTY OF JACKSON ) ss.

On this 13 day of September in the year 2024, before me, a Notary Public in and for said state, personally appeared J. Zimmerman, known to me to be the person who executed the within instrument and acknowledged to me that he/she executed the same for the purposes therein stated, and that he/she knows personally that the persons named on the above and foregoing petition are the persons owning or claiming to own the property set opposite their names, and that they own or claim to own all the property abutting said area to be vacated.

Subscribed and sworn to before me on this 13 day of September, 2024.

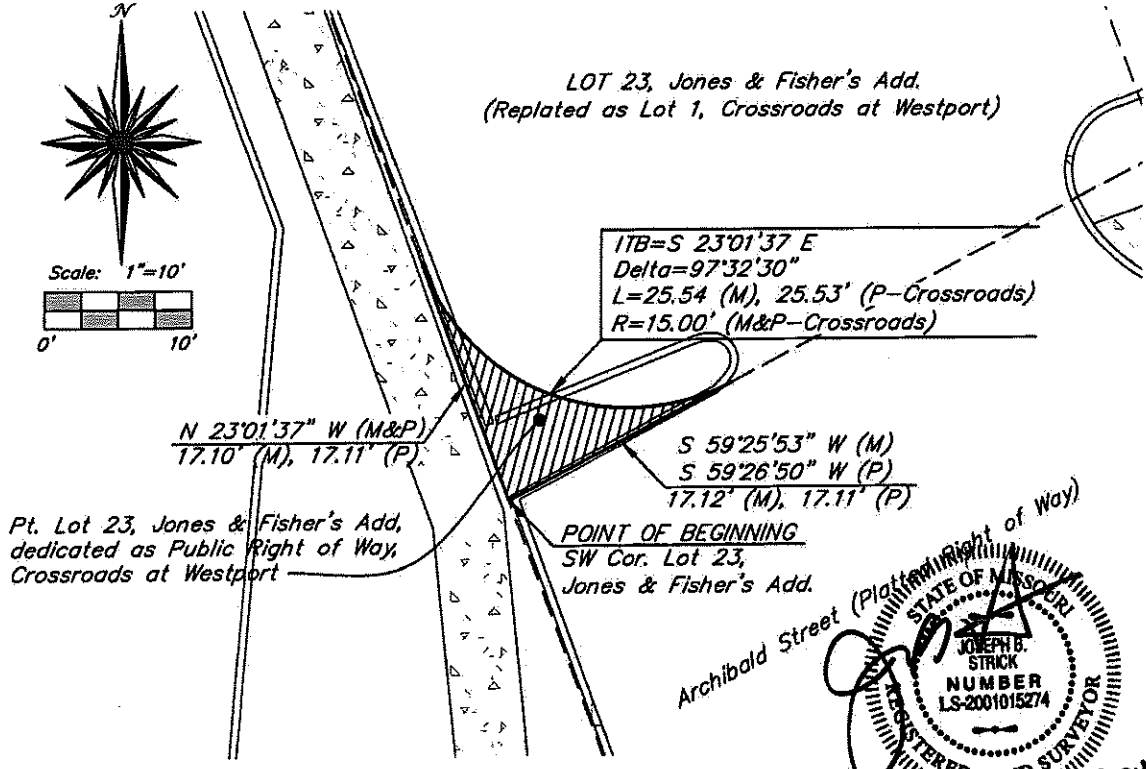
Notary Public in and for Said County and State

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 7/31/28

RACHELLE M. BIONDO  
NOTARY PUBLIC - NOTARY SEAL  
STATE OF MISSOURI  
MY COMMISSION EXPIRES JULY 31, 2028  
JACKSON COUNTY  
COMMISSION #12499262

**Attachment A**  
**Vacation Exhibit**  
**Pt. LOT 23, JONES & FISHER'S ADDITION**  
**& Pt. LOT 1, CROSSROADS AT WESTPORT**  
**Kansas City, Jackson County, Missouri**



**Vacation Description:**

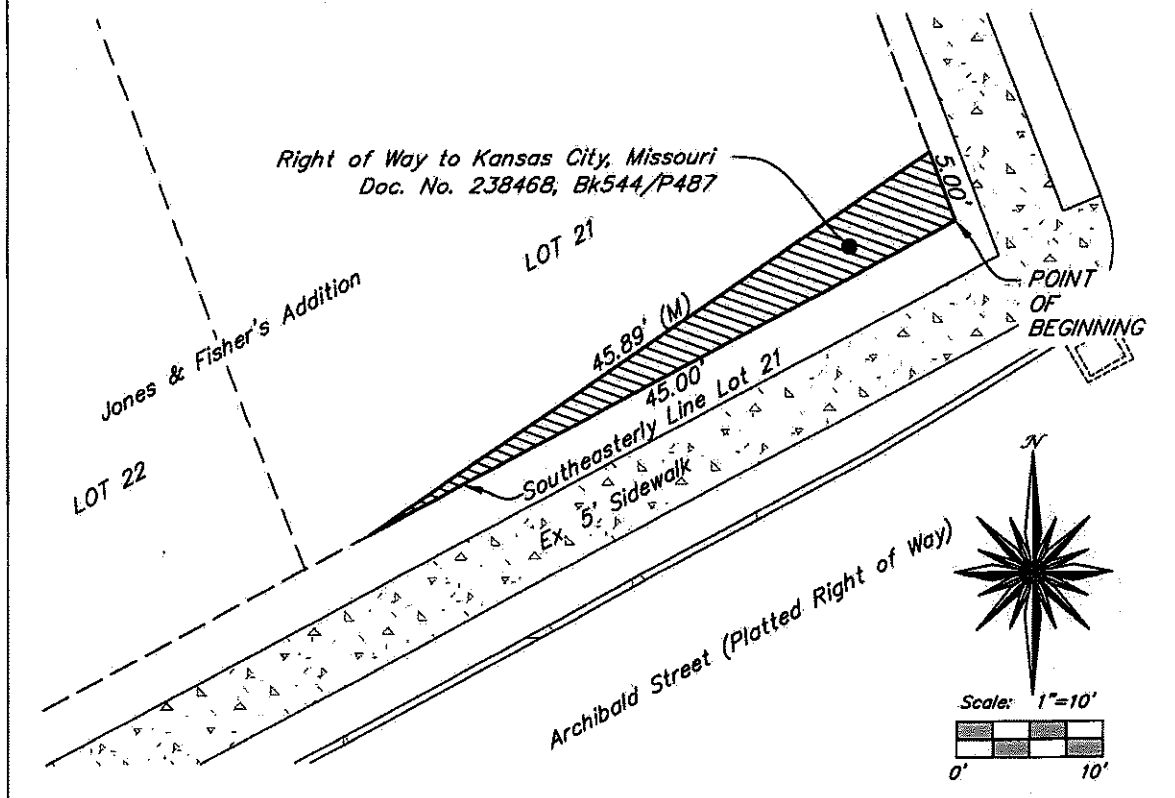
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**STRICK**  
 & COMPANY, INC.

PROFESSIONAL LAND SURVEYORS  
 806 S. Creekside Drive, Gardner KS 66030 913.856.0164 (fax) 913.856.0165  
 Proj. No: 23041\_Vac Exhibit\_Lot 23

**Attachment A**  
**Vacation Exhibit**  
**Pt. LOT 21, JONES & FISHER'S ADDITION**  
**Kansas City, Jackson County, Missouri**



**Vacation Description:**

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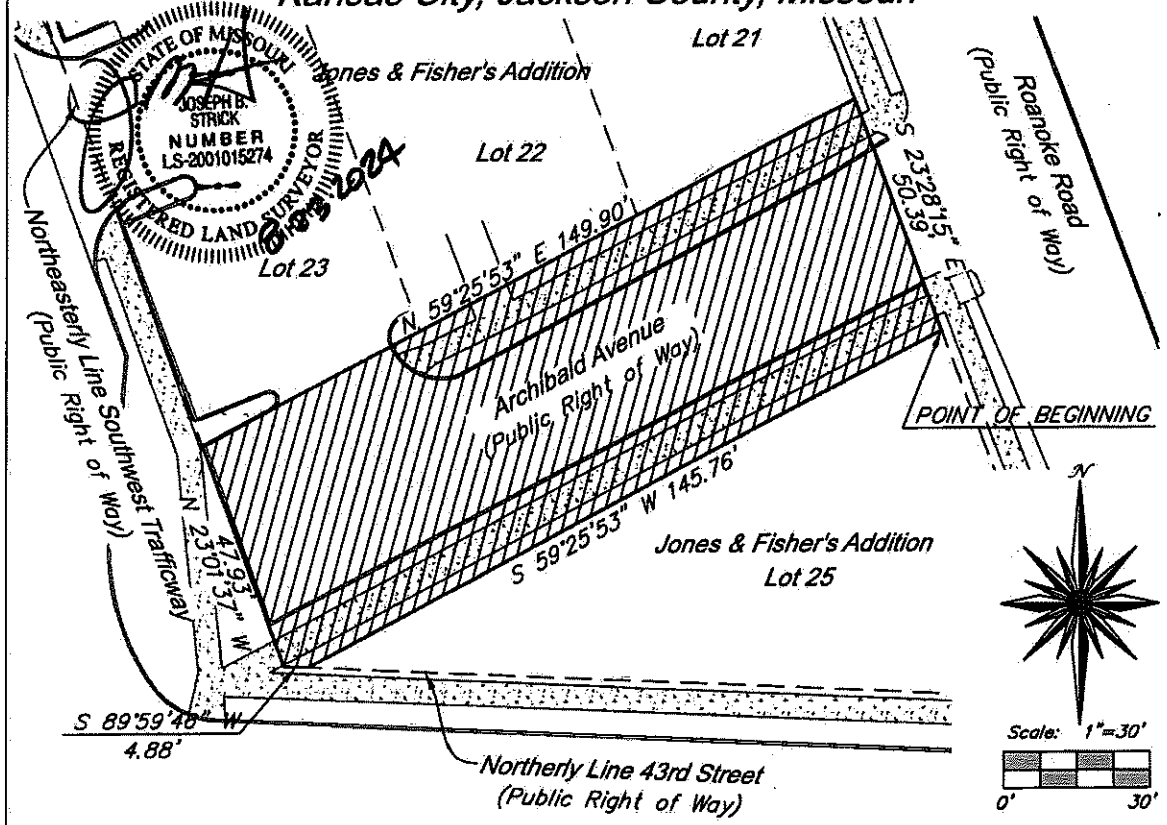


**STRICK**  
**& COMPANY, INC.**  
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 Proj. No: 23041\_Vac Exhibit\_Lot 21

# Attachment A

## Vacation Exhibit

### Pt. ARCHIBALD AVENUE within JONES & FISHER'S ADDITION Kansas City, Jackson County, Missouri



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**STRICK**  
& COMPANY, INC.

PROFESSIONAL LAND SURVEYORS  
806 S. Creekside Drive, Gardner KS 66030 813.856.0164 (fax) 913.856.0165  
Proj. No: 23041\_Vac Exhibit\_Lot 21



# CONSENT FOR VACATION OF STREETS, ALLEYS AND PLATS

**City Planning & Development Department**  
City Hall, 414 E. 12<sup>th</sup> Street, 15<sup>th</sup> floor; Kansas City, MO 64106-2795  
Phone (816) 513-8801 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

**CASE NO. CD-ROW-2024-00026**

In the matter of the vacation of: Archibald Avenue

(See attached legal descriptions)

Know all men by these presents: That the undersigned, being owners of the real estate described below set opposite our names respectively and immediately adjoining the area for the vacation of which a petition has been filed, do as such abutting owners hereby consent that said area may be vacated in manner and form, as set out in said petition. We severally own the property set opposite our names printed and signed below.

<p>Filed _____, 20____</p> <p>_____ by _____</p> <p>City Clerk Deputy</p>
---



# CONSENT FOR VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12<sup>th</sup> Street, 15<sup>th</sup> floor; Kansas City, MO 64106-2795  
Phone (816) 513-8801 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

CONSENT OF LIMITED LIABILITY COMPANIES

CASE NO. CD-ROW-2024-00026

Owner's name	Legal description of property
Zwillo Westport Crossing LLC  By: <u>[Signature]</u> Name: <u>Joe Zwilling</u> Title: <u>Owner</u>	Church Jones Fishers Addition Lot 25  Lots 4, 5, 21 and 23, and the Southerly 40 feet of Lot 6, and all of the vacated alley adjoining said lots, JONES & FISHER'S ADDITION. Aforesaid property included with the boundaries of the recorded plat of CROSSROAD AT WESTPORT.

(additional sheets attached as required)

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF JACKSON )

On this 13 day of September, 2024, before me, a Notary Public in and for said state, personally appeared Joe Zwilling, who being by me duly sworn did say that he/she is the managing member of Zwillo Westport Crossing a MO limited liability company, and that the within instrument was signed and sealed in behalf of said limited liability company by authority of its members, and acknowledged said instrument to be the free act and deed of said limited liability company for the purposes therein stated.

Subscribed and sworn to before me on this 13 day of September, 2024.

Notary Public in and for Said County and State

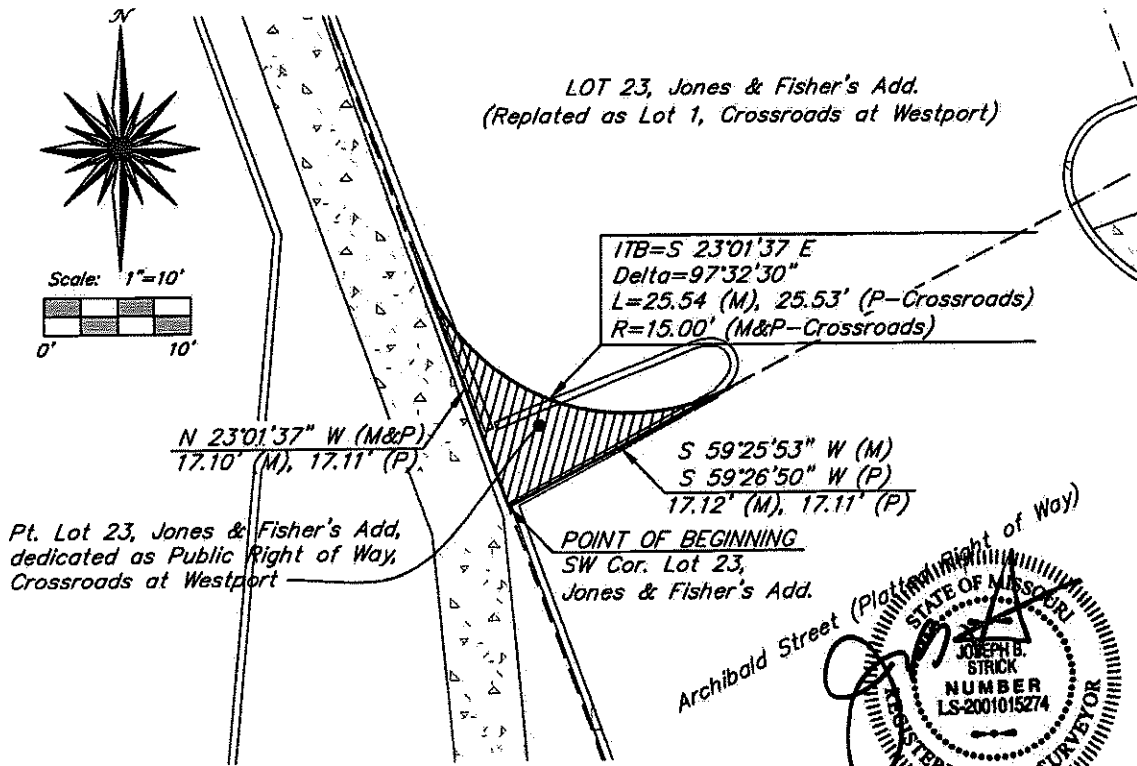
[Signature]  
Notary Public

My Commission Expires: 7/31/28

RACHELLE M. BIONDO  
NOTARY PUBLIC - NOTARY SEAL  
STATE OF MISSOURI  
MY COMMISSION EXPIRES JULY 31, 2028  
JACKSON COUNTY  
COMMISSION #12499262



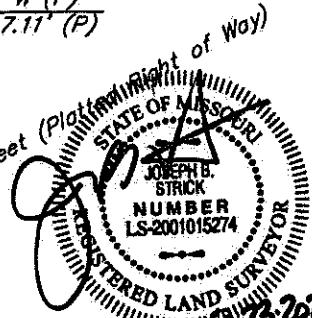
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**Pt. LOT 23, JONES & FISHER'S ADDITION**  
**& Pt. LOT 1, CROSSROADS AT WESTPORT**  
**Kansas City, Jackson County, Missouri**



Pt. Lot 23, Jones & Fisher's Add,  
 dedicated as Public Right of Way,  
 Crossroads at Westport

**POINT OF BEGINNING**  
 SW Cor. Lot 23,  
 Jones & Fisher's Add.

Archibald Street (Platted Right of Way)



**Vacation Description:**

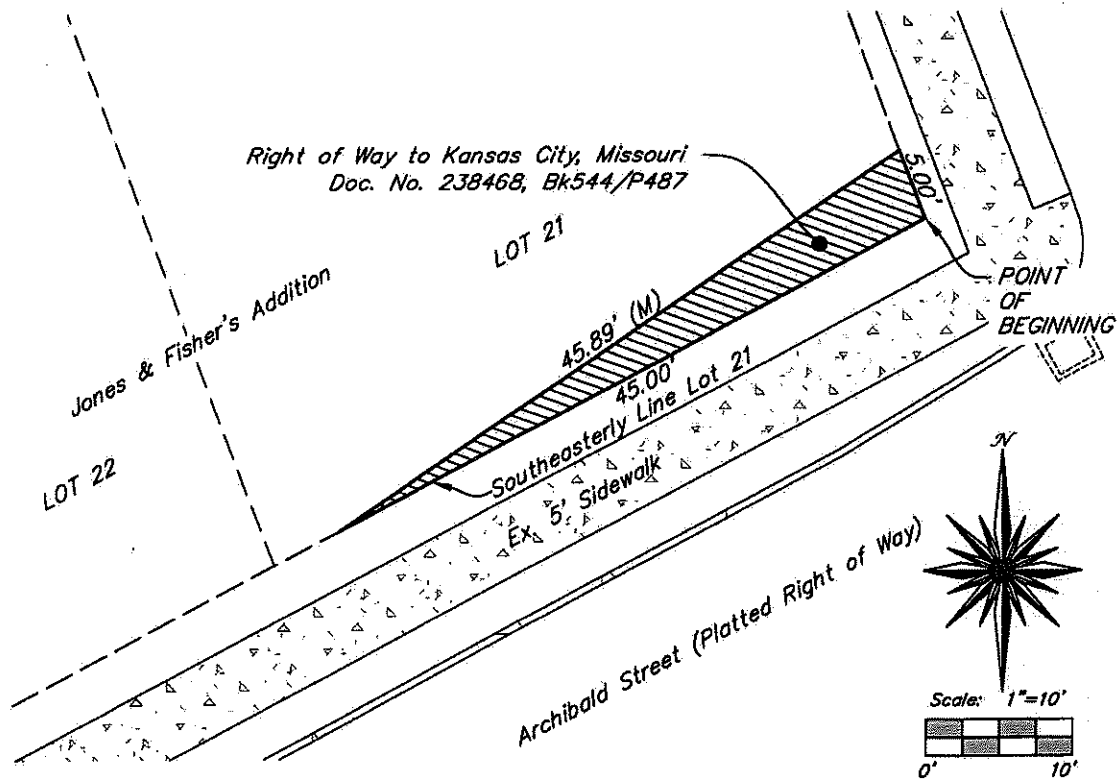
All that part of Lot 23, Jones & Fisher's Addition, a subdivision in Kansas City, Jackson County, Missouri, dedicated as public right of way by the plat of Crossroads at Westport, filed for record as Document K883488 in Plat Book K37 at Page 89 and more particularly described as follows:

**BEGINNING** at the Southwest corner of Lot 23, said Jones and Fisher's Addition; thence North 23°01'37" West, along the Westerly line of said Lot 23, a distance of 17.10' (measured, 17.11' platted) to a point on the southerly line of Crossroads at Westport; thence Southeasterly and Easterly along a curve to left along the Southerly line of said Crossroads at Westport, said curve having an Initial Tangent Bearing of S 23°01'37" East; Radius of 15.00 feet, Delta of 97°32'30" (measured), for an Arc Length of 25.54' (measured, 25.53' platted) to a point on the Southeast line of Lot 23, said Jones and Fisher's Addition; thence South 59°25'53" West, a distance of 17.12 feet (measured, 17.11' platted) to the **POINT OF BEGINNING**.

**STRICK**  
**& COMPANY, INC.**

PROFESSIONAL LAND SURVEYORS  
 806 S. Creekside Drive, Gardner KS 66030 913.856.0164 (fax) 913.856.0165  
 Proj. No: 23041\_Vac Exhibit\_Lot 23

**Attachment A**  
**Vacation Exhibit**  
**Pt. LOT 21, JONES & FISHER'S ADDITION**  
**Kansas City, Jackson County, Missouri**



**Vacation Description:**

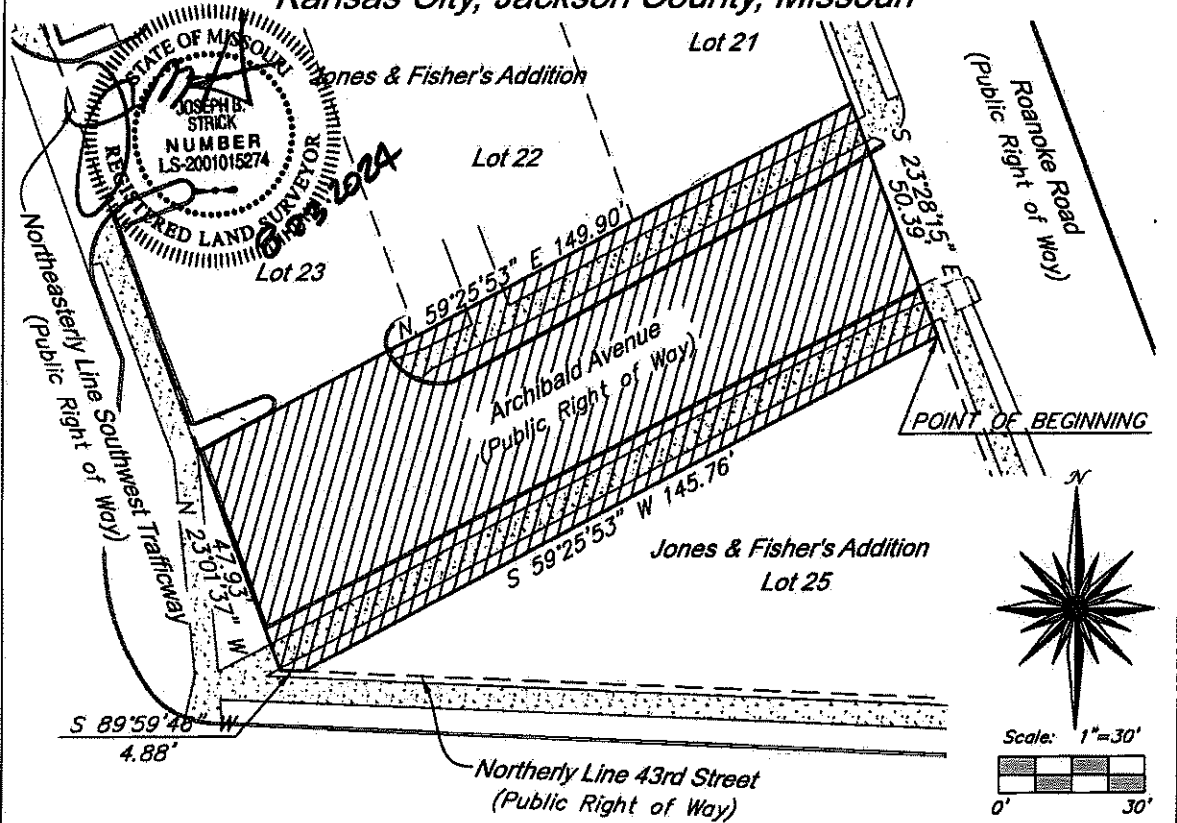
All that part of Lot 21, Jones & Fisher's Addition, a subdivision in Kansas City, Jackson County, Missouri which is described in Corporation Warranty Deed filed for record as Document K238468, in Book K544 at Page 487 as follows:

*BEGINNING* at the Southeast Corner of said Lot 21; thence Northwestery along the Easterly line of said lot, 5 feet; thence Southwestery along a straight line to a point on the Southeasterly line of said Lot 21, 45 feet West of the Southeast corner thereof; thence Northeastery along the Southerly line of said lot, 45 feet to the *POINT OF BEGINNING*.



**STRICK**  
**& COMPANY, INC.**  
 PROFESSIONAL LAND SURVEYORS  
 806 S. Creekside Drive, Gardner KS 66030 913.856.0164 (fax) 913.856.0165  
 Proj. No: 23041\_Vac Exhibit\_Lot 21

**Attachment A**  
**Vacation Exhibit**  
**Pt. ARCHIBALD AVENUE within JONES & FISHER'S ADDITION**  
**Kansas City, Jackson County, Missouri**



**Vacation Description:**

All that part of Archibald Avenue, lying within Jones & Fisher's Addition, a subdivision in Kansas City, Jackson County, Missouri an lying between Roanoke Road and Southwest Trafficway as they both now exist, the area to be vacated being more particularly described as follows:

**BEGINNING** at the Northeast corner of Lot 25, said Jones and Fisher's Addition, thence South 59°25'33" West, along the Northwestern line of said Lot 25, a distance of 145.76 feet to the Westernmost corner of said Lot 25; thence South 89°59'46" West, along the Westerly prolongation of the Southerly line of said Lot 25, a distance of 4.88 feet to the intersection of said Southerly line with the Southerly prolongation of the Westerly line Lot 23, said Jones and Fisher's Addition; thence North 23°01'37" West, along said Westerly line, a distance of 47.93 feet to the Southwesterly corner of Lot 23, said Jones and Fisher's Addition; thence North 59°25'53" East, along the Southerly line of Lots 23 to 21, inclusive, of said Jones and Fisher's Addition, a distance of 149.90 feet to the Southeast corner of said Lot 21, said point being on the Westerly line of Roanoke Road as now exists; thence South 23°28'15" East, along said Westerly line, a distance of 50.39 feet to the POINT OF BEGINNING.

**STRICK**  
**& COMPANY, INC.**

PROFESSIONAL LAND SURVEYORS  
 806 S. Creekside Drive, Gardner KS 66030 913.856.0164 (fax) 913.856.0185  
 Proj. No: 23041\_Vac Exhibit\_Lot 21



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795  
Phone (816) 513-2846 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

**CASE NO. CD-ROW-2024-00026**

**UTILITY/AGENCY KCMO Water Services Department: System Engineering Division**

Be it known that Zwillio Westport Crossing LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

Archibald Avenue

for the following purpose: To formally make the ROW part of the parking lot serving the retail shopping center (as it is currently being used and maintained).

**1. Our utility/agency has facilities or interest within this right of way:**

- Yes (proceed to #2)                       No (form complete)

**2. Our utility/agency:**

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
  - Retain utility easement and protect facilities
  - Relocate facilities
  - Other: \_\_\_\_\_

*No structures allowed to be constructed in easement.*

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Authorized Representative

*09/18/2024*  
 \_\_\_\_\_  
 Date

<b>Return this form to:</b>	
Rachelle M. Biondo, Paralegal Rouse Frets White Goss Gentles Rhodes, P.C.	(816) 502-4706
Applicant Name	Phone
4510 Belleview Avenue, Suite 300 Kansas City, MO 64111	rbiondo@rousepc.com
Address	Email



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12<sup>th</sup> Street, 15<sup>th</sup> floor; Kansas City, MO 64106-2795  
Phone (816) 513-2846 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

CASE NO. CD-ROW-2024-00026

UTILITY/AGENCY KCMO Public Works Department: Street Lighting Services

Be it known that Zwillio Westport Crossing LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

Archibald Avenue

for the following purpose: To formally make the ROW part of the parking lot serving the retail shopping center (as it is currently being used and maintained).

**1. Our utility/agency has facilities or interest within this right of way:**

- Yes (proceed to #2)  No (form complete)

**2. Our utility/agency:**

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)

- Retain utility easement and protect facilities
- Relocate facilities
- Other: We have two street light in the area you're wishing us to vacate. Upon approval of your street vacation request, the street lighting equipment must be return to the city. Any streetlight work/relocations/removals will be a cost to the project.

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Czar Vibar

09/05/2024

Authorized Representative

Date

**Return this form to:**

Rachelle M. Biondo, Paralegal  
Rouse Frets White Goss Gentiles Rhodes, P.C.

(816) 502-4706

Applicant Name

Phone

4510 Belleview Avenue, Suite 300  
Kansas City, MO 64111

rbiondo@rousepc.com

Address

Email



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12<sup>th</sup> Street, 15<sup>th</sup> floor; Kansas City, MO 64106-2795  
Phone (816) 513-2846 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

CASE NO. CD-ROW-2024-00026

UTILITY/AGENCY Vicinity Energy

Be it known that Zwillow Westport Crossing LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

Archibald Avenue

for the following purpose: To formally make the ROW part of the parking lot serving the retail shopping center (as it is currently being used and maintained).

**1. Our utility/agency has facilities or interest within this right of way:**

- Yes (proceed to #2)  No (form complete)

**2. Our utility/agency:**

- has no objections  
 objects to the vacation and will not waive objection under any conditions (describe below)  
 will waive objections subject to the following conditions (describe below)  
 Retain utility easement and protect facilities  
 Relocate facilities  
 Other: \_\_\_\_\_

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Craig Mcniel

*Craig Mcniel*

Authorized Representative

9/05/2024

Date

**Return this form to:**

Rachelle M. Biondo, Paralegal  
Rouse Frets White Goss Gentiles Rhodes, P.C.

(816) 502-4706

Applicant Name

Phone

4510 Belleview Avenue, Suite 300  
Kansas City, MO 64111

rbiondo@rousepc.com

Address

Email



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12<sup>th</sup> Street, 15<sup>th</sup> floor; Kansas City, MO 64106-2795  
Phone (816) 513-2846 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

CASE NO. CD-ROW-2024-00026

UTILITY/AGENCY Spectrum Charter

Be it known that Zwilllo Westport Crossing LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

Archibald Avenue

for the following purpose: To formally make the ROW part of the parking lot serving the retail shopping center (as it is currently being used and maintained).

**1. Our utility/agency has facilities or interest within this right of way:**

- Yes (proceed to #2)
- No (form complete)

**2. Our utility/agency:**

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
  - Retain utility easement and protect facilities
  - Relocate facilities
  - Other: If we relocate it will be reimbursable.

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Beatrice Bernal

Authorized Representative

9/6/23

Date

**Return this form to:**

Rachelle M. Biondo, Paralegal  
Rouse Frets White Goss Gentiles Rhodes, P.C.

(816) 502-4706

Applicant Name

Phone

4510 Belleview Avenue, Suite 300  
Kansas City, MO 64111

rbiondo@rousepc.com

Address

Email



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. CD-ROW-2024-00026

UTILITY/AGENCY Energy


Be it known that Zwillio Westport Crossing LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

Archibald Avenue

for the following purpose: To formally make the ROW part of the parking lot serving the retail shopping center (as it is currently being used and maintained).

1. **Our utility/agency has facilities or interest within this right of way:**
  - Yes (proceed to #2)
  - No (form complete)
2. **Our utility/agency:**
  - has no objections
  - objects to the vacation and will not waive objection under any conditions (describe below)
  - will waive objections subject to the following conditions (describe below)
    - Retain utility easement and protect facilities
    - Relocate facilities
    - Other: \_\_\_\_\_

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

 \_\_\_\_\_ 9/6/24  
Authorized Representative Date

<b>Return this form to:</b>	
Rachelle M. Biondo, Paralegal Rouse Frets White Goss Gentiles Rhodes, P.C.	(816) 502-4706
Applicant Name	Phone
4510 Belleview Avenue, Suite 300 Kansas City, MO 64111	rbiondo@rousepc.com
Address	Email





# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795  
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CASE NO. CD-ROW-2024-00026

UTILITY/AGENCY AT&T

Be it known that Zwilllo Westport Crossing LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

Archibald Avenue

for the following purpose: To formally make the ROW part of the parking lot serving the retail shopping center (as it is currently being used and maintained).

- Our utility/agency has facilities or interest within this right of way:**
  - Yes (proceed to #2)
  - No (form complete)
- Our utility/agency:**
  - has no objections
  - objects to the vacation and will not waive objection under any conditions (describe below)
  - will waive objections subject to the following conditions (describe below)
    - Retain utility easement and protect facilities
    - Relocate facilities
    - Other: \_\_\_\_\_

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

*Jeremy Watson*

Authorized Representative

9-10-24

Date

**Return this form to:**

Rachelle M. Biondo, Paralegal  
Rouse Frets White Goss Gentiles Rhodes, P.C.

(816) 502-4706

Applicant Name

Phone

4510 Belleview Avenue, Suite 300  
Kansas City, MO 64111

rbiondo@rousepc.com

Address

Email



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795  
Phone (816) 513-2846 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

CASE NO. CD-ROW-2024-00026

UTILITY/AGENCY Spire

Be it known that Zwillio Westport Crossing LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

Archibald Avenue

for the following purpose: To formally make the ROW part of the parking lot serving the retail shopping center (as it is currently being used and maintained).

**1. Our utility/agency has facilities or interest within this right of way:**

- Yes (proceed to #2)
- No (form complete)

**2. Our utility/agency:**

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
  - Retain utility easement and protect facilities
  - Relocate facilities
  - Other: \_\_\_\_\_

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Johnny Strauss - Right of Way Representative for Spire

*Johnny Strauss*

9/11/2024

Authorized Representative

Date

**Return this form to:**

Rachelle M. Biondo, Paralegal  
Rouse Frets White Goss Gentiles Rhodes, P.C.

(816) 502-4706

Applicant Name

Phone

4510 Belleview Avenue, Suite 300  
Kansas City, MO 64111

rbiondo@rousepc.com

Address

Email



Spire Missouri Inc.  
700 Market St.  
St. Louis, MO 63101

9/6/2024

Rachelle Biondo  
Rouse Frets White Goss Gentile Rhodes P.C.  
4510 Belleview Avenue  
Kansas City, Missouri 64111

**Re: Rachelle Biondo  
Request to Vacate Archibald Avenue**

**Vacation: Request to Vacate Archibald Avenue**

Rachelle,

In response to your email letter dated 9/5/2024 relative to the above referenced request to vacate Archibald Avenue.

Please be advised that Spire Missouri Inc. ("Spire"), has facilities within the area to be vacated. Spire is requesting that a savings clause be included in the Vacation Ordinance that will protect our existing facilities and will grant Spire the right to ingress and egress for the proper maintenance of these facilities.

Sincerely,

Alex Sammet (Sep 11, 2024 09:58 CDT)

Alex Sammet  
Right of Way Area Manager, Missouri  
Spire Missouri Inc.

TJF: JLS  
cc: Rachelle Biondo

Engineering Dept. Approval:   
JMA

System Planning Approval:   
JVG



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795  
Phone (816) 513-2846 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

CASE NO. CD-ROW-2024-00026

UTILITY/AGENCY KCMO Fire Department

Be it known that Zwilllo Westport Crossing LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

Archibald Avenue

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**1. Our utility/agency has facilities or interest within this right of way:**

- Yes (proceed to #2)
- No (form complete)

**2. Our utility/agency:**

- has no objections
- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
  - Retain utility easement and protect facilities
  - Relocate facilities
  - Other: \_\_\_\_\_

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

*M Schroeder*

Authorized Representative

9/16/2024

Date

**Return this form to:**

Rachelle M. Biondo, Paralegal  
Rouse Frets White Goss Gentiles Rhodes, P.C.

(816) 502-4706

Applicant Name

Phone

4510 Belleview Avenue, Suite 300  
Kansas City, MO 64111

rbiondo@rousepc.com

Address

Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | www.kcmo.gov/planning

CASE NO. CD-ROW-2024-00026

UTILITY/AGENCY KCMO Public Works Department: Streets and Traffic Division

Be it known that Zwillio Westport Crossing LLC, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

Archibald Avenue

for the following purpose: To formally make the ROW part of the parking lot serving the retail shopping center (as it is currently being used and maintained).

- 1. Our utility/agency has facilities or interest within this right of way:
2. Our utility/agency:
has no objections
objects to the vacation and will not waive objection under any conditions (describe below)
will waive objections subject to the following conditions (describe below)
Retain utility easement and protect facilities
Relocate facilities
Other:

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
Please return this form to the applicant within 30 days.

Sam Akula, KCMO, Public Works Dept. 9/17/2024
Authorized Representative Date

Return this form to:
Rachelle M. Biondo, Paralegal (816) 502-4706
Rouse Frets White Goss Gentiles Rhodes, P.C.
Applicant Name Phone
4510 Belleview Avenue, Suite 300
Kansas City, MO 64111 rbiondo@rousepc.com
Address Email