



City Planning & Development Department
Development Management Division

15th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106-2795

816 513-2846
Fax 816 513-2838

STAFF REPORT

October 16, 2018

(2)

RE: **Case No. CD-ROW-2018-00104**

APPLICANT/AGENT: Lisa Hardwick
DEED Foundation
900 E. Linwood Boulevard
Kansas City, MO 64109

OWNER: Foundation for Delta Educational and Economic Development (DEED)
900 E. Linwood Boulevard
Kansas City, MO 64109

LOCATION: Generally located north of E. Linwood Boulevard in between Campbell Street to the west and Harrison Street to the east

REQUEST: To vacate the north/south alley north of E. Linwood Boulevard in between Campbell Street to the west and Harrison Street to the east

SURROUNDING LAND USE: **North:** surface parking lot (zoned B3-2)
South: E. Linwood Blvd (zoned R-0.5 and UR)
East: Sinclair Gas Station (zoned B3-2)
West: DEED Foundation (zoned R-0.5 and R-1.5)

LAND USE PLAN: The Midtown Plaza Area Plan recommends High Density Residential and Mixed Use Community land uses at this location.

MAJOR STREET PLAN: Linwood Boulevard is identified as an "Established Boulevard" on the Major Street Plan.

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

PREVIOUS CASES: No prior case history.

PLAN REVIEW/ANALYSIS:

The alley proposed for vacation is a north/south alley located north of E. Linwood Boulevard in between Campbell Street to the west and Harrison Street to the east. The alley is not a heavily used alley. Vehicular access to a few single-family homes is located within the proposed area to be vacated on the north side of the DEED Foundation.

The applicant is requesting to vacate a portion of the alley to provide access to more than 100 parking spaces that will be available on the parking lots constructed by DEED and SAVE Inc. The adjoining parking lots will relieve much of the neighborhood congestion and complaints that result from street parking during events at the Delta Athenaeum.

The applicant has received consent from at least 75% of adjacent property owners. 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.

This alley is not heavily used. Vacating this right-of-way will not unreasonably injure or danger private property rights nor will the public suffer unreasonable loss or inconvenience.

KCPL and AT&T have identified utilities within the right-of-way and have requested a full-width utility easement.

RECOMMENDATION:

Staff recommends **approval** of Case No. CD-ROW-2018-00104 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 is retained prior to the recording of this vacation or all KCP&L and AT&T utilities within the subject area are relocated at the applicant's expense.
2. That an access easement is retained for all of the residential properties with frontage along the proposed alley vacation site.

Respectfully submitted,



Zach Nelson
Planner