



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
City Planning & Development Department
www.kcmo.gov/cpc

July 5, 2022

PROJECT NAME

Homkor Vacation

DOCKET #12

CD-ROW-2022-00013

REQUEST

Vacation

APPLICANT

Rachelle Biondo
Rouse Frets White Goss

OWNER

Homkor of Missouri Inc.

Location 6900 E Front St.

Area 0.24 acres

Zoning UR

Council District 4th

County Jackson

School District KCMO 110

SURROUNDING LAND USES

North: zoned UR, Warehousing

South: zoned M1-5, Vehicle Sales

East: zoned M1-5, I-435 HWY

West: zoned M1-5, Vehicle Sales

MAJOR STREET PLAN

The City's Major Street Plan does not identify any streets at this location as Parks or Boulevards.

LAND USE PLAN

The Riverfront Industrial Area Plan recommends Light Industrial uses for the subject property.

APPROVAL PROCESS



NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification was sent to surrounding property owners within 300 feet of the subject site.

REQUIRED PUBLIC ENGAGEMENT

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

EXISTING CONDITIONS

The subject property is currently undeveloped. It is at the Northwest corner of the intersection of I-435 HWY and E Front Street.

SUMMARY OF REQUEST

The applicant is seeking to vacate an unused and unimproved portion of the right of way to the north of East Front Street running along the property line.

KEY POINTS

- Vacating an unused and unimproved 0.24-acre portion of East Front Street.

PROFESSIONAL STAFF RECOMMENDATION

Docket #12 Recommendation: Approval with Conditions.

RELATED CASES

103333-URD-1 – Ord. No 911480, passed on December 19, 1991, rezoned 217.62 acres from M2-a and M-3 to URD and approved a site development plan for 2,800,000 – 3,300,000 square feet of office and warehouse space and 52.5 acres of storm water detention facilities.

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.

This right of way vacation is for a portion of an East Front Street that runs along the I-435 off-ramp to N Cambridge Avenue. 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.

Preserving the existing right of way, proposed for vacation, in its current condition does, not serve any current or future public purpose.

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 or 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.

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.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends **Approval Subject to Conditions** as reflected in the attached Plan Conditions Report.

Respectfully Submitted,

Jared Clements, AICP
Planner



Plan Conditions

Report Date: June 30, 2022

Case Number: CD-ROW-2022-00013

Project:

Condition(s) by City Planning and Development Department. Contact Jared Clements at (816) 513-8826 / jared.clements@kcmo.org with questions.

1. The vacation shall not affect streetlight poles SFB2001 & SFB 2002, their infrastructure, or the infrastructure of the telecom equipment mounted on SFB2001.
2. The applicant shall retain all utility easements and protect facilities required by the Kansas City, Missouri Water Services Department.
3. The developer shall retain utility easement and protect facilities owned and operated by Evergy. If the applicant wishes for Evergy to relocate the facilities it will be at the applicant's expense.



CONSENT TO 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 | Fax (816) 513-2838 | www.kcmo.gov/planning

Case No. CD-ROW-2022-00013

In the matter of the vacation of:

Right of Way located at the corner of Front Street and N. Cambridge Avenue

A tract of land in the Northwest Quarter of the Northeast Quarter of Section 25, Township 50 North, Range 33 West of the Fifth Principal Meridian, in the City of Kansas City, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of Tract A, Executive Park Forty-Seventh Plat, recorded in Book K-39, Page 18, said point also being on the South line of Lot 1, Executive Park Sixtieth Plat, recorded in Book I-105, Page 1; thence South 87°41'17" East, along said South line, a distance of 364.11 feet, to the Southeast corner of said Lot 1, said point also being on the West Right-of-Way line of Interstate Route No. 435, as now established per Document No. K37791, recorded in Book K-87, Page 1285; thence South 00°05'41" West, along said West Right-of-Way line, a distance of 33.91 feet, to the Point of Beginning; thence South 00°05'41" West, departing said West Right-of-Way line, a distance of 45.59 feet; thence South 18°19'37" West, a distance of 64.55 feet; thence South 63°09'57" West, a distance of 72.30 feet; thence South 75°54'23" West, a distance of 45.73 feet; thence North 80°58'09" West, a distance of 126.81 feet; thence North 74°12'48" West, a distance of 57.96 feet, to a point on the East Right-of-Way line of N. Cambridge Avenue, as now established per Executive Park Thirty-Fourth Plat, recorded in Book K-38, Page 4; thence North 02°17'33" East, along said East Right-of-Way line, a distance of 106.87 feet, to a point on the Westerly Right-of-Way line of Interstate Route No. 435, as now established per Document No. 2014E0047190, recorded in Book 40, Page 32; thence departing said Easterly Right-of-Way line, along said Westerly Right-of-Way line for the following five calls: South 21°30'00" East, a distance of 61.47 feet; thence South 40°12'45" East, a distance of 58.14 feet; thence South 76°28'24" East, a distance of 122.15 feet; thence North 63°39'15" East, a distance of 60.96 feet; thence North 33°05'38" East, a distance of 132.83 feet, to the Point of Beginning, containing 10,434.73 square feet, or 0.24 acres, more or less.

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.

Filed _____, 20____	
_____	by _____
City Clerk	Deputy



CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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CONSENT OF CORPORATIONS

Case No. CD-ROW-2022-00013

Table with 2 columns: Owner's name, Legal description of property. Includes signatures of Rebecca Clevenger and a notary seal for Stephanie L. Mukai.

(additional sheets attached as required)

STATE OF MISSOURI)
COUNTY OF CLAY) ss.

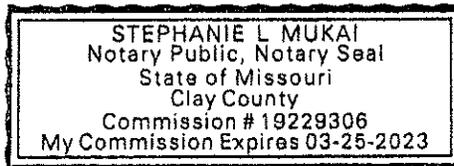
On this 26th day of May, 2022, before me, appeared Rebecca Clevenger, to me personally known, who being by me personally sworn, did say that he/she is the (Vice) President of HOMKOR OF MISSOURI INC., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Rebecca Clevenger acknowledged said instrument to be the free act and deed of said corporation.

Subscribed and sworn to before me on this 26th day of May, 2022.

Notary Public in and for Said County and State

Signature of Stephanie L. Mukai
Notary Public

My Commission Expires: 3-25-2023





PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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

Table with 3 columns: Owner's name, Legal description of property, Address of owner. Row 1: Homkor of Missouri, Inc., 6900 E. Front Street, P.O. Box 10750, Kansas City, O 64188. Legal description includes SEC-25 TWP-50 RNG-33--PT NE 1/4 DAF: BEG AT TH SE COR OF EXECUTIVE PARK SIXTIETH PLAT...

(attach additional sheets if required)

HOMKOR OF MISSOURI, INC.

Signature of Rebecca Clevenger, Petitioner

STATE OF MISSOURI)
COUNTY OF CLAY) ss.

On this 26th day of May in the year 2022, before me, a Notary Public in and for said state, personally appeared Rebecca Clevenger, 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...

Notary Seal: STEPHANIE L MUKAI, Notary Public, Notary Seal, State of Missouri, Clay County, Commission # 19229306, My Commission Expires 03-25-2023

Subscribed and sworn to before me on this 26th day of May, 2022. Notary Public in and for Said County and State. Signature of Stephanie L. Mukai, Notary Public

My Commission Expires: 3-25-2023

Case No. CD-ROW-2022-00013



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. CD-ROW-2022-00013

UTILITY CO. Spectrum Charter

Be it known that Homkor of Missouri, Inc., 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:

Right of Way located at the corner of E. Front Street and N. Cambridge Avenue legally described as:

A tract of land in the Northwest Quarter of the Northeast Quarter of Section 25, Township 50 North, Range 33 West of the Fifth Principal Meridian, in the City of Kansas City, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of Tract A, Executive Park Forty-Seventh Plat, recorded in Book K-39, Page 18, said point also being on the South line of Lot 1, Executive Park Sixtieth Plat, recorded in Book I-105, Page 1; thence South 87°41'17" East, along said South line, a distance of 364.11 feet, to the Southeast corner of said Lot 1, said point also being on the West Right-of-Way line of Interstate Route No. 435, as now established per Document No. K37791, recorded in Book K-87, Page 1285; thence South 00°05'41" West, along said West Right-of-Way line, a distance of 33.91 feet, to the Point of Beginning; thence South 00°05'41" West, departing said West Right-of-Way line, a distance of 45.59 feet; thence South 18°19'37" West, a distance of 64.55 feet; thence South 63°09'57" West, a distance of 72.30 feet; thence South 75°54'23" West, a distance of 45.73 feet; thence North 80°58'09" West, a distance of 126.81 feet; thence North 74°12'48" West, a distance of 57.96 feet, to a point on the East Right-of-Way line of N. Cambridge Avenue, as now established per Executive Park Thirty-Fourth Plat, recorded in Book K-38, Page 4; thence North 02°17'33" East, along said East Right-of-Way line, a distance of 106.87 feet, to a point on the Westerly Right-of-Way line of Interstate Route No. 435, as now established per Document No. 2014E0047190, recorded in Book 40, Page 32; thence departing said Easterly Right-of-Way line, along said Westerly Right-of-Way line for the following five calls: South 21°30'00" East, a distance of 61.47 feet; thence South 40°12'45" East, a distance of 58.14 feet; thence South 76°28'24" East, a distance of 122.15 feet; thence North 63°39'15" East, a distance of 60.96 feet; thence North 33°05'38" East, a distance of 132.83 feet, to the Point of Beginning, containing 10,434.73 square feet, or 0.24 acres, more or less.

for the following purpose: Development of property located at the NEC of N. Cambridge Avenue and E. Front Street.

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.

Authorized Representative

May 16, 2022
Date



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 | Fax (816) 513-2838 | www.kcmo.gov/planning

Return this form to:

Rachelle M. Biondo, Paralegal

Applicant Name

(816) 502-4706

Phone

Rouse Frets White Goss Gentile Rhodes, P.C.

4510 Belleview, Suite 300

Kansas City, MO 64111

Address

rbiondo@rousepc.com

Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. CD-ROW-2022-00013

UTILITY CO. Spire

Be it known that Homkor of Missouri, Inc., 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:

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[] Retain utility easement and protect facilities
[] Relocate facilities
[] Other:

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Please return this form to the applicant within 30 days.

Johnny Strauss - ROW Representative for Spire Energy Johnny Strauss 4/29/2022
Authorized Representative Date



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
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CASE NO. CD-ROW-2022-00013

UTILITY CO. KCMO Fire Department

Be it known that Homkor of Missouri, Inc., 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:

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for the following purpose: Development of property located at the NEC of N. Cambridge Avenue and E. Front Street.

- 1. Our utility/agency has facilities or interest within this right of way:
[] Yes (proceed to #2) [X] No (form complete)
2. Our utility/agency:
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[] 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

4/29/2022
Date



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
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Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

CASE NO. CD-ROW-2022-00013

UTILITY CO. KCMO Public Works / Streetlighting Services

Be it known that Homkor of Missouri, Inc., 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:

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- [X] 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)
[X] will waive objections subject to the following conditions (describe below)

- [] Retain utility easement and protect facilities
[] Relocate facilities

Other: As long as streetlight poles (SFB2001 & SFB2002) and it's infrastructure, and the infrastructure of the telecom equipment mounted on the streetlight pole (SFB2001) are not to be affected, at any point before, during, and after the construction development of this property. Poles are located on N. Cambridge Ave, right-of-way

- 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.

Octavio Moncada
Authorized Representative

April 21, 2022
Date



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
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CASE NO. CD-ROW-2022-00013

UTILITY CO. KCMO Public Works / Streets and Traffic Division

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 objects to the vacation and will not waive objection under any conditions (describe below)
 will waive objections subject to the following conditions (describe below)
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 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.

Authorized Representative

5/9/22

Date



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 | Fax (816) 513-2838 | www.kcmo.gov/planning

Return this form to:

Rachelle M. Biondo, Paralegal

Applicant Name

(816) 502-4706

Phone

Rouse Frets White Goss Gentile Rhodes, P.C.

4510 Belleview, Suite 300

Kansas City, MO 64111

Address

rbiondo@rousepc.com

Email



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CASE NO. CD-ROW-2022-00013

UTILITY CO. AT&T

Be it known that Homkor of Missouri, Inc., 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:

Right of Way located at the corner of E. Front Street and N. Cambridge Avenue legally described as:

A tract of land in the Northwest Quarter of the Northeast Quarter of Section 25, Township 50 North, Range 33 West of the Fifth Principal Meridian, in the City of Kansas City, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of Tract A, Executive Park Forty-Seventh Plat, recorded in Book K-39, Page 18, said point also being on the South line of Lot 1, Executive Park Sixtieth Plat, recorded in Book I-105, Page 1; thence South 87°41'17" East, along said South line, a distance of 364.11 feet, to the Southeast corner of said Lot 1, said point also being on the West Right-of-Way line of Interstate Route No. 435, as now established per Document No. K37791, recorded in Book K-87, Page 1285; thence South 00°05'41" West, along said West Right-of-Way line, a distance of 33.91 feet, to the Point of Beginning; thence South 00°05'41" West, departing said West Right-of-Way line, a distance of 45.59 feet; thence South 18°19'37" West, a distance of 64.55 feet; thence South 63°09'57" West, a distance of 72.30 feet; thence South 75°54'23" West, a distance of 45.73 feet; thence North 80°58'09" West, a distance of 126.81 feet; thence North 74°12'48" West, a distance of 57.96 feet, to a point on the East Right-of-Way line of N. Cambridge Avenue, as now established per Executive Park Thirty-Fourth Plat, recorded in Book K-38, Page 4; thence North 02°17'33" East, along said East Right-of-Way line, a distance of 106.87 feet, to a point on the Westerly Right-of-Way line of Interstate Route No. 435, as now established per Document No. 2014E0047190, recorded in Book 40, Page 32; thence departing said Easterly Right-of-Way line, along said Westerly Right-of-Way line for the following five calls: South 21°30'00" East, a distance of 61.47 feet; thence South 40°12'45" East, a distance of 58.14 feet; thence South 76°28'24" East, a distance of 122.15 feet; thence North 63°39'15" East, a distance of 60.96 feet; thence North 33°05'38" East, a distance of 132.83 feet, to the Point of Beginning, containing 10,434.73 square feet, or 0.24 acres, more or less.

for the following purpose: Development of property located at the NEC of N. Cambridge Avenue and E. Front Street.

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.

SHANE JARMAN
Authorized Representative

5/23/2022
Date



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. CD-ROW-2022-00013

UTILITY CO. Evergy

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Right of Way located at the corner of E. Front Street and N. Cambridge Avenue legally described as:

A tract of land in the Northwest Quarter of the Northeast Quarter of Section 25, Township 50 North, Range 33 West of the Fifth Principal Meridian, in the City of Kansas City, Jackson County, Missouri, being more particularly described as follows:

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for the following purpose: Development of property located at the NEC of N. Cambridge Avenue and E. Front Street.

- 1. Our utility/agency has facilities or interest within this right of way:
[X] 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)
[X] will waive objections subject to the following conditions (describe below)
[X] Retain utility easement and protect facilities
[] Relocate facilities
[X] Other: Will be able to relocate our facilities at the customer's expense, but not at Evergy's expense.

- 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.

Rob Henson
Authorized Representative

5/27/2022
Date



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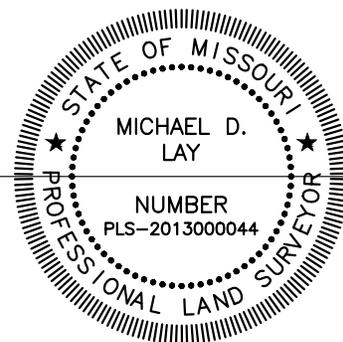
Email

Legal Description:

A tract of land in the Northwest Quarter of the Northeast Quarter of Section 25, Township 50 North, Range 33 West of the Fifth Principal Meridian, in the City of Kansas City, Jackson County, Missouri, being more particularly described as follows:

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This is to certify that this real property legal description has been prepared by me or under my direct supervision.



Michael D. Lay
Missouri Professional Land Surveyor No. 2013000044



9801 Renner Boulevard
Lenexa, Kansas 66219
913.492.0400
www.gbateam.com

PROJECT NUMBER

1996

DATE

04/26/2021

Exhibit "A"
I-435 and Front Street
Kansas City, Jackson Co. MO

SHEET NUMBER

1 of 1