



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 260352

Submitted Department/Preparer: City Planning

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Vacating approximately 35,000 square feet of right-of-way in Zoning District M1-5 (Manufacturing) generally located on North Olive Street between Rochester Avenue and Nicholson Avenue and directing the City Clerk to record certain documents. (CD-ROW-2025-00036)

### Discussion

This application proposes to vacate a portion of North Olive Street, bound by Nicholson Avenue to the north and the alley north of Rochester Avenue to the south. The proposed right-of-way vacation is approximately 50 feet in width and approximately 700 feet in length, at its longest point. The proposed 35,000 square foot vacation request is from Sarah Burger, the attorney representing the property owner of 700 & 701 North Olive Street. The goal of the vacation is to take over the right-of-way and maintain the street after years of dilapidation. The property owner plans to repave the street. After approval of the vacation, the property owners plans to keep the street open to the public.

Development Management staff recommended a maintenance agreement with the Public Works Department in order to improve the street, however the Public Works Department declined this option and recommended the property owner vacate the right-of-way. Staff is concerned regarding access from Nicholson Avenue for the property owners on the south side of North Olive Street that won't be vacated. There is one property owner that has multiple properties along North Olive Street that still use the portion of North Olive Street (proposed to be vacated) as a form of access. There are public and private utilities located in the public right-of-way. The Water Services Department has a sewer and water main within the full length of the public right-of-way. The Water Department requires that the applicant retain an easement or relocate facilities at the applicant's expense. AT&T, Spire and Evergy also have utilities within the right-of-way which will also require easements be retained or the utilities be relocated.

There was public testimony provided at the City Plan Commission in opposition.

Staff Recommendation: Approval, Subject to Conditions

CPC Recommendation: Approval, Subject to Conditions

## Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
Not applicable as this is an ordinance authorizing the vacation of public right-of-way.
3. How does the legislation affect the current fiscal year?  
Not applicable as this is an ordinance authorizing the vacation of public right-of-way.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
Not applicable as this is an ordinance authorizing the vacation of public right-of-way.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
Not applicable as this is an ordinance authorizing the vacation of public right-of-way.

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No
2. This fund has a structural imbalance.  Yes  No
3. Account string has been verified/confirmed.  Yes  No

### Additional Discussion (if needed)

This legislation has no fiscal impact.

## Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)

2. Which CWBP goal is most impacted by this legislation?  
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
  - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
  - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
  - Build on existing strengths while developing a comprehensive transportation plan for the future.
  - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
  - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
  - Focus on delivery of safe connections to schools.

### **Prior Legislation**

There is no previous legislation for this ordinance. However, a deferral agreement with Public Works was discussed as a potential option prior to submitting a request for a vacation.

### **Service Level Impacts**

Not applicable as this is an ordinance authorizing the vacation of public right-of-way.

### **Other Impacts**

1. What will be the potential health impacts to any affected groups?  
Not applicable as this is an ordinance authorizing the vacation of public right-of-way.
2. How have those groups been engaged and involved in the development of this ordinance?  
Not applicable as this is an ordinance authorizing the vacation of public right-of-way.
3. How does this legislation contribute to a sustainable Kansas City?  
Not applicable as this is an ordinance authorizing the vacation of public right-of-way.

4. Does this legislation create or preserve new housing units?  
No (Press tab after selecting)

Not applicable as this is an ordinance authorizing the vacation of public right-of-way.

[Click or tap here to enter text.](#)

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Not applicable as this is an ordinance authorizing the vacation of public right-of-way.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Not applicable as this is an ordinance authorizing the vacation of public right-of-way.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?  
No(Press tab after selecting)