

CITY PLAN COMMISSION STAFF REPORT

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

November 6, 2024

Project Name

Northwest Skyview Avenue Vacation

Docket #1

Request

CD-ROW-2024-00018 Vacation of Public ROW

Applicant

Kaitlin Raynor Kimley Horn

Owner

Daniel Odell Tiffany Land Reserve LLC

Location	6698 NW Old Tiffany Springs Rd
Area	About 83,000 Sqft.
Zoning	B3-3
Council District	1 st
County	Platte
School District	Park Hill

Surrounding Land Uses

North:Residential, zoned R-1.5/B3-3South:Commercial, zoned B3-3East:Undeveloped, zoned B3-3West:Residential, zoned R-1.5

Land Use Plan

The KCIA Area Plan recommends Commercial Future Land Use for this location.

Major Street Plan

Northwest Skyview Ave is identified on the City's Major Street Plan as a thoroughfare.



City Council

SUMMARY OF REQUEST + KEY POINTS

Review

The applicant is seeking approval of a vacation of public right-ofway in District B3-3 (Community Business) of about 83,000 square feet generally located on Northwest Skyview Avenue between North Ambassador Drive and Northwest Old Tiffany Springs Road.

Commission

PROJECT TIMELINE

The application for the subject request was filed on 06/24/2024. Scheduling deviations from 2024 Cycle 8.2 have occurred. The applicant requested that the vacation application be heard with the development plan (CD-CPC-2024-00118).

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

The subject site is not located within a registered neighborhood or homes association.

REQUIRED PUBLIC ENGAGEMENT

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

EXISTING CONDITIONS

The subject site is roughly 83,000 square feet of undeveloped public right-of-way. The current site is a mix of grasses and trees.

RELATED CASES

CD-CPC-2024-000118 – A development plan to allow for twelve lots and two tracts to be heard at the City Plan Commission on November 6, 2024.

PROFESSIONAL STAFF RECOMMENDATION

Docket #1 Recommendation Approval, Subject to Conditions

Vicinity Map -



PLAN REVIEW

The proposed vacation is currently an unimproved portion of right-of-way that was intended to be the site for Northwest Skyview Avenue. Northwest Skyview Avenue was later realigned about 500 feet to the east, where Northwest Skyview Avenue is now fully built. The right-of-way lies between two unplatted properties: one unaddressed parcel to the west and 9200 North Ambassador to the east. The proposed vacation has a companion development plan that is set to be heard at the same City Plan Commission meeting, which would create twelve lots and two tracts for the purpose of a commercial development (CD-CPC-2024-00118).

The objective of this vacation request is to support the creation of the proposed Skyview Crossing at Tiffany Springs Development Plan. If the proposed vacation is approved, the applicant will record a fifty-foot easement in place of the right-of-way for the rapid transit corridor. There is no public infrastructure within the right-of-way. Spectrum and Evergy currently have infrastructure/facilities within the right-of-way and the applicant will be required to retain an easement for both or relocate facilities at the applicant's expense.

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 the public right-of-way. The development plan will be heard at the November 6, 2024 City Plan Commission hearing regarding the lots to the east and west.

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 right-of-way in question does serve a future public purpose for general connectivity and the special rapid transit corridor. Northwest Skyview Avenue has been rerouted to the east but a fifty-foot easement will be required for the special rapid transit corridor.

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 a small impact on the physical connectivity as long as the fifty-foot easement for the special rapid transit corridor is recorded.

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, 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,

Just Smith

Justin Smith Planner



Plan Conditions

Report Date: October 30, 2024 Case Number: CD-ROW-2024-00018 Project: Northwest Skyview Avenue Vacation

Condition(s) by City Planning and Development Department. Contact Justin Smith at (816) 513-8823 / justin.smith@kcmo.org with questions.

- 1. The applicant shall relocate facilities if found to be in conflict at the owners expense and dedicate a new easement as required by Evergy.
- 2. The applicant shall relocate facilities if found to be in conflict at the owners expense and dedicate a new easement as required by Spectrum.

RIGHT-OF-WAY VACATION DESCRIPTION:

A tract in the Northwest Quarter of Section 6, Township 51 North, Range 33 West, in the City of Kansas City, Platte County, Missouri, being more particularly described as follows, prepared on June 21, 2024 by John B. Young, PLS-2006016647:

Commencing at the Southwest Corner of said Northwest Quarter, thence North 00° 19'05" East along the West line of said Northwest Quarter, 45.00 feet to the North Right-of-Way line of NW Old Tiffany Springs Road, as now established;

Thence North 89° 05'31" East along said North Right-of-Way line, 17.12 feet to the Point of Beginning; Thence on a curve to the right, having an initial tangent bearing North 06° 15'02" East, a radius of 1221.43 feet and an arc length of 377.96 feet;

Thence South 66° 10'36" East, 25.00 feet;

Thence North 23° 49'24" East, 532.45 feet to the South Right-of-Way line of N Ambassador Drive, as now established;

Thence South 69° 49'45" East along said South Right-of-Way line, 70.00 feet;

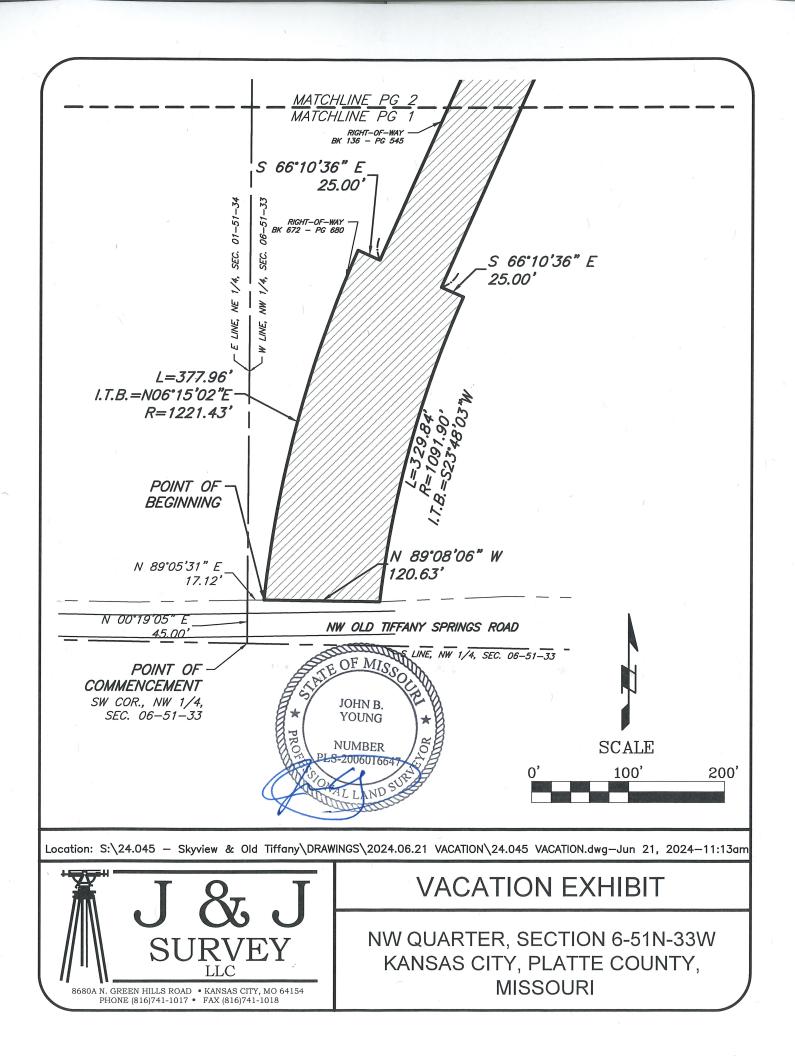
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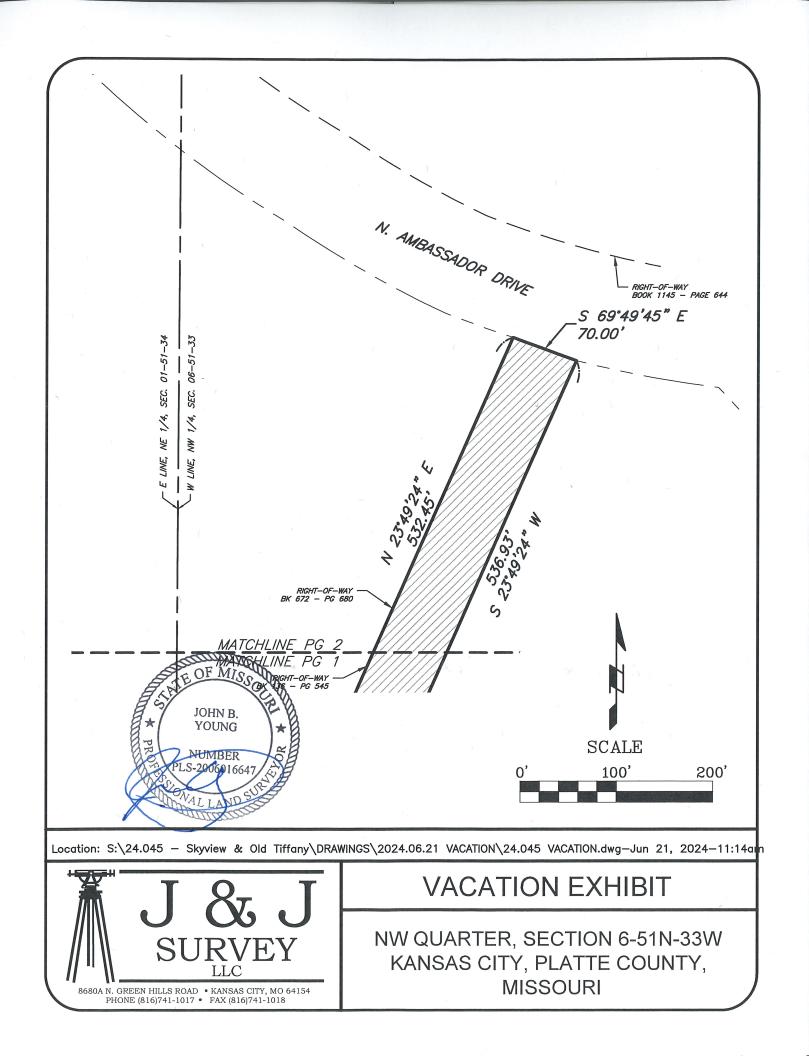
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Thence on a curve to the left, having an initial tangent bearing South 23°48′03″ West, a radius of 1,091.90 feet and an arc length of 329.84 feet to said North Right-of-Way line of NW Old Tiffany Springs Road;

Thence North 89° 08'06" West along said North Right-of-Way line, 120.63 feet to the Point of Beginning.









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

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:

SKYVIEW RIGHT-OF-WAY VACATION (OLD TIFFANY TO AMBASSADOR)

A tract in the Northwest Quarter of Section 6, Township 51 North, Range 33 West, in the City of Kansas City, Platte County, Missouri, being more particularly described as follows, prepared on June 21, 2024 by John B. Young, PLS-2006016647:

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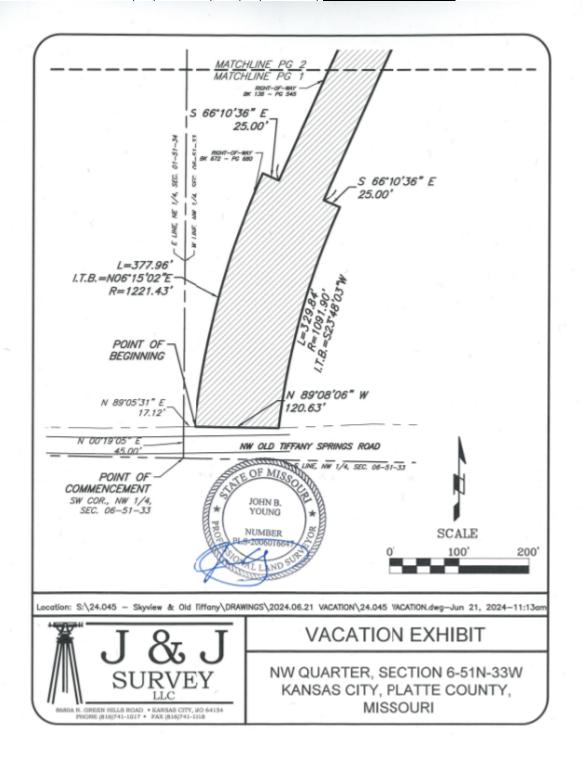
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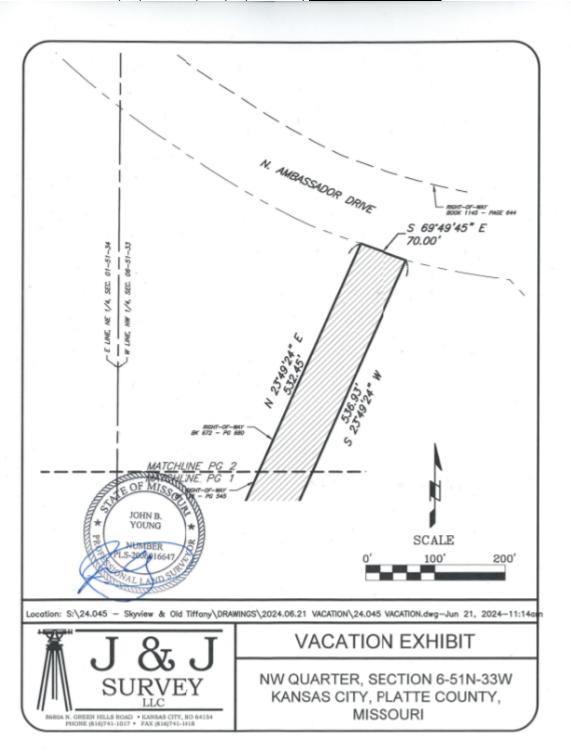
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The undersigned petitioner agrees in consideration of the vacation that if, because of said vacation, any public improvements are to be made, or repaired, or made or repaired by the City on any street, avenue, alley, thoroughfare or public property 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.

Filed	, 20
City Clerk	by Deputy



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:

Owner	Owner's Name	Legal Description	Address of Owner
1	Tiffany Land Reserve LLC	See Enclosed Exhibit	1439 Woodbury Liberty, MO 64068
2	Tiffany Square Inc	See Enclosed Exhibit	7500 W 95th St Overland Park, KS 66212

by: Daniel G. O'Dell iel G. O'Dell

Petitioner (TIFFANY LAND RESERVE)

COUNTY OF Clay

On this 5m day of 3ch in the year 2027 before me, a Notary Public in and for said state, personally appeared 3ch is 6ch or 2ch, 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 $\frac{54n}{10}$ day of $\frac{542}{10}$, $20\frac{24}{2}$.

Notary Public in and for Said County and State

erity A. Notary Public

My Commission Expires:

CHRISTINA L. CHAMP Notary Public-Notary Seal STATE OF MISSOURI Clay County My Commission Expires 5/21/2028 Commission # 114,18491



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In the matter of the vacation of:

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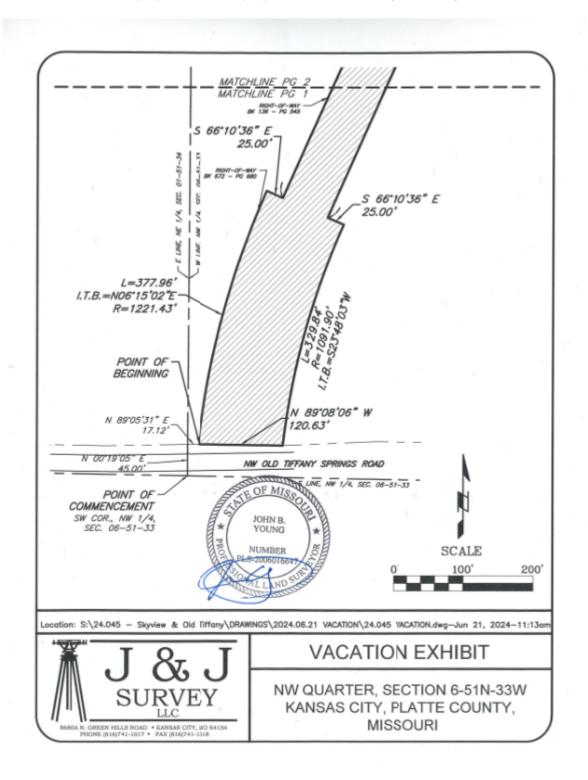
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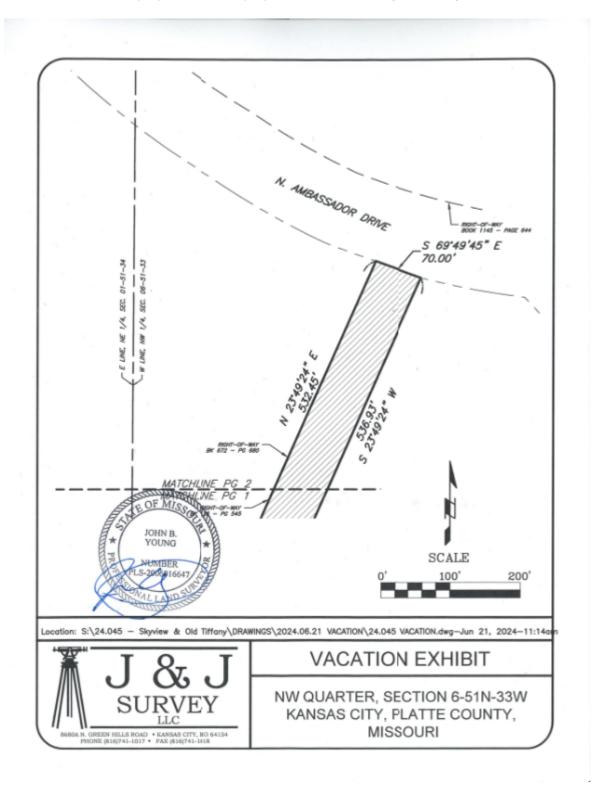
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Know all men by these presents: That the undersigned, being owners of the real estate described below set opposite our names respectively and immediately adjoining the area for the vacation of which a petition has been filed, do as such abutting owners 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
City Clerk	by Deputy

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CONSENT OF LIMITED LIABILITY COMPANIES

Owner's name	Legal description of property
Tiffany Land Reserve LLC	SEE ENCLOSED EHXIBIT
y: Daniel G.O'Dell	s_{t} .
y: Daniel G.O'Dell Daniel G.O'Dell	

(additional sheets attached as required)

STATE OF Missouri

COUNTY OF Clay

On this <u>Stin</u> day of <u>July</u>, 20<u>2</u> before me, a Notary Public in and for said state, personally appeared <u>Dance (G. 2021)</u> who being by me duly sworn did say that he/she is the managing member of <u>T. flam Land Reserve</u> a <u>Missource</u> 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 $\frac{54}{2024}$ day of $\frac{1}{2024}$, 2024

) ss.

)

Notary Public in and for Said County and State

Clerentia & Cley) Notary Public

My Commission Expires:

CHRISTINA L. CHAMP Notary Fublic-Notary Seal STATE OF MISSOURI Clay County My Commission Expires 5/21/2028 Commission # 11418491



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Owner's name	Legal description of property
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Ban P. Company Trage user	

(additional sheets attached as required)

STATE OF Missouri

COUNTY OF JACKSON

On this day of _____, 2027, before me, a Notary Public in and for said state, personally appeared ______, who being by me duly sworn did say that he/she is the managing member of <u>Kineses</u>, a <u>Konses</u> 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 $\frac{8^{th}}{2024}$ day of $\frac{1000}{2024}$, 2024

) ss.

Notary Public in and for Said County and State

Notary Public

My Commission Expires: (-4-2025

CHRISTY L. SCHRECKLER NOTARY PUBLIC-NOTARY SEAL STATE OF MISSOURI JACKSON COUNTY MY COMMISSION EXPIRES 1/4/2025 C00MMISSION # 13528878



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UTILITY CO. EVERGY

Be it known that <u>Tiffany Land Reserve LLC</u>, 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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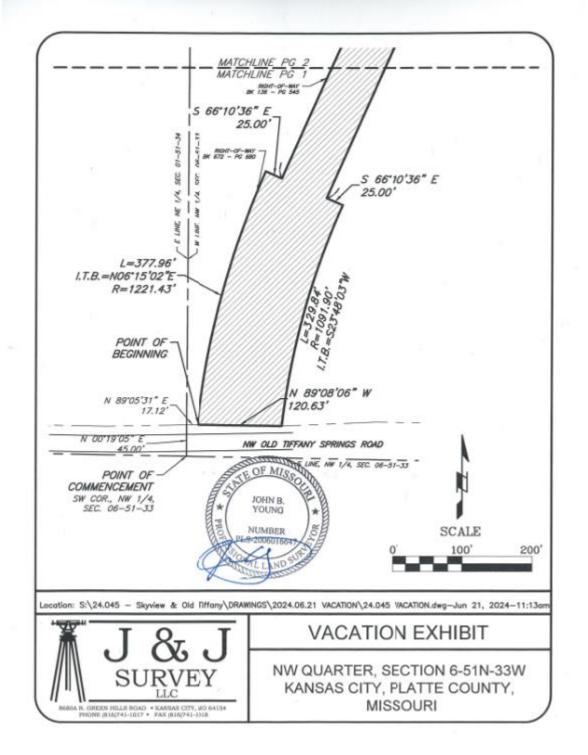
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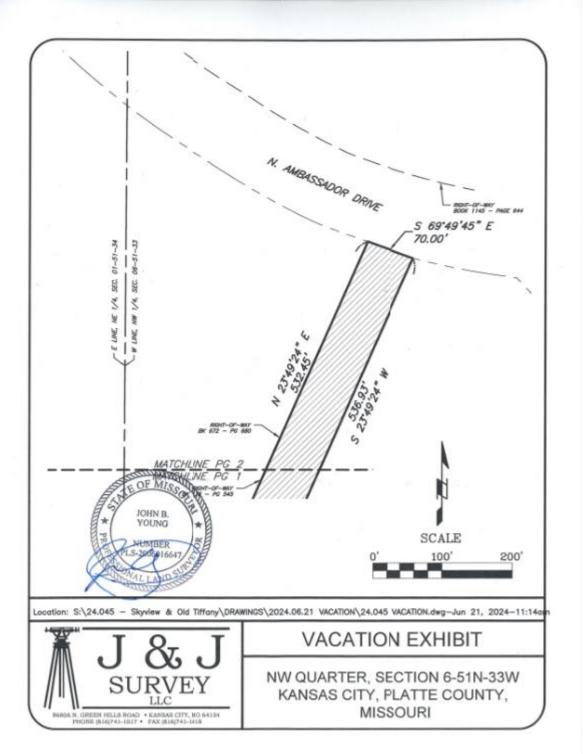
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for the following purpose: of removing the existing alley within their property limits, to accommodate future development of a vertically mixed-use development. Anticipated uses are planned for future office, multi-family residential, retail, hotel, and associated parking structure.

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: Relocation would be at the requestors expense, and would need to be in a new 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.

Rob Henson	8/7/2024
Authorized Representative	Date

Return this form to:

Katie Raynor (Kimley-Horn & Associates, Inc.) On behalf of the Owner (Tiffany Land Reserve, LLC)

Applicant Name

805 Pennsylvania Ave, Suite 150 Kansas City, MO 64105

Address

816-683-7079

kaitlin.raynor@kimley-horn.com

Email

Phone



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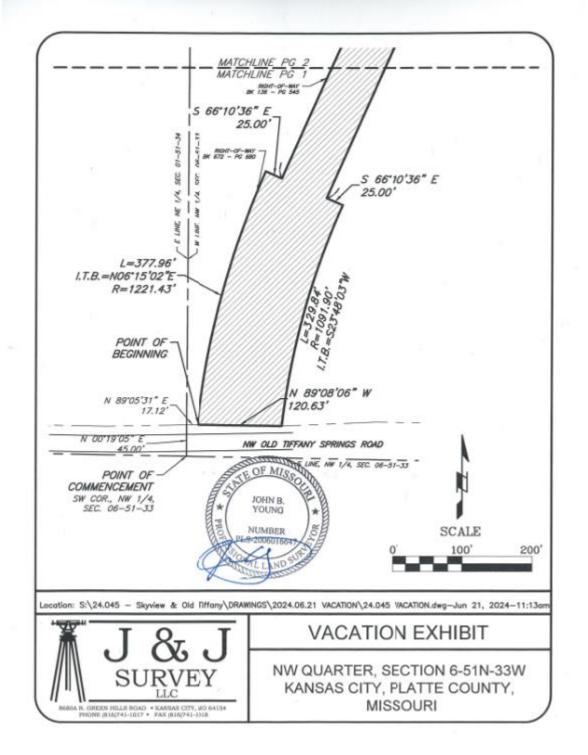
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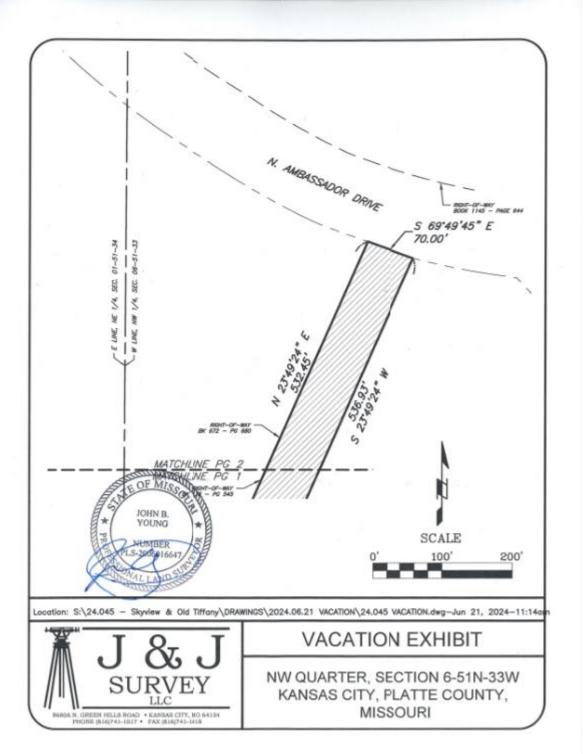
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for the following purpose: <u>of removing the existing alley within their property limits</u>, to accommodate future development of <u>a vertically mixed-use development</u>. Anticipated uses are planned for future office, multi-family residential, retail, hotel, and <u>associated parking structure</u>.

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

 \Box Yes (proceed to #2)

X No (form complete)

2. Our utility/agency:

- \Box has no objections
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JohnnyStrauss - Right of Way Representative for Spire	John L. Strauss	7/12/2024	
Authorized Representative		Date	
Return this form to:			
Katie Raynor (Kimley-Horn & Associates, Inc.) On behalf of the Owner (Tiffany Land Reserve, LLC)	816-683-7079		
Applicant Name		Phone	
805 Pennsylvania Ave, Suite 150 Kansas City, MO 64105	kaitlin.raynor@kimley-t	norn.com	
Address		Email	



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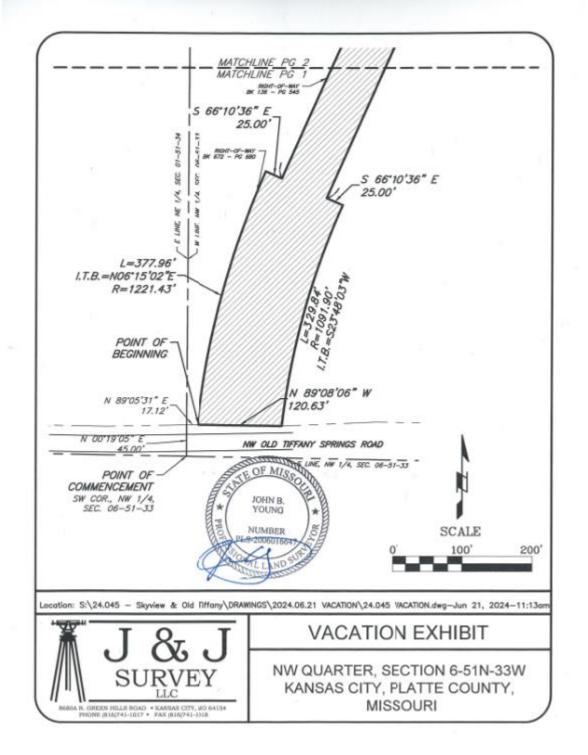
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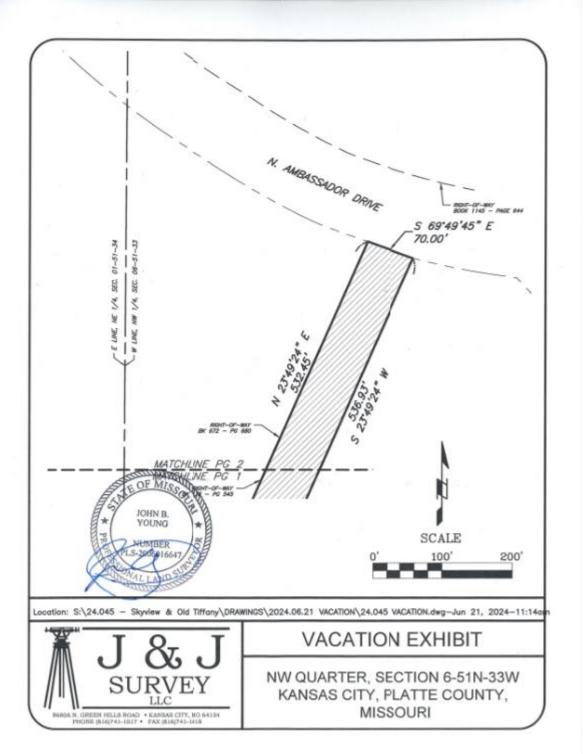
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Brian Davidson Authorized Representative	
Return this form to:	
Katie Raynor (Kimley-Horn & Associates, Inc.) On behalf of the Owner (Tiffany Land Reserve, LLC)	816-683-7079
Applicant Name	Phone
805 Pennsylvania Ave, Suite 150 Kansas City, MO 64105	kaitlin.raynor@kimley-horn.com
Address	Email



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 | <u>www.kcmo.gov/planning</u>

UTILITY CO.

SPECTRUM

Be it known that <u>Tiffany Land Reserve LLC</u>, 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:

ALLEY VACATION

A tract in the Northwest Quarter of Section 6, Township 51 North, Range 33 West, in the City of Kansas City, Platte County, Missouri, being more particularly described as follows, prepared on June 21, 2024 by John B. Young, PLS-2006016647:

Commencing at the Southwest Corner of said Northwest Quarter, thence North 00° 19'05" East along the West line of said Northwest Quarter, 45.00 feet to the North Right-of-Way line of NW Old Tiffany Springs Road, as now established;

Thence North 89° 05'31" East along said North Right-of-Way line, 17.12 feet to the Point of Beginning;

Thence on a curve to the right, having an initial tangent bearing North 06° 15'02" East, a radius of 1221.43 feet and an arc length of 377.96 feet;

Thence South 66° 10'36" East, 25.00 feet;

Thence North 23° 49'24" East, 532.45 feet to the South Right-of-Way line of N Ambassador Drive, as now established;

Thence South 69° 49'45" East along said South Right-of-Way line, 70.00 feet;

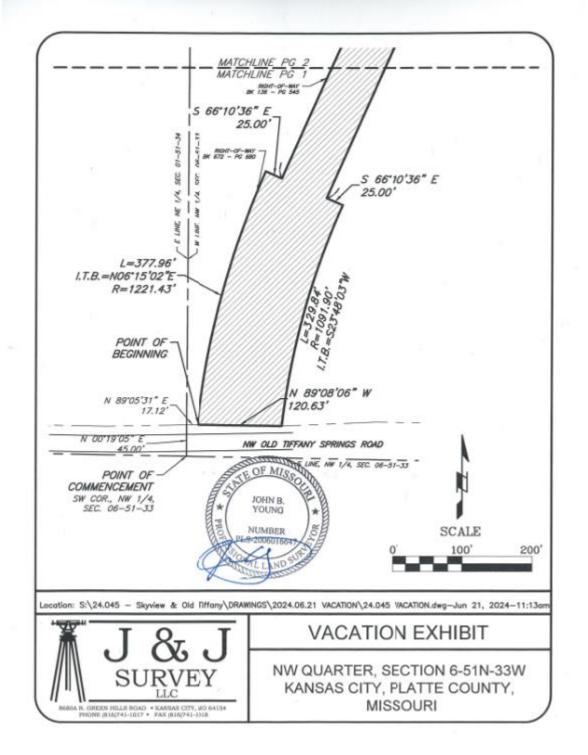
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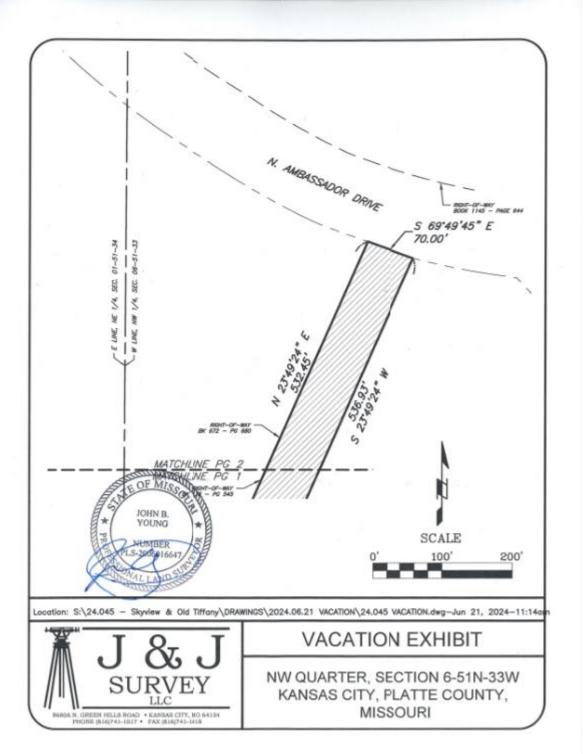
Thence on a curve to the left, having an initial tangent bearing South 23° 48'03" West, a radius of 1,091.90 feet and an arc length of 329.84 feet to said North Right-of-Way line of NW Old Tiffany Springs Road;

Thence North 89° 08'06" West along said North Right-of-Way line, 120.63 feet to the Point of Beginning.











City Planning & Development Department

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for the following purpose: of removing the existing alley within their property limits, to accommodate future development of a vertically mixed-use development. Anticipated uses are planned for future office, multi-family residential, retail, hotel, and associated parking structure.

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: Developer will have to pay cost to relocate facilities, if necessary
- 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.

Christine Avrett / Construction Supervisor	7/1/24
Authorized Representative	Date
Return this form to:	
Katie Raynor (Kimley-Horn & Associates, Inc.) On behalf of the Owner (Tiffany Land Reserve, LLC)	816-683-7079
Applicant Name	Phone
805 Pennsylvania Ave, Suite 150 Kansas City, MO 64105	kaitlin.raynor@kimley-horn.com
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UTILITY CO. KC WATER

Be it known that <u>Tiffany Land Reserve LLC</u>, 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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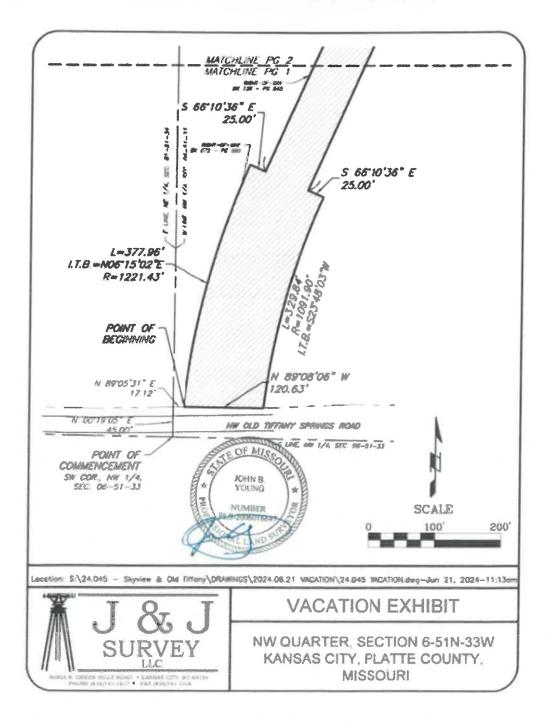
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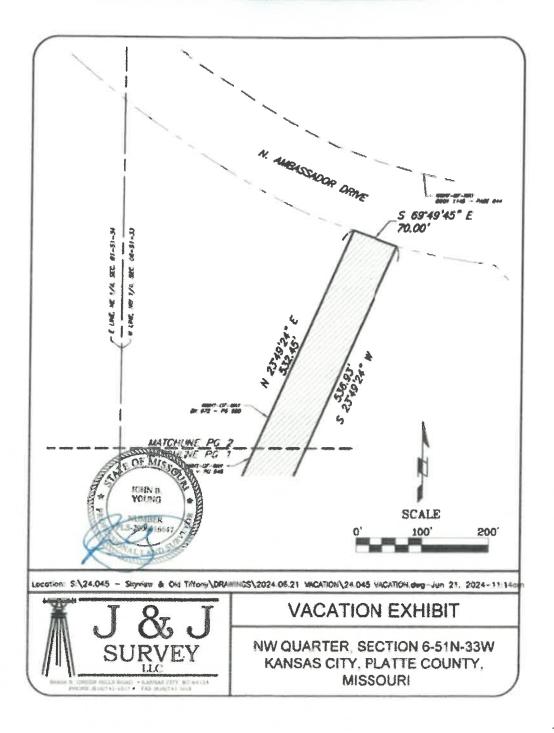
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for the following purpose: of removing the existing alley within their property limits, to accommodate future development of a vertically mixed-use development. Anticipated uses are planned for future office, multi-family residential, retail, hotel, and associated parking structure.

- 1. Our utility/agency has facilities or interest within this right of way:
 - (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 disease objections or conditions with applicant and/or City Staff Prior to returning this form.

Please return	h this form to t	the applicant	within 30 days.
---------------	------------------	---------------	-----------------

Authorized Representative

2024

Return this form to:		
Katie Raynor (Kimley-Horn & Associates, Inc.) On behalf of the Owner (Tiffany Land Reserve, LLC)	816-683-7079	
Applicant Name	Phone	
805 Pennsylvania Ave, Suite 150 Kansas City, MO 64105	kaitlin.raynor@kimley-horn.com	
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UTILITY CO.

KC FIRE DEPT

Be it known that <u>Tiffany Land Reserve LLC</u>, 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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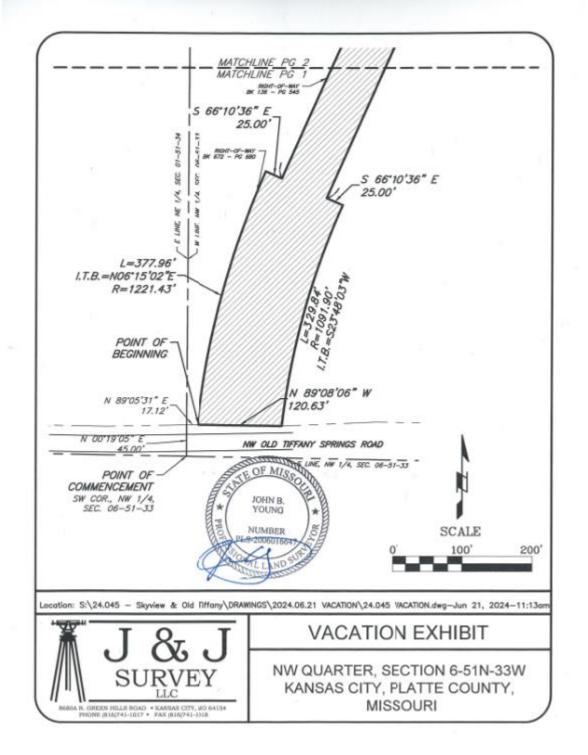
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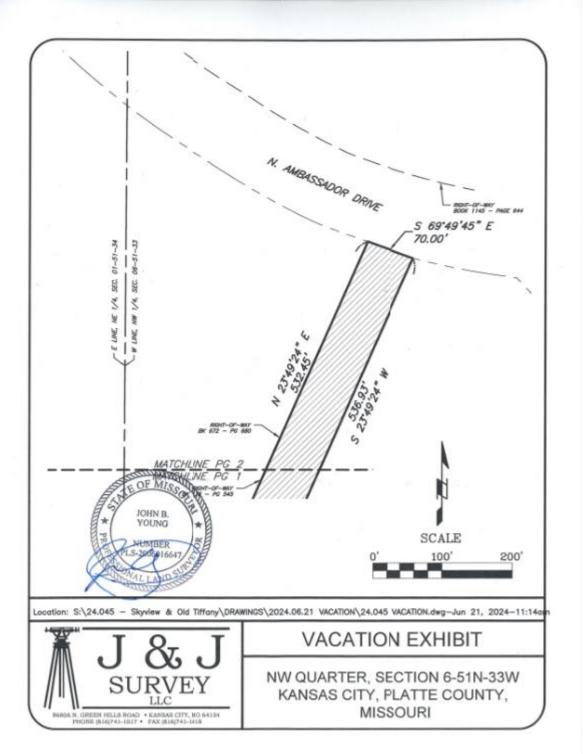
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for the following purpose: of removing the existing alley within their property limits, to accommodate future development of a vertically mixed-use development. Anticipated uses are planned for future office, multi-family residential, retail, hotel, and associated parking structure.

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

 \Box Yes (proceed to #2)

No (form complete)

2. Our utility/agency:

has no objections objects to the vac 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

7/31/2024

Authorized Representative

Date

Return this form to:	
Katie Raynor (Kimley-Horn & Associates, Inc.) On behalf of the Owner	
(Tiffany Land Reserve, LLC)	816-683-7079
Applicant Name	Phone
805 Pennsylvania Ave, Suite 150	kaitlin rawnar@kimlay harn aam
Kansas City, MO 64105	kaitlin.raynor@kimley-horn.com
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UTILITY CO. KC PUBLIC WORKS - STREETS

Be it known that <u>Tiffany Land Reserve LLC</u>, 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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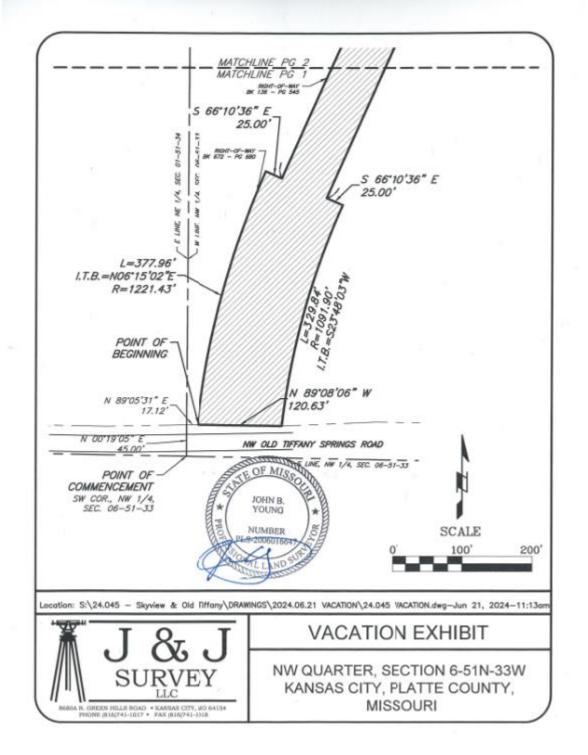
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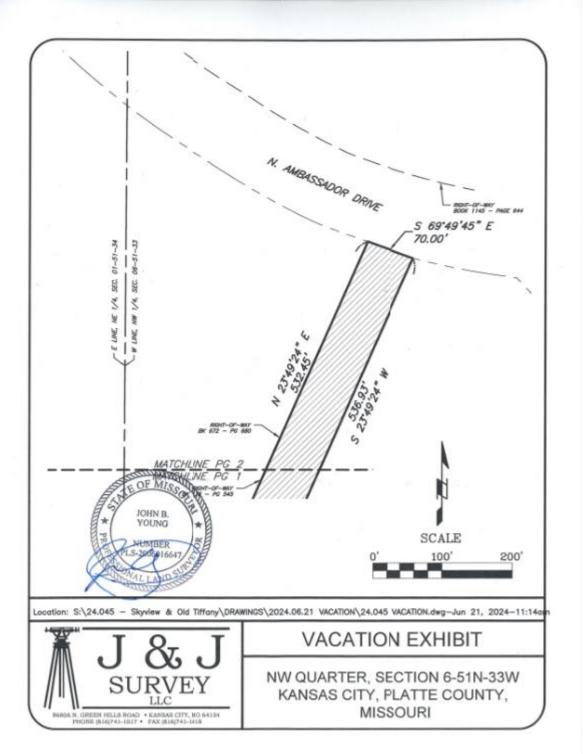
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City Planning & Development Department

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

 \Box Yes (proceed to #2)

X No (form complete)

2. Our utility/agency:

- X 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.	7/1/2024
Authorized Representative	Date
Return this form to:	
Katie Raynor (Kimley-Horn & Associates, Inc.) On behalf of the Owner (Tiffany Land Reserve, LLC)	816-683-7079
Applicant Name	Phone
805 Pennsylvania Ave, Suite 150 Kansas City, MO 64105	kaitlin.raynor@kimley-horn.com
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UTILITY CO. KC PUBLIC WORKS - LIGHTING

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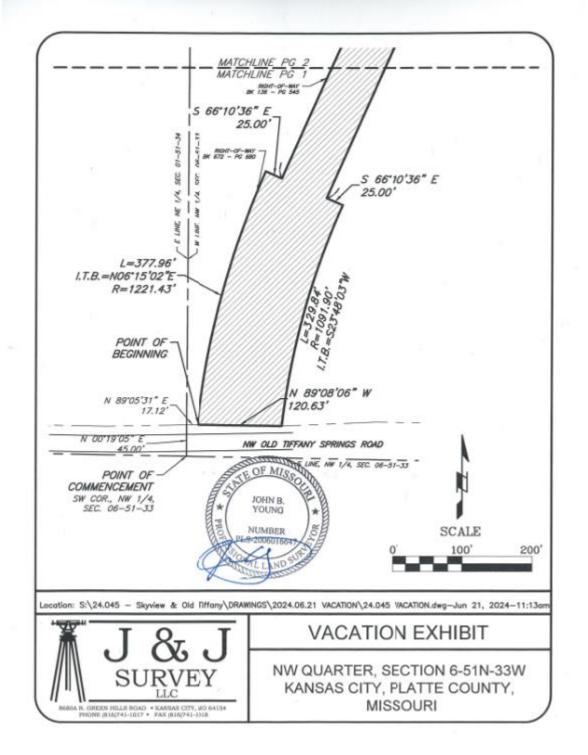
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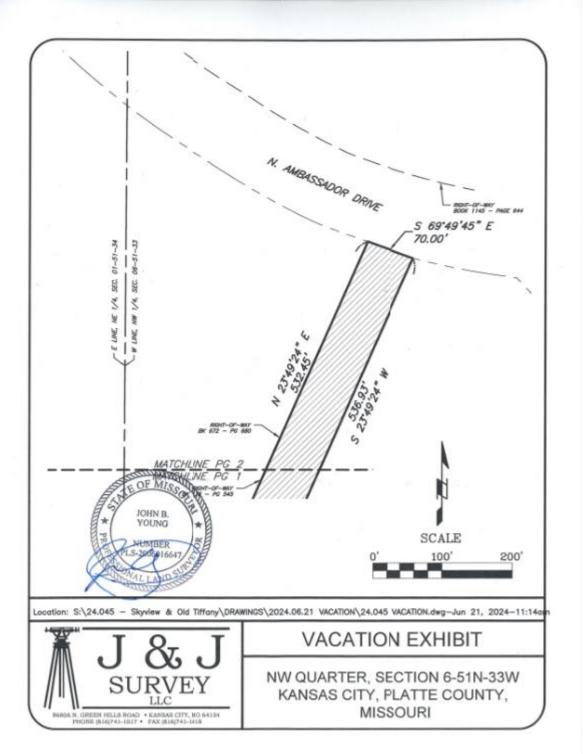
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1. Our utility/agency has facilities or interest within this right of way:

 \Box Yes (proceed to #2)

No (form complete)

2. Our utility/agency:

- \Box 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.

Joseph Newton	07/11/2024
Authorized Representative	Date
Return this form to:	
Katie Raynor (Kimley-Horn & Associates, Inc.) On behalf of the Owner (Tiffany Land Reserve, LLC)	816-683-7079
Applicant Name	Phone
805 Pennsylvania Ave, Suite 150 Kansas City, MO 64105	kaitlin.raynor@kimley-horn.com
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UTILITY CO.

VICINITY ENERGY

Be it known that <u>Tiffany Land Reserve LLC</u>, 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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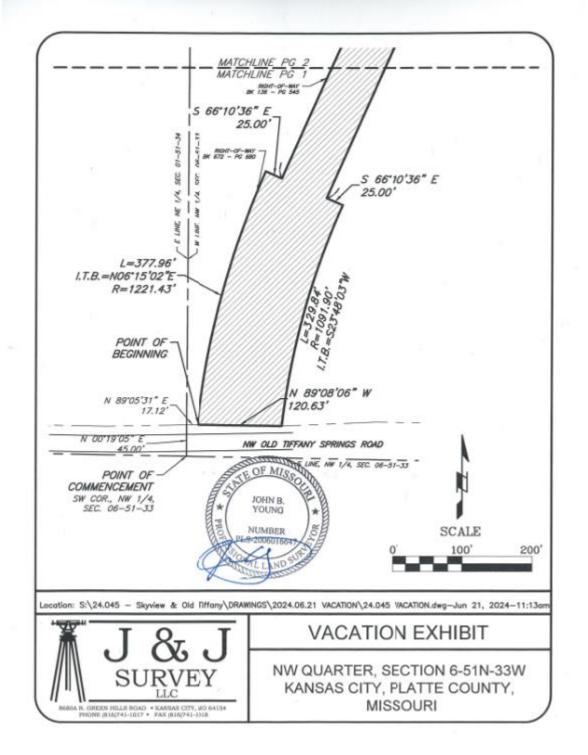
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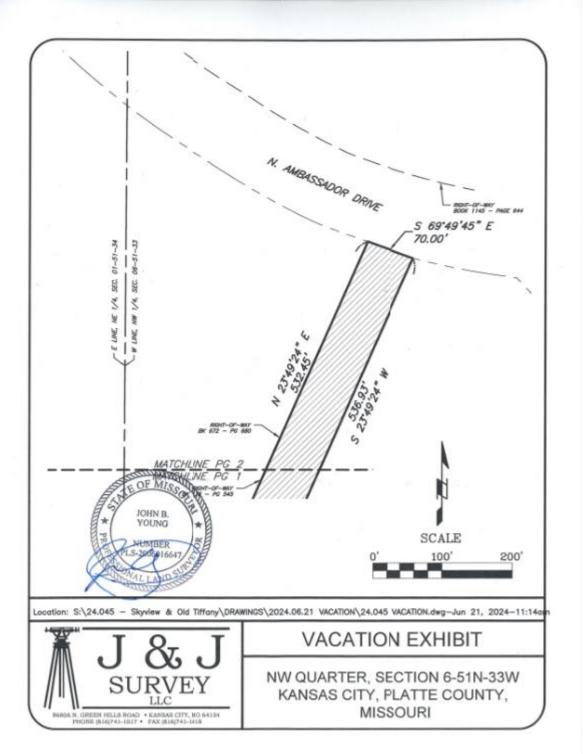
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1. Our utility/agency has facilities or interest within this right of way:

 \Box Yes (proceed to #2)

No (form complete)

2. Our utility/agency:

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 Other:
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- Please return this form to the applicant within 30 days.

Craig McNiel, Vicinity Distribution Supervisor Authorized Representative	Craig Mcnisl	7/01/2024 Date	
Return this form to:			
Katie Raynor (Kimley-Horn & Associates, Inc.) On behalf of the Owner (Tiffany Land Reserve, LLC)	816-683-7079		
Applicant Name		Phone	

805 Pennsylvania Ave, Suite 150 Kansas City, MO 64105

Address

kaitlin.raynor@kimley-horn.com

Email