CITY PLAN COMMISSION STAFF REPORT

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

May 7, 2025

White Avenue Vacation- HALO
Project Name

Docket #2

Request
CD-ROW-2025-00004
Vacation of Public Right-of-way

Applicant
Joe McLaughlin
BHC Rhodes

Location	5928 E 52nd Ter
Area	About 1.25 acres
Zoning	MPD
Council District	3rd
County	Jackson
School District	Raytown

Surrounding Land Uses
North: Residential, Zoned MPD
South: Residential, Zoned R-7.5 & R-80
East: Residential, Zoned MPD
West: Residential, Zoned MPD

Land Use Plan
The Blue Ridge Area Plan recommends Residential Low Density uses for the subject property.

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

APPROVAL PROCESS

Staff Review → City Plan Commission → City Council

SUMMARY OF REQUEST + KEY POINTS
The applicant is seeking approval of a Vacation of Public Right-of-way in District MPD (Master Planned Development) of about 1.25 acres generally located on White Avenue approximately 1250 feet north of East 56th Street.

PROJECT TIMELINE
The application for the subject request was filed on January 24, 2025. Scheduling deviations from 2025 Cycle 3.2 have occurred due to requirements to obtain consent from outside utility agencies. Utility comment sheets were submitted on March 24, 2025.

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 an unimproved paper street which has never been improved. It does not serve as the primary access to any parcel. Add in some details about the grade (especially since you mention that it won't be extended because of the grade).

CONTROLLING CASE
Case No. CD-CPC-2021-00018 – Ordinance 210507, approved by City Council on June 16, 2021, approved a rezoning of an area of about 24.24 acres located at 5928 East 52nd Terrance from District R-7.5 to District MPD (Master Planned Development) and approved the MPD preliminary development plan for the "Halo Village".

PROFESSIONAL STAFF RECOMMENDATION
Docket #2 Recommendation: **Approval Subject to Conditions**

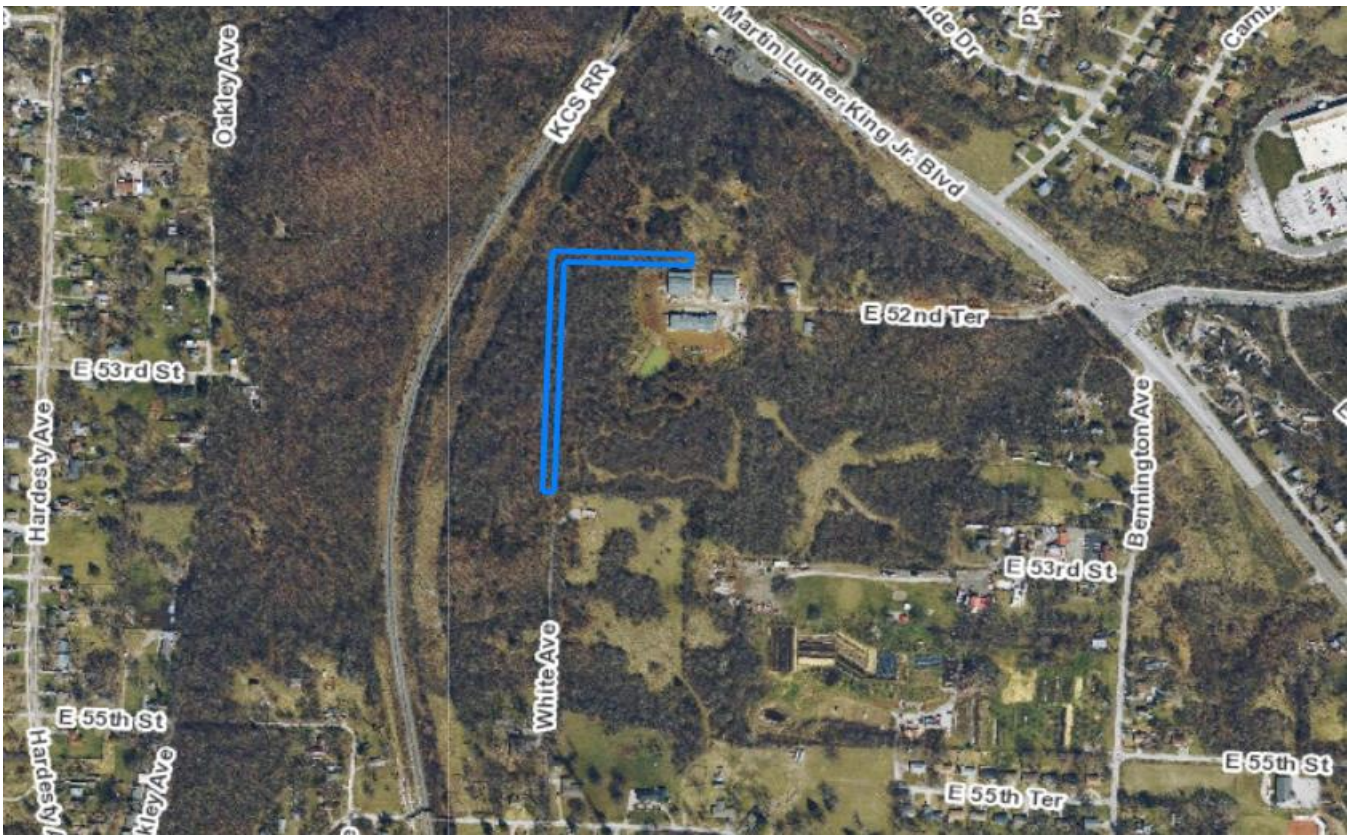
RELEVANT CASES

Case No. CD-CPC-2022-00055 – Ordinance 220656, approved by City Council on August 11, 2022, approved a preliminary plat in District MPD (Master Planned Development) on about 24.24 acres generally located at East 52nd Terrace and Belmont Avenue.

Case No. CD-CPC-2021-00139 – On September 7, 2021, the City Plan Commission approved a MPD Final Plan in District MPD on about 24.24 acres generally located at East 52nd Terrace and Belmont Avenue.

Case No. CLD-FnPlat-2022-00021– Ordinance 221053, approved by City Council on December 15, 2022, approved a Final Plat in District MPD (Master Planned Development) on about 24.24 acres generally located at East 52nd Terrace and Belmont Avenue. **This Final Plat has not been recorded as of the publication of this Staff Report.**

VICINITY MAP



VACATION REVIEW

The street proposed for vacation is an unimproved right-of-way that currently dead-ends approximately 1,250 feet north of East 56th Street. White Avenue has been gated off by a third party property owner roughly 750 feet north of East 56th Street, making the unimproved section inaccessible.

During the Final Plat review, it was determined that right-of-way for White Avenue had previously been dedicated to the City; however, no record of its vacation was found. Additionally, the City's GIS system (Parcel Viewer) does not show it as active public right-of-way. This vacation application is intended to formally vacate the unimproved street.

Evergy has private utilities located within the public right-of-way and has requested that an easement be retained over the vacated area. No other utility company, private or public, has utilities within the right-of-way.

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.
This right-of-way vacation is for unimproved right-of-way. All adjacent property owners will retain legal access to other 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.
White Avenue is currently blocked off from vehicular traffic south of the proposed vacation by a gate erected by a third party. White Avenue south of this proposed vacation serves only one property with a wireless communication tower on site. Topography north of the proposed vacation will prohibit any possible future extension of the right-of-way. No current or future public purpose is anticipated for this right-of-way.

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.

88-560-10-E. The vacation shall not result in a dead-end street or alley.
Currently White Avenue is not traversable at this location. A gate has been constructed across the right-of-way which prohibits traffic further north to a wireless communication tower. The vacation will not create a new dead-end street, the access will continue north after the gate.

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
3. Public Opposition

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: May 01, 2025

Case Number: CD-ROW-2025-00004

Project: HALO Vacation- White Ave

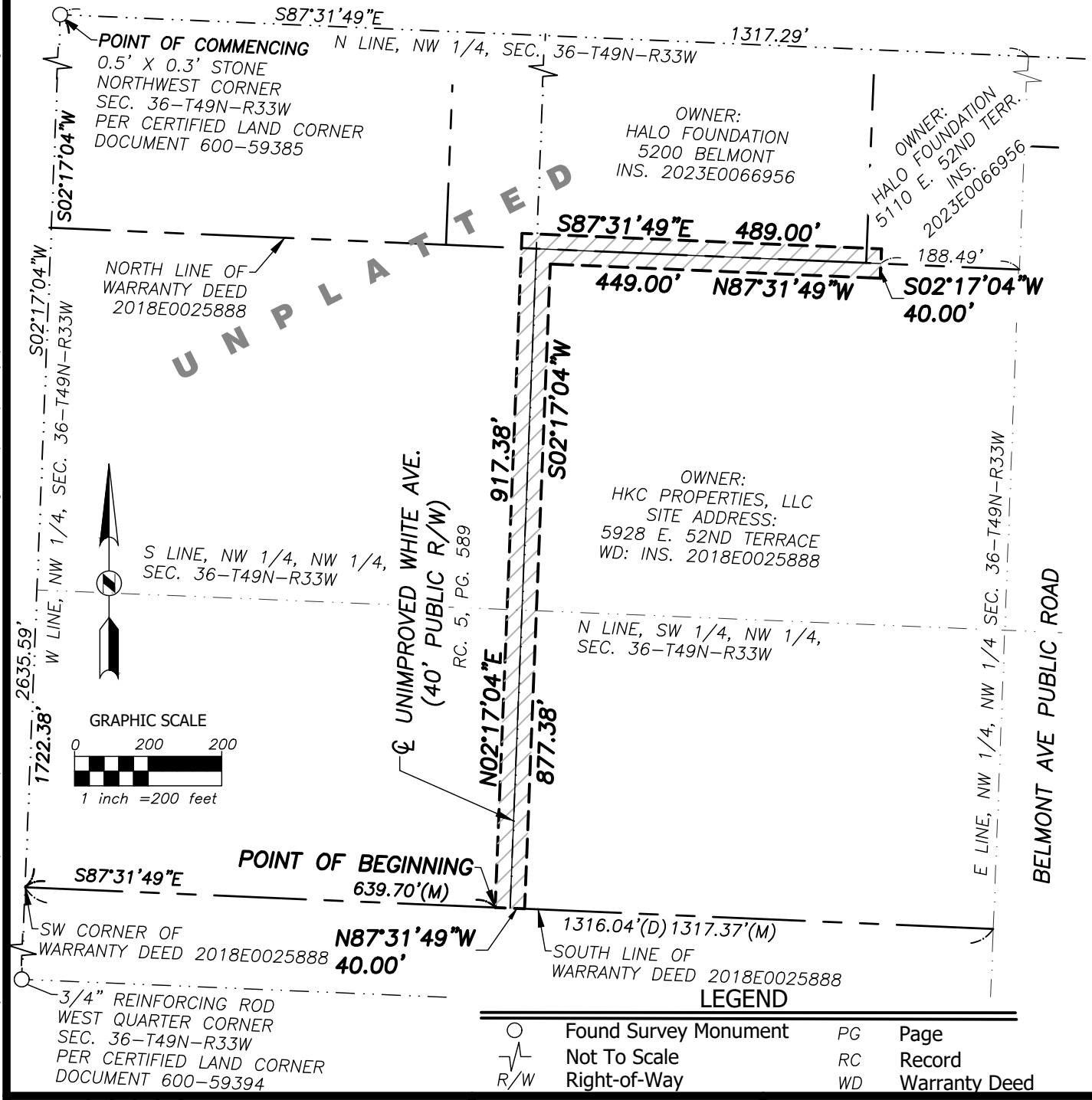
Condition(s) by City Planning and Development Department. Contact Matthew Barnes at (816) 513-8817 / matthew.barnes@kcmo.org with questions.

1. That the applicant shall retain all utility easements and protect facilities required by Evergy.

EXHIBIT A - PARTIAL ROAD VACATION

WEST HALF OF THE NORTHWEST QUARTER
SECTION 36, TOWNSHIP 49 NORTH, RANGE 33 WEST
KANSAS CITY, JACKSON COUNTY,MISSOURI

MAP (SEE SHEET 2 FOR DESCRIPTION)



LEGEND

○	Found Survey Monument	PG	Page
⏚	Not To Scale	RC	Record
R/W	Right-of-Way	WD	Warranty Deed

Sheet:	1 OF 2	Project:	STREET VACATION PART OF WHITE STREET IN THE W 1/2 OF THE NW 1/4 SECTION 36, T49N, R33W KANSAS CITY, JA. CO., MO
Drawn By:	RKS	Client:	HALO 1600 GENESSEE STREET SUITE 200 KANSAS CITY, MO 64102
Project No:	030040		
Field Date:			
Issue Date:	01/17/2025		

BHC
CIVIL ENGINEERING / SURVEYING / UTILITIES
712 State Avenue, Kansas City, KS 66101
Phone: (913) 371-5300

Jan 24, 2025 - 7:52am Plotted by: kent.shafer I:_Restored\030040 5928 E 52nd Ter KCMO Eng Des\DWG\Survey\030040-SRVY-VACA-WHT AVE_EXBT.dwg

EXHIBIT A - PARTIAL ROAD VACATION
WEST HALF OF THE NORTHWEST QUARTER
SECTION 36, TOWNSHIP 49 NORTH, RANGE 33 WEST
KANSAS CITY, JACKSON COUNTY, MISSOURI
DESCRIPTION (SEE SHEET 1 FOR MAP)

DESCRIPTION

A Tract of land being part of White Avenue, established by road record, recorded April 4th, 1898, in Book 5 at Page 589, in the West half of the Northwest Quarter of Section 36, Township 49 North, Range 33 West, of the Fifth Principal Meridian, in Kansas City, Jackson County, Missouri, being more particularly described by Joseph H. McLaughlin, PLS - 2012018392, with BHC, MO CLS 2006009875-F, by metes and bounds as follows:

(Note: For coarse orientation the bearings in this description are based on the West line of said Northwest Quarter, having a bearing of South 02° 17' 04" West as reference to the Missouri State Plane Coordinate System, West Zone, (NAD 83.)

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;

Thence South 02° 17' 04" West, 1722.38 feet, on the West line of said Northwest Quarter, to the Southwest corner of a parcel of land recorded in Warranty Deed, filed March 28th, 2018, as Instrument Number 2018E0025888;

Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;

Thence North 02° 17' 04" East, 917.38 feet, on said West Right-of-Way line, to the North Right-of-Way line of White Avenue;

Thence South 87° 31' 49" East, 489.00 feet, on said North Right-of-Way line;

Thence South 02° 17' 04" West, 40.00 feet, to the South Right-of-Way line of said White Avenue;

Thence North 87° 31' 49" West, 449.00 feet, on said South Right-of-Way line;

Thence South 02° 17' 04" West, 877.38 feet, to the South line of said parcel;

Thence North 87° 31' 49" West, 40.00 feet, on said South line to the
POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

Jan 24, 2025 - 7:52am Plotted by: kent.shafer I:_Restored\030040 5928 E 52nd Ter KCMO Eng Des\DWG\Survey\030040-SRVY-VACA-WHT AVE_EXBT.dwg

Sheet: 2 OF 2	Drawn By: RKS Project No: 030040 Field Date: Issue Date: 01/17/2025	Project: STREET VACATION PART OF WHITE STREET IN THE W 1/2 OF THE NW 1/4 SECTION 36, T49N, R33W KANSAS CITY, JA. CO., MO.	Client: HALO 1600 GENESSEE STREET SUITE 200 KANSAS CITY, MO 64102	BHC CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300		

PETITION FOR 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 #: **CD-ROW-2025-0004**

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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

A Tract of land being part of White Avenue, established by road record, recorded April 4th, 1898, in Book 5 at Page 589, in the West half of the Northwest Quarter of Section 36, Township 49 North, Range 33 West, of the Fifth Principal Meridian, in Kansas City, Jackson County, Missouri, being more particularly described by Joseph H. McLaughlin, PLS - 2012018392, with BHC, MO CLS 2006009875-F, by metes and bounds as follows:(Note: For coarse orientation the bearings in this description are based on the West line of said Northwest Quarter, having a bearing of South 02° 17' 04" West as reference to the Missouri State Plane Coordinate System, West Zone, (NAD 83.)

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;

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Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;

Thence North 02° 17' 04" East, 917.38 feet, on said West Right-of-Way line, to the North Right-of-Way line of White Avenue;

Thence South 87° 31' 49" East, 489.00 feet, on said North Right-of-Way line;

Thence South 02° 17' 04" West, 40.00 feet, to the South Right-of-Way line of said White Avenue;

Thence North 87° 31' 49" West, 449.00 feet, on said South Right-of-Way line;

Thence South 02° 17' 04" West, 877.38 feet, to the South line of said parcel;

Thence North 87° 31' 49" West, 40.00 feet, on said South line to the POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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CASE #: **CD-ROW-2025-0004**

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____

_____ by _____

City Clerk Deputy

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
Adjacent owners:		
HALO Foundation	SEC-36 TWP-49 RNG-33; PT OF W 21 AC OF N 25 AC OF NW 1/4 NW 1/4 DAF: BEG AT PT; 825' S OF N LI AND 1108.80' E OF W LI SD SEC 36 TH N 292' TH; W 571.71' TH S 292' TH E 571.71' TO POB (EX PT IN RR; ROW) SEC-36 TWP-49 RNG-33; PT OF NW 1/4 OF NW 1/4 DAF: BEG 1108.80' E AND 59.01' S OF; NW COR OF SD 1/4 1/4 TH CONT S 765.99' TH E 213.84'; TH N 610' MOL TH NWLY 270.29' TO POB	1600 Gennessee St. Suite 200 Kc MO 64102

(see additional sheet)

PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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CASE #: **CD-ROW-2025-0004**

Continued

Owner's name	Legal description of property	Residence of owner
Applicant: HKC Properties, LLC	BEG at the SE corner of the NW 1/4 of NW 1/4, Section 36 T49N-R33E, Thence S. 406.56', along the E. line of the NW 1/4 of NW 1/4; Thence N87°31'49"W, 1153.5', to the E. ROW line of KC Southern Railway Company, as established by Warranty Deed, recorded in Book 3651, Page 459; Thence Northeasterly, on a non-tangent curve, concave to the SE, having a radius of 2452.92', an arc length of 1144.11', on said E. ROW line, said curve, to the right, having a chord bearing N20°02'20" E, a chord distance of 1133.77'; Thence N33°24'04"E, 53.06', on said East ROW line; Thence S02°17'29" W, 229.03'; Thence S87°31'49"E, 780.20', to the E line of NW 1/4 of NW 1/4 Thence S02°17'29"E, 490.82', on said E line, to the POB, said Tract containing 967,557 square feet or 22.2121 acres.	5700 W 112TH ST STE 200 OVERLAND PARK, KS 66211

(no additional sheets required)

PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

CASE #: **CD-ROW-2025-0004**

Petitioner

STATE OF)
) ss.
COUNTY OF)

On this 8 day of April in the year 2025 before me, a Notary Public in and for said state, personally appeared Martin Bicknell, 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 8 day of April, 2025

Notary Public in and for Said County and State

Bethanie Schmelig
Notary Public

My Commission Expires: 12/4/2026

BETHANIE SCHMELIG NOTARY PUBLIC COMMISSION # 08305254 NOTARY SEAL STATE OF MISSOURI

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. CASE #: CD-ROW-2025-0004

In the matter of the vacation of:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

A Tract of land being part of White Avenue, established by road record, recorded April 4th, 1898, in Book 5 at Page 589, in the West half of the Northwest Quarter of Section 36, Township 49 North, Range 33 West, of the Fifth Principal Meridian, in Kansas City, Jackson County, Missouri, being more particularly described by Joseph H. McLaughlin, PLS - 2012018392, with BHC, MO CLS 2006009875-F, by metes and bounds as follows:(Note: For coarse orientation the bearings in this description are based on the West line of said Northwest Quarter, having a bearing of South 02° 17' 04" West as reference to the Missouri State Plane Coordinate System, West Zone, (NAD 83.)

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Thence North 87° 31' 49" West, 449.00 feet, on said South Right-of-Way line;

Thence South 02° 17' 04" West, 877.38 feet, to the South line of said parcel;

Thence North 87° 31' 49" West, 40.00 feet, on said South line to the POINT OF BEGINNING, said Tract containing 54,655 square feet

CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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Case No. CASE #: CD-ROW-2025-0004

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 OF INDIVIDUALS **Case No.**

Owner's name	Legal description of property
Adjacent owners: HALO Foundation	SEC-36 TWP-49 RNG-33; PT OF W 21 AC OF N 25 AC OF NW 1/4 NW 1/4 DAF: BEG AT PT; 825' S OF N LI AND 1108.80' E OF W LI SD SEC 36 TH N 292' TH; W 571.71' TH S 292' TH E 571.71' TO POB (EX PT IN RR; ROW) SEC-36 TWP-49 RNG-33; PT OF NW 1/4 OF NW 1/4 DAF: BEG 1108.80' E AND 59.01' S OF; NW COR OF SD 1/4 1/4 TH CONT S 765.99' TH E 213.84'; TH N 610' MOL TH NWLY 270.29' TO POB

STATE OF MO)
) ss.
COUNTY OF Cole)

On this 8th day of April, 2025 before me personally appeared Edward Welsh _____, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

Subscribed and sworn to before me on this 8th day of April, 2025

Notary Public in and for Said County and State

Katie Johnson
Notary Public

My Commission Expires
5/2/27

KATIE JOHNSON
Notary Public, Notary Seal
State of Missouri
Cole County
Commission # 23053078
My Commission Expires 05-02-2027

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-2025-00004** **UTILITY/AGENCY** **Segra - UPN**

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

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POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

1. **Our utility/agency has facilities or interest within this right of way:**
   - ☐ Yes (proceed to #2)
   - xNo (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.

Brandon Myer_____ 1/29/2025_____

Authorized Representative Date

BUSINESS USE

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

Return this form to:

Kent Shafer w/ BHC	**913-638-8670**
Applicant Name	Phone
712 State Avenue	
Kansas City, KS. 66101	**Kent.Shafer@ibhc.com**
Address	Email

BUSINESS USE

UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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for the following purpose: **future development of the property**

1. **Our utility/agency has facilities or interest within this right of way:**
   - ☐ Yes (proceed to #2)
   - xNo (form complete)
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   - ☐ has no objections
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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.

Brandon Myer_____ 1/29/2025_____

Authorized Representative Date

BUSINESS USE

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

Return this form to:

Kent Shafer w/ BHC	**913-638-8670**
Applicant Name	Phone
712 State Avenue	
Kansas City, KS. 66101	**Kent.Shafer@ibhc.com**
Address	Email

BUSINESS USE

UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. CD-ROW-2025-00004 **UTILITY/AGENCY** AT&T

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;
Thence South 02° 17' 04" West, 1722.38 feet, on the West line of said Northwest Quarter, to the Southwest corner of a parcel of land recorded in Warranty Deed, filed March 28th, 2018, as Instrument Number 2018E0025888;
Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;
Thence North 02° 17' 04" East, 917.38 feet, on said West Right-of-Way line, to the North Right-of-Way line of White Avenue;
Thence South 87° 31' 49" East, 489.00 feet, on said North Right-of-Way line;
Thence South 02° 17' 04" West, 40.00 feet, to the South Right-of-Way line of said White Avenue;
Thence North 87° 31' 49" West, 449.00 feet, on said South Right-of-Way line;
Thence South 02° 17' 04" West, 877.38 feet, to the South line of said parcel;
Thence North 87° 31' 49" West, 40.00 feet, on said South line to the
POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

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.

Charlie Pedersen — Authorized Representative

January 28th, 2025 — Date

Charlie Pedersen

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

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UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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

CASE NO. **CD-ROW-2025-00004** **UTILITY/AGENCY** **Vicinity Energy**

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;
Thence South 02° 17' 04" West, 1722.38 feet, on the West line of said Northwest Quarter, to the Southwest corner of a parcel of land recorded in Warranty Deed, filed March 28th, 2018, as Instrument Number 2018E0025888;
Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;
Thence North 02° 17' 04" East, 917.38 feet, on said West Right-of-Way line, to the North Right-of-Way line of White Avenue;
Thence South 87° 31' 49" East, 489.00 feet, on said North Right-of-Way line;
Thence South 02° 17' 04" West, 40.00 feet, to the South Right-of-Way line of said White Avenue;
Thence North 87° 31' 49" West, 449.00 feet, on said South Right-of-Way line;
Thence South 02° 17' 04" West, 877.38 feet, to the South line of said parcel;
Thence North 87° 31' 49" West, 40.00 feet, on said South line to the
POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

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, Vicinity Distribution Supervisor Craig McNiel 2/24/2025

Authorized Representative Date

UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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

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712 State Avenue	
Kansas City, KS. 66101	**Kent.Shafer@ibhc.com**
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UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
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CASE NO. **CD-ROW-2025-00004** **UTILITY/AGENCY** **Evergy**

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;
Thence South 02° 17' 04" West, 1722.38 feet, on the West line of said Northwest Quarter, to the Southwest corner of a parcel of land recorded in Warranty Deed, filed March 28th, 2018, as Instrument Number 2018E0025888;
Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;
Thence North 02° 17' 04" East, 917.38 feet, on said West Right-of-Way line, to the North Right-of-Way line of White Avenue;
Thence South 87° 31' 49" East, 489.00 feet, on said North Right-of-Way line;
Thence South 02° 17' 04" West, 40.00 feet, to the South Right-of-Way line of said White Avenue;
Thence North 87° 31' 49" West, 449.00 feet, on said South Right-of-Way line;
Thence South 02° 17' 04" West, 877.38 feet, to the South line of said parcel;
Thence North 87° 31' 49" West, 40.00 feet, on said South line to the
POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

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.

Jasper Mirabile

_____ _____

Authorized Representative Date

Internal Use Only

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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Return this form to:

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Applicant Name	Phone
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Kansas City, KS. 66101	**Kent.Shafer@ibhc.com**
Address	Email

Internal Use Only

UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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Phone (816) 513-2846 | www.kcmo.gov/planning

CASE NO. **CD-ROW-2025-00005** **UTILITY/AGENCY** **Comcast**

Be it known that **HKC Properties, 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:

A Tract of land being part of a road easement as established April 29th, 1958, and recorded in Book B-5089 at Page 729, in the West half of the Northwest Quarter of Section 36, Township 49 North, Range 33 West, of the Fifth Principal Meridian, in Kansas City, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS - 2012018392, with BHC, MO CLS 2006009875-F, by metes and bounds as follows:

(Note: For coarse orientation the bearings in this description are based on the East line of said West half of Northwest Quarter of the Northwest Quarter of said Section 36 having a bearing of South 02° 17' 29" West as reference to the Missouri State Plane Coordinate System, West Zone, (NAD 83.)

COMMENCING at the Southwest corner of Lot 11, EASTWOOD TERRACE, a subdivision of land recorded April 16, 1928 as document number 1928K0379245, located in the City of Kansas City, Jackson County, Missouri;

Thence North 87° 32' 02" West, 20.00 feet, on the westerly prolongation of the North Right-of-Way line of 52nd Street (as platted), to the East line of the West half of said Northwest Quarter of the Northwest Quarter of said Section 36, said line also being the East line of a parcel of land recorded in Warranty Deed, filed March 28th, 2018, as Instrument Number 2018E0025888;

Thence North 02° 17' 29" East, 5.00 feet, on said East line of said parcel, to the Northeast corner of an existing Road Easement recorded as KURT KELLER'S INC. in Book B-5089, page 729;

Thence North 87° 33' 11" West, 49.33 feet, on the North line of said Road Easement to the POINT OF BEGINNING of said Tract herein described;

Thence Southwesterly on a tangent curve, having a Radius of 60.00 feet to the left, concave to the South, an arc length of 84.20 feet, said curve having with a chord bearing of South 52° 14' ' 38" West, and a chord distance of 77.46 feet, to a point on the South line of said Road Easement;

Thence North 87° 33' 11" West,105.35 feet, on said South line, to the Southwest corner of said Road Easement;

Thence North 02° 26' 49" East, 50.00 feet, on the West line of said Road Easement, to the Northwest Corner of said Road Easement;

Thence South 87° 33' 11" East, 164.51 feet, on the North line of said Road Easement, to the POINT OF BEGINNING, said Tract containing 5995 square feet or 0.1376 acres.

for the following purpose: **future development of the property**

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

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:**
   - 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.

_____Dallas Swofford_____ _____02/26/2025_____

Authorized Representative Date

Return this form to:

Kent Shafer w/ BHC — Applicant Name

913-638-8670 — Phone

712 State Avenue

Kansas City, KS. 66101 — Address

Kent.Shafer@ibhc.com — 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-2025-00004** **UTILITY/AGENCY** **Google Fiber**

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;
Thence South 02° 17' 04" West, 1722.38 feet, on the West line of said Northwest Quarter, to the Southwest corner of a parcel of land recorded in Warranty Deed, filed March 28th, 2018, as Instrument Number 2018E0025888;
Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;
Thence North 02° 17' 04" East, 917.38 feet, on said West Right-of-Way line, to the North Right-of-Way line of White Avenue;
Thence South 87° 31' 49" East, 489.00 feet, on said North Right-of-Way line;
Thence South 02° 17' 04" West, 40.00 feet, to the South Right-of-Way line of said White Avenue;
Thence North 87° 31' 49" West, 449.00 feet, on said South Right-of-Way line;
Thence South 02° 17' 04" West, 877.38 feet, to the South line of said parcel;
Thence North 87° 31' 49" West, 40.00 feet, on said South line to the POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

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:

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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- 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.

Jordan Weibel — Authorized Representative

3/17/25 — Date

Return this form to:

Kent Shafer w/ BHC — Applicant Name

913-638-8670 — Phone

712 State Avenue
Kansas City, KS. 66101 — Address

Kent.Shafer@ibhc.com — Email

UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. **CD-ROW-2025-00004** **UTILITY/AGENCY** **AT&T Transmission**

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;
Thence South 02° 17' 04" West, 1722.38 feet, on the West line of said Northwest Quarter, to the Southwest corner of a parcel of land recorded in Warranty Deed, filed March 28th, 2018, as Instrument Number 2018E0025888;
Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;
Thence North 02° 17' 04" East, 917.38 feet, on said West Right-of-Way line, to the North Right-of-Way line of White Avenue;
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Thence North 87° 31' 49" West, 40.00 feet, on said South line to the
POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

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.

Lenny Vohs AT&T Transmission — 1-28-2025

Authorized Representative — Date

UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. **CD-ROW-2025-00004** **UTILITY/AGENCY** **KCMO Fire Dept.**

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;
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Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;
Thence North 02° 17' 04" East, 917.38 feet, on said West Right-of-Way line, to the North Right-of-Way line of White Avenue;
Thence South 87° 31' 49" East, 489.00 feet, on said North Right-of-Way line;
Thence South 02° 17' 04" West, 40.00 feet, to the South Right-of-Way line of said White Avenue;
Thence North 87° 31' 49" West, 449.00 feet, on said South Right-of-Way line;
Thence South 02° 17' 04" West, 877.38 feet, to the South line of said parcel;
Thence North 87° 31' 49" West, 40.00 feet, on said South line to the
POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

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 — 1/29/25

Authorized Representative — Date

UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. **CD-ROW-2025-00004** **UTILITY/AGENCY** **KCMO Public Works Dept.**

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

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POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

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)
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     - ☐ 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, P.E, Public Works Dept., Street and Traffic Division — 1/28/2025

Authorized Representative — 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
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UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. **CD-ROW-2025-00004** **UTILITY/AGENCY** **Spectrum Charter**

Be it known that **HKC Properties, 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:

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Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;
Thence North 02° 17' 04" East, 917.38 feet, on said West Right-of-Way line, to the North Right-of-Way line of White Avenue;
Thence South 87° 31' 49" East, 489.00 feet, on said North Right-of-Way line;
Thence South 02° 17' 04" West, 40.00 feet, to the South Right-of-Way line of said White Avenue;
Thence North 87° 31' 49" West, 449.00 feet, on said South Right-of-Way line;
Thence South 02° 17' 04" West, 877.38 feet, to the South line of said parcel;
Thence North 87° 31' 49" West, 40.00 feet, on said South line to the
POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

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.

Joshua Peck — Authorized Representative

2/25/2025 — 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 | www.kcmo.gov/planning

Return this form to:

Kent Shafer w/ BHC	**913-638-8670**
Applicant Name	Phone
712 State Avenue	
Kansas City, KS. 66101	**Kent.Shafer@ibhc.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-2025-00004** **UTILITY/AGENCY** **KCMO Water Services Dept.**

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;
Thence South 02° 17' 04" West, 1722.38 feet, on the West line of said Northwest Quarter, to the Southwest corner of a parcel of land recorded in Warranty Deed, filed March 28th, 2018, as Instrument Number 2018E0025888;
Thence South 87° 31' 49" East, 639.70 feet, on the South line of said parcel, to the West Right-of-Way line of White Avenue as now established and the POINT OF BEGINNING of said Tract herein described;
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POINT OF BEGINNING, said Tract containing 54,655 square feet or 1.2547 acres.

for the following purpose: **future development of the property**

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     - ☐ 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.

Travis W. Kiefer, P.E. — Authorized Representative

03/06/2025 — 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 | www.kcmo.gov/planning

Return this form to:

Kent Shafer w/ BHC	**913-638-8670**
Applicant Name	Phone
712 State Avenue	
Kansas City, KS. 66101	**Kent.Shafer@ibhc.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-2025-00004 **UTILITY/AGENCY** Everfast Fiber Network

Be it known that HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

COMMENCING at the Northwest corner of said Northwest Quarter, monumented by a 0.5 foot by 0.3 foot stone, per Certified Land Corner, Document 600-59385 found from ties referenced by Susan Magierowski LS 2213;
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2. **Our utility/agency:**
   - ☒ has no objections
   - ☐ objects to the vacation and will not waive objection under any conditions (describe below)
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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.

Tim LaForce Director Outside Plant + Facilities 2/5/25

Authorized Representative Date

KANSAS CITY
Planning & Dev

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

Return this form to:

Kent Shafer w/ BHC Applicant Name	913-638-8670 Phone
712 State Avenue Kansas City, KS. 66101 Address	Kent.Shafer@ibhc.com 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-2025-00004** **UTILITY/AGENCY** **KCMO Public Works Dept.**

Be it known that **HKC Properties, 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:

White Avenue (Across the W ½ of NW ¼ of Section 36-T49N-R33W):

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

Czar Vibar — Authorized Representative

01/30/2025 — 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 | www.kcmo.gov/planning

Return this form to:

Kent Shafer w/ BHC — Applicant Name

913-638-8670 — Phone

712 State Avenue

Kansas City, KS. 66101 — Address

Kent.Shafer@ibhc.com — Email

From:	lgold <lgoldarch@aol.com>
Sent:	Sunday, April 6, 2025 8:57 PM
To:	compasskc; Copeland, Sara; Barnes, Matthew; LAWRENCE GOLDBLATT; icthusleslie@aol.com; brian.handshy@hud.gov; davehaug@att.net; Platt, Brian; Kline, Nathan Andrew
Subject:	Re: CD-row-2025-00005 Vacation East 52nd Terrace, west of 5800 East 52nd Terrace

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

Dear Sara,

I am a property owner adjacent to the Applicant's property for which the Applicant seeks a vacation. I am also a licensed architect and represent my co-property owner, Paula Fesenmeyer, in administrative processes. I am an interested Party representing only myself in a related Civil Probate Case 2316-cv-04846.

This memo is the City's, and the Applicant's, constructive Notice that as interested and affected property owners, the undersigned believe the Application for vacation is defective as follows and for these reasons we notify the City and the Applicant they are to not proceed any further under various rules of Missouri Civil Procedure;

1. No evidence exists that the City ever accepted the named ROW as a part of the City street system. No evidence exists that the proposed vacation ever met the definition of public right of way.

2. No evidence is presented that the City has proof that it ever accepted the Plat of the alleged street as public right of way.

3. There is no evidence presented that the City ever budgeted any maintenance money nor actually undertook any capital or maintenance expenses since the date of the annexation of this ground by the City.

4. There is no proof presented that by Platting or otherwise that the entirety of East 52nd Terrace, or any portion of it, was ever accepted by the City as street and right of way.

5. The Applicant Property owner has not submitted its ownership's authority for BHC or anyone else to undertake this vacation.

6. The Application fails to meet 88-560-05 "APPLICATION FILING", which requires "a legal description by a surveyor; written description of why the vacation is being requested; a plan showing future development, and a map portraying right of way..."

7. The Applicant does not provide evidence it has been granted the Authority to file (88-560-03).

8. The Adopted Ordinance granting the MPD for this parcel requires there be a public right of way extending East 52nd Terrace and utilities to the proposed development site. That Ordinance is made defective because the Applicant has not filed its Plat with the City and installed the site improvements before the building permits were issued on the alleged surrounding Parcel. The City Planning Commission may lack jurisdction to hear this matter.

9. The Building Official's decision to permit construction of three structures on the parcel before the required public improvements were installed is being contested under Appeal. The CPC demonstrates no authority to hear a Vacation recommendation to the City Council when there are other administrative matters pending before the City. No Court Order is presented granting the CPC to hear a vacation when related matters are under Administrative review.

10. The Application shows no Court Order stating that the Applicant is qualified to request a Vacation before the CPC when the City Council Ordinance stipulating the change of zone to MPD stands ignored (regarding requirement that the connection to a public right of way and utilities be in place and accepted before any building permits can issue).

11. It appears 88-560-06-A "Petition to Vacate" has not been submitted, nor does the Application fit any exception to the Application requirements.

12. No Court has indicated that 88-560-06-B "Consent to Vacate" has been granted before any application can be accepted for hearing by the CPC or City Council.

13. The application shows no acknowledgement by donors that they individually donated their funds to the City for completion of the MPD Zoning, and subsequent permits and building costs. Therefore, the funds donated cannot be treated as charitable donations by the individual donors to the City of Kansas City, Missouri as they have been routed through a non profit first. Funds must be returned to donors as the individuals do not qualify for charitable donations. The City government may be participating in a money laundering scheme, for which it is not empowered.

14. No Drawings are posted showing that the private way East 52nd Terrace has ever was, or has been currently, approved for City or privately funded improvements. No evidence is presented to the City that a permit was issued covering the improvements to East 52nd Terrace, which is a private way, and that required grading changes to the street were submitted to the affected property owners for their State required agreement, nor has the City Council enacted an ordinance seeking to have privately made street improvements constructed after the Halo Village buildings were permitted, erected, and issued Certificates of Occupancy.

15. No exception, to our knowledge, has been made to the requirement for a Bond to the benefit of the City and affected property owners for the construction of public improvements on the private way East 52nd Terrace. Therefore, the HALO Village project has no direct access to a public street, and utility extensions are crossing private property without easements to do so.

16. Judicial review is lacking that the Ordinance Overlay to MPD/district R-1 standards is satisfied by the erection of private street and public utilities crossing private property.

No evidence has been produced nor can it be that City Manager Brian Platt, his delegees, or his current replacement, did in fact have authority to grant verbal permission or ignore the lack of authority of waiver of required ordinances, rules, standards, and State laws.

17. No Applicant, or City staff, have been granted the authority to waive City laws, statutes, regulations, processes, enabling the CPC to undertake any enactments or hearings which assume the City and the Applicant are relieved of required standards in underlying or parallel Charter requirements.

18. The City Development Department has acknowledged it has the legal requirement which it is not enforcing to cancel the current Certificate of Occupancy as it issuance is not based on any judicial ruling waiving city and state requirements. This Vacation is only needed because the Certificate of Occupancy may not be valid if issued over the existing Right-Of-Way.

19. Continued processing of this Application may be basis for a Claim of harassment and retaliation by the City, staff, and electeds) against the undersigned, for persisting with treating the HALO Village development as if it were constructed and approved by "clean hands".

20. The Applicant property owner adjacent to the proposed vacation lacks legal access, as required, to access to a public right of way. See County Register of Deeds. See Applicant's Survey (Section 88-560-10-A).

21. Section 88-560-10-B states "no future use public purpose is anticipated". The Applicant fails to disclose its stated intentions to "fill this whole area" with "the homeless village". It fails to disclose that it's proof of purchase of adjoining property to the north was lawfully permitted (see current Case Case 2316-cv-04846).

22. Respondent serves the first Notice of Appeal to the City and the Applicant that the above are some of the Points of Appeal to be contested.

23. Respondent states further defensive actions are on hold when the Applicant removes the Application and the City staff rejects the Application as demonstrated by return email, with prejudice.

24. The CPC process citing staff report due the Friday before the Hearing may be insufficient Notice for review of the veracity of the staff report and filing challenges to that evidence, by existing Missouri Rules of Civil Procedure.

25. The Applicant does not state what rules the Application is made under.

26. Applicant does not state it is in contravention of the designation of the larger parcel as MPD/R-1 as the structures were permitted and built before the public improvements were constructed, violating City development Code. The Applicant does not show where the City Manager had the Authority to waive this requirement, nor could the Building Official.

27. It is our belief that the CPC lacks jurisdiction to hear this matter, and therefore lacks the authority to call for it or even Hear a or continue this matter.

Thank you,

____/c/_____

cc: Paula Fesenmeyer (via reader)
Lawrence Goldblatt

On Friday, April 4, 2025 at 02:39:46 PM CDT, Copeland, Sara <sara.copeland@kcmo.org> wrote:

Mr. Goldblatt:

The link to access the files online is https://compasskc.kcmo.org/EnerGov_Prod/SelfService/#/plan/a7708db4-22d8-4a61-87c4-dc320fc60e5f?tab=attachments. At this time, the only files posted are the notice letter and the mailing labels for the notice letters. This case is currently scheduled for the April 16 City Plan Commission meeting, as noted in the letter. Staff reports are generally posted no later than the Friday prior to the meeting, which in this case would be April 11, barring any continuances.

Please let me know if you have further questions.

Sincerely,

Sara Copeland

Sara Copeland, FAICP (*she/hers*)

Development Management Division Manager

City Planning and Development

Development Management Division

City of Kansas City, Mo.

Phone: (816) 513-8824

Email: sara.copeland@kcmo.org

City Hall, 15th Floor

414 E. 12th Street, Kansas City, Missouri 64106

KCMO.gov

From: lgold <lgoldarch@aol.com>
Sent: Friday, April 4, 2025 1:41 PM

To: compasskc <compasskc@kcmo.org>; LAWRENCE GOLDBLATT <lgoldarch@aol.com>; Copeland, Sara <Sara.Copeland@kcmo.org>
Subject: Compass is inaccessible from this internet connection

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

I am seeking to read the information online for CD-RIW 2025-00005, on east 52nd Terrace. Compass is inaccessible. Please send me a link to that file, or attach the relevant materials. Time is of the essence.

___/s/_____

Lawrence Goldblatt, Affected Property Owner

From: lgold <lgoldarch@aol.com>
Sent: Tuesday, April 15, 2025 4:55 PM
To: Barnes, Matthew; LAWRENCE GOLDBLATT
Cc: Copeland, Sara; Public Engagement; Dave Haug
Subject: Cases Numbered CD-ROW-2025-0004 and 00005 ("6 and 7") April 16th 9:00 am

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

Matthew,

Good Afternoon!

1. Both Cases have been continued to May 7th, 2025.

2. By means of this letter, I am requesting up to two minutes in each case. I represent myself and at least one other property owner. In a related civil action underway, I am a named Party and represent myself in that case. I am a member of the Brown States Neighborhood Association, and as of the Hearing date, will request five minutes if I am formally authorized to represent the Neighborhood by the Association.

3. This, and prior submissions from me are to be made a part of the record for both cases.

4. After searching COMPASS, and the published Docket schedule, the staff report for these cases has been inaccessible since at least Friday.

4a. Please attach the copy of the staff report and the exhibits for both Cases in return email.
4b. Especially provide the survey and legal description current as of the application date for the White Avenue Case. xxxx00004

5. There appears to be underground construction underway as of today which partially cuts under the required cul-de-sac. Please be sure that the application materials show the proposed easement or dedicated right of way across public or private property, with the owners' names and consents recorded with the County Recorder of Deeds.

6. As soon as the application, supplemental exhibits, and staff report are made public additional comments are being prepared for inclusion with a revised Staff report for both cases, based on the information the City has provided as of this date.

7. Please identify who requested the Continuance, and why there is no Continuance fee.

8. Please respond point by point to the Requested information dated April 6th, 2025, to your colleague Sara Copeland.

Thank you!

____/s/_____
Lawrence Goldblatt, Property Owner and on behalf of...
_____/s/_____
Paula Fesenmeyer, Property Owner.

copyright, Goldblatt/Fesenmeyer 15 April, 2025

From: lgold <lgoldarch@aol.com>
Sent: Thursday, April 24, 2025 1:03 AM
To: Barnes, Matthew; LAWRENCE GOLDBLATT
Cc: Copeland, Sara
Subject: Re: CD-ROW-2025-00005 1050 feet west of MLK Blvd.....questions

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

Matthew.....

1. I have not seen the owner's affadvits consenting to vacation on COMPASS KC.

2. Can those be provided for both cases...for the May 7th Hearing.....ASAP?

3. Is the purported property owner still the same Property owner? One exhibit appears to represent that a parcel of the entire rezoning has been conveyed from HKC Properties LLC to HALO.

3a. Is the HKC Properties still the owner/managing agent, or has full control been transferred to a different entity?

3b. If control has been shifted, but the Plat has not been filed, how does the Rezoning and any other actions continue?

3c. If a portion of the parcel has been subdivided administratively (by staff) does that violate the City's subdivision Ordinance because the subdivision occurred before the whole parcel was Platted?

3. There is still an outstanding unresolved sign issue.....how can the Vacations go before the CPC for anything while there is an open violation (its a sign with no permit, not allowed in this zone).

4. The staff would have prepared one staff report for at least the one case that was advertised correctly....could that be made available now, as it had to have been ready the Friday before April 6th?

5. Has staff visited the site? Recently?

6. You know there are improvements installed and in use in the "right of way" before the project was platted, and before these areas were requested for Vacation.....

a. The Zoning Ordinance for this project requires all infrastructure to be in before the building permits are issued and construction starts.

b. The Final Certificate of Occupancy was issued, permit issued, and construction completed before all the Zoning Ordinance's stipulations were installed, bonded, permitted, inspected, etc.

That work is still incomplete. The Final Certificate of Occupancy may be contestable because the stipulations of the Zoning Ordinance were ignored before the Building Permit was issued and building construction started and finished.

c. Building Codes has agreed to and apparently (by their own words) ordered the responsible parties to complete the work for the street (East 52nd Terrace) that they chose to ignore but were legally required to fulfill..

d. As of this date, no agreement on paper has been provided. The Zoning Ordinance is irrevocably violated. No zoning processing can proceed unless and until the Ordinance has been followed in its particularities.

e. There has been no evidence provided that at least two utilities have been installed across private property to serve the Vacation application's property owner. Can the zoning staff bring anything to the Commission showing where utilities are properly (through easement) brought to the site?

7. The Building Codes Appeals Board upheld the Building Official's issuance of both the Temporary and Final Certificates of Occupancy.

a. Upon the Board announcement, the City was notified that the decision is Appealed.

b. The City staff said they will not shut the Final Certificate of Occupancy down, even though the action is on Appeal.

c. City regs require instant stoppage of work when the Code is violated and an Appeal is filed. The City expressed that they will not follow that rule. I am seeking written confirmation that they intend to defy the City Charter and what support they have for that (I did testify that stating "the City manager or his staff told us it was okay" will be challenged).

7. Please let me know point by point the City's answers. Particularly, based on these facts, I am formally requesting that once you have reviewed this email, the City hold the proposed Vacations off the docket with this correspondence posted to COMPASS KC.

8. I am an architect, fulfilling my architectural contract responsibilities.

Thanks!!!!!!

____/s/_____
Lawrence Goldblatt, Registered Architect

copyright, Lawrence Goldblatt 23 April, 2025

On Monday, April 7, 2025 at 08:26:13 AM CDT, Barnes, Matthew <matthew.barnes@kcmo.org> wrote:

Good Morning,

I have uploaded the utility consent forms to CompassKC and provided them on this email. The applicant has not provided the Petition to Vacate or Consent to Vacate at this time. We will upload those to CompassKC once they have been provided by the applicant.

Thank you,

Matthew W. Barnes, AICP

Lead Planner

City Planning and Development

Development Management Division

City of Kansas City, Mo.

Cell: (816) 513-8817

Email: Matthew.Barnes@kcmo.org

City Hall, 15th Floor

414 E. 12th Street, Kansas City, Missouri 64106

KCMO.gov

From: lgold <lgoldarch@aol.com>
Sent: Friday, April 4, 2025 2:41 PM
To: Barnes, Matthew <Matthew.Barnes@kcmo.org>
Subject: CD-ROW-2025-00005 1050 feet west of MLK Blvd

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

Mathew,

Could you please attach the documents which have been submitted for review at April 16,2025 CPC hearing?

Need as soon as possible. Link to COMPASS KC is not working.

KCMO Online mapping does not show any current cases up for review...except the HALO Village.

Thanks!

We own property that is subject to this vacation request, or are adjacent to it.

Thanks,

Lawrence Goldblatt

From: lgold <lgoldarch@aol.com>
Sent: Friday, May 2, 2025 1:57 PM
To: Barnes, Matthew; LAWRENCE GOLDBLATT; icthusleslie@aol.com
Subject: Vacations of White Avenue and East 52nd Terrace at HALO Village, May 7, 2025

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

Mathew,

Thanks for posting the staff reports for these two vacations. I make the following observations;

1. While the City rules allow the staff report to be filed on the Friday before the scheduled hearing, there is insufficient time allowed by this Rule to allow Public Comment to be researched, and filed with the City before 5 pm. This may be a violation of State guarantees of due process. For this reason alone, the Hearing avoids challenge if it is held off he docket until the public questions can be answered by the Staff.

2. I have been unable to compose adequate responses given the shortness of time for response. Additional time is requested of the staff, and of the CPC, so reasonable questions can be posed and answered.
3. It is not clear from the submitted petitions that the Owner has signed an Affadavit, if required, allowing the Applicant to be an agent of the owner.

4. I am hospitalized at St. Lukes and am awaiting emergency surgery. Given the medical urgency, reasonable accommodation is requested by deferring the Hearings until such time as the public questions can be submitted and answered.
5. Should the staff feel the Petitions can still be processed after considering the underlying facts, no harm comes to the Owner or Applicant. As you have seen for yourself, grading of portions of the White Avenue has already been accomplished to allow construction of two Group Homes in the MPD R-1. Some of that grading impinges on 20' south of the north property line, and may also drift over onto the adjacent property to the north.
6. It is not clear that the Probate Court has granted its permission for the Contest of Will for the sale of the Offield Estate to HALO. Jurisidiction of the Case(s) remain with the Missouri Supreme Court.
7. It is not clear that the HALO Foundation has the Court's permission to transact that portion of the estate. Time is needed for the proper judicial process to exhaust itself.

8. It is not clear if statements by HALO that they have no intention to expand within or beyond their Rezoned acerage conform with the purchase and demolition of the Offield Estate.

9. No denial has been proferred that the MPD Ordinance is defective as the rezoning fits the test of "spot zoning", which is barred in Missouri.

10. The East 52nd Terrace Right of Way has been built upon, as you saw when you visited the site. No private development can be built over public right of way. The Applicant and the owner and HALO knew that they granted permission to their contractors to install utilities, street infrastructure, and even a prohibited pole sign (still under review by the City Planning Department which has found that action, without a permit, is a zoning violation.

11. Hearsay claims that the former City Manager and assistant City Manager granted waivers of various laws, regulations, rules, thus suspending the required government oversight, are yet to be tested for whether they had the authority to grant deviations from normal professional practice.

12. We are still attempting to get an answer how state law allows two Group Homes on one parcel. There has been no response with legal cases and judicial rulings that allows this practice.

13. It is not clear how the regrading along the north leg of White (running east west) is proper as it may be increasing runoff across the Offield Estate.

14. It is not clear if the 00005 Case is paid in full, for its City assessed fees. Without full payment, it has been City policy to not proceed with an application.

15. While it is just a courtesy to list on COMPASS or Online Mapping the approximate or actual location of the public Right of Way, the absence of the proposed vacations on the City's online mapping is inadvertently misleading.

16. It is not clear how the surveyor for the property owner could apparently claim the west 20' along Lot 11 of Eastwood Estates for the Keller ownership or subsequent HKC LLC when the City long ago abandoned that strip, never maintained it, the property owner of Lot 11 has paid the taxes on the property, polices the grounds for debris and for trespass. (One utility has admitted in civil court they trespass with their equipment which crosses private property, without an easement, to supply the new construction).

Claiming that 20' strip for the HKC Properties, LLC, if that is what the Legal Description purports, puts private property owned by others (myself), zoned as r-7.5,
as a part of the MPD. When the MPD was granted it did not include this strip, nor the strip 20' of Belmont north of East 52nd Terrace. We hold title to that property by deed.

17. In an email, you pledged to include my emails to you as "attached to the City Staff Report". As of this hour, I do not see the letters attached to the Staff report. It is sensible and fair that the Hearings be delayed until the staff and Commission can show they have reviewed our communications. To this point, the Staff Report is incomplete. You should have more time to gather the communications.

I am getting ready for surgery. I will complete the rest of my analysis and written response sometime by Monday. That communication will present the notion to meet the intent if not the letter of the law, that continuance off the docket at no charge to me be granted.

_____/s/_____
Lawrence Goldblatt, Registered Architect
Copyright 2 May, 2025

From: lgold <lgoldarch@aol.com>
Sent: Monday, May 5, 2025 12:22 PM
To: Barnes, Matthew
Cc: Copeland, Sara; icthusleslie@aol.com; Chambi, Larisa
Subject: Re: QUESTION: Cases Numbered CD-ROW-2025-0004 and 00005 ("6 and 7") PROGRESS ON ADDITIONAL POINTS FOR CLARIFICATION

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

Matthew,

Thanks for your help getting ready for the May 7th Hearing.

(continued)
16. I have been unable to complete my "Interested Party" Comments. The availability of the staff report on Friday before a
Wednesday Hearing is insufficient time for Interested Parties to gather evidence which gives the CPC full facts in each matter. Due process rights may be violated when the process itself is rushed at one inflection point or another. The remedy is to grant A CONTINUANCE off the docket without fee until each Freedom of Information request is satisfied. It is not predicted when City Planning can provide those.

17. I will send in what I have completed by Noon, noting that additional evidence is forthcoming.

18. Who else (city Manager's office, Nathan Klein, etc.), should be on this string?

Thanks!

____/s/_____
Lawrence Goldblatt, Interested Party
Registered Architect
Co-Property owner

On Tuesday, April 29, 2025 at 04:23:45 PM CDT, Barnes, Matthew <matthew.barnes@kcmo.org> wrote:

Good afternoon,

No parties have requested continuance of this case. Please see my responses below in **BLUE**:
5 May: See mine in red.

1. I have not seen the owner's affadvits consenting to vacation on COMPASS KC. **These are viewable in CompassKC now and are attached.**

Verifying if they were submitted at the time of the Application, or were forgotten and added later.

2. Can those be provided for both cases...for the May 7th Hearing.....ASAP? **Documents are attached to CompassKC.**

3. Is the purported property owner still the same Property owner? One exhibit appears to represent that a parcel of the entire rezoning has been conveyed from HKC Properties LLC to HALO. **HKC Properties is the only property owner with frontage on right of way to be vacated. I cannot speak on previous ownership groups.**

5 May 3a. HALO Foundation also fronts a part of White, along the north property line.

3a. Is the HKC Properties still the owner/managing agent, or has full control been transferred to a different entity? HKC Properties **See previous answer.**

5 May 3a. : What is the relationship between the two Parties? Does one control the other?
5 May 3a: any overlapping staff or directors?

5 May 3a: who is paying for what development activities?

3b. If control has been shifted, but the Plat has not been filed, how does the Rezoning and any other actions continue? **Other applications are free to move forward before the final plat is recorded.**

3b. The City Ordinance stipulates that "all infrastructure be in" before the Building Permits will issue. The permits were issued for land and building improvements. The Final Certificates of Occupancy were issued. Yet, not all Infrastructure was or is in. .REMEDY: Please CONTINUE these Cases as the developer has made grading and infrastructure improvements in current City right of way. No permission is produced that allows the Developer to construct and the City is not regulating new improvements in R.O.W. REMEDY: Development that has been built cannot have been built. Buildings do not have proper access because no improvements were submitted for permit, or built and inspected, prior to Platting. The Building Code Appeals Board lacked jurisdiction to hear an appeal to a Final Certificate of Occupancy, as the Final Certificate did not include permission to build in the right of way. The City staff showed no support that

allows a Final Certificate of Occupancy to be heard or granted when the developer has built in R.O.W. without permission.

3c. If a portion of the parcel has been subdivided administratively (by staff) does that violate the City's subdivision Ordinance because the subdivision occurred before the whole parcel was Platted? **Not applicable as there is no minor subdivisions on file.**

3d. There is still an outstanding unresolved sign issue.....how can the Vacations go before the CPC for anything while there is an open violation (its a sign with no permit, not allowed in this zone). **To the best of my knowledge there are no open code cases on file.**

5 May, 2025 3d: Since you have now had time to verify that the sign is under review (see COMPASS) as it is a zoning violation, and the zoning department is both reviewing these requests for vacation and enforcing zoning violations, what aspect of the Charter allows zoning violations to exist while new actions are proposed? (See "In review", CPS-2025-00053 #7)

4. The staff would have prepared one staff report for at least the one case that was advertised correctly....could that be made available now, as it had to have been ready the Friday before April 6th? **Staff reports will be made visible on CompassKC before the hearing, when they are made available to the commission and applicant, this is typically the Friday prior to the scheduled CPC meeting.**

5 May, 2025 4: Non responsive.What the Staff had developed is not being released so it could be timely reviewed. REMEDY: CONTINUANCE OFF THE DOCKET, no charge.

5. Has staff visited the site? Recently? **Staff has conducted a site visit.**

5 May 2025 5: Staff understands it is admitting it has seen the three erected buildings and street improvements, some of which are graded or built over both Vacation Requests. REMEDY: CONTINUE THESE CASES OFF THE DOCKET UNTIL THESE ACTIONS ARE EXPLAINED AND CORRECTED. (What date? Who attended? Has Staff had time to review the COMPASS Record for this project showing City inspections of construction prior to Platting?).

5a. Who told the City Planning Director and staff this was permissible?

5b. Has staff seen any written directives to this effect?

6. You know there are improvements installed and in use in the "right of way" before the project was platted, and before these areas were requested for Vacation.....

a. The Zoning Ordinance for this project requires all infrastructure to be in before the building permits are issued and construction starts. **Comment acknowledged.**

5 MAY: 6A: REMEDY: CONTINUE THESE VACATIONS OFF THE DOCKET UNTIL THESE ACTIONS CAN BE AFFIRMED AS CONFORMING.

b. The Final Certificate of Occupancy was issued, permit issued, and construction completed before all the Zoning Ordinance's stipulations were installed, bonded, permitted, inspected, etc. That work is still incomplete. The Final Certificate of Occupancy may be contestable because the stipulations of the Zoning Ordinance were ignored before the Building Permit was issued and building construction started and finished. **Comment acknowledged.**

5 May 6b: REMEDY: Continue these vacations off the Docket until corrections are made.

5 May 6 b: ALL consent forms by Utilities which state the purpose for the consent is "future development" are faulty, and therefore the Applications for the Vacations cannot be processed further or go to Hearing. The allegation that development is "in the future" belies the grading done on the HKC Properties side of the R.O.W., which may approach or encroach the north property line of the parcel, and the construction of the new East 52nd Terrace, and its cul de sac, with utilities installed and buried under the R.O.W. These improvements were made in the public Right of Way without permission to do so in advance. Erasing by Vacation the R.O.W., results in apparent elimination of evidence of violations of the zoning Ordinance.

c. Building Codes has agreed to and apparently (by their own words) ordered the responsible parties to complete the work for the street (East 52nd Terrace) that they chose to ignore but were legally required to fulfill.. **Comment acknowledged.**

5 MAY 6c: REMEDY: Continue these vacations off the Docket until corrections are made.

d. As of this date, no agreement on paper has been provided. The Zoning Ordinance is irrevocably violated. No zoning processing can proceed unless and until the Ordinance has been followed in its particularities. **Comment acknowledged.**

5 MAY 6d: REMEDY: Continue these vacations off the Docket until corrections are made.

e. There has been no evidence provided that at least two utilities have been installed across private property to serve the Vacation application's property owner. Can the zoning staff bring anything to the Commission showing where utilities are properly (through easement) brought to the site? **The proposed ROW for vacation does not have public utilities within it. Utility companies who have the right to build within it were given consent forms. Evergy was the only utility company that responded and is requiring an easement be dedicated.**

5 MAY 6e: REMEDY: Continue these vacations off the Docket until corrections are made. Each Vacation permission granted states "no utilities" when in fact (example, Evergy), water, sewer, electricity each trespass under the East 52nd Terrace right of way to serve the new buildings. Water, Sewer, and Electric all cross private property then travel under R.O.W. Should these vacations be heard and passed, the utilities are encroaching on private property with no easements. Each utility needs to seek and be granted easements to serve the HALO Village project, all along their routes.CONTINUE THESE VACATIONS OFF THE DOCKET until all Utilities no longer Trespass private property.

7. The Building Codes Appeals Board upheld the Building Official's issuance of both the Temporary and Final Certificates of Occupancy. **Comment acknowledged.**

5 May 7: This action is on Appeal to Civil Court. No Vacations processing can or should proceed before the improvements as the ReZoning Ordinance stipulates and to which the developer and City agreed to install before Building Permits would issue.. REMEDY: Hold these vacations off the docket until this is corrected. Hold the Vacations off the docket because the developer has already violated the City Zoning and Building Code, and a Final Certificate of Occupancy cannot be granted until all utilities are lawfully serving their customers. The City cannot allow lack of enforcement of Code to damage the City's reputation for upholding Code.

a. Upon the Board announcement, the City was notified that the decision is Appealed. **Comment acknowledged.**

5 May a: Civil Court has jurisdiction. Remedy: City Planning can enter the Case and argue that the Vacations can proceed even though law possibly has been violated. Alternatively, hold these vacations off the Docket.

b. The City staff said they will not shut the Final Certificate of Occupancy down, even though the action is on Appeal. **Comment acknowledged.**

5 May b: City Planning staff are now witnesses to potential violations of City Code. REMEDY: City Planning engages a third Party attorney after holding these vacations off the Docket to audit the HALO Village project.

c. City regs require instant stoppage of work when the Code is violated and a Building Codes Appeal is filed. The City expressed that they will not follow that rule. I am seeking written confirmation that they intend to defy the City Charter and what support they have for that (I did testify stating "the City manager or his staff told us it was okay" will be challenged). **Comment acknowledged.**

5 May c: REMEDY: CONTINUE THESE VACATIONS OF THE DOCKET UNTIL CIVIL PROCESS IS EXHAUSTED (Final resolution)

7. Please let me know point by point the City's answers. Particularly, based on these facts, I am formally requesting that once you have reviewed this email, the City hold the proposed Vacations off the docket with this correspondence posted to COMPASS KC. **These cases will move forward to the May 7th City Plan Commission hearing. Please make any requests for holds at the hearing. Your email from Thursday April 24th can be added to the file as an official public comment letter.**

5 MAY 7: The emails between this Interested Party and the City are to be made a part of the record. Let the record show that given the deficiencies in the Applications, and the City staff recommending a Hearing be held even when Civil (and Probate Court) have jurisdiction, Architectural registration regulations require licensed architects to report Official Misconduct. The specific misconduct is the City knows and again has been informed that it appears the City lacks the Authority to hear these matters. Presumably, Staff believes City Management, City Legal, City Ethics Commission each and all permit the City staff to overrule State established processes ("no building in the public right of way without permission")

REMEDY: CONTINUE THESE APPLICATIONS OFF THE DOCKET AS THEY ARE INCOMPLETE, SERVE POLITICAL
FAVOR, AND LACK CITY PLANNING PROFESSIONAL STANDARDS. They may be Unconstitutional (first and fourteenth).

8. I am an architect, fulfilling my architectural contract responsibilities. **Comment acknowledged.**

9. RECORDED ORIGINAL DEEDS:

a. do the two R.O.W.s appear on the Applicant's original Deeds and current survey? **Yes, there is no documentation that the right of way has been vacated.**

5 May 9a: And to be transparent, there is no finding that the City ever properly accepted the Dedications ("by signature of a chief officer"), so the R.O.W. does not exist. The Vacation still may be needed because the dedicated Deeds, not being enforceable, imply some government ownership. The tell that this is the case is that companion "Belmont" is not a City street or avenue because it lacks a 20' dedication from the west. The "Vacation" cleanup maybe needed so confusion that has been introduced by the Applicant and the Plat processing is meant as an assertion that the Rezoning to MPD as spot zoning is not contestable.

b. If the Recorded Deeds claims the Applicant does already own this Right Of Way, can that Deed be accepted as evidence for these vacations? **There is no documentation that the right of way has been vacated.**

10. FOR PARTIAL STREET VACATION OF WHITE AVENUE: **Right of way is not improved. This application does not authorize any development of the property. All additional development must be approved through City processes.**

5 May 10a: The evidence in the field and on the City staff map exhibits is that development has commenced, been inspected, and installed, without authority to do so. REMEDY: CONTINUE THESE CASES OFF THE DOCKET UNTIL ALL MATTERS ARE RESOLVED.

a. Has the Applicant indicated that the Probate Judge in Case 21P8-PRO00540 has agreed to allow the vacation of part of the Estate's property?

5 May 10a: REMEDY: City enter the Probate Case.....and request whether the easement granted to allow the redevelopment of East 52nd Terrace is allowed by the Judge? CONTINUANCE OFF THE DOCKET until the Case has taken its final decision.

b. Can the City staff recommend any action to the City Planning Commission if the proposed easement is subject to Probate or Civil suit or Appeal?

5 May b: Non responsive.

c. Does the City staff require the Appealant in Case (the Appeal o f the Building Code Appeals Board, not numbered yet) name the City and Defendants as additional Interested Parties?

5 May c. Non responsive.

d. Will the City staff hold these applications off the docket while the environmental record for the demolition of 5110 White remains unreported? The building was demolished but without any record of the debris having been tested, or the landfill having accepted known toxic substances.

5 May d: Non responsive. REMEDY: HOLD VACATIONS OFF THE DOCKET

e. Will the City staff stipulate whatever it finds that the Applicant produce an Environmental study showing that all tires and construction waste have been removed from the site and properly disposed of, (including the Pond)?

5 MAY 6e: REMEDY: Non responsive. CONTINUE THESE VACATIONS OFF THE DOCKE UNTIL CORRECTIONS ARE MADE.

f. Will the City staff require a Police report stating the Police have waived their interest in searching for stolen cars and parts?

5 MAY 6f: Non responsive. REMEDY: Continue these Vacations off the Docket until corrections are made.

g. Will the City staff require production of the landfill permit issued by the City that allows the Applicant for the White vacation

to have removed street construction of Easterly East 52nd Terrace to be removed and stored at 5110 White?
5 MAY 6g: Non responsive. REMEDY: Continue these Vacations off the Docket until corrections are made.

11. PROPOSED EAST 52ND TERRACE VACATION: The Applicant built on top of the Right of Way for which they seek this vacation. What does the City staff recommend regarding that this requested vacation if granted excuses the private land development permit and street permit and construction accomplished without permission to trespass on the public R.O.W? **Right of way is not improved. This application does not authorize any development of the property. All additional development must be approved through City processes.**

5 May 11: Non-responsive. See photos of the improvements in the two ROW. (forthcoming.) See inspectors' entries of the construction underway and completed. See staff site visit.

12. DOES THE VACATION OF THE SOUTHERLY RUNNING WHITE in any way impact the protection of the stream and the derelict mill site to the west edge of the R.O.W.? Does the Mill site qualify as Historic and need protection? **Right of way is not improved. This application does not authorize any development of the property. All additional development must be approved through City processes.**

5 May 12: Non responsive.

13. GIVEN THAT THE PROPOSED VACATION OF WHITE AT ONE TIME SERVED THE FUNERAL HOME USE AT 5110 White, what evidence has been sought for human remains at the site of the building or near or on the R.O.W.? **Right of way is not improved. This application does not authorize any development of the property. All additional development must be approved through City processes.**

5 May 13: Non responsive.

14. WITH THESE VACATIONS, OR WITHOUT, HOW DOES THE CITY STAFF EVEN ADVANCE THESE APPLICATIONS FOR CONSIDERATION WHEN THE OWNER/APPLICANT'S PROPERTY LACKS ACCESS TO PUBLIC R.O.W.? (East 52nd Terrace from 5800 easterly is a privately owned street). **Not applicable.**

5 May 14: Non responsive. Upgrade of the only access to public right of way was required by City rezoning Ordinance stipulation. The buildings were built first, and the easterly street remains constructed without permit and incomplete.

15. What do the Rules say about what the cutoff date is for interested Parties to submit their comments? **Comments must be submitted prior to staff report submittal, the Thursday before the hearing. Any additional comments may be brought to the CPC hearing.**

5 May 15. Correction. The Staff report was not accessible until Friday, May 2. Even if it was available Thursday, no notice was given though there was an open request for staff report materials. Lack of Transparency serves political purpose, not public welfare. Respondent was hospitalized and unable to perform professional services until part of the day Sunday. In the public interest, CONTINUANCES OFF THE DOCKET are the appropriate steps by the CPC so all deficiencies can be remedied.

Thank you,

Matthew W. Barnes, AICP

Lead Planner

City Planning and Development

Development Management Division

City of Kansas City, Mo.

Cell: (816) 513-8817

Email: Matthew.Barnes@kcmo.org

City Hall, 15th Floor

414 E. 12th Street, Kansas City, Missouri 64106

KCMO.gov

From: lgold <lgoldarch@aol.com>
Sent: Tuesday, April 29, 2025 3:05 PM
To: Barnes, Matthew <Matthew.Barnes@kcmo.org>; lgold <lgoldarch@aol.com>
Cc: Copeland, Sara <Sara.Copeland@kcmo.org>; icthusleslie@aol.com
Subject: Re: QUESTION: Cases Numbered CD-ROW-2025-0004 and 00005 ("6 and 7") ADDITIONAL POINTS FOR CLARIFICATION

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Mathew.....Sara.....

Have any Parties moved to continue, off the docket? Need to know ASAP.

(I do not believe I have standing to request a continuance, so I am not.....)

__/s/____

Larry

On Sunday, April 27, 2025 at 11:40:34 PM CDT, lgold <lgoldarch@aol.com> wrote:

> Matthew,

15. What do the Rules say about what the cutoff date is for interested Parties to submit their comments?

Need to know ASAP.

__/s/____

Larry

On Thursday, April 24, 2025 at 04:37:45 PM CDT, lgold <lgoldarch@aol.com> wrote:

14. WITH THESE VACATIONS, OR WITHOUT, HOW DOES THE CITY STAFF EVEN ADVANCE THESE APPLICATIONS FOR CONSIDERATION WHEN THE OWNER/APPLICANT'S PROPERTY LACKS ACCESS TO PUBLIC R.O.W.? (East 52nd Terrace from 5800 easterly is a privately owned street).

On Thursday, April 24, 2025 at 04:32:29 PM CDT, lgold <lgoldarch@aol.com> wrote:

Matthew,

Additional Questions arise, which I like to receive answers to by April 25th so there is sufficient time to add additional evidence for the Hearings on May 7th, 2025:

9. RECORDED ORIGINAL DEEDS:

a. do the two R.O.W.s appear on the Applicant's original Deeds and current survey?

b. If the Recorded Deeds claims the Applicant does already own this Right Of Way, can that Deed be accepted as evidence for these vacations?

10. FOR PARTIAL STREET VACATION OF WHITE AVENUE:

a. Has the Applicant indicated that the Probate Judge in Case xxxx has agreed to allow the vacation of part of the Estate's property?

b. Can the City staff recommend any action to the City Planning Commission if the proposed easement is subject to Probate or Civil suit or Appeal?

c. Does the City staff require the Appelant in Case xxxxxx name the City and Defendants as additional Interested Parties?

d. Will the City staff hold these applications off the docket while the environmental record for the demolition of 5110 White remains unreported? The building was demolished but without any record of the debris having been tested, or the landfill having accepted known toxic substances.

e. Will the City staff stipulate whatever it finds that the Applicant produce an Environmental study showing that all tires and construction waste have been removed from the site and properly disposed of, (including the Pond)?

f. Will the City staff require a Police report stating the Police have waived their interest in searching for stolen cars and parts?

g. Will the City staff require production of the landfill permit issued by the City that allows the Applicant for the White vacation

to have removed street construction of East 52nd Terrace to be re moved and stored at 5110 White?

11. PROPOSED EAST 52ND TERRACE VACATION: The Applicant built on top of the Right of Way for which they seek this vacation. What does the City staff recommend regarding that this requested vacation if granted excuses the private land development permit and street permit and construction accomplished without permission to trespass on the public R.O.W?

12. DOES THE VACATION OF THE SOUTHERLY RUNNING WHITE in any way impact the protection of the stream and the derelict mill site to the west edge of the R.O.W.? Does the Mill site qualify as Historic and need protection?

13. GIVEN THAT THE PROPOSED VACATION OF WHITE AT ONE TIME SERVED THE FUNERAL HOME USE AT 5110 White, what evidence has been sought for human remains at the site of the building or near or on the R.O.W.?

Thanks. Time is of the essence.

Lawrence Goldblatt, Registered Architect

Interested Property Owner

On Wednesday, April 16, 2025 at 03:38:44 PM CDT, Barnes, Matthew <matthew.barnes@kcmo.org> wrote:

Good afternoon,

Please see my answers below in **BLUE**.

Thank you,

Matthew W. Barnes, AICP

Lead Planner

City Planning and Development

Development Management Division

City of Kansas City, Mo.

Cell: (816) 513-8817

Email: Matthew.Barnes@kcmo.org

City Hall, 15th Floor

414 E. 12th Street, Kansas City, Missouri 64106

KCMO.gov

From: lgold <lgoldarch@aol.com>
Sent: Tuesday, April 15, 2025 4:55 PM
To: Barnes, Matthew <Matthew.Barnes@kcmo.org>; LAWRENCE GOLDBLATT <lgoldarch@aol.com>
Cc: Copeland, Sara <Sara.Copeland@kcmo.org>; Public Engagement <publicengagement@kcmo.org>; Dave Haug <davehaug@att.net>
Subject: Cases Numbered CD-ROW-2025-0004 and 00005 ("6 and 7") April 16th 9:00 am

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

Matthew,

Good Afternoon!

1. Both Cases have been continued to May 7th, 2025. **This is correct.**

2. By means of this letter, I am requesting up to two minutes in each case. I represent myself and at least one other property owner. In a related civil action underway, I am a named Party and represent myself in that case. I am a member of the Brown States Neighborhood Association, and as of the Hearing date, will request five minutes if I am formally authorized to represent the Neighborhood by the Association. **At the hearing please request additional time from the Chair of the City Plan Commission.**

3. This, and prior submissions from me are to be made a part of the record for both cases. **I will attach both emails to my staff report.**

4. After searching COMPASS, and the published Docket schedule, the staff report for these cases has been inaccessible since at least Friday.

4a. Please attach the copy of the staff report and the exhibits for both Cases in return email. **The staff report has not been created as this case was continued at the last CPC. A staff report will be made available prior to the May 7th CPC.**

4b. Especially provide the survey and legal description current as of the application date for the White Avenue Case. xxxx00004 **Please see the attached exhibit.**

5. There appears to be underground construction underway as of today which partially cuts under the required cul-de-sac. Please be sure that the application materials show the proposed easement or dedicated right of way across public or private property, with the owners' names and consents recorded with the County Recorder of Deeds. **Acknowledged.**

6. As soon as the application, supplemental exhibits, and staff report are made public additional comments are being prepared for inclusion with a revised Staff report for both cases, based on the information the City has provided as of this date. **Acknowledged.**

7. Please identify who requested the Continuance, and why there is no Continuance fee. **This was continued due to staff error on publishing notification. Additional notification has been conducted.**

8. Please respond point by point to the Requested information dated April 6th, 2025, to your colleague Sara Copeland. **Acknowledged.**

Thank you!

____/s/_____

Lawrence Goldblatt, Property Owner and on behalf of...

_____/s/_____

Paula Fesenmeyer, Property Owner.

copyright, Goldblatt/Fesenmeyer 15 April, 2025