



CITY PLAN COMMISSION STAFF REPORT

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

June 20, 2023

Project Name
North Armada Vacation

Docket #3

Request
CD-ROW-2023-00013
Vacation of Right of Way

Applicant
Carlos Lepe
Lepe Contracting

Location 8300 N Armada
Area About 40,000 acres
Zoning AG-R
Council District 2nd
County Platte
School District Park Hill

Surrounding Land Uses
North: Highway 152, zoned AGR
South: Residential, zoned AGR
East: Residential, zoned AGR
West: Residential, zoned AGR

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

Land Use Plan
The KCIA Area Plan recommends Residential Very Low Density uses for the subject property.

APPROVAL PROCESS



PROJECT TIMELINE

The application for the subject request was filed on April 18, 2023. Scheduling deviations from the original project cycle have occurred due to the length of time it takes to obtain signatures from utility companies.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification was sent to property owners within 185 ft of the street to be vacated. No Neighborhood Association was on file.

REQUIRED PUBLIC ENGAGEMENT

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

EXISTING CONDITIONS

The existing street serves only one house located on the eastern side of North Armada Avenue. The street is not fully improved but has streetlights on the western side of the street.

SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of Vacation of North Armada Avenue in District AG-R (Agricultural Residential) on about 40,000 Square Feet generally located north of Northwest 83rd Street and south of Highway 152.

CONTROLLING CASE

There is no controlling case.

PROFESSIONAL STAFF RECOMMENDATION

Docket #3 Recommendation: Approval with Conditions

VACATION REVIEW

North Armada at this location is an unimproved street which serves only one house. If the vacation is approved all properties in the area will continue to have access to public right of way. The applicant owns property on both sides of the right of way requested to be vacated. There is one additional owner that has a property at the corner of Northwest 83rd Street and North Armada Avenue which will retain access to their site from Northwest 83rd Street. With the location of Highway 152 to the north it is not likely that North Armada will be extending north of Northwest 83rd Street in the future.

88-560-06-A requires that 75% of the property owners fronting or abutting the right of way to be vacated provides notarized consent. The applicant owns approximately 87% of the abutting right of way.

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 North Armada north of Northwest 83rd Street. All adjacent property owners will retain legal access to public right-of-way along Northwest 83rd Street.

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.

With the location of Highway-152 it is not likely that North Armada will be extended in the future and serves no current proposed or future useful public purpose.

88-560-10-C. The vacation will not result in a violation of 88-405.

The vacation will not be in violation of 88-405.

88-560-10-D. The vacation shall not disrupt the constructed street network or reduce existing physical connectivity.

The vacation will not disrupt any street network.

88-560-10-E. The vacation shall not result in a dead-end street or alley.

The proposed vacation will not result in a dead-end street or alley, as the entirety of North Armada north of Northwest 83rd Street is proposed for vacation.

88-560-10-F. The vacation shall not result in street traffic being routed through an alley.

No traffic will be routed through an alley as a result of this vacation.

88-560-10-G. The vacation shall not vacate half the width of a street or alley.

This vacation will not vacate half the width of any street or alley.

88-560-10-H. The right-of-way to be vacated is not on the Major Street Plan.

The area being vacated is not on the Major Street Plan.

ATTACHMENTS

1. Conditions Report
2. Applicants Submittal

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **Approval Subject to Conditions** as stated in the conditions report.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Matthew Barnes', with a large, stylized flourish at the end.

Matthew Barnes
Planner



Plan Conditions

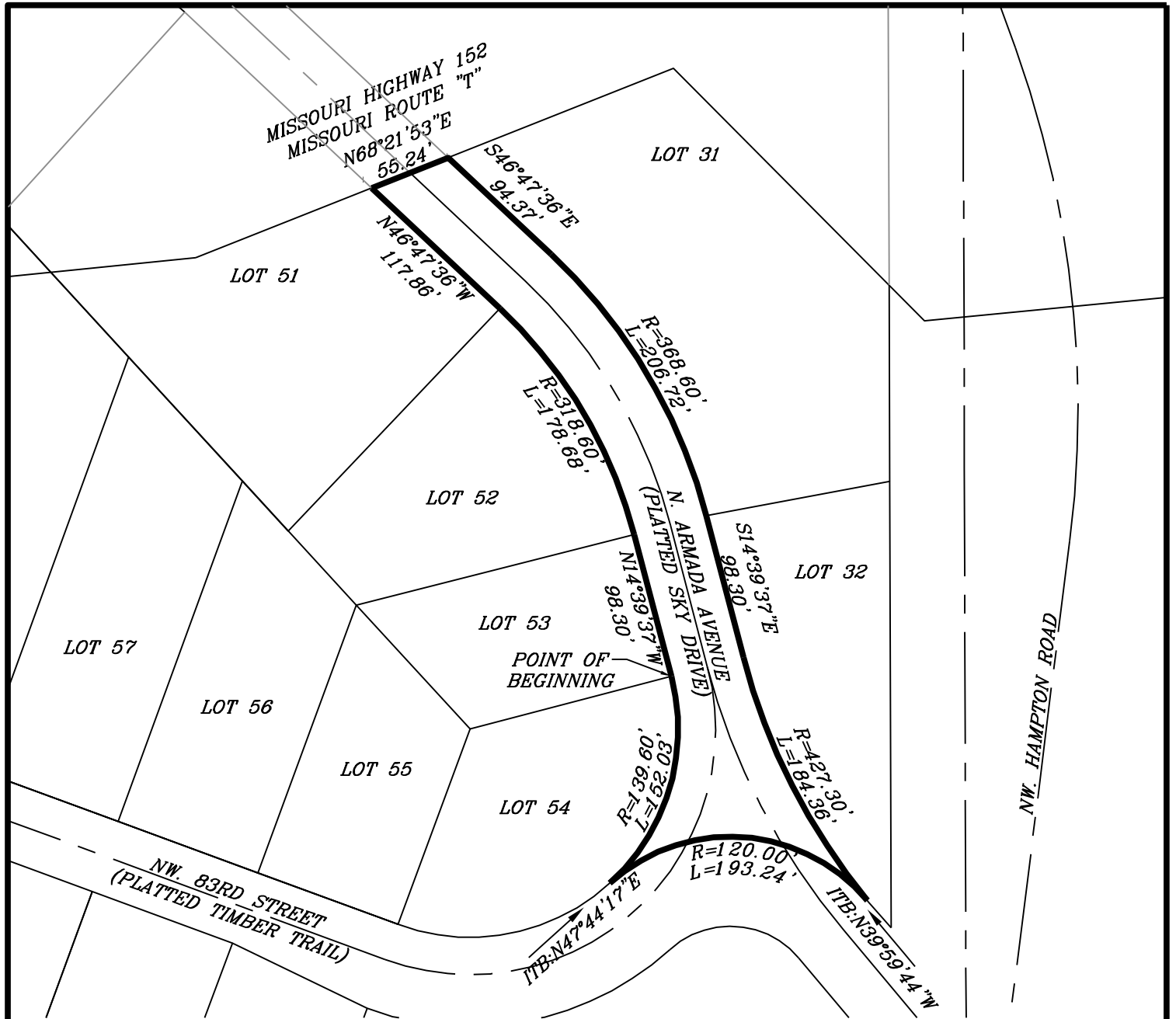
Report Date: June 14, 2023

Case Number: CD-ROW-2023-00013

Project: North Armada Vacation

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

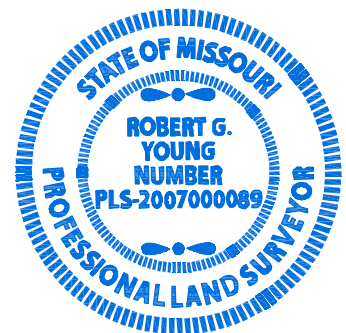
1. That the applicant remove streetlight poles NEJ1519, NEJ1518, NEJ1517, and NEJ1516 and return the streetlights to Public Works in coordination with Public Works Streetlighting at the applicant's cost.



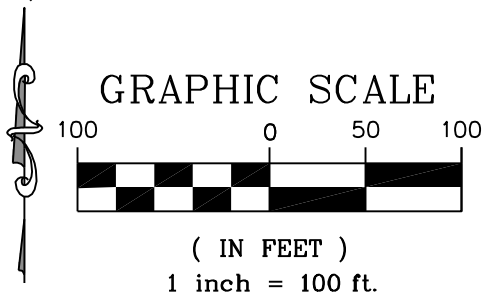
SURVEYOR'S CERTIFICATION
 I HEREBY DECLARE THAT THIS DRAWING WAS PREPARED UNDER MY SUPERVISION FOR STREET VACATION PURPOSES ONLY AND THAT THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.


Robert G. Young

ROBERT G. YOUNG, PLS-2007000089
 06/06/2023



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	R.L. Buford & Associates, LLC LAND SURVEYING - DEVELOPMENT CONSULTANTS R.L. BUFORD & ASSOCIATES, LLC - MO CERT. OF AUTHORITY LICENSE NO. LS-2010031977 P.O. BOX 14069, PARKVILLE, MO. 64152 (816) 741-6152		
	FOR KEA PROPERTIES, LLC	SEC.-TWP.-RGE. 8-51-34 COUNTY PLATTE DATE 06/06/2023	JOB NO. P-23027 FIELD BOOK LOOSE LEAF PAGE LOOSE LEAF DRAWN BY R.G.Y.
VACATION EXHIBIT (SHEET 1 OF 2)			

PROPERTY DESCRIPTION

CONTAINING 28,945 SQUARE FEET OR 0.66 ACRES

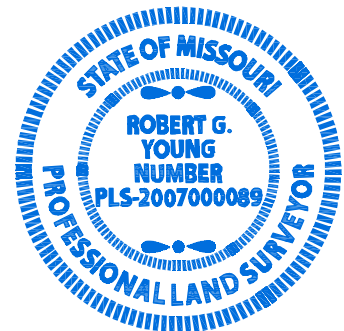
ALL THAT PART OF THE EXISTING ROAD RIGHT OF WAY OF N. ARMADA AVENUE (PLATTED SKY DRIVE) LYING BETWEEN LOTS 31, 32, AND 51 THROUGH 54, AMENDED PLAT OF SKYLAND PARK II, A SUBDIVISION IN KANSAS CITY, PLATTE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 54, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF SAID LOT 53 AND BEING A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID N. ARMADA AVENUE; THENCE N14°39'37"W, ALONG THE EASTERLY LINE OF SAID LOT 53, A DISTANCE OF 98.30 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 53, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF SAID LOT 52; THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID LOT 52, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE, HAVING A RADIUS OF 318.60 FEET, AN ARC DISTANCE OF 178.68 FEET TO THE NORTHERLY MOST CORNER OF SAID LOT 52, SAID POINT ALSO BEING THE EASTERLY MOST CORNER OF SAID LOT 51; THENCE N46°47'36"W, ALONG THE NORTHEASTERLY LINE OF SAID LOT 51, A DISTANCE OF 117.86 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF MISSOURI HIGHWAY 152, ALSO KNOWN AS MISSOURI ROUTE "T", AS DESCRIBED IN A WARRANTY DEED RECORDED IN BOOK 452 AT PAGE 245; THENCE N68°21'53"E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 55.24 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SAID N. ARMADA AVENUE, SAID POINT ALSO BEING ON THE WESTERLY LINE OF SAID LOT 31; THENCE S46°47'36"E, ALONG THE WESTERLY LINE OF SAID LOT 31, A DISTANCE OF 94.37 FEET; THENCE SOUTHERLY, CONTINUING ALONG SAID WESTERLY LINE, ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE, HAVING A RADIUS OF 368.60 FEET, AN ARC DISTANCE OF 206.72 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 31, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF SAID LOT 32; THENCE S14°39'37"E, ALONG THE WESTERLY LINE OF SAID LOT 32, A DISTANCE OF 98.30 FEET; THENCE SOUTHERLY, CONTINUING ALONG SAID WESTERLY LINE, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE PREVIOUSLY DESCRIBED COURSE, HAVING A RADIUS OF 427.30 FEET, AN ARC DISTANCE OF 184.36 FEET; THENCE WESTERLY, ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N39°59'44"W, A RADIUS OF 120.00 FEET, AN ARC DISTANCE OF 193.24 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID LOT 54, SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF SAID N. ARMADA AVENUE; THENCE NORTHEASTERLY, ALONG SAID LINE, ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N47°44'17"E, A RADIUS OF 139.60 FEET, AN ARC DISTANCE OF 152.03 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATION

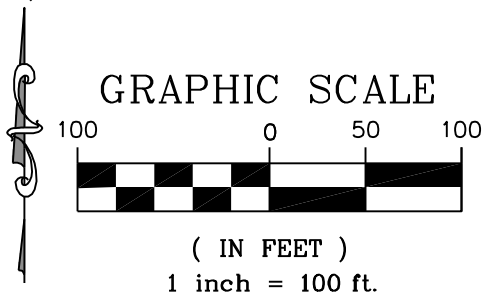
I HEREBY DECLARE THAT THIS DRAWING WAS PREPARED UNDER MY SUPERVISION FOR STREET VACATION PURPOSES ONLY AND THAT THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.




ROBERT G. YOUNG, PLS-2007000089
06/06/2023



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 R.L. Buford & Associates, LLC LAND SURVEYING - DEVELOPMENT CONSULTANTS R.L. BUFORD & ASSOCIATES, LLC - MO CERT. OF AUTHORITY LICENSE NO. LS-2010031977 P.O. BOX 14069, PARKVILLE, MO. 64152 (816) 741-6152				
				FOR
KEA PROPERTIES, LLC		DATE 06/06/2023	FIELD BOOK LOOSE LEAF	PAGE LOOSE LEAF
VACATION EXHIBIT (SHEET 2 OF 2)				DRAWN BY R.G.Y.



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.

In the matter of the vacation of:

N. Armada Ave

legal description: Skyland Park 2nd

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
_____	Deputy
City Clerk	

CONSENT OF CORPORATIONS

Case No.

Owner's name	Legal description of property



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

CONSENT OF INDIVIDUALS

Case No. _____

Owner's name	Legal description of property

(additional sheets attached as required)

STATE OF _____)
) ss.
 COUNTY OF _____)

On this ____ day of _____, 20__, before me personally appeared _____

_____, 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 ____ day of _____, 20__.

Notary Public in and for Said County and State

Notary Public

My Commission Expires:

CONSENT OF LIMITED LIABILITY COMPANIES

Case No. _____

Owner's name	Legal description of property
NEA Properties, LLC	N. Armada Ave, Shyland park 2nd



CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
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managing member

(additional sheets attached as required)

STATE OF Missouri)
COUNTY OF Clay) ss.

On this 18th day of April, 2023, before me, a Notary Public in and for said state, personally appeared Carlos Lopez, who being by me duly sworn did say that he/she is the managing member of KEA Properties, LLC, a Missouri limited liability company, and that the within instrument was signed and sealed in behalf of said limited liability company by authority of its members, and acknowledged said instrument to be the free act and deed of said limited liability company for the purposes therein stated.

Subscribed and sworn to before me on this 18th day of April, 2023

Notary Public in and for Said County and State

Notary Public

My Commission Expires: 7/14/23

KELLEY STEHLE
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
PLATTE COUNTY
MY COMMISSION EXPIRES 7/14/2023
COMMISSION # 94647180



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

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:

N Armada Ave

legal description: Skyland Park 2nd

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
K&A PROPERTIES, LLC	N. Armada Ave Skyland Park 2 nd	12575 NW 79 th St KCMO 64152



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

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(attach additional sheets if required)

Carlos Lepe

Petitioner

STATE OF Missouri)
COUNTY OF Clay) ss.

On this 18th day of April in the year 2023, before me, a Notary Public in and for said state, personally appeared Carlos Lepe, 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 18th day of April, 2023

Notary Public in and for Said County and State

Kelley Stehle
Notary Public

My Commission Expires: 7/14/2023

KELLEY STEHLE
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
PLATTE COUNTY
MY COMMISSION EXPIRES 7/14/2023
COMMISSION # 94547180

Case No.

Owner's name	Legal description of property	Residence of owner