CITY PLANNING AND DEVELOPMENT

CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri

Department of City Planning and Development Development Management Division

> 414 E 12th Street, 15th Floor Kansas City, Missouri 64108 www.kcmo.org/planning

Project

Vacation of Right of Way at 1901 Vine St Hearing Date December 21, 2021

Item Case Request
#4 CD-ROW-2021- Vacation
00005

Item Staff Recommendation(s)#4 Approval with conditions

Applicant

Robert Anderson Anderson Survey Company 1270 NE Delta School Rd Lee's Summit, MO 64064

Location 1901 Vine St Area About 0.03 acres Zoning UR

Council District 3rd
County Jackson
School District KCMO 110

Surrounding Land Uses

North: Commercial, zoned UR

East: Multi-family residential, zoned UR

South: Railroad tracks, zoned UR

West: vacant land/industrial, zoned UR,

M1-5

Land Use Plan

The Greater Downtown Area Plan recommends Downtown Mixed Use land us. The request conforms to this recommendation.

Major Street Plan

There are no adjacent streets identified on the Major Street Plan.

APPROVAL PROCESS



PUBLIC HEARING REQUIRED

Yes

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

Notice of the public hearing was sent to the Wendell Phillips Neighborhood Association and Washington Wheatly Neighborhood Association.

REQUIRED PUBLIC ENGAGEMENT

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

SUMMARY OF REQUEST

Applicant is seeking approval of a right of way vacation.

PURPOSE

The proposed right of way vacation is to allow for the construction of a previously approved multi-family residential development the southeast corner of 19th and Vine St.

EXISTING CONDITIONS

The existing right of way is a short portion of an alley abutting vacant land to the west, and multi-family residences to the east. The alley does not provide access to either abutting side.

NEARBY DEVELOPMENTS

Variety of residential, commercial, and industrial uses. Subject site is nearby the Basie Court Apartments, Centennial United Methodist Church, and KC Iron & Metal.

KEY POINTS

Right of way vacation behind 1901 Vine St.

RELEVANT RELATED CASES

Case No. CD-CPC-2021-00008 – Ordinance No. 210365 -- A request to approve a rezoning from UR to UR to approve an amendment to a previously approved plan for an 80-unit mixed use building on about 1.3 acres generally located at 1901 Vine Street, the southeast corner of 19th and Vine.

PLAN REVIEW

The request for this alley vacation is based on the approved rezoning to UR and corresponding development plan for a mixed use building with 80 residential units and 20,000 square feet of commercial space. The approved plans indicate the need to vacate the alley to accommodate the vehicular use area to the rear of the building. The proposed vacation is 95 feet long and 15.5 feet wide.

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 an existing dead-end alley between Vine St and Highland Ave. All adjacent property owners will retain legal access to public right-of-way.

88-560-10-B. The retention of the public right-of-way or subdivision serves no current purposes and no future useful public purpose is anticipated.

The right of way proposed for vacation does not serve any current or future public purpose.

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

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

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

The vacation will not disrupt any street network or physical connectivity in any way.

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

The proposed vacation will not result in a dead-end street or alley.

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

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

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

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

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

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

PROFESSIONAL STAFF RECOMMENDATION

The requested vacation of the portion of alley behind 1901 Vine St will not affect any other public rights-of-way and complies with all vacation approval criteria. Therefore, City Planning and Development Staff recommends **approval subject to the conditions** on the following page.

Respectfully Submitted,

Denne Khen

Genevieve Kohn Staff Planner

Plan Conditions, Corrections, & Recommendations Report



Recommended to CPC Recommended by Staff

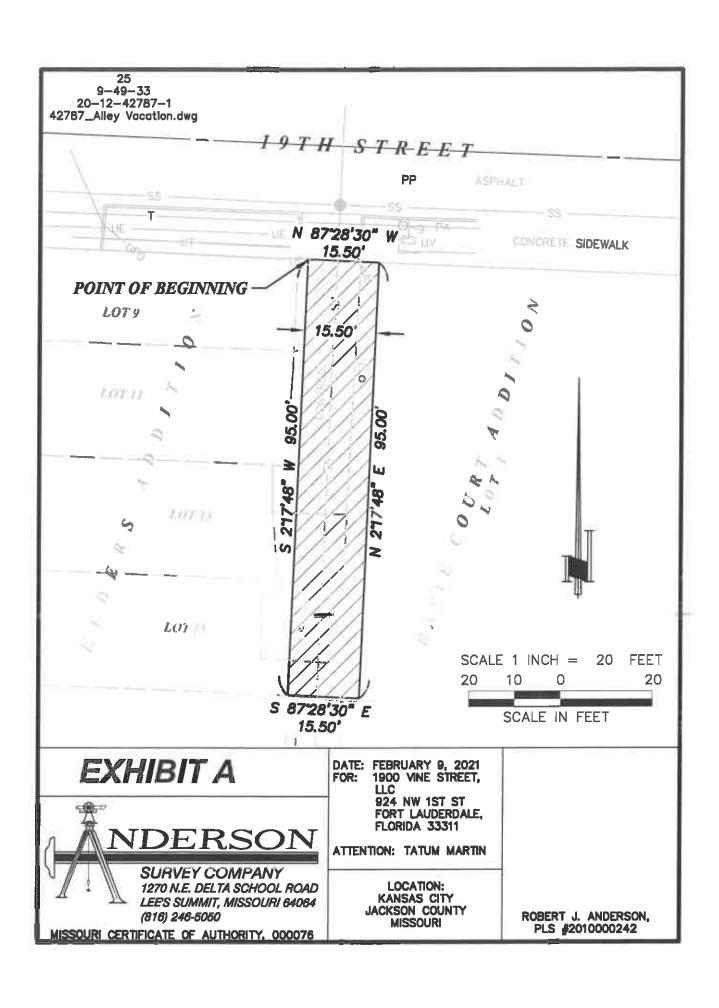
Report Date: December 16, 2021 Case Number: CD-ROW-2021-00005

Project: ONE NINE VINE

Plan Conditions

Condition(s) by City Planning and Development Department. Contact Genevieve Kohn at / Genevieve.Kohn@kcmo.org with questions.

- 1. The vacation shall not affect the City's lighting facilities. (11/23/2021)
- 2. The applicant shall retain all utility easements and protect facilities required by the Kansas City, Missouri Water Services Department. (11/23/2021)
- 3. Existing fiber and conduit for traffic signals shall remain in place at the south sidewalk and curb lines of 19th St. (11/23/2021)
- 4. ATT requires that the applicant either retain an easement for the utilities and protect the facilities or ATT can relocate the utilities at the applicant's expense. (11/23/2021)





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

FUTURE DEVELOPMENT

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

CASE NO. CD-ROW-2021-009

for the following purpose:

☐ Yes (proceed to #2)

Be it known that described street, all	1900 VINE STREET, LL ey or plat desires to petition	_C n the City of Kansas		al estate abutting on the an ordinance vacating:	
THE NORTH 95.00 FEET OF DESCRIBED AS FOLLOWS JACKSON COUNTY, MISS DISTANCE OF 95.00 FEET TO THE WEST LINE OF LO	OF THE ALLEY LYING EAST 8: BEGINNING AT THE NOR OURI; THENCE SOUTH 2°- TO THE SOUTHEAST COR OT 1, BASIE COURT ADDITI	OF VINE STREET A RTHEAST CORNER O 17'-48" WEST ALONG RNER OF SAID LOT 1 ION, A SUBDIVISION	ND SOUTH OF EAST OF LOT 9, ELDERS AD B THE EAST LINE OF I 5; THENCE SOUTH 8 IN SAID CITY, COUNT	19TH STREET, BEING MO DITION, A SUBDIVISION LOTS 9 THRU 15 OF SAID 7°-28'-30" EAST, A DISTA TY, AND STATE; THENCE	ORE PARTICULARL' IN KANSAS CITY, O SUBDIVISION, A NCE OF 15.50 FEET E NORTH 2°-17'-48"
EAST (PLAT=NORTH 2°-17 THENCE NORTH 87°-28'-3 OF BEGINNING.	7'-31" EAST) ALONG SAID V 10" WEST ALONG THE SOU	VEST LINE, A DISTAI TH RIGHT OF WAY L	NCE OF 95.00 FEET TO INE OF 19TH STREET	O THE NORTHWEST CO F, A DISTANCE OF 15.50	RNER THEREOF; FEET TO THE POIN

□ No (form complete)

Our utility/agency:has no objectionsobjects to the vacation and will not waive objection und	der any conditions (describe below)
will waive objections subject to the following conditions Retain utility easement and protect facilities Relocate facilities Other	(describe below)
	-18
 Please discuss objections or conditions with applicant and/or Cit Please return this form to the applicant within 30 days. 	y Staff Prior to returning this form.
Jeans W. Kuf	06/28/2021
Authorized Representative	- KC Water Date
Return this form to:	
ANDERSON SURVEY COMPANY - ROBERT ANDERSON	(816) 246-5050
Applicant Name	Phone
1270 NE DELTA SCHOOL ROAD	
LEE'S SUMMIT, MISSOURI 64064	bob@andersonsurvey.com
Address	Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

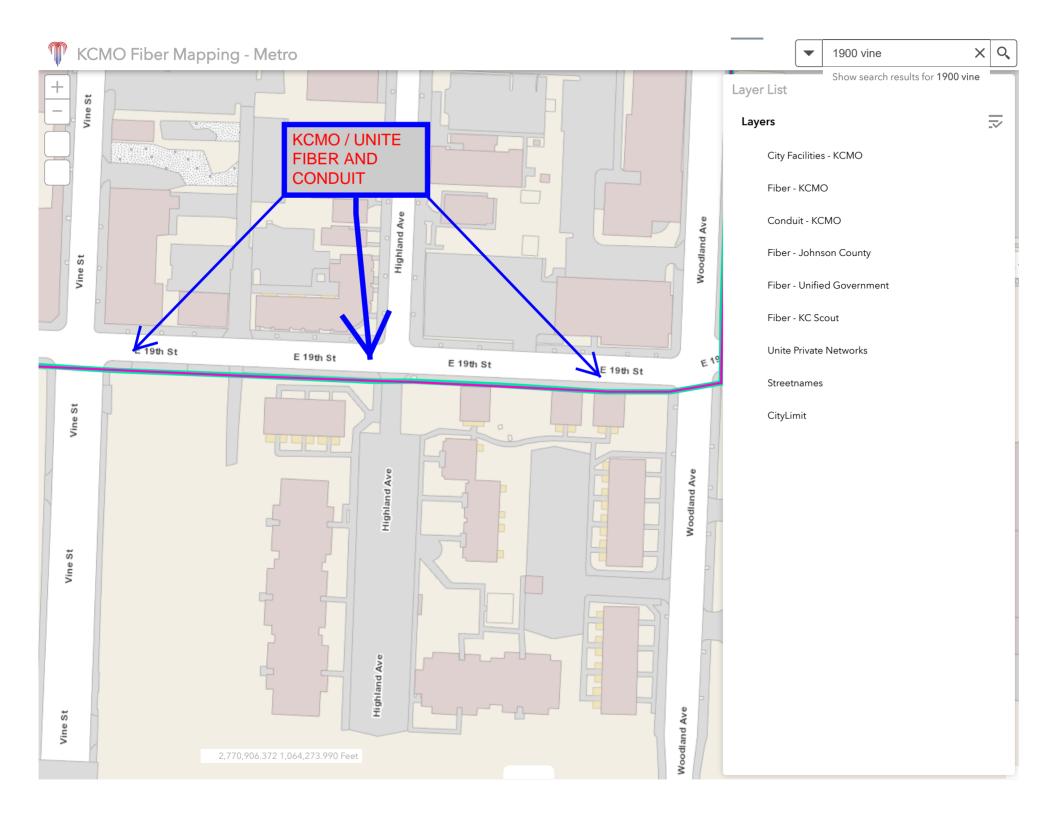
	CASE NO.	CD-ROW-2021-0	Q Q	UTILITY CO	ATT	
DES JACI DIST TO T EAS THE	described NORTH 95. CRIBED AS KSON COUN FANCE OF 9 THE WEST L T (PLAT=NC	street, alley or plat de: 00 FEET OF THE ALLE' FOLLOWS: BEGINNING NTY, MISSOURI; THENG 5.00 FEET TO THE SOU INE OF LOT 1, BASIE O DRTH 2°-17'-31" EAST) A 187°-28'-30" WEST ALC	sires to petition the City of Ka Y LYING EAST OF VINE STRE G AT THE NORTHEAST CORN CE SOUTH 2°-17'-48" WEST AI JTHEAST CORNER OF SAID L COURT ADDITION, A SUBDIVIS ALONG SAID WEST LINE, A D	nsas City, Missou ET AND SOUTH IER OF LOT 9, EI LONG THE EAST LOT 15; THENCE SION IN SAID CITISTANCE OF 95.	rners of real estate abutting on the below uri to pass an ordinance vacating: OF EAST 19TH STREET, BEING MORE PA ILDERS ADDITION, A SUBDIVISION IN KAN I LINE OF LOTS 9 THRU 15 OF SAID SUBE E SOUTH 87°-28'-30" EAST, A DISTANCE O TY, COUNTY, AND STATE; THENCE NORT .00 FEET TO THE NORTHWEST CORNER ITH STREET, A DISTANCE OF 15.50 FEET T	ARTICULARLY ISAS CITY, DIVISION, A F 15.50 FEET TH 2°-17'-48" THEREOF;
	for the follo	owing purpose:	FUTURE DEVELOPM	1ENT]	
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			conditions with applicant and applicant within 30 days.	d/or City Staff Pr	rior to returning this form.	
	-RUA/	AELL CROFT Author	orized Representative			<u> </u>
	B.L. 91	fama la				
	Return this		NY - ROBERT ANDERSON]	(816) 246-5050	
	ANDLING	Applicant			Phone	
		1270 NE DELTA SO			1110110	
		LEE'S SUMMIT, MIS	SOURI 64064	_	bob@andersonsurvey.com	
		Addre		_	Email	



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UTILITY CO. City of KCMO PW traffic signals CASE NO. CD-ROW-2021-00

Be it known that	, being owners of real estate abutting on the below the City of Kansas City, Missouri to pass an ordinance vacating:
	DF VINE STREET AND SOUTH OF EAST 19TH STREET, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH	HEAST CORNER OF LOT 9, ELDERS ADDITION, A SUBDIVISION IN KANSAS CITY,
)'-59" WEST ALONG THE EAST LINE OF LOTS 9 THRU 15 OF SAID SUBDIVISION, A IER OF SAID LOT 15; THENCE SOUTH 87°-28'-30" EAST, A DISTANCE OF 15.50 FEET
TO THE WEST LINE OF LOT 1, BASIE COURT ADDITION	N, A SUBDIVISION IN SAID CITY, COUNTY, AND STATE; THENCE NORTH 2°-19'-59"
	EST LINE, A DISTANCE OF 95.00 FEET TO THE NORTHWEST CORNER THEREOF; H RIGHT OF WAY LINE OF 19TH STREET, A DISTANCE OF 15.50 FEET TO THE POINT
OF BEGINNING.	
for the following purpose:	
1. Our utility/agency has facilities or interest with	
TXX Yes (proceed to #2)	□ No (form complete)
 Our utility/agency: □ has no objections 	
	waive objection under any conditions (describe below)
will waive objections subject to the f	
□ Retain utility easement and □ Relocate facilities	protect facilities
⊻ 8ther: Exsiting fiber ar	nd conduit remain in place at south
sidewalk and cu	rb line of 19th street. (see attachment)
Plagge discuss objections or conditions with a	applicant and/or City Staff Prior to returning this form.
 Please return this form to the applicant within 	
Sam Akula	3-1-2021
Authorized Represen	ntative Date
Return this form to:	
Applicant Name	Phone
Address	Email
, 133.33	23





CHARTER SPECTRUM

CASE NO. CD-ROW-2021-00	UTILITY CO	CHARTER SPECTRUM	
Be it known that1900 VINE STREET, LLC described street, alley or plat desires to petition the	e City of Kansas City, Missou	ners of real estate abutting on the uri to pass an ordinance vacating	:
THE NORTH 95.00 FEET OF THE ALLEY LYING EAST OF DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH JACKSON COUNTY, MISSOURI; THENCE SOUTH 2°-17'-DISTANCE OF 95.00 FEET TO THE SOUTHEAST CORNE TO THE WEST LINE OF LOT 1, BASIE COURT ADDITION EAST (PLAT=NORTH 2°-17'-31" EAST) ALONG SAID WEST THENCE NORTH 87°-28'-30" WEST ALONG THE SOUTH OF BEGINNING.	VINE STREET AND SOUTH EAST CORNER OF LOT 9, EL 48" WEST ALONG THE EAST R OF SAID LOT 15; THENCE , A SUBDIVISION IN SAID CIT	OF EAST 19TH STREET, BEING M DERS ADDITION, A SUBDIVISION LINE OF LOTS 9 THRU 15 OF SAI SOUTH 87°-28'-30" EAST, A DISTA Y, COUNTY, AND STATE; THENC	ORE PARTICULARLY IN KANSAS CITY, D SUBDIVISION, A ANCE OF 15.50 FEET E NORTH 2°-17'-48"
for the following purpose:FUTURE [DEVELOPMENT		
 Our utility/agency has facilities or interest with Yes (proceed to #2) 	in this right of way: \[\mathbb{X} \text{No (form comp}	olete)	-
2. Our utility/agency: has no objections objects to the vacation and will not w will waive objections subject to the fol Retain utility easement and p Relocate facilities Other:	llowing conditions (describe rotect facilities	below)	
Please discuss objections or conditions with ap Please return this form to the applicant within 3 Authorized Representa	0 days.	or to returning this form. 121/2/ Date	
Return this form to:			
ANDERSON SURVEY COMPANY - ROBERT AN Applicant Name	DERSON	(816) 246-5050	
1270 NE DELTA SCHOOL ROAD		Phone	
LEE'S SUMMIT, MISSOURI 64064	-	bob@andersonsurvey.com	
Address		Email	



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			LEE'	S SU			OURI 64	1064					bob@andersonsurvey.com	
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CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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CONSENT OF LIMITED LIABILITY COMPANIES

Owner's name

CD-ROW-2021-009

Legal description of property

Tatum Martin, Owner 1900 Vine Street, LLC 924 Northwest 1st Street, Fort Lauderdale, Florida 33311	All that part of lots 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, & 41: together with the west 1/2 of the alley lying east of said lots 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, & 41; all in Elder's Addition, except that part lying in Vine Street.
at Hart	

(additional sheets attached as required)

COUNTY OF Brown) ss.

On this 20day of 24, 2021, before me, a Notary Public in and for said state, personally appeared 14 m Matter, who being by me duly sworn did say that he/she is the managing member of 1900 unit Street, a Missour 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 20day of 127, 2021

ALBA JULIANA HERNANDEZ
Notary Public - State of Florida
Commission # GG 924045
My Comm. Expires Oct 20, 2023
Bonded through National Notary Assn.

My Commission Expires:

Notary Public in and for Said County and State

Notary Public



CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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CONSENT OF PARTNERSHIPS

Owner's Name	Legal Description of Property
Basie Court Redevelopment Investors, LP c/o Dalmark Development Group, LLC 12220 State Line Rd Leawood, KS 66209	All of Lot 1, Basie Court Addition
Content to Vactation of alley	
Consent to vactation of alley 14thy east of Vine Street and	
south of E. 19th street per Bloit 1/1/4	
(additional sheets attached as required)	
STATE OF KANSAS) ss. COUNTY OF JOHNSON)	
On this 28th day of 00000000000000000000000000000000000	authorized court Redevelopment Investors, LP, a limited the executed the within instrument on behalf at that he/she acknowledged said instrument
Subscribed and sworn to before me on this o	day of atober, 2021.
SARAH BUCHANAN My Appointment Expires August 4, 2025	ary Public in and for Said County and State ary Public
My Commission Expires: August 4	, 2025



PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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CD-ROW-2021-00

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
Tatum Martin, Agent 1900 Vine Street, LLC 924 NW 1st Street Fort Lauderdale, Florida 33311	All that part of lots 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 29, & 41; together with the west 1/2 of the alley lying east of said lots 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, & 41; all in Elder's Addition, except that part lying in Vine Street.	924 NW 1st Street Fort Lauderdale, Florida 33311
Christopher Barhorst, Agent Basie Court Redevelopment Investors, LP 117 West 20th Street, Suite 102 Kansas City, Missouri 64108	All of Lot 1, Basie Court Addition	117 West 20th Street, Suite 102 Kansas City, Missouri 64108

(attach additional sheets if required)

Petitioner

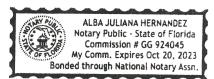
STATE OF Flooids)
COUNTY OF Brown) ss)

On this day of d

Subscribed and sworn to before me on this 4 day of week 207.

otary Public in and for Said County and State

My Commission Expires:





UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

	CASE NO.	CD-RO\	W-2021-00 ₽		UTILITY CO	KCMO Fire Department	
DES JACI DIST TO T EAS THE	NORTH 95. CRIBED AS KSON COUN ANCE OF 9 THE WEST L T (PLAT=NO	street, alley 00 FEET OF FOLLOWS: NTY, MISSO 5.00 FEET INE OF LO DRTH 2°-17' H 87°-28'-30	y or plat desires to F THE ALLEY LYIN : BEGINNING AT T DURI; THENCE SOI TO THE SOUTHEA T 1, BASIE COURT -31" EAST) ALONG	petition the City of Kar G EAST OF VINE STRE HE NORTHEAST CORN JTH 2°-17'-48" WEST AL ST CORNER OF SAID L ADDITION, A SUBDIVIS SAID WEST LINE, A DI	nsas City, Misso ET AND SOUTH ER OF LOT 9, E ONG THE EAS OT 15; THENCE BION IN SAID CI STANCE OF 95	vners of real estate abutting on the below buri to pass an ordinance vacating: HOF EAST 19TH STREET, BEING MORE PARTIC ELDERS ADDITION, A SUBDIVISION IN KANSAS T LINE OF LOTS 9 THRU 15 OF SAID SUBDIVISI E SOUTH 87°-28'-30" EAST, A DISTANCE OF 15. ITY, COUNTY, AND STATE; THENCE NORTH 2°- 1.00 FEET TO THE NORTHWEST CORNER THER TH STREET, A DISTANCE OF 15.50 FEET TO TH	CITY, ION, A 50 FEET -17'-48" REOF;
	for the follo	owing purp	ose:	FUTURE DEVELOPM	ENT]	
		ility/agenc		nterest within this right o	of way: No (form con	onlete)	
		has no ol objects to will waive	bjections o the vacation ar e objections subje	nd will not waive object ct to the following con nent and protect facili	ditions (describ	conditions (describe below) le below)	
				ons with applicant and cant within 30 days.	I/or City Staff P	rior to returning this form.	
	Micha	el Sch	roeder			03/04/2021	
			Authorized	Representative		Date	
	Return this	form to:					
			Y COMPANY - R	OBERT ANDERSON		(816) 246-5050	
			Applicant Name	;		Phone	_
		1270 NE	E DELTA SCHOO	L ROAD	-		
		LEE'S SU	MMIT, MISSOUR	1 64064		bob@andersonsurvey.com	_
			Address			Email	



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1270 NE DELTA SCHOOL ROAD

Address

LEE'S SUMMIT, MISSOURI 64064

Phone (816) 513-2846 Fax (816) 513	-2838 <u>www.kcmo.gov/planr</u>	ing
CASE NO. CD-ROW-2021-00	UTILITY CO	Evergy
Be it known that1900 VINE STREET, LLC described street, alley or plat desires to petition the	,	wners of real estate abutting on the below ouri to pass an ordinance vacating:
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for the following purpose: FUTURE	DEVELOPMENT	7
 Yes (proceed to #2) Our utility/agency: has no objections objects to the vacation and will not will waive objections subject to the form Retain utility easement and processing Relocate facilities Other: 	ollowing conditions (describ	conditions (describe below)
 Please discuss objections or conditions with a Please return this form to the applicant within 	pplicant and/or City Staff I 30 days.	Prior to returning this form.
My Wang		3/3/21
Authorized Represent	ative	[*] Daté
Return this form to:		
ANDERSON SURVEY COMPANY - ROBERT A	NDERSON	(816) 246-5050
Applicant Name	, , , , , , , , , , , , , , , , , , ,	Phone

bob@andersonsurvey.com

Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

Spire

	CASE NO. CD-RO	N-2021-00 ⊕	UTILI	IY CO.		
THE N DESC JACKS DISTA TO TH EAST THEN	described street, alle IORTH 95.00 FEET OF RIBED AS FOLLOWS SON COUNTY, MISSO NCE OF 95.00 FEET IE WEST LINE OF LO (PLAT=NORTH 2°-17'	y or plat desires to petition THE ALLEY LYING EAST BEGINNING AT THE NOR DURI; THENCE SOUTH 2°-1 TO THE SOUTHEAST COR T 1, BASIE COURT ADDITION	n the City of Kansas (OF VINE STREET AN THEAST CORNER OF 19'-59" WEST ALONG INER OF SAID LOT 15 ON, A SUBDIVISION I VEST LINE, A DISTAN	City, Missouri to past D SOUTH OF EAST F LOT 9, ELDERS A THE EAST LINE OF STHENCE SOUTH N SAID CITY, COUI CE OF 95.00 FEET	eal estate abutting on the ss an ordinance vacating: T 19TH STREET, BEING MC DDITION, A SUBDIVISION I F LOTS 9 THRU 15 OF SAID 87°-28'-30" EAST, A DISTAI NTY, AND STATE; THENCE TO THE NORTHWEST COF ET, A DISTANCE OF 15.50 I	PRE PARTICULARLY N KANSAS CITY, SUBDIVISION, A NCE OF 15.50 FEET NORTH 2°-19'-59" RNER THEREOF;
f	or the following purp	ose:				
1	. Our utility/agenc	y has facilities or interest v eed to #2)		/: (form complete)		
2	□ will waive □ F □ F		e following condition d protect facilities	s (describe below)		
•		jections or conditions with form to the applicant with		ity Staff Prior to ret	rurning this form.	
	Johnny Straus	s n- ROW Representativ	ve for Spire		3/2/2021	
_		Authorized Represe	entative		Date	
R	eturn this form to:					
_		Applicant Name			Phone	
_		Address			Email	