



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 Portion of 23rd Street

Hearing Date September 15, 2020

| Item # | Case | Request |
|--------|--------|----------|
| 7 | 1752-V | Vacation |

| Item # | Staff Recommendation(s) |
|--------|--------------------------|
| 7 | Approval with Conditions |

Applicant

Jackie Foy
BSA LifeStructures
6601 College Blvd, Suite #100
Overland Park, KS 66211

Location 23rd Street just north of 2401
Gillham Rd

Area About 1 acre

Zoning R-0.5, DC-15

Council District 4th

County Jackson

School District KCMO 110

Surrounding Land Uses

North: KCMO Park, zoned R-0.5 and DC-15

East: Truman Medical Center, zoned R-0.5

South: Children's Mercy Hospital, zoned R-0.5

West: Open space and Crown Center, zoned R-0.5

Land Use Plan

The Greater Downtown Area Plan recommends Downtown Core land uses. The request conforms to this recommendation.

Major Street Plan

This proposed area of 23rd Street is not identified on the Major Street Plan.

APPROVAL PROCESS



PUBLIC HEARING REQUIRED

Yes

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing is not required for vacations, therefore notice is not sent.

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 street vacation.

PURPOSE

The vacation will eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints. Ultimately the vacation would allow the owner to develop or utilize the unencumbered adjacent property without additional fees or permits, which requires approval of the above-referenced request.

EXISTING CONDITIONS

The area to be vacated is a portion of 23rd Street in between Holmes Avenue to the east and Locust Street to the west. The Children's Mercy Hospital campus is to the immediate south of the area to be vacated. There is park property to the north and west of the site.

NEARBY DEVELOPMENTS

The Children's Mercy Hospital campus currently has ongoing construction for a new research tower.

KEY POINTS

- The applicant intends to vacate a portion of E. 23rd Street.

PLAN REVIEW

The area to be vacated is located just north of Children's Mercy Hospital within the Hospital Hill neighborhood and to the immediate south of an area maintained by KCMO Parks. The existing right-of-way is part of E. 23rd

Street. The applicant has stated that the intent of this vacation is not to close or abandon the street but to allow the hospital to maximize the use of the adjacent property, allow for continuous connection on campus, and still maintain the street for public use. Easements for public access and utilities, and emergency traffic are anticipated. The vacation of this right-of-way will eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints. Ultimately, the vacation would allow the applicant to develop or utilize the unencumbered adjacent property without additional fees or permits.

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.

The only adjacent property owners are the applicant (Children's Mercy Hospital) and KCMO Parks, and both will still have access to their sites.

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 current right-of-way serves as an east-west local street for the general public.

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 the street network or physical connectivity. The Children's Mercy campus will still have access from several other streets.

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.

The full width of the streets will be vacated.

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

City Planning and Development Staff **recommends approval subject to the following conditions:**

1. That a utility easement is retained for all AT&T, Google Fiber, Time Warner Cable, KC Water, KC Streetlighting, Spire, and Evergy facilities and that the facilities are protected.
2. That an access easement be retained for KC Water Services and KCMO Fire, and that unfettered ingress/egress is retained.
3. That all streetlight facilities be maintained by the applicant or removed at the owner's expense.
4. The area to be vacated shall be maintained to fire access road specifications IFC-2012 § 507.5.4.
5. No permanent obstructions may be built or erected as to obstruct any part of the fire access road (IFC-2012 § 503.4).

6. Fire Department access shall be maintained to all fire hydrants, building and fire protection appliances/features found on the surrounding buildings (IFC-2012 § 507.5.4).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Zach Nelson". The signature is written in a cursive, flowing style.

Zach Nelson
Staff Planner