

City of Lee's Summit

Development Services Department

December 8, 2017

TO: Planning Commission
PREPARED BY: Shannon McGuire, Planner
CHECKED BY: Josh Johnson, AICP, Assistant Director of Plan Services
RE: **Continued PUBLIC HEARING – Application #PL2017-217 – VACATION OF RIGHT-OF-WAY – a portion of NE Todd George Road located approximately 90 feet north of the intersection of NE Wall St and NE County Park Road; Darla Anderson, applicant**

Commentary

This application is to vacate a portion of NE Todd George Road located approximately 90 feet north of the intersection of NE Wall St and NE County Park Road. The subject portion of right-of-way is a remnant from a previous alignment of NE Todd George Road that extends onto what is now a single-family residential parcel addressed as 1501 NE Wall St. The City has no use or need for the surplus right-of-way.

The request for vacation of right-of-way was sent to the City's Public Works and Water Utilities Departments, as well as the private utility companies, for their input. No objections to the requested vacation were received.

Recommendation

Staff recommends **APPROVAL** of the vacation of right-of-way for a portion of NE Todd George Road located approximately 90 feet north of the intersection of NE Wall St and NE County Park Road.

Zoning and Land Use Information

Location: approximately 90 feet north of the intersection of NE Wall St and NE County Park Road.

Current Zoning: R-1 (Single-family Residential district)

Surrounding zoning and use:

North: R-1 – single-family residential

South: AG (Agricultural district) – county park

East: Un-zoned county park (Prairie Lee Lake)

West (across NW Wall St): R-1 – single-family residential

Site Characteristics. The subject portion of right-of-way is located across part of the parcel addressed as 1501 NE Wall St, which is developed with a single-family home. The home was constructed in 1953 over the existing right-of-way.

Description and Character of Surrounding Area. The area is located along the shoreline of Prairie Lee Lake. The area to the north and west is developed with single-family residences. To the south is a county park, and to the east is Prairie Lee Lake.

Public Notification

Neighborhood meeting conducted: n/a

Newspaper notification published: November 11, 2017

Notices mailed to properties within 185 feet: November 27, 2017

Process

Procedure: The Planning Commission holds a public hearing and makes a recommendation to the City Council on the proposed vacation of right-of-way. The City Council holds a public hearing and takes final action on the vacation of right-of-way application. All vacation of right-of-way applications shall be approved by ordinance.

Duration of Validity: The vacation of right-of-way goes into effect upon City Council final action, unless otherwise stated in the approval, and does not expire.

Unified Development Ordinance

Applicable Section(s)	Description
4.460, 4.470	Vacation of Right-of-way

Comprehensive Plan

Focus Areas	Goals, Objectives and Policies
n/a	

Background

- 1953 – The existing single-family residence located at 1501 NE Wall St was constructed. The property was located in unincorporated Jackson County as the time of the home's construction.
- December 31, 1964 – This property and surrounding area was annexed into the City of Lee's Summit.

Analysis of Vacation of Right-of-way

This application is to vacate a portion of NE Todd George Road located approximately 90 feet north of the intersection of NE Wall St and NE County Park Road. The subject portion of right-of-way is a remnant from a previous alignment of NE Todd George Road. The City has no use or need for the surplus right-of-way.

Letters were sent to the utility companies (KCP&L, Laclede Gas, AT&T, Time Warner Cable and Comcast Cable), as well as to the City's Public Works and Water Utilities Departments, for their input. No objections to the requested vacation were received.

JJ/csm

Attachments:

1. Drawing and description of the right-of-way to be vacated, date stamped October 6, 2017—
1 page
2. Location Map