

# 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**

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### 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