

Legislation Details (With Text)

File #: 2022-5037 **Name:**

Type: Public Hearing - Sworn **Status:** Withdrawn

File created: 7/8/2022 **In control:** City Council - Regular Session

On agenda: 9/6/2022 **Final action:** 9/6/2022

Title: Public Hearing: Application #PL2021-318 - Vacation of Right of Way - a segment of SE 15th Street located east of SE Dalton Drive (adjacent to 1501 SE Dalton Drive); Lee's Summit R-7 School District, applicant.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. PC Minutes, 2. Staff Report, 3. Legal Description and Exhibit, 4. Neighborhood Meeting Minutes, 5. Citizen Correspondence - Ashley Malone, 6. Citizen Correspondence - Abby Novogoratz, 7. Location Map, 8. Staff Presentation

Date	Ver.	Action By	Action	Result
9/6/2022	1	City Council - Regular Session	withdrawn	
8/11/2022	1	Planning Commission	recommended for approval	Pass
7/14/2022	1	Planning Commission	continued	Pass

Public Hearing: Application #PL2021-318 - Vacation of Right of Way - a segment of SE 15th Street located east of SE Dalton Drive (adjacent to 1501 SE Dalton Drive); Lee's Summit R-7 School District, applicant.

Issue/Request:

The applicant requests to vacate an approximately 50' wide x 106' long segment of SE 15th St located east of SE Dalton Dr. The subject right-of-way stub was dedicated for future residential street extension to the east at the time the abutting acreage was developed. The abutting acreage is now the site of East Trails Middle School. The approved plan for the school did not require the extension of a street through the subject right-of-way and as a result no longer serves a public purpose for the street network. Interconnectivity between the new middle school and the Newberry subdivision was achieved by extending other existing street stubs located to the north and south at SE 13th St and SE Cape Dr, respectively. Upon the vacation of right-of-way, the abutting residential lots to the north and south will receive the abutting half of the vacated right-of-way.

The subject segment of right-of-way provides driveway access to the abutting residence to the south. As part of the vacation of right-of-way, the school district has removed the entire street stub and sidewalk that was located along the south side of the stub. In its place, a new driveway and north-south segment of sidewalk has been constructed to provide public street access for 1501 SE Dalton Dr onto SE Dalton Dr.

Kyle Gorrell, Applicant Representative
Josh Johnson, AICP, Assistant Director of Plan Services

With the conditions of approval below and contained in the staff report, the application meets the requirements of the UDO and Design and Construction Manual (DCM).

1. Easements shall be retained to cover the existing public (water and sanitary sewer) and private (Spire and Google) infrastructure located within the subject right-of-way as described in Attachment A of the ordinance.

Committee Recommendation: On a motion by Mr. Touzinsky, seconded by Mr. Benbrook, the Planning Commission unanimously voted on August 11, 2022, to recommend approval of Application #PL2021-318 - Vacation of Right of Way - a segment of SE 15th Street located east of SE Dalton Drive (adjacent to 1501 SE Dalton Drive); Lee's Summit R-7 School District, applicant.