



## VACATION OF RIGHT-OF-WAY PROCESS

### Step 1 – Filing the Application

The applicant must submit an application to Development Services Department including the following:

- **Application Form** – completed and signed by the applicant and property owner(s).
- **Fees** - Application filing fee and legal notice publishing charge, payable to the City of Lee's Summit - see Schedule of Fees and Charges. Two legal notices are required. A single payment covering the application fee and legal notice charge may be accepted. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication.
- **Drawings** – A plat or other drawing indicating the right-of-way(s) to be vacated. Number of copies as shown on the Submittal Copies Chart, plus one 8 ½" by 11" reduction **and electronic copy of the drawing and legal description**. Scale – not less than 1" = 100'.
- **Deadline** - Items will be placed on the Planning Commission agenda based upon the deadline schedule and completeness of the application submittal.

### Step 2 – City Staff Review

- A Planner will be assigned as the project lead. The Development Review Committee (DRC) is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions that reviews each item and identifies relevant issues. If there are any comments for the applicant, they will be sent to all parties listed on the application form.
- The City will send letters to the utility companies for their input: Evergy (electric), Spire (gas), AT&T (telephone), Time Warner and Comcast (cable), as well as to the City's Public Works and Water Utilities Departments, for their input.

### Step 3 – Notices and Posting of the Property

The Unified Development Ordinance (UDO) requires public hearings before the Planning Commission and City Council and the publishing of legal notices.

- **Notice in Newspaper** – City staff will prepare and publish the required legal notice of the time and place 15 days prior to the hearing. in an official City newspaper.
- **Letters to Surrounding Property Owners** – The applicant must mail notices by certified mail, to all property owners within 185 feet of the property, at least 15 days prior to the hearing. Mailed notices shall be sent to the last known record owner of all property within 185 feet as shown by County tax records. A form letter for the notice can be obtained from the Development Services Department. An affidavit must be submitted certifying that notice has been sent, along with a list of property owners and a copy of the letter sent.
- **Sign** – The applicant must post a sign on the premises at least 15 days prior to the date of the hearing. The City will furnish the sign to the applicant for posting. The applicant shall make a good faith effort to maintain the sign for at least 15 days immediately preceding the date of



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the hearing through the hearing, and through any continuances of the hearing. The sign shall be placed within 5 feet of the street right-of-way line in a central position on the property. The sign shall be readily visible to the public. If the property contains more than 1 street frontage, 1 sign shall be placed on each street frontage so as to face each of the streets. The sign may be removed at the conclusion of the public hearing and must be removed at the end of all proceedings on the application or upon withdrawal of the application.

### **Step 4 – Planning Commission Hearing**

- Development Services will set the date for the Planning Commission hearing. A copy of the Planning Commission agenda and staff recommendation will be sent to the applicant prior to the meeting.
- The Commission meets on the second and fourth Thursdays of each month in the Council Chambers of City Hall at 220 SE Green Street. The applicant is expected to make a presentation, which should be a brief description of the proposed project and responses to any concerns raised in the City staff's report. Presentations before the Planning Commission and City Council shall be (1) in electronic format or (2) reduced drawings for use on the Document Camera to display on the screen. Electronic presentations shall be on a laptop, CD ROM, DVD, or flash drive. The City's presentation system can support Word, Excel, Power Point, Adobe, Windows Media Player and Internet Explorer applications. Presentation boards are not allowed.
- The Planning Commission's action is a recommendation to the City Council to either approve, approve with conditions, or deny the application. The Planning Commission may continue an application to allow further study or the submission of more information.

### **Step 5 – City Council Hearing and Ordinance**

- A second public hearing (typically three weeks later) will be scheduled before the City Council. The Lee's Summit City Council meets on the first and third Tuesday of each month at the Council Chambers of City Hall at 220 SE Green St. The format of the public hearing is similar to that used by the Planning Commission and applicants should plan on making a similar type of presentation.
- After the City Council has listened to the applicant and staff presentations and to any public comments, they will discuss the application and then take action. The City Council will either reject the request or direct staff to prepare an ordinance. The ordinance is normally read at a subsequent City Council meeting and approved or denied.



## VACATION OF RIGHT-OF-WAY APPLICATION

1. NAME OF STREET(S): Sloan Street
2. LOCATION OF PROPOSED VACATION: Southwest Corner of NE Tudor Road and NE Douglas Street
3. LEGAL DESCRIPTION (attach if description is metes and bounds description): Lengthy, See attached.
4. APPLICANT Cityscape Residential PHONE 913.216.0124  
CONTACT PERSON Ryan Adams FAX \_\_\_\_\_  
ADDRESS 10 W Carmel Drive, Suite 200 CITY/STATE/ZIP Carmel, IN 46032  
E-MAIL radams@cityscaperesidential.com
5. PROPERTY OWNER City of Lee's Summit PHONE \_\_\_\_\_  
CONTACT PERSON \_\_\_\_\_ FAX \_\_\_\_\_  
ADDRESS 818 NE Douglas Street CITY/STATE/ZIP Lee's Summit, MO 64063  
E-MAIL \_\_\_\_\_
6. ENGINEER/SURVEYOR Phelps Engineering, Inc. PHONE 913-393-1155  
CONTACT PERSON Doug Ubben, Jr., P.E. FAX \_\_\_\_\_  
ADDRESS 1270 N Winchester CITY/STATE/ZIP Olathe, KS 66061  
E-MAIL dougubben@phelpsenengineering.com
7. <sup>Architect</sup> OTHER CONTACTS NSPJ Architects PHONE 913-831-1415  
CONTACT PERSON Iris Abromof FAX \_\_\_\_\_  
ADDRESS 3515 W 75th St., Suite 201 CITY/STATE/ZIP Prairie Village, KS 66208  
E-MAIL iabramof@nspjarch.com

**All applications require the signature of the owner on the application and on the ownership affidavit. Applications without the proper signatures will be deemed incomplete and will not be processed.**

\_\_\_\_\_  
PROPERTY OWNER

\_\_\_\_\_  
APPLICANT

Print name: \_\_\_\_\_

Receipt #: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Processed by: \_\_\_\_\_ Application # \_\_\_\_\_