



BOARD OF ALDERMEN
Work Session Agenda
CITY OF PARKVILLE, MISSOURI
Tuesday, June 6, 2023 6:00 PM
City Hall Board Room

1. GENERAL AGENDA

- A. Application to vacate a portion of W. 3rd Street between N. Main Street and NW Summers Street (Community Development)

2. ADJOURN

CITY OF PARKVILLE

Policy Report

Date: May 31, 2023

Prepared By:

Stephen Lachky, Community Development Director

Reviewed By:

Daniel Harper, Public Works Director

ISSUE:

Application to vacate a portion of W 3rd Street between N. Main Street and NW Summers Street (Community Development)

BACKGROUND:

Staff received an Application for Vacation (Street, Public Park, Alley, Etc.) from property owners Staci Korpala (300 Main St.) and Mark Coulter (204 Main St.) near downtown Parkville. The application proposes vacating a 3,200 sq. ft. portion of W 3rd St. between their two properties and adjacent to N Main St.

As it exists today, the W 3rd St. right-of-way contains a 20 ft. X 70 ft. stub street with access off of N Main St., a concrete sidewalk along the 300 Main St. property boundaries, providing access from Main St. to their backyard; as well as a 5-ft. concrete pedestrian sidewalk running from N Main St. to NW Summers St., which provides access to properties along the entirety of W 3rd St.

The applicant desires to utilize the portion of stub street as a private driveway, as members of the public currently utilize it for parking. Additionally, a vacation of W 3rd Street would allow the applicant to remove large, hazardous Cottonwood and Sycamore trees currently located in the right-of-way. Finally, the vacation would allow the applicant the ability to utilize a 10 ft. section on the western end of the right-of-way for a privacy fence and secure outdoor/recreational area for their dog.

UTILITIES AND NECESSARY ACTIONS:

On July 29, 2022 staff initiated a Missouri One-Call request to verify whether or not underground utilities are present in the W 3rd St. public right-of-way area. All utility providers (e.g., Missouri Gas Energy, Missouri American Water, Kansas City Power & Light, AT&T, and the City of Parkville) responded to the request. The subject right-of-way area contains a City of Parkville sanitary sewer main line running east-west down the centerline of the right-of-way, as well as Spire Energy underground gas lines running north-south along the eastern boundary of the right-of-way.

Thus, if vacated, staff would recommend reserving a utility easement across the entirety of the portion of W 3rd St. right-of-way; as well as reserving an ingress/egress (I/E) easement across the approximate location of the east-west concrete pedestrian sidewalk (which extends from N Main St. to NW Summers St.). Lastly, if vacated, staff would recommend the applicant improve their private driveway apron connection with N Main St. at the next time that a maintenance or replacement function is performed in order to bring the driveway entrance in compliance with driveway standards, and to distinguish the former stub street as a private drive from the public roadway; and require the applicant to submit an *Application for Right-of-Way Permit* to the Public Works Department to

conduct such work.

ALTERNATIVE ACTION:

Rather than vacating W 3rd Street right-of-way, an alternative is for the City to maintain the right-of-way and enter into an agreement with the property owner of 300 Main St. for the installation and maintenance of private improvements (i.e., the fence) within public right-of-way, similar to what the City does with developers for fountains, monument signs, sculptures or other decorative features within median island tracts within roadway public right-of-way. However, because there are no guarantees the City would allow such private improvements — such as a fence — indefinitely, the applicant has stated they would not pursue this option.

BUDGET IMPACT:

There is no budget impact with this item.

ALTERNATIVES:

1. Receive information regarding an Application for Vacation for a portion of W 3rd St. between N Main St. and NW Summers St.
2. Provide staff feedback.
3. Direct staff to conduct additional research.
4. Postpone the item.

STAFF RECOMMENDATION:

Staff recommends the Board of Aldermen receive information regarding an Application for Vacation for a portion of W 3rd St. between N Main St. and NW Summers St.

ATTACHMENTS:

1. Application
2. Subject Property Area Map
3. Subject Area Photos
4. Boundary Survey
5. Boundary Survey with Fence
6. City Sanitary Sewer Line Map (2020)
7. Public Comments - Anna Jaffe (5 W 3rd St)
8. Public Comment - Scott Ramon (6 W 3rd St)



Application #: VC 2022-02
Date Submitted: July 25, 2022
Public Hearing: August 16, 2022
Date Approved: _____

CITY OF PARKVILLE • 8880 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Vacation (Street, Public Park, Alley, Etc.)

Pre-application meeting with City staff is strongly encouraged prior to preparing this application.

1. Applicant / Contact Information

Applicant(s)

Name: Staci Korpall
Company: _____
Address: 300 Main Street
City, State: Parkville, MO
Phone: (816) 399-8944 Fax: _____
E-mail: staci.korpall@gmail.com

Engineer/Surveyor(s) preparing plans & legal desc.

Name: Rob Young
Company: RL Buford & Associates
Address: 201 Main Street, Suite 6
City, State: Parkville, MO
Phone: (816) 741-6152 Fax: _____
E-mail: rob@rlbuford.com

Owner(s), if different from applicant

Name: _____
Company: _____
Address: _____
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

Contact Person, if different from applicant

Name: _____
Company: _____
Address: _____
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that development in the City of Parkville is subject to the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such or from the conditions as stated herein shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required) _____

Date: 7/25/22

Property Owner's Signature (Required) _____

Date: 7/25/22

2. Property Information (see also Checklist of required submittals)

General location / property address (if applicable): 300 Main Street

Subdivision plat(s): City of Parkville

Lot numbers affected: Lot 16, Block 14, Lot 19, Block 9

3. Vacation Requested

Vacation type: ☒ Street ☐ Public Park ☐ Alley ☐ Other

Present condition/use: Parking

Proposed use: Assemblage and driveway with adjacent lots.

Area (sq. ft.) to be vacated: 3200

Legal description of proposed vacation (please attach):

See attached.

Application #: VC 2022-02

4. Checklist of required submittals

- ☒ Completed application, including all information requested herein.
- ☒ Nonrefundable application fee of \$75.00. Separately, the applicant will be billed to recover costs for required publication notice per Section 100.140 of the Parkville Municipal Code.
- ☒ Certificate of survey or other scaled drawings showing the proposed vacation in relationship to the subject property; and copies of plats, site plans, public improvement drawings or other documents identifying the location of the proposed vacation and any existing easements (if applicable).
- ☒ Legal description of proposed vacation.
- ☒ Letter of acknowledgement and approval of the request for vacation from all property owners and entities directly abutting the proposed vacation. MARC Coulton 816-589-6424 / Email CORRESP.
- ☒ Authorization signature of the applicant and owner of record of the property.
- ☒ Authorization signature of all persons preparing the legal description, survey and/or drawings.

For City Use Only

Application accepted as complete by: Stephen Lachky, Community Development Department July 25, 2022
Name/Title Date

Application fee payment: Check # 982 M.O. Cash paid 7/27/22

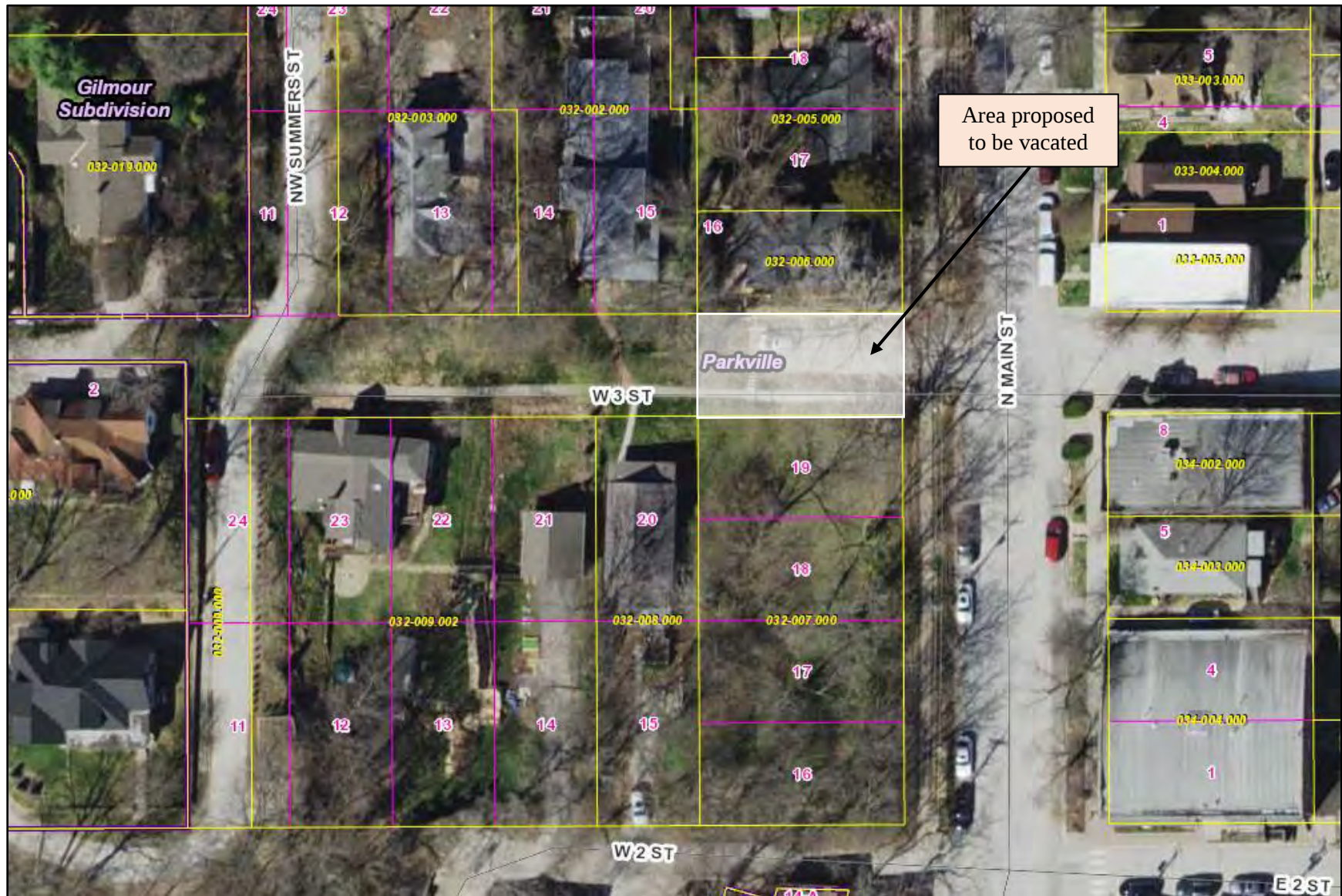
Final reimbursable costs paid (if applicable). Date of Action: _____

Board of Aldermen ☐ Approved ☐ Approved with Conditions ☐ Denied

Date of Action: _____

Conditions if any: _____

Subject Property Area Map

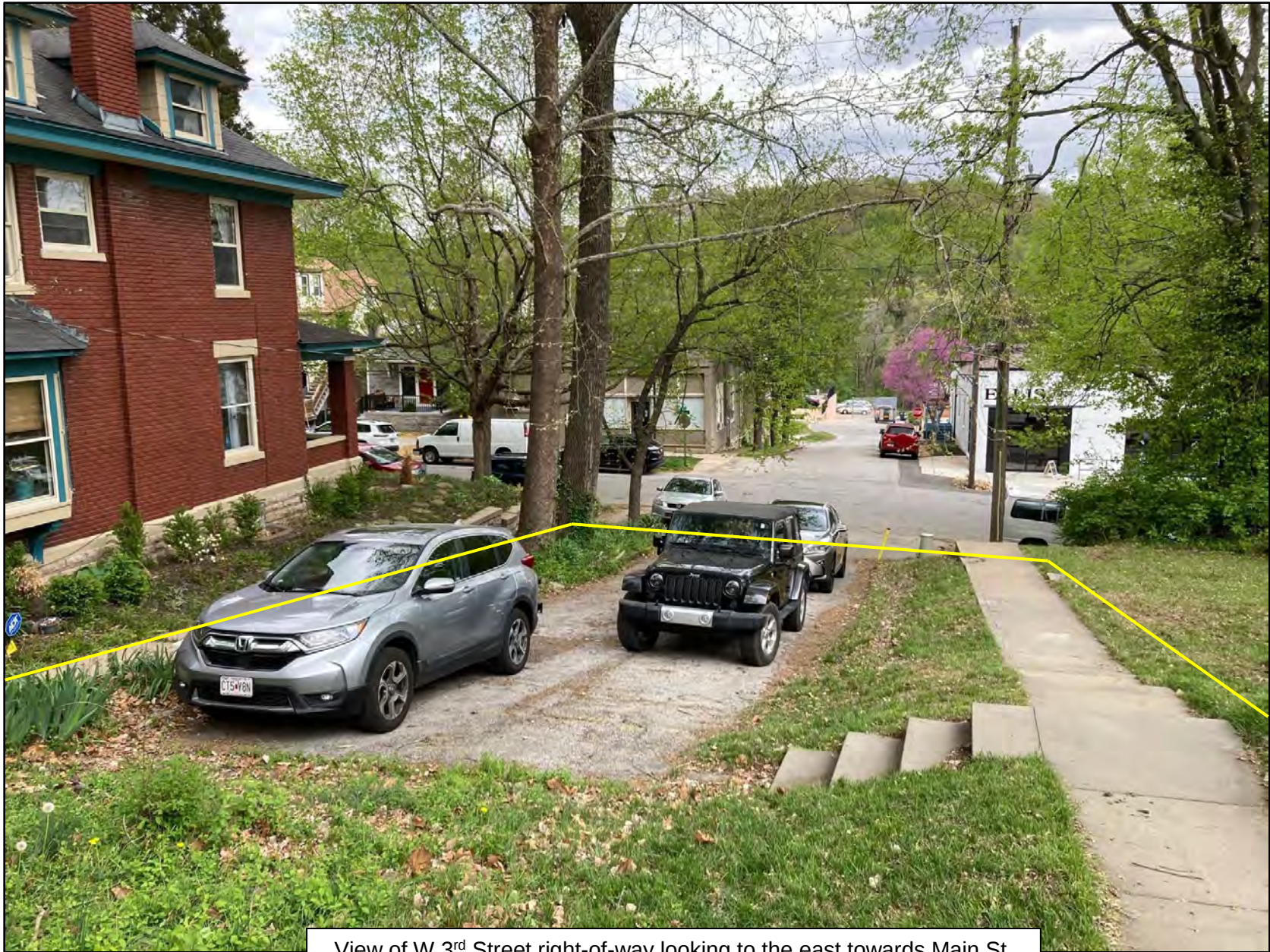


Subject Area Photos



View of W 3rd Street right-of-way looking towards the west from N Main St.

Subject Area Photos



View of W 3rd Street right-of-way looking to the east towards Main St.

Subject Area Photos

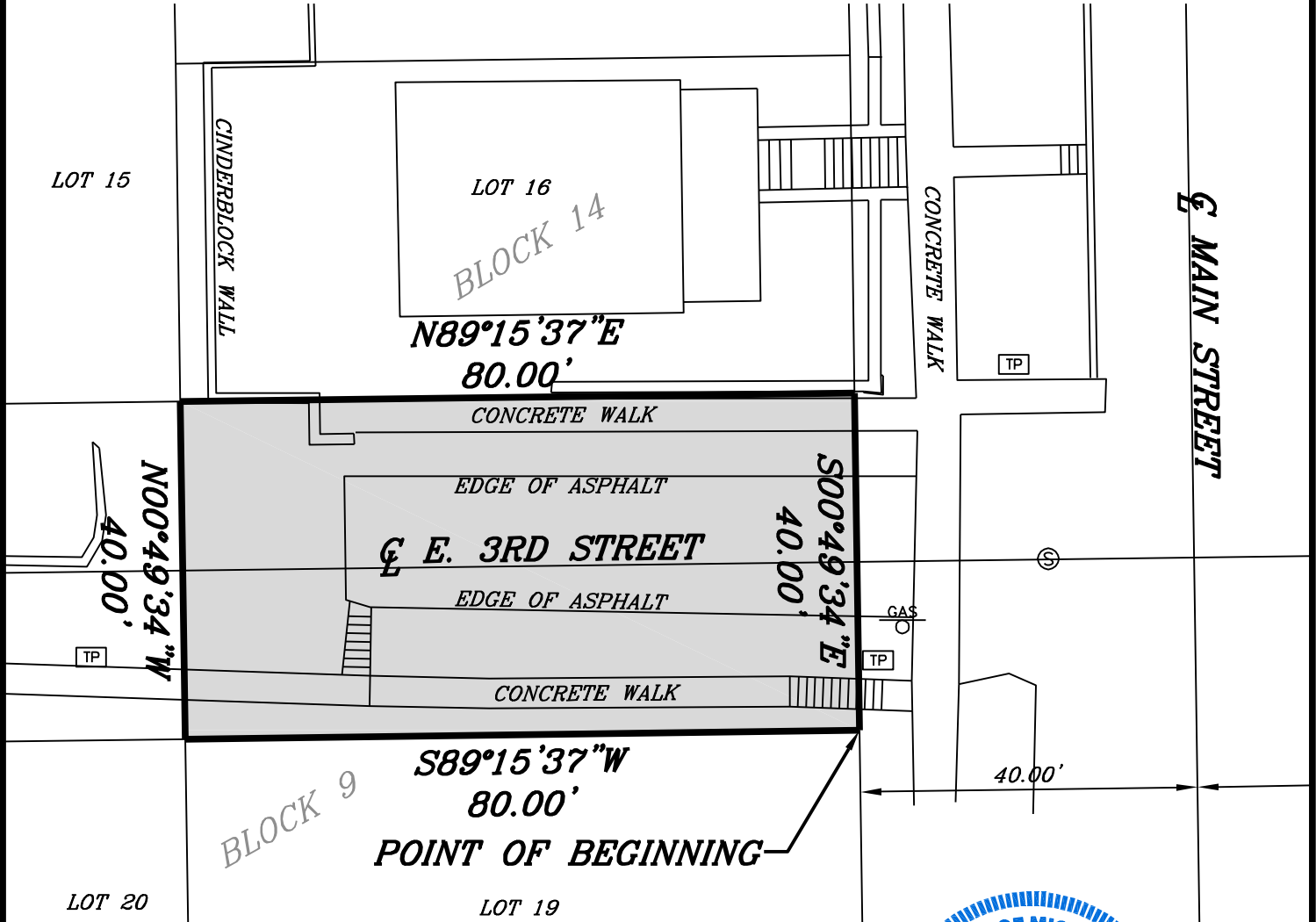


View of W 3rd Street right-of-way looking to the east towards Main St.

PROPERTY DESCRIPTION

CONTAINING 3,200 SQUARE FEET

ALL THAT PART OF EAST 3RD STREET LYING BETWEEN LOT 16, BLOCK 14 AND LOT 19, BLOCK 9, PARKVILLE, A SUBDIVISION IN THE CITY OF PARKVILLE, PLATTE COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 19, SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF MAIN STREET; THENCE S89°15'37"W, ALONG THE NORTHERLY LINE OF SAID LOT 19, A DISTANCE OF 80.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 19; THENCE N00°49'34"W, A DISTANCE OF 40.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16; THENCE N89°15'37"E, ALONG THE SOUTHERLY LINE OF SAID LOT 14, A DISTANCE OF 80.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 16, SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF SAID MAIN STREET; THENCE S00°49'34"E, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.



SURVEYOR'S CERTIFICATION

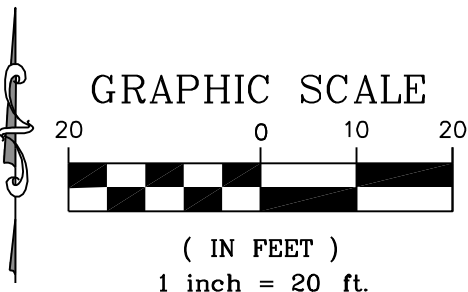
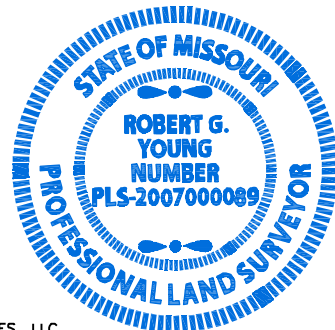
I HEREBY DECLARE THAT THIS DRAWING WAS PREPARED UNDER MY SUPERVISION FOR STREET VACATION PURPOSES ONLY.

Robert G. Young

ROBERT G. YOUNG, PLS-2007000089

07/21/2022
DATE

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R.L. Buford & Associates, LLC

LAND SURVEYING - DEVELOPMENT CONSULTANTS
R.L. BUFORD & ASSOCIATES, LLC - MO CERT. OF
AUTHORITY LICENSE NO. LS-2010031977

P.O. BOX 14069, PARKVILLE, MO. 64152 (816) 741-6152

FOR

STACI KORPAL

SEC.-TWP.-RGE.

35-51-34

COUNTY

PLATTE

JOB NO.

P-22179

DATE

07/21/2022

FIELD BOOK

LOOSE LEAF

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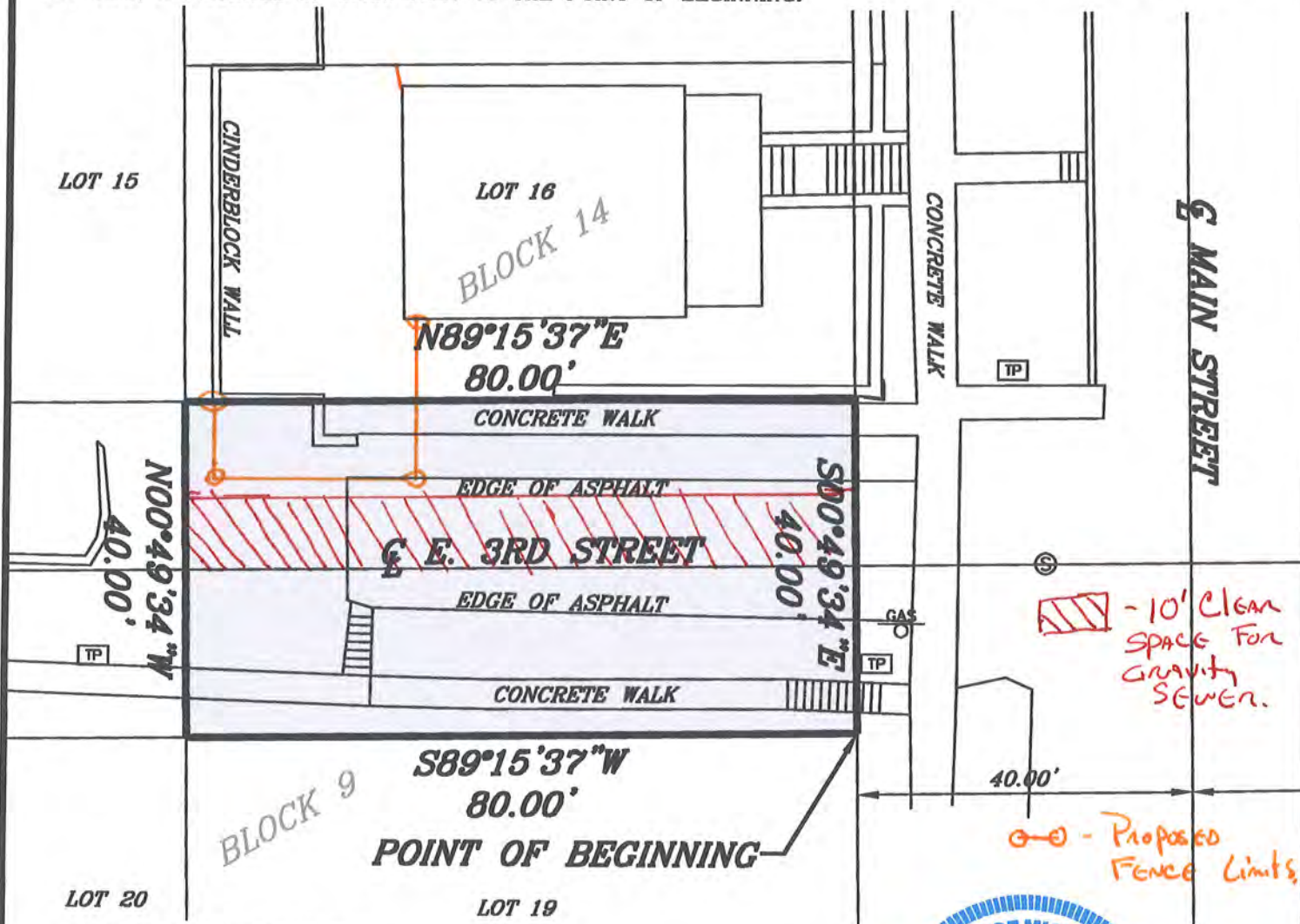
R.G.Y.

VACATION EXHIBIT

PROPERTY DESCRIPTION

CONTAINING 3,200 SQUARE FEET

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SURVEYOR'S CERTIFICATION

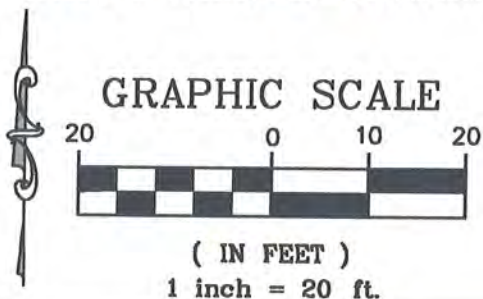
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07/21/2022
DATE

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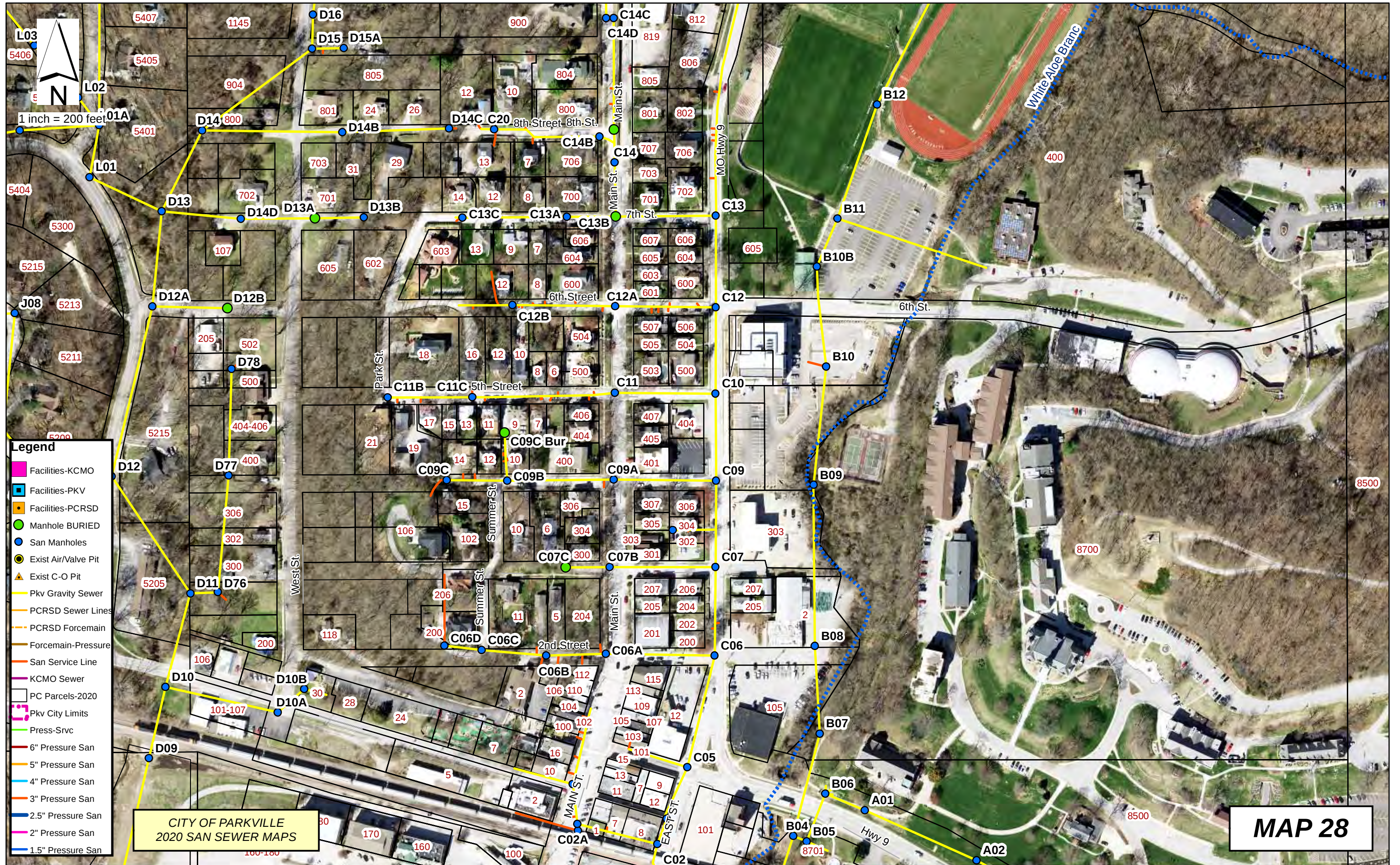
P.O. BOX 14069, PARKVILLE, MO. 64152 (816) 741-8152

FOR

STACI KORPAL

VACATION EXHIBIT

SEC.-TWP.-RGE. 35-51-34	COUNTY PLATTE	JOB NO. P-22179
DATE 07/21/2022	FIELD BOOK LOOSE LEAF	PAGE LOOSE LEAF
		DRAWN BY R.G.Y.



From: Anna Jaffe <ajaffe@curiouseye.tv>

Sent: Tuesday, August 16, 2022 12:22 AM

To: Dean Katerndahl <DKaterndahl@parkvillemo.gov>; Stephen Lachky <SLachky@parkvillemo.gov>; Alysén Abel <AAbel@parkvillemo.gov>

Cc: Philip Wassmer <PWassmer@parkvillemo.gov>; Tina Welch <TWelch@parkvillemo.gov>

Subject: Opposition to vacation of city right-of-way on 3rd Street

Mayor Katerndahl, Stephen and Alysén,

My husband, Mike Horine, and I found out this evening about the proposed vacation of 3rd Street just west of Main. There are no words strong enough to express our absolute **OPPOSITION** to this proposal. We have owned the property at 5 West 3rd Street for the past 10 years. (On the "Subject Property Area Map" our property includes lots 20 and 15.) Losing the public right-of-way will have a dramatic and deleterious impact on us as well as other adjacent property owners. Here are just a few of the many problems a vacation of the right-of-way would present:

- We would lose access to the front of our property from 3rd St - the street that is actually our address.
- It landlocks us and denies us access to Main Street from our front door.
- The right-of-way is the primary access point to our property for all visitors. A vacation of 3rd Street would create a situation where it would be impossible for people visiting us to park on Main St - the only parking option - and get to our front door without walking across private property.
- It creates a public safety issue because emergency vehicles - police, fire and EMS - would no longer have easy access to our property.
- The public right-of-way is used by the US Postal Service, UPS, FedEx, Amazon and others to deliver mail and packages.
- Altering the status quo picks favorites among property owners. The owners of 300 Main would enjoy a substantial increase in their property value while our property value and others would be harmed.

These are just a few of the issues - among others - if this action item were to be approved. I know this is on tomorrow night's Board of Aldermen meeting agenda. I would like to have the opportunity to voice my concerns publicly. However, I have a prior commitment that I can't change at this late hour. I ask that you hold the item until **all** parties affected by the proposed vacation are given appropriate advance notice so that **all** of our voices can be heard. Please let me know what your plan is prior to tomorrow night's meeting.

Thank you.

Anna Jaffe



Anna Jaffe

Partner - Executive Producer - Director of Business Development

Office: 816-584-9995 Cell: 816-695-8841

ajaffe@curiouseye.tv | www.curiouseye.tv

From: Anna Jaffe <ajaffe@curiouseye.tv>

Sent: Wednesday, May 31, 2023 3:11 PM

To: Dean Katerndahl <DKaterndahl@parkvillemo.gov>; Stephen Lachky <SLachky@parkvillemo.gov>; Philip Wassmer <PWassmer@parkvillemo.gov>; Tina Welch <TWelch@parkvillemo.gov>

Cc: Daniel Harper <DHarper@parkvillemo.gov>; Richard Wilson <RWilson@parkvillemo.gov>; Mike Horine <mhorine@curiouseye.tv>; Scott Ramon <scottjramon@gmail.com>

Subject: Re: W 3rd Street Vacation - Tuesday, June 6, 2023 (6:00 p.m. work session; 7:00 p.m. regular meeting)

Mike and I second Scott's thank you for the heads up about this. We also plan on attending the work session and public hearing.

As to Dean's question... We have not had the opportunity to meet with Staci but would be happy to do so in order to explain why we are vehemently against the vacation of this property.

Ever since we became aware of Staci's application in August 2022, we have expressed our firm belief that vacating the right-of-way will cause clear and irreparable harm to us as property owners at 5 West 3rd Street. Our position has not changed.

Here are some of the key issues that concern us:

- It would cause a clear detrimental impact by limiting access to our property. We have relied on the dead end of 3rd Street for access since we purchased the house back in 2012. Access from 3rd Street was absolutely key to our willingness to buy 5 West 3rd. Not having access would have been a deal breaker.
- It would block access for public safety vehicles -- EMS and fire. This is particularly concerning for us. Anyone familiar with 2nd Street knows that it's essentially an alley. You can't maneuver large vehicles - like a fire truck - up 2nd Street. In addition, the driveway at the back of 5 West 3rd is very steep and narrow with low hanging power lines, further challenging efforts if first responders were needed.
- It would put utility access, including the public sewer main on private property.
- It would pick favorites among property owners. There is no question that vacating 3rd Street would provide financial benefit in the form of a substantial property value increase to the owner of 300 Main - a house that has no existing driveway, private parking or yard. We don't have a problem with individuals seeking to improve their property values. The problem is that in this case, while the owner of 300 Main would benefit, other property owners - including us - would be harmed. We believe this would cause grave damage to our property value and make our property far less attractive to prospective buyers should we ever choose to sell.
- We have considered access to 3rd Street so critical that 10 years ago we worked with a previous Parkville Public Works director to make improvements to the right of way for the benefit of the public. The city did not have money in the public works budget to add a staircase off of 3rd Street that would connect with the sidewalk. In coordination with public works, we paid for a contractor to complete the project, installing a staircase and repairing a section of the sidewalk.
- Because the access at the back of 5 West 3rd is so narrow and steep, the delivery and/or removal of large items has to happen via 3rd Street. When we moved our belongings to

the house, we did so by parking a moving truck at the dead end of 3rd Street and bringing large furniture items through the front door. We would not have been able to do that from the back of the house.

- Because 2nd Street is so narrow, it is often completely blocked by vehicles making deliveries to adjacent businesses. This means that -- for periods of time -- we lose access to the driveway at the back of our property and instead rely on coming and going via 3rd Street.
- It would enable the owner of 300 Main to remove several large healthy trees that provide part of the canopy along Main Street.
- It would effectively take away our street address. While it may seem insignificant -- if there is no longer a dead end to 3rd Street because it becomes private property -- how are friends, family, service providers, delivery companies, etc supposed to find us? Our structures are oriented on our respective lots to front 3rd Street. This makes the stub of 3rd Street important to us for ingress and egress even though the street isn't cut through.
- Parking in this area is already a problem. Taking away public access to 3rd Street would further exacerbate parking issues.

These are just some of our concerns. I've attached a series of images that help to illustrate the situation. Please feel free to share this information with the rest of the Board of Aldermen. We will certainly be happy to speak to these issues at the work session and at the public meeting.

In summation, Staci knew what she was buying when she purchased 300 Main. She knew the property did not have a driveway, private parking or any yard to speak of. She has made no effort to find out how this application might negatively impact adjacent property owners. She is pursuing this for personal benefit and to the detriment of the rest of us. We are opposed to the vacation of the western stub of 3rd Street. We hope the City will protect the rights and interests of all of the adjacent property owners -- not simply one individual.

Please let us know if there's anything else you need from us in advance of June 6. We're also happy to have conversations prior to the 6th. Again, thank you for looping us in. We really appreciate it!

Best regards,

Anna (& Mike)



Anna Jaffe

Partner - Executive Producer - Director of Business Development

Office: 816-584-9995 Cell: 816-695-8841

ajaffe@curiouseye.tv | www.curiouseye.tv

Scott Ramon
6 W. 3rd St.
Parkville, MO 64152

My wife and I purchased our property at 6 West Third Street in April 2013. As indicated by our address, the front of our house connects directly to the strip of land that extends west from Main Street, known as Third Street. Our eastern property line is shared with the applicant.

Third Street is paved at its connection with Main Street, but it transitions to grass as it moves up the hill. Some form of this paved/non-paved right-of-way pattern is common among 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, and 10th Streets in Parkville.

The applicant is asking to deviate from this pattern and take control of Third Street at its connection to Main Street. I spoke with the applicant in February 2023 about her intentions and she stated the following reasons for obtaining this control:

1. She wants to prohibit cars other than her own from parking on Third Street.
2. She wants to cut down two large trees near her property that the city will not remove because they are healthy and pose no apparent risk. If she annexes Third Street, she'll be able to do so.
3. She wants to build a fence in the right-of-way.

As a Third Street property owner, I have the following concerns with the proposed vacation:

- I have no intention of owning a home with no vehicular access to its front. I never would have purchased this property without the knowledge that the city controlled the right-of-way that provides this access today. We have used this access on a number of occasions for landscaping projects, tree removal, and utility maintenance. For example, in order to properly maintain my property I plan to repair/replace a retaining wall and work through a major tree trimming project within the next year. Each of these will be nearly impossible without vehicular access via Third Street. *(See [1] below)*
- There have been three owners of 300 Main since I've owned my home. I have maintained good relationships with all of them, but I have no guarantee that the 4th or 5th or 6th owner will be as amicable. I cannot be comfortable with an ownership situation that would require me to call in a favor every time I need access to Third Street.
- Third Street is our address. It is how we receive mail, deliveries, plumbers, HVAC repair persons, guests, etc. If the city effectively dissolves Third Street, what is our address? If the applicant removes the street sign and places a "Private Drive" sign or gate, how am I to direct visitors to my home? How are we to receive deliveries?
- I have a sewer line and gas line that pass through the Third Street right-of-way that require regular maintenance. The gas company has informed me that if they can't access my line with their machinery, hand-digging will be much more expensive.

Avoiding this extra expense requires vehicular access onto my property by way of Third Street.

- With the loss of Third Street, it isn't clear to me how emergency services would access the front of my home.
- Vacating a portion of Third Street would landlock the remaining portion of the right-of-way east of Summer Street. Third Street is not accessible from Summer Street. (See [2] below)

Considering these items together yields a material loss in property value for my neighbors and I at the benefit of the applicant alone. It would be extremely short sighted for the city to grant such a one-sided application. The applicant had clear knowledge of her property boundary when she purchased her home, as did we.

The city needs responsible property owners, and I've been maintaining and improving a large portion of the Third Street right-of-way for 10 years because I have pride in our downtown neighborhood and I want it to be as hospitable to guests as possible. I am happy to continue to do so, and I would even entertain partnering financially with the applicant on some landscaping for the area that would make it enjoyable for her and pleasant for guests of our city. She has not been interested in pursuing this, but I'm hopeful she'll change her mind.

Thank you for your consideration.

[1] Existing access to 6 W. 3rd St. via Main St.



[2] Portion of Third Street right-of-way cut off from access as proposed.

