

AGENDA ITEM
September 19, 2023

Subject: Vacation of a portion of Kennedy Street and a portion of Carter Drive of East View Heights Addition

Department: Administration

The property owner of lots 105-104 and lots 63-60, and lots 1-6 of East View Heights Addition signed a petition to request the vacation of Carter Drive and a portion of Kennedy Drive between the lots for a potential housing development.

The Planning Commission held a public hearing at their meeting on September 6, 2023, and voted unanimously to send a positive recommendation to City Council to vacate Carter Drive from Barrett Street to the north side of Tyler Avenue and a portion of Kennedy Drive from Carter Drive to the north property line.

Manager Notes:

- See map below. The vacation request is for a proposed 38-unit housing development.
- As requested by the Property owner a provision is included in the Vacation Ordinance if no development is started within 2 years both Kennedy and Carter Drives will revert to the original approved plat and the street vacation will be null and void.



BILL NO. 2023-056

ORDINANCE NO.

A SPECIAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, VACATING KENNEDY DRIVE BETWEEN LOTS 104 AND 63 AND CARTER DRIVE BETWEEN LOTS 105-60 AND LOTS 1-6 OF EAST VIEW HEIGHTS ADDITION TO THE CITY OF NEVADA, MISSOURI

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

Section 1. Following public hearing on September 6, 2023, and review by the Planning Commission and a positive recommendation by that body, and public hearing before the City Council, it is found and determined that Kennedy Drive between lots 104 and 63 and Carter Drive between lots 105-60 and Lots 1-6 of East View Heights Addition to the City of Nevada, Missouri should be and the same are hereby vacated.

Section 2. It is therefore ordained that Kennedy Drive between lots 104 and 63 and Carter Drive between lots 105-60 and Lots 1-6 of East View Heights Addition, is hereby vacated pursuant to the following conditions:

1. In the event the applicant or landowner shall fail to have obtained a Building Permit within 24 months of the effective date of the amendment, then, a Hearing before the Zoning & Planning Commission shall be scheduled, which shall be after due notice in accordance with the Zoning Code, make a recommendation to the City Council concerning whether such amendment shall be reconsidered and reverted to its previous classification.

Section 3. The City Clerk is directed to record this ordinance in the office of the Recorder of Deeds of Vernon County, Missouri.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND ADOPTED, by the City Council of the City of Nevada, Missouri this _____ day of October 2023.

(seal)

KENDALL VICKERS, MAYOR

ATTEST:

CYNTHIA DYE, CITY CLERK