

# City of Lee's Summit

## Development Services Department

June 23, 2017

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director of Planning & Special Projects *rum*  
RE: **Appl. #PL2017-100 – VACATION OF EASEMENT – Aldi, 600 SE Oldham Pkwy.;  
Kaw Valley Engineering, applicant**

### Commentary

The applicant proposes to vacate a portion of an existing 15' wide sanitary sewer easement; the segment that is to be vacated is approximately 9' in length. The subject easement contains an existing 8" sanitary sewer line segment that will be shortened and a new manhole installed to allow for a building addition. The existing easement was specifically dedicated to the City as a sanitary sewer easement on the minor plat for *Hamblen Business Park, Lots 1 & 2*. As a result, no input regarding the vacation request is required from any private utilities or the City's Public Works Department. No objection was raised by the City's Water Utilities Department.

### Recommendation

Staff recommends **APPROVAL** of the vacation of easement.

### Project Information

**Vacation of Easement:** an approximate 9' segment of a 15' sanitary sewer easement

**Location:** 600 SE Oldham Pkwy.

**Zoning:** CP-2 (Planned Community Commercial)

**Surrounding Zoning and Use:**

**North:** CP-2 – Perkins Restaurant & Bakery

**South (across SE Oldham Pkwy.):** PMIX (Planned Mixed-Use) – Home Depot

**East:** CS (Planned Commercial Services) – vacant undeveloped property and skating rink

**West (across SE Hamblen Rd.):** PI (Planned Industrial) – office/warehouse

### Background

- December 29, 1954 – The City's 1<sup>st</sup> zoning ordinance (Appl. #1954-002), Ord. #421, classified this property as District C (Highway Business and Industrial).
- February 14, 1957 – The City Council approved Zoning Ordinance #507, which classified this area as C-2 (Highway Business and Industrial).
- March 27, 1962 – The City Council approved Zoning Ordinance #715, which classified this area as M-1 (Light Industrial).
- October 20, 1992 – The City Council approved a rezoning (Appl. #1992-036) from M-1 (Light Industrial) to C-1 (General Business) by Ord. #3731.

- December 4, 2002 – The minor plat (Appl. #2002-168) of *Hamblen Business Park, Lots 1 & 2* was recorded at the Jackson County Recorder of Deeds office by Instrument #2002I0112149.
- September 17, 2003 – A certificate of occupancy was issued for a new 15,150 square foot Aldi's building (building permit #B0201506, and final development plan Appl. #2002-167).
- May 22, 2017 – Staff approved a final development plan (Appl. #PL2017-067) for two additions located on the northwest corner and south side of the building (totaling 3,601 sq. ft.). The vacation of the subject portion of the 15' sanitary sewer easement is required for the building addition on the south side.

### **Analysis of Vacation of Easement**

The applicant requests the vacation of a 9' long segment of a 15' wide sanitary sewer easement. There is an existing 8" sanitary sewer line located within the subject easement, which will be shortened and a new manhole installed.

The subject easement was specifically dedicated to the City as a sanitary sewer easement. As a result, no input regarding the vacation request is required from any private utilities or the City's Public Works Department. No objection was raised by the City's Water Utilities Department.

### **Code and Ordinance Requirements**

*The items in the box below are specific to this development and must be satisfactorily addressed in order to bring the plan into compliance with the Codes and Ordinances of the City.*

<p><b><u>Planning</u></b></p> <ol style="list-style-type: none"> <li>1. The vacation of easement shall be recorded prior to the issuance of any building permits on the subject property. A copy of the recorded document shall be provided to the Development Services Department.</li> </ol>
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RGM/cs

Attachments:

1. Copy of *Hamblen Business Park, Lots 1 & 2*
2. Drawing and legal description of the easement to be vacated, date stamped April 27, 2017 – 2 pages
3. Location Map