



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2021-385 – VACATION OF EASEMENT
Applicant	Andrew Mackey
Property Address	721 NE Meadowview Dr, 721 NE Meadowview Dr, 781 NE Meadowview Dr, 821 NE Custer Dr, 3301 NE Akin Blvd and 3430 NE Ralph Powell Rd
Planning Commission Date Heard by	December 2, 2021 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: N/A
Neighborhood meeting conducted: N/A
Newspaper notification published on: N/A
Radius notices mailed to properties within 300 feet on: N/A
Site posted notice on: N/A

Table of Contents

1. Project Data and Facts	2
2. Land Use	2
3. Unified Development Ordinance (UDO)	3
4. Comprehensive Plan	3
5. Analysis	3
6. Recommended Conditions of Approval	4

Attachments

Easement Exhibit, dated October 28, 2021 – 4 pages
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Andrew Mackey
Applicant's Representative	Patricia Jensen / Rachelle Biondo
Property Owner	CRCP Investments, LLC.
Location of Property	721 NE Meadowview Dr, 721 NE Meadowview Dr, 781 NE Meadowview Dr, 821 NE Custer Dr, 3301 NE Akin Blvd and 3430 NE Ralph Powell Rd
Size of Property	±2.69 Acres (117,276.51 sq. ft.) - 721 NE Meadowview Dr ±0.67 Acres (29,110.50 sq. ft.) - 781 NE Meadowview Dr ±0.83 Acres (36,086.78 sq. ft.) - 821 NE Custer Dr ±5.55 Acres (241,706.90 sq. ft.) - 3301 NE Akin Blvd ±1.47 Acres (63,818.73 sq. ft.) - 3430 NE Ralph Powell Rd ±11.21 Acres (488,307.6 sq. ft.) total
Zoning	CP-2 (Planned Community Commercial District)
Comprehensive Plan Designation	Office
Procedure	The Planning Commission makes a recommendation to the City Council on the vacation of easement. The City Council takes final action on the vacation of easement in the form of an ordinance. Approval of the vacation of easement does not expire unless stated in the approval.

Current Land Use
The subject property is comprised of 5 undeveloped plated commercially zoned lots.

Description of Applicant's Request
The applicant proposes to vacate various existing easements. The location of the existing easements conflict with the proposed, related multi-family development that is also on this agenda, thus requiring the requested vacation of easement. Any new easements for the related multi-family development will be dedicated via plat or separate document as needed.

2. Land Use

Description and Character of Surrounding Area
The overall project site is bordered by RP-4 zoned multi-family residential along the western property line. The properties to the north, east and south are zoned CP-2 and have been developed as Chapel Ridge Business Park, consisting largely of professional and medical office uses.

Adjacent Land Uses and Zoning

North (across NE Custer Dr):	CP-2 (Planned Community Commercial District) – Chapel Ridge Business Park
South:	CP-2 (Planned Community Commercial District) – Chapel Ridge Business Park
East:	CP-2 (Planned Community Commercial District) – Chapel Ridge Business Park
West (across NE Akin Blvd):	RP-4 (Planned Apartment Residential District) – The Fairways Apartment Homes

Site Characteristics
The northern half of the overall project site generally slopes from the southeast to the northwest. The south half of the property slopes primarily north to south. The subject project site is relatively devoid of trees and is covered with grass. Public infrastructure (roads, storm, water & sewer) currently exist adjacent to the property boundaries.

Special Considerations
N/A

3. Unified Development Ordinance (UDO)

Section	Description
2.480, 2.490	Vacation of Easement

Unified Development Ordinance (UDO)

The vacation of easement stems from a conflict between the proposed, related multi-family development project and various existing easements. The development project can be accommodated by vacating the easements.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods & Housing Choice	Goal 3.2.A Goal 3.2.B
Public Facilities, Infrastructure & Resiliency	Goal 3.5.A Goal 3.5.B
Land Use & Community Design	Goal 3.7.A

Comprehensive Plan

The proposed vacation of easement does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Ignite Comprehensive Plan.

5. Analysis

Background and History

- May 4, 2006 – City Council approved a change in zoning classification from AG and CP-2 to CP-2 and RP-4 on land located south of NE Woods Chapel Road and approved a preliminary development plan for Chapel Ridge West (Appl. #2006-022 & Appl. #2006-023), by Ordinance No. 6181.
- November 9, 2006 – The City Council approved the final plat entitled *Chapel Ridge Business Park, Lots 19-22 and Tracts L & M* (Appl. #2006-179) by Ordinance No. 6295.
- May 20, 2021 – The Planning Commission adopted the 2021 Lee’s Summit Ignite Comprehensive Plan (Appl. #PL2021-001) by Resolution No. 2021-01.

Compatibility

The purpose for vacating the subject easements is to allow for the development of the site for a new multi-family residential development (apartments).

Adverse Impacts

The proposed vacation of easement will not negatively impact the use or aesthetics of any neighboring property, nor does it negatively impact the health, safety and welfare of the public.

Public Services

No objection to the requested vacation of easement has been expressed by any utility company, including the City’s Public Works and Water Utilities Departments.

Recommendation

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

6. Recommended Conditions of Approval

Standard Conditions of Approval

1. The ordinance approving the vacation of easement shall be recorded with the Jackson County Recorder of Deeds office and a copy of the recorded document shall be returned to the Development Services Department prior to the issuance of any building permits.