

# City of Lee's Summit

## Department of Planning & Codes Administration

April 8, 2016

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director *RM*  
RE: **Application #PL2016-032 – VACATION OF EASEMENT – 400 NE Colbern Road;  
SML Acquisitions, LLC, applicant**

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### Commentary

The applicant has requested to vacate a 20' water line easement that will no longer be required due to the relocation of the existing water line infrastructure as part of the proposed Cable Dahmer Kia project located at 400 NE Colbern Road. The easement is comprised of two sections; the first section is approximately 19' long, and the second section is approximately 517' long. New and appropriately sized easements will be provided for the relocated water line.

The easement currently contains only public water line infrastructure. There are no other public or private utilities located within the subject easement. The subject easement was specifically dedicated to the City by separate document. As a result, no input regarding the vacation request is required from any private utilities. No objection to the vacation was raised by the City's Public Works or Water Utilities Departments.

### Recommendation

Staff recommends **APPROVAL** of the vacation of easement, subject to the following:

1. The vacation shall not become effective until the existing infrastructure is relocated. A copy of the recorded easement covering the relocated public infrastructure shall be provided to the Planning and Codes Administration Department.

### Project Information

**Vacation of Easement:** a 20' water line easement

**Location:** 400 NE Colbern Road

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

**Surrounding zoning and use:**

**North:** PI (Planned Industrial) and CP-2—vacant property owned by the City located within the runway protection zone

**South (across NE Colbern Road):** CP-2—Toyota and Honda dealerships

**East (across NE Town Centre Boulevard):** CP-2—MoDOT & MoDNR

**West:** PMIX (Planned Mixed Use) and AG (Agricultural)—vacant property owned by the City located within the runway protection zone

### Background

- May 13, 1924 – The final plat (Appl. #1921-001) of *Fields Farm* was recorded with the Jackson County Recorder of Deeds Office by Instrument #1924I0184943. Lots 7-12, located south of NE Colbern Road, were annexed into the City on September 16, 1959.

Lots 1-6, located north of NE Colbern Road, were annexed into the City on December 31, 1964.

- March 25, 1981 – A document dedicating the 20' water line easement from Clara C. Dark to the City of Lee's Summit was recorded with the Jackson County Recorder of Deeds Office by Instrument #19811450722.
- March 3, 2016 – City Council approved a rezoning from PMIX and CP-2 to CP-2 and a preliminary development plan (Appl. #PL2015-179) for Cable Dahmer Kia at 400 NE Colbern Rd by Ordinance No. 7827.

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

The applicant has requested to vacate a 20' water line easement that will no longer be required due to the relocation of the waterline infrastructure as part of the proposed Cable Dahmer Kia project located at 400 NE Colbern Road. The easement is comprised of two sections; the first section is approximately 19' long, and the second section is approximately 517' long.

The easement currently contain only public water line infrastructure. There are no other public or private utilities located within the subject easement. The subject easement was specifically dedicated to the City by separate document. As a result, no input regarding the vacation request is required from any private utilities. No objection to the vacation was raised by the City's Public Works or Water Utilities Departments.

RGM/cs

Attachments:

1. Drawing of the easement to be vacated and legal description, date stamped March 30, 2016—2 pages
2. Location Map