



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-212 – VACATION OF EASEMENT
Applicant	SRKO, LLC
Property Address	3320 NE Ralph Powell Rd
Planning Commission Date	October 8, 2020
Heard by	Planning Commission and City Council
Analyst	Jennifer Thompson, Senior 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

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Attachments

Exhibit and Legal Description, dated August 10, 2020
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	SKRO, LLC / Owner
Applicant's Representative	Dean Kirby
Location of Property	3320 NE Ralph Powell Rd
Size of Property	±0.97 Acres (42,312 sq. ft.)
Zoning	CP-2 (Planned Community Commercial)
Comprehensive Plan Designation	Commercial- office/retail
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 a commercial lot with an existing office building in the Chapel Ridge Business Park subdivision. The lot has a 65' utility and ingress/egress easement along the front property line.

Description of Applicant's Request
The developer proposes to vacate approximately 43' of the 65' utility easement along the front property line. A separately platted and existing 10' utility easement along the front property line will remain in place. The request for the vacation is to allow for the construction of a monument sign for the office building.

2. Land Use

Description and Character of Surrounding Area
The subject easement is located on a developed commercial lot located within the Chapel Ridge Business Park subdivision just west of NE Ralph Powell Rd. Existing office buildings are located to the north and south. To the east (across NE Ralph Powell Rd.) and west is undeveloped commercial property.

Adjacent Land Uses and Zoning

North:	Developed commercial lot / CP-2 (Planned Community Commercial)
South:	Developed commercial lot / CP-2
East (across NE Ralph Powell Rd):	Undeveloped commercial lot / CP-2
West:	Undeveloped commercial lot / CP-2

Site Characteristics

A new office building has recently been constructed on the subject property.

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 is requested to allow for the construction of a monument sign to serve the office building. A separate platted 10’ utility easement will be retained along the Ralph Powell Rd for public and private utilities.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Public Facilities and Services	Objective 6.1

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 Comprehensive Plan.

5. Analysis

Background and History

The applicant requests to vacate approximately 43’ of the 65’ utility easement along the front property line. A separately platted and existing 10’ utility easement along the front property line will remain in place. The request for the vacation of easement is to allow for the construction of a monument sign to serve the office building.

- March 21, 2002 – The City Council approved the final plat (Appl. #PL2001-234) for *Chapel Ridge Business Park, Lots 4 thru 9 and Tracts A thru G* by Ordinance No. 5292.
- July 30, 2002 – The final plat of *Chapel Ridge Business Park, Lots 4 thru 9 and Tracts A thru G* was recorded with the Jackson County Recorder of Deeds office by Instrument #200210064488.
- August 30, 2007 – The minor plat of *Chapel Ridge Business Park, Lots 5A-5C* was recorded with the Jackson County Recorder of Deeds office by Instrument #2007E0114868. The easement was platted at that time.
- January 17, 2008 – The minor plat of *Chapel Ridge Business Park, Lots 5D-5E* was recorded with the Jackson County Recorder of Deeds office by Instrument #2008E0006185.

Compatibility

The proposed vacation doesn't affect any utilities and a 10' utility easement will be retained to ensure the appropriate utility access to the subject property.

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 objections to the requested vacation of easement have been expressed by the utility companies, 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 a sign permit or building permit.