



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-364 – VACATION OF EASEMENT
Applicant	Cityscape Residential
Property Address	114 SE Douglas St
Planning Commission Date	December 12, 2019
Heard by	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

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Attachments

Exhibit and Legal Description, dated October 9, 2019
Location Map

1. Project Data and Facts

Project Data	
Applicant	Cityscape Residential
Applicant's Representative	Ryan Adams /Owner's Representative
Location of Property	114 SE Douglas St.
Size of Property	±3.5 Acres
Zoning	CBD (Central Business District)
Comprehensive Plan Designation	Old Town Master Development Plan
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 was the former home of the Lee's Summit United Methodist Church Campus. The existing buildings on the site are currently unoccupied.

Description of Applicant's Request
The applicant requests to vacate the emergency access & general utility easement approximately 20' wide that runs north/south the length of the property in preparation for future redevelopment of the property.

2. Land Use

Description and Character of Surrounding Area
The 1-2 story brick First Baptist Church building occupies the property to the north across SE 1st Street. The properties south of the proposed project, across SE 2nd St, are 1 and 2 story brick office buildings. Lee's Summit Elementary and the Farmers Market parking lot are located east across SE Douglas St. The Union Pacific Railroad is located across SE Main St just west of the project site.

Adjacent Land Uses and Zoning

North:	PO (Planned Office District) – First Baptist Church
South:	CBD (Planned Central Business District) – Offices
East:	CP-2 (Planned Community Commercial District) – Parking lots & Lee's Summit Elementary School
West:	Union Pacific Railroad

Site Characteristics
The site of the proposed development is the former home of the Lee's Summit United Methodist Church Campus. The original two-story brick church was built in 1922 and various additions were added

throughout the following 97 years.

Special Considerations
N/A

3. Unified Development Ordinance (UDO)

Section	Description
2.480, 2.490	Vacation of Easement

4. Analysis

Background and History

- October 19, 1865– The original Town of Strother plat was recorded with Jackson County.
- July 3, 1997 - The administratively approved minor plat (Appl. #1997-304) of *Replat of Lots 1-9 and 11-23 inclusive, Block 4 Town of Strother* was recorded with the Jackson County Recorder of Deeds Office by Instrument No. 1997I0040754
- May 7, 2019 – The City Council approved a preliminary development plan (Appl. PL2018-234) for the DTLS Apartments Development by Ordinance No. 8627.

Compatibility

The proposed vacation of easment is one of the initial steps in the applicant’s ultimate pursuit of future development of the previously approved DTLS Apartments.

Adverse Impacts

The proposed vacation of easements 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

Comments were solicited on the requested vacation of easement from the utility companies, including the City’s Public Works and Water Utilities Departments. One objection was received from Everygy stating they have facilities in the easement, but once the site is redeveloped and the facilities relocated the conflict will be abated and there will be no objection. A condition of approval placed on this application stipulates that the vacation shall not become effective until such time the existing utilities have been relocated and new easements recorded.

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.

Recommendation

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

5. Recommended Conditions of Approval

Site Specific

1. The vacation shall not become effective until such time the existing utilities have been relocated and new easements recorded in a manner acceptable to the City.

Standard Conditions of Approval

2. 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 permit on the affected lot.