

City of Lee's Summit

Department of Planning & Codes Administration

April 8, 2016

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director 
RE: **Application #PL2016-033 – VACATION OF EASEMENT – 400 NE Colbern Road;
SML Acquisitions, LLC, applicant**

Commentary

The applicant has requested to vacate two 15' sanitary sewer easements that will no longer be required due to the relocation of existing sanitary sewer infrastructure as part of the proposed Cable Dahmer Kia project located at 400 NE Colbern Road. The two easements are composed of four segments totaling approximately 1269' in length. New and appropriately sized easements will be provided for the relocated sanitary sewer.

The easements currently contain only public sanitary sewer infrastructure. There are no other public or private utilities located within the subject easement. The subject easements were 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: two 15' sanitary sewer easements

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 #192410184943. 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.

- February 12, 1996 – A document dedicating both the northern and southern 15' utility easement from Boatmen's First National Bank of Kansas City to the City of Lee's Summit was recorded with the Jackson County Recorder of Deeds Office by Instrument #1996I007743.
- 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

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RGM/cs

Attachments:

1. Drawing of the easement to be vacated and legal description, date stamped February 23, 2016 – 2 pages
2. Location Map