



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

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| File Number | PL2019-292 – VACATION OF EASEMENT |
| Applicant | Thompson Properties LLC |
| Property Address | 1695 SE Decker St 60 SE Thompson Dr |
| Planning Commission Date Heard by | November 14, 2019 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 September 5, 2019
Location Map

1. Project Data and Facts

| Project Data | |
|--------------------------------|---|
| Applicant/Status | Thompson Properties, LLC/owner |
| Applicant's Representative | HG Consult, Inc. – Kevin Sterrett /engineer |
| Location of Property | 1695 SE Decker St 60 SE Thompson Dr |
| Size of Property | ±7.62 Acres |
| Zoning | PI (Planned Industrial District) |
| Comprehensive Plan Designation | Industrial |
| 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 properties are Lots 2 and 3 of the recently approved Decker Street Minor Plat Lots 1 Thru 3. A 12,000 sq. ft. industrial building occupies Lot 2. Lot 3 is currently undeveloped. |

| Description of Applicant's Request |
|---|
| The applicant requests to vacate an unused portion of a general utility easement approximately 7.5' wide on Lot 2 and a portion of the unused general utility easement approximately 15' wide on Lot 3. |

2. Land Use

| Description and Character of Surrounding Area |
|--|
| The properties are located in the Southside Industrial Park area. The area is bordered by M-291 Hwy on the west and industrial uses to the north and east. Vacant agricultural ground is located to the south across SE Thompson Drive. A creek runs north/south along the eastern side of the property. |

Adjacent Land Uses and Zoning

| | |
|--------|-------------------------------------|
| North: | Industrial / PI |
| South: | Vacant (across SE Thompson Dr.)/ PI |
| East: | Industrial / PI |
| West: | Vacant (across SE Decker St.)/ PI |

| Site Characteristics |
|---|
| Lot 2 is a 1.1 acre lot with a 12,000 sq. ft. industrial building and parking lot. Lot 3 is a 5.6 acre irregularly-shaped vacant property. A large portion of Lot 3 is undevelopable due to the 60' wide stream buffer that meanders through the eastern section of the property. |

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|-------------------------------|
| Special Considerations |
| N/A |

3. Unified Development Ordinance (UDO)

| Section | Description |
|--------------|----------------------|
| 2.480, 2.490 | Vacation of Easement |

Unified Development Ordinance (UDO)

The purpose of the vacation of easements is to eliminate unused utility easements.

4. Analysis

Background and History

The applicant requests to vacate portions of two (2) separate utility easements located on Lots 2 and 3 of *Decker Street Minor Plat, Lots 1 Thru 3*.

- October 15, 1985 – The City Council approved the final plat for Southside Industrial Park (Appl. #1985-188) by Ordinance No. 2701.
- June 7, 1990 – The minor plat of *Southside Industrial Park, Lots 16-18* was administratively approved (Appl. #1990-156).
- April 4, 2000 – The minor plat of *Southside Industrial Park, Lots 20 & 21* was administratively approved (Appl. #1999-289).
- October 13, 2004 – The minor plat of *Lemone-Smith Business & Rail Center, Plat 8, Lots 11-13* was administratively approved (Appl. #2004-223).
- October 17, 2019 – The minor plat of *Decker Street Minor Plat, Lots 1-3* was administratively approved (Appl. #PL2019-294).

Compatibility

The proposed vacation of easements allows for the elimination of unused easements. The properties are located in an industrial area generally located northeast of the intersection of SE Decker St and SE Thompson Dr.

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

No objections to the requested vacation of easements have been expressed by the utility companies, including the City’s Public Works and Water Utilities Departments. The vacation will not impact the provision of utilities to the area.

Comprehensive Plan

The proposed vacation of easements 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

Standard Conditions of Approval

1. The ordinance approving the vacation of easements 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.