

City of Lee's Summit

Development Services Department

July 7, 2017

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *ULLY FOR RGM*
RE: **Appl. #PL2017-118 – VACATION OF EASEMENT – 1601 NW Blue Pkwy; Olsson Associates, applicant**

Commentary

The applicant proposes to vacate two (2) easements related to the recently approved Summit Village development on the subject property. Easement #1 is a 15' wide x approximately 141' long storm drainage easement located near the southwest property corner. The existing easement, and existing storm water line within said easement, conflict with the location of a proposed building. The storm water line will be removed and relocated within a new easement to be dedicated via minor plat. Easement #2 is a variable width surface drainage easement located along the north property line.

Both Easement #1 and #2 were specifically dedicated to the City as a drainage easements, thus no input regarding the vacation request is required from any private utilities or the City's Water Utilities Department.

The application for vacation of easement shall not be placed on a City Council agenda for approval until such time as the affected storm water improvements for Summit Village have been completed.

Recommendation

Staff recommends **APPROVAL** of the vacation of easement.

Project Information

Vacation of Easement: Easement #1 – a 15' wide x approximately 141' long storm drainage easement; Easement #2 – a variable width surface drainage easement

Location: 1601 NW Blue Pkwy (southeast corner of NW Blue Pkwy and NW Colbern Rd)

Zoning: PMIX (Planned Mixed Use District)

Surrounding Zoning and Use:

North (across NW Colbern Road): Unity Village—located outside city limits

South: PMIX—vacant property owned by Unity Reality, LLC

East: PMIX—vacant property owned by Unity Reality, LLC; and Unity Villa Apartments – located outside city limits.

West (across NW Blue Pkwy): PMIX—vacant property owned by Unity Reality, LLC

Background

- November 17, 2011 – The City Council approved a cooperative agreement by and among the City of Lee's Summit, MO, Unity Village and the Unity School of Christianity for the annexation and development of certain property located in Lee's Summit.

- December 15, 2011 – The City Council approved an ordinance providing for the concurrent detachment from Unity Village, MO, and annexation by the City of Lee's Summit, MO, of property legally described as consisting of the Phases 1, 2 and 3 Unity Development by Ord. #7130.
- December 20, 2012 – The City Council approved a zoning classification (Appl. #PL2012-124) to PMIX, on land south of NW Colbern Rd and east of M-350 Highway by Ord. #7270.
- October 29, 2015 – Easement #1, a storm drainage easement, was dedicated to the City by separate document by Instrument #2015-E-0097648.
- October 29, 2015 – Easement #2, a surface drainage easement, was dedicated to the City by separate document by Instrument #2015-E-0097647.
- March 2, 2017 – The City Council approved a preliminary development plan (Appl. #PL2016-114) for Summit Village by Ordinance No. 8103.
- April 11, 2017 – A final development plan (Appl. #PL2017-078) was submitted to the City for administrative approval. Approval is pending.

Analysis of Vacation of Easement

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Code and Ordinance Requirements

The items in the box below are specific to this development and must be satisfactorily addressed in order to bring it into compliance with the Codes and Ordinances of the City.

<p><u>Planning</u></p> <ol style="list-style-type: none"> 1. The vacation of easement shall be recorded prior to the issuance of any building permits on the subject property. A copy of the recorded document shall be provided to the Development Services Department.
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RGM/hsj

Attachments:

1. Legal description and drawing of Easement #1 to be vacated, date stamped May 23, 2017 – 2 pages
2. Legal description and drawing of Easement #2 to be vacated, date stamped July 7, 2017 – 2 pages
3. Location Map