



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-148 – VACATION OF EASEMENT
Applicant	Levy Craig Law Firm
Property Address	2024 NW Lowenstein Dr, 906 NW Pryor Rd and 930 NW Pryor Rd
Planning Commission Date	August 22, 2019
Heard by	Planning Commission and City Council
Analyst	Jennifer Thompson, Senior Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager Kent D. 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 185 feet on: N/A
Site posted notice on: N/A

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Attachments

Exhibit and Legal Description
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Levy Craig Law Firm /Attorney
Applicant's Representative	Rebecca A. Wymore
Location of Property	2024 NW Lowenstein Dr, 906 NW Pryor Rd and 930 NW Pryor Rd
Size of Property	±73 Acres - overall
Zoning	PMIX (Planned Mixed Use District)
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 site is composed of multiple undeveloped parcels. Site work is currently being undertaken in preparation for future construction of the Streets of West Pryor development.

Description of Applicant's Request
The applicant requests to vacate 3 utility easements within the Streets of West Pryor development.

2. Land Use

Description and Character of Surrounding Area
The area surrounding the intersection of NW Pryor Rd and NW Lowenstein Dr. is the developed Summit Woods Shopping Center to the east and Lowenstein Park and single-family residential development to the south and west. The site is bordered by I-470 to the north and NW Chipman Road to the south.

Adjacent Land Uses and Zoning

North:	AG (Agricultural) – Family Ranch – rock excavation (across I-470 Highway)
South:	R-1 (Single-family residential) – single family subdivision and AG (Agricultural) – Lowenstein Park (across NW Lowenstein Dr.)
East:	CP-2 (Planned Community Commercial District) – existing Summit Woods Shopping Center (across NW Pryor Rd.)
West:	R-1 (Single-family residential) and AG (Agricultural) – single-family subdivision and Lowenstein Park

Site Characteristics
Existing KCP&L overhead powerlines run north and south through the center of the property. As part of the approved development plan, the overhead lines are proposed to be relocated, parallel to NW Pryor Rd. The property environment is rugged, jagged terrain requiring extensive mass grading and clearing to make the site developable.

Special Considerations
N/A

3. Unified Development Ordinance (UDO)

Section	Description
2.480, 2.490	Vacation of Easement

Unified Development Ordinance (UDO)

The ultimate purpose of the vacation of easement is to allow for the development of the previously approved Streets of West Pryor mixed use district, which is an allowed use under the UDO and is also compatible with the uses under the approved preliminary development plan.

4. Analysis

Background and History

The applicant requests to vacate the various utility easements on the subject properties. The vacation of the easements is necessary to accommodate the ongoing construction and site work for the Streets of West Pryor development.

- April 6, 2017 – The City Council approved a rezoning (Appl. #PL2016-206) from R-1 and CP-2 to PMIX – Approximately 39 acres generally bounded by I-470 on the north, NW Pryor Road on the east, and NW Lowenstein Drive on the southwest known as West Pryor Village, by Ordinance No. 8127.
- January 11, 2019 – The City Council approved a rezoning and preliminary development plan (Appl. #PL2018-098) for Streets of West Pryor by Ordinance No. 8531.
- March 19, 2019 - The City Council approved a Final Plat (Appl. #PL2018-232) for Streets of West Pryor, Lots 1-14, Tracts A, B, C, & D by Ordinance No. 8595.

Compatibility

The proposed vacation of easement is one of the required steps in the process of developing the subject properties according to the approved development plan.

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 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. New easements were dedicated as part of the Final Plat of Streets of West Pryor.

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

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 any building permit on the affected lots.