



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-168 – VACATION OF EASEMENT – Mid-Continent Public Library
Applicant	JE Dunn Construction Co.
Property Address	1000 NE Colbern Rd
Planning Commission Date Heard by	July 23, 2020 Planning Commission and City Council
Analyst	C. Shannon McGuire
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

Exhibits and Legal Descriptions, dated May 21, 2020
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	JE Dunn Construction Co./ Developer
Applicant's Representative	Bobby Miller
Location of Property	1000 NE Colbern Rd
Size of Property	±4.0 Acres
Zoning	CP-2 (Planned Community Commercial District)
Comprehensive Plan Designation	Public/Semi-public
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 is currently the location of an existing Mid-Continent Public Library branch.

Description of Applicant's Request
The developer proposes to vacate various utility easements in preparation of construction of a new library building on the subject site.

2. Land Use

Description and Character of Surrounding Area
The surrounding property to the north, east and west is currently undeveloped vacant commercially zoned parcels. To the south across NE Colbern Rd. is Lakeland Community Church and Paradise Park.

Adjacent Land Uses and Zoning

North:	CP-2 - vacant/undeveloped
South:	CP-2 - Lakeland Community Church and Paradise Park
East:	CP-2 - vacant/undeveloped
West:	CP-2 - vacant/undeveloped

Site Characteristics
The subject property is the location of an existing 15,100 sq. ft. library.

Special Considerations
The existing library building will be removed in whole and replaced with the proposed structure.

3. Unified Development Ordinance (UDO)

Section	Description
2.480, 2.490	Vacation of Easement

Unified Development Ordinance (UDO)

The vacation of easement is related to the previously approved preliminary development plan for a new 34,030 sq. ft. building for a library. New easements will be dedicated as part of the minor plat (#PL2020-086) of the subject property.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.2 Objective 1.4
Public Facilities and Services	Objective 6.3

Comprehensive Plan

The proposed land use and building is in substantial compliance with the Lee’s Summit 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.

5. Analysis

Background and History

The applicant requests to vacate the easements in preparation for the redevelopment of the subject site.

- March 31, 1989 – The Utility Easements were established by a Utility Easement Conveyance document recorded with Jackson County, MO (document number 1989I090459).
- January 21, 1992 – The City Council approved the final site plan (Appl. #1992-083) for Mid-Continent Public Library.
- February 18, 2020 – The City Council approved the preliminary development plan (Appl. PL2019-378) for Mid-Continent Public Library by Ord. 8831.
- April 27, 2020 – Staff administratively approved the final development plan (Appl. PL2020-036) for Mid-Continent Public Library - Colbern Rd.

Compatibility

The proposed vacation and subsequent dedication of a new easement ensures the appropriate utility access to the subject property.

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 easement have been expressed by the utility companies, including the City’s Public Works and Water Utilities Departments.

Recommendation

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

6. 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.