



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2024-061 – VACATION OF RIGHT-OF-WAY
<b>Applicant</b>	City of Lee's Summit
<b>Property Address</b>	Vacation of a 20'-wide strip of right-of-way (Chapman Rd) located along the south boundary of the plat titled Homestead Ranches, generally located 1/2 mile south of SW Scherer Rd along the east side of SW Pryor Rd (abutting 2041 SW Pryor Rd)
<b>Planning Commission Date Heard by</b>	April 11, 2024 Planning Commission and City Council
<b>Analyst</b>	Hector Soto, Jr., AICP, Senior Planner

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### Public Notification

Pre-application held: N/A  
Neighborhood meeting conducted: March 7, 2024  
Newspaper notification published on: March 23, 2024  
Radius notices mailed to properties within 300 feet on: March 20, 2024  
Site posted notice on: March 26, 2024

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### Table of Contents


1. Project Data and Facts	2
2. Land Use	4
3. Unified Development Ordinance (UDO)	5
4. Comprehensive Plan	5
5. Analysis	6
6. Recommended Conditions of Approval	6

### Attachments

Exhibit, uploaded March 18, 2024 – 2 pages  
Legal Description, uploaded March 11, 2024  
Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	City of Lee's Summit / Property Owner
Applicant's Representative	Michael Park, P.E., Director of Public Works
Location of Property	Vacation of a 20'-wide strip of right-of-way located along the south boundary of the plat titled Homestead Ranches, generally located 1/2 mile south of SW Scherer Rd along the east side of SW Pryor Rd (abutting 2041 SW Pryor Rd)
Size of Property	±0.58 Acres (25,352 sq. ft.)
Zoning	AG (Agricultural)
Comprehensive Plan Designation	Residential 1
Procedure	<p>The Planning Commission holds a public hearing and makes a recommendation to the City Council on the proposed vacation of right-of-way. The City Council holds a public hearing and takes final action on the vacation of right-of-way application. All vacation of right-of-way applications shall be approved by ordinance.</p> <p><b>Duration of Validity:</b> The vacation of right-of-way goes into effect upon City Council final action, unless otherwise stated in the approval, and does not expire.</p>

Current Land Use	
	<p>The subject right-of-way was dedicated in 1960 for a street (Chapman Rd) that was never constructed along the south boundary of the Homestead Ranches subdivision.</p>

**Description of Applicant's Request**

The City is currently in the design phase of a project to widen SW Pryor Rd to a four-lane facility from M-150 Hwy to SW Longview Rd, construction of which is estimated to commence in late 2024 and end in late 2025. During the course of easement and right-of-way acquisition for said capital project, the presence of the subject right-of-way for a road (Chapman Rd) that was never constructed was discovered. The City seeks to vacate the subject right-of-way and revert the property back to private ownership by the abutting properties. The location of the subject right-of-way does not align with any future road plans in the area and thus serves no current or future public purpose. No objection to the proposed vacation of right-of-way has been raised by any private utility, the City's Public Works or Water Utilities Departments. The abutting property owners are aware of and support the vacation of right-of-way.

# HOMESTEAD RANCHES

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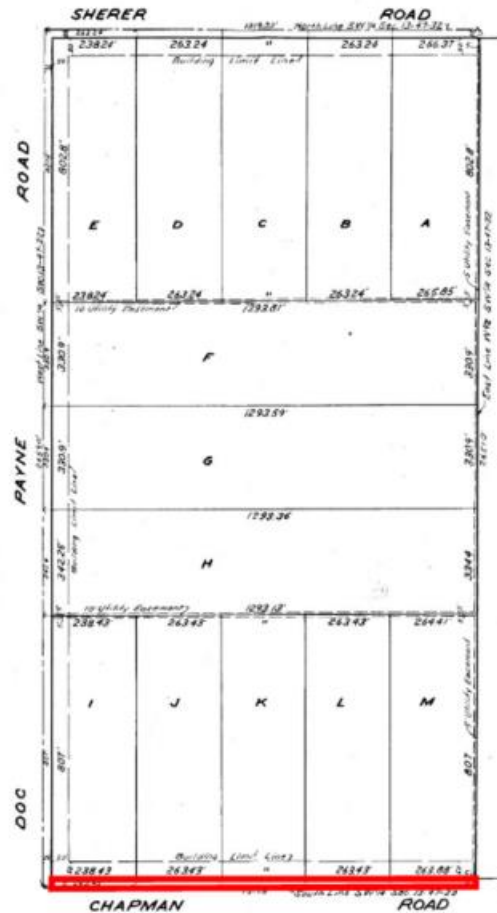


Figure 1 – Plat showing the subject right-of-way in red for Chapman Rd, located east of Doc Payne Rd (now SW Pryor Rd).

## 2. Land Use

Description and Character of Surrounding Area
The subject right-of-way is located along the east side of SW Pryor Rd, approximately ½ mile south of SW Scherer Rd. The subject right-of-way is generally located northeast of the northern entrance to the Eagle Creek subdivision. The area abutting the subject right-of-way is primarily composed of undeveloped AG-zoned acreage owned by Property Reserve, Inc. (PRI). Also abutting the subject right-of-way is a 4-acre, AG-zoned lot with frontage along SW Pryor Rd that is developed with a single-family residence. The area on the west side of SW Pryor Rd is composed of the Eagle Creek subdivision as well as more undeveloped AG-zoned acreage owned by PRI.

### Adjacent Land Uses and Zoning

<b>North:</b>	Single-family residence and undeveloped acreage / AG
<b>South:</b>	Undeveloped acreage / AG
<b>East:</b>	Undeveloped acreage / AG
<b>West (across SW Pryor Rd):</b>	Single-family and four-plex residential / R-1 (Single-family Residential) and RP-3 (Planned Residential Mixed Use); and Undeveloped acreage / AG

### Site Characteristics

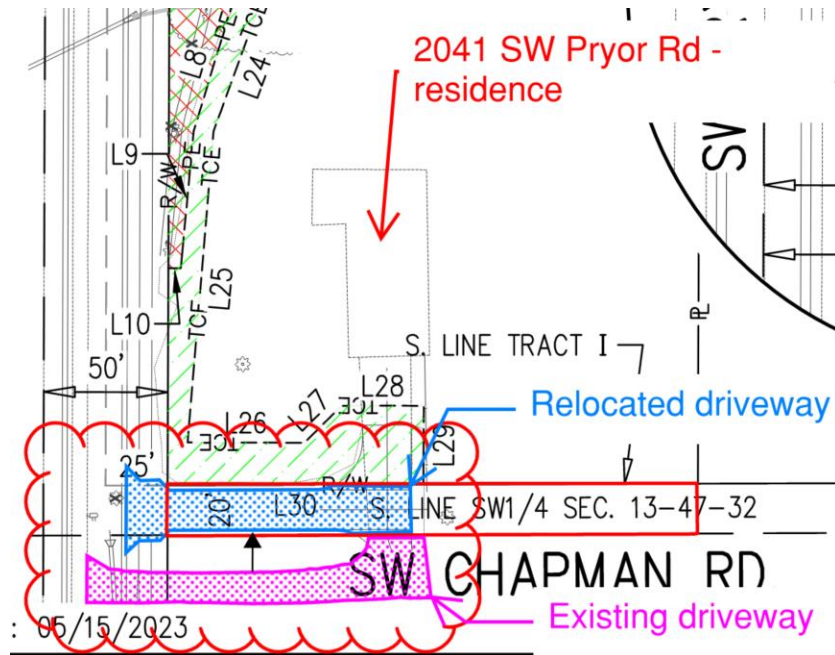
The subject right-of-way was dedicated in 1960 for a street that was never constructed. There is no private or public utility infrastructure located within the right-of-way to be vacated. The subject right-of-way sits amongst a single-family residence and surrounding acreage that has historically been, and continues to be, used for agricultural purposes. A single curb cut onto SW Pryor Rd serves a shared driveway that provides access to the residence at 2041 SW Pryor Rd and the abutting agricultural property owned by PRI addressed 2301 SW Pryor Rd.



Figure 2 - Aerial showing limits of subject right-of-way.

The shared driveway is currently located on the PRI property. As part of the SW Pryor Rd widening project,

the shared driveway will be relocated to within the 20'-wide strip of right-of-way that will be vacated. Once vacated, the 20'-wide strip housing the relocated driveway will revert to the ownership of the residence at 2041 SW Pryor Rd. The image below depicts the location of the existing shared driveway in magenta; the future relocated driveway in blue; and the portion of the subject 20'-wide right-of-way strip abutting 2041 SW Pryor Rd outlined in red. The relocated driveway will solely serve the single-family residence at 2041 SW Pryor Rd. Access to the PRI property will be maintained via multiple existing curb cuts along its SW Scherer Rd and SW Ward Rd street frontages.



Special Considerations	
N/A	

### 3. Unified Development Ordinance (UDO)

Section	Description
2.460, 2.470	Vacation of Right-of-way

**Unified Development Ordinance (UDO)**

The purpose of the application is to vacate a 20'-wide x 1,267.6' long strip of right-of-way along the south boundary of the Homestead Ranches subdivision as part of the SW Pryor Rd widening project. Vacating the right-of-way does not negatively impact the area. The road for which the subject right-of-way was dedicated was never constructed, nor would staff support any future road connection at this location based on future area road plans.

### 4. Comprehensive Plan

The proposed vacation of right-of-way does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Comprehensive Plan. The subject right-of-way does not align with any future road plans for the area.

## **5. Analysis**

### **Background and History**

- April 11, 1960 – The plat titled *Homestead Ranches* was recorded with the Jackson County Recorder of Deeds office by Instrument #1960-I-0744364. The subject right-of-way was dedicated as part of the plat. The subdivision was in unincorporated Jackson County at the time of platting.
- December 31, 1964 – Approximately 24,429 acres were annexed into the corporate limits of Lee’s Summit by Ordinance No. 812. The subject right-of-way and the Homestead Ranches subdivision were included in the annexation.
- May 23, 2019 – The Planning Commission adopted the Capital Improvement Plan (CIP) 2020-2024 as an amendment to the City of Lee’s Summit Comprehensive Plan by Resolution No. 2019-02. The SW Pryor Rd widening project was approved as a new capital project as part of this resolution.

### **Public Services**

The proposed vacation of right-of-way will not impede the continued normal and orderly development and improvement of the surrounding area. The subject unused right-of-way serves no public purpose and does not align with future area road plans. The City’s Thoroughfare Master Plan shows future collector street connection points onto SW Pryor Rd being located approximately ¼ mile to both the north and south of the existing Chapman Rd right-of-way.

No objections to the proposed vacation of right-of-way were expressed by the utility companies (e.g. Evergy, Spire, Comcast, etc.) or the City’s Public Works and Water Utilities Departments.

### **Adverse Impacts**

The proposed vacation of right-of-way will not negatively impact the use or aesthetics of any neighboring property, nor will it negatively impact the health, safety and welfare of the public. The subject right-of-way was dedicated 64 years ago for a road that was never constructed; does not figure into any future area road plans; and serves no current or future public purpose. Access to the existing single-family residence at 2041 SW Pryor Rd will be maintained via a relocated driveway that will be constructed as part of the SW Pryor Rd widening project. The PRI property has multiple existing access points along SW Scherer Rd and SW Ward Rd.

### **Recommendation**

With the conditions 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 right-of-way 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.