


# City of Lee's Summit

## Development Services Department

August 18, 2017

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director   
RE: **Continued PUBLIC HEARING – Application #PL2017-135 – VACATION OF RIGHT-OF-WAY – all of SE 23<sup>rd</sup> St. and SE Reiss Dr. within the plat of Reiss Industrial Park, generally located at the southeast corner of SE M-291 Hwy. and SE Stuart Rd.; Engineering Solutions, LLC, applicant**

### Commentary

This application is to vacate all of SE 23<sup>rd</sup> St. and SE Reiss Dr. within the plat of Reiss Industrial Park, generally located at the southeast corner of SE M-291 Hwy. and SE Stuart Rd. All of the property comprising Reiss Industrial Park has been purchased by Eagle Creek Family Church and is in the process of being developed into a new church. The preliminary development plan (Appl. #PL2015-131) for the Eagle Creek Church development was approved by City Council on November 19, 2015, and the final development plan (Appl. #PL2017-120) is currently under review. Development of the site also requires the property to be re-platted.

The request for the vacation of rights-of-way was sent to the City's Public Works and Water Utilities Departments, as well as the private utility companies, for their input. No objections to the vacation of rights-of-way were received; however, as of the date of this letter, no response has been received from Spectrum Cable. It is not expected that Spectrum Cable will object to the request. This application will not be placed on a City Council agenda until the City has received a response from all interested utility companies.

### Recommendation

Staff recommends **APPROVAL** of the vacation of right-of-way.

### Project Information

**Vacation of Right-of-way:** all of SE 23<sup>rd</sup> St. and SE Reiss Dr. within the plat of Reiss Industrial Park

**Location:** generally located at the southeast corner of SE M-291 Hwy. and SE Stuart Rd.

**Zoning:** Existing right-of-way is not zoned

**Surrounding zoning and use:**

**North (across SE Stuart Rd.):** CP-2 and PI—vacant undeveloped land and Geiger Ready Mix Concrete Plant

**South:** CP-2 and CS (Planned Commercial Services)—Croft Trailers and vacant undeveloped property

**East:** AG (Agricultural)—vacant undeveloped property

**West (across S. M-291 Hwy.):** AG—vacant undeveloped property

## Background

- June 1, 1993 – The City Council approved a rezoning (Appl. #1993-011) from A (Agricultural, now AG) to C-1 (General Business, now CP-2) and M-1 (Light Industrial, now PI) on this property by Ord. #3847 for Mr. Reiss' excavating business. There was no site plan associated with the rezoning application. An existing house was to serve as the business office.
- January 24, 2008 – The City Council approved a rezoning (Appl. #2007-194) from AG, CP-2 and PI-1 to CP-2 and PI-1 and a preliminary development plan (Appl. #2007-195) for Reiss Industrial Park located at the southeast corner of Stuart Road and M-291 Highway by Ord. #6574.
- June 12, 2008 – The City Council approved the final plat (Appl. #2008-046) for *Reiss Industrial Park, Lots 1-12* by Ord. #6637.
- September 11, 2008 – The City Council approved the revised final plat (Appl. #2008-124) for *Reiss Industrial Park, Lots 1-12* by Ord. #6684. This plat was recorded at the Jackson County Recorder of Deeds Office on December 3, 2008, by instrument #2008E0124331.
- November 19, 2015 – The City Council approved a preliminary development plan (Appl. #PL2015-131) for Eagle Creek Church.
- June 9, 2017 – A minor plat application (Appl. #PL2017-128) for Eagle Creek Church was submitted to the City. Approval of the minor plat application is pending.

## Analysis of Vacation of Right-of-way

This application is to vacate all of SE 23<sup>rd</sup> St. and SE Reiss Dr. within the plat of Reiss Industrial Park, generally located at the southeast corner of SE M-291 Hwy. and SE Stuart Rd. All of the property comprising Reiss Industrial Park has been purchased by Eagle Creek Family Church and is undergoing the approval process for development of the new church.

Letters were sent to the utility companies (KCP&L, Laclede Gas, AT&T, Spectrum Cable and Comcast Cable), as well as to the City's Public Works and Water Utilities Departments, for their input. No objections were received; however, as of the date of this letter, no response has been received from Spectrum Cable.

RGM/cs

Attachments:

1. Drawing and description of the rights-of-way to be vacated, date stamped June 21, 2017—1 page
2. Reduced copy of *Reiss Industrial Park, Lots 1-12*
3. Location Map