

# City of Lee's Summit

## Department of Planning and Codes Administration

April 22, 2016

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director   
RE: **Application #PL2016-047 – VACATION OF EASEMENT – 3751 NE Troon Dr.; RPWC Holdings, LLC, applicant**

### Commentary

This application is for the vacation of a portion of a 15' utility easement that is approximately 187' long located on Lot 5, *Fairway Village, Lots 1-5 & Tracts A-D*. The request to vacate this easement stems from the development of this property into a 19-unit duplex, 4 and 5--plex development. The rezoning and preliminary development plan application (Appl. #PL2016-013) was recommended for approval by the Planning Commission on March 22, 2016, and will be heard by City Council on May 5, 2016. No objection was raised by the City's Public Works, Water Utilities Departments or other utility companies.

### Recommendation

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

### Project Information

**Vacation of Easement:** a 15' utility easement

**Location:** 3751 NE Troon Drive (Lot 5, *Fairway Village, Lots 1-5 & Tract A-D*)

**Zoning:** CP-2 (Planned Community Commercial)

**Surrounding Zoning and Use:**

**North:** CP-2—Vacant undeveloped commercial property

**South:** R-1 (Single-Family Residential)—Chapel Lakes Elementary School

**East:** RP-4 (Planned Apartment Residential) & CP-2—Chapel Ridge 4-plexes & Retail

**West:** CP-2—Office/Retail/Commercial

### Background

- December 8, 1998 – The City Council approved a final plat (Appl. #1998-259) for *Fairway Village, Lots 1-5 & Tracts A-D* by Ord. #4717. The plat was recorded at the Jackson County Recorder of Deeds office on March 29, 1999, by Instrument #1999I0024915. The subject easement was dedicated as part of this plat.
- December 8, 1998 – The City Council approved a preliminary site plan (Appl. #1998-216) for *Fairway Village, 3720-3751 NE Troon Drive*. The subject lot was shown as consisting of a 20,000 square foot two-story office building with shared parking between the subject lot and the lot immediately to the west.

## **Analysis of Vacation of Easement**

The applicant requests to vacate a 15' utility easement that is approximately 187' long located on Lot 5, *Fairway Village, Lots 1-5 & Tracts A-D*, in order to accommodate the construction of a proposed multi-family development.

No objections were raised by the City's Public Works and Water Utilities Departments. Other utility companies were contacted and no objections were raised. The other utility companies contacted include: KCP&L, Laclede Gas, AT&T, Time Warner Cable, and Comcast.

## **Code and Ordinance Requirements**

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

### **Planning and Codes Administration**

1. The vacation of easement shall be recorded prior to the issuance of a final Certificate of Occupancy.

RGM/cs

Attachments:

1. Drawing and legal description of the easement to be vacated, date stamped March 4, 2016—2 pages
2. Copy of *Fairway Village, Lots 1-5 & Tracts A-D*
3. Location Map