



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-237 – VACATION OF EASEMENT
Applicant	Engineering Solutions, LLC
Property Address	2051 and 2061 NW Lowenstein Dr & 740 NW Pryor Rd
Planning Commission Date	April 8, 2021
Heard by	Planning Commission and City Council
Analyst	Jennifer Thompson, Senior Planner
Checked By	Hector Soto, Jr. AICP, Planning Manager Kent Monter, P.E., 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

Exhibit and Legal Descriptions, dated June 9, 2020 – 1 page
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC
Applicant's Representative	Matt Schlicht
Location of Property	2051 and 2061 NW Lowenstein Dr & 740 NW Pryor Rd
Size of Property	±0.16 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 developed and undeveloped lots. Site work is ongoing for the construction of the Streets of West Pryor development.

Description of Applicant's Request
The applicant requests to vacate one (1) utility easement 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 located east of this site. Lowenstein Park and single-family residential development are located to the south and west, respectively. The site is bordered by I-470 to the north and NW Chipman Road to the south.

Adjacent Land Uses and Zoning

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

	Lowenstein Park
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Site Characteristics
Existing KCP&L overhead power lines 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 purpose of vacating the easement is to eliminate an unnecessary public utility easement that was platted as part of the *Streets of West Pryor* plat. Initially, the design of the storm sewer system required the storm line to be public. Design changes were made, allowing for the storm sewer to be private rather than public. A public utility easement is no longer needed in this location.

4. Analysis

Background and History

The applicant requests to vacate a utility easement on the Streets of West Pryor site.

- 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. The easement was dedicated as part of this plat. The Plat was recorded with the Jackson County Recorder of Deeds by Instrument #2019E0032538.

Compatibility

The proposed vacation will simply “clean-up” this area, as a public utility easement is no longer needed.

Adverse Impacts

The proposed vacation 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.

The vacation will not impact the provision of utilities to the area. Other necessary easements were dedicated as part of the final plat of Streets of West Pryor to serve the utility needs of the development.

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.