



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-079 – Vacation of Right-of-Way
File Name	An approximately 240' long portion of SE Main St north of SE 2 nd St
Applicant	Cityscape Residential
Property Address	114 SE Douglas St.
Planning Commission Date	May 14, 2020
Heard by	Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager and Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: N/A

Neighborhood meeting conducted: The requirement for an applicant to hold in-person neighborhood meetings pursuant to UDO §2.205 has been suspended during the period of the Emergency Declaration which will end on May 15, 2020, unless earlier terminated or further extended by the Mayor. Pursuant to the Mayor's Emergency Order, Applicants are encouraged to use all available alternative methods of communication to inform neighbors of each pending application and solicit neighbors' input and feedback and provide answers to questions about proposed land development.

Newspaper notification published on: April 25, 2020

Radius notices mailed to properties within 300 feet on: April 24, 2020

Site posted notice on: April 23, 2020

Table of Contents

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

Attachments

Exhibits and Legal Descriptions, date stamped March 17, 2020 – 2 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Cityscape Residential/Applicant
Applicant’s Representative	Ryan Adams
Location of Property	114 SE Douglas St
Size of Property	±3.7 acres
Zoning	CBD (Central Business District)
Comprehensive Plan Designation	Old Town Master Development Plan
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>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
The subject property was the former home of the Lee’s Summit United Methodist Church Campus. The existing buildings on the site are currently in preparation for the future development of the Downtown Lee’s Summit Apartments.

Description of Applicant’s Request
The applicant requests to vacate approximately 1,134 square feet of right-of-way at the northeast corner of SE Main Street and SE 2 nd Street in preparation for future redevelopment of the abutting property addressed 114 SE Douglas St.

2. Land Use

Description and Character of Surrounding Area
The 1-2 story brick First Baptist Church building occupies the property to the north across SE 1st Street. The properties south of the proposed project, across SE 2nd St, are 1 and 2 story brick office buildings.

Lee’s Summit Elementary and the Farmers Market parking lot are located east across SE Douglas St. The Union Pacific Railroad is located across SE Main St just west of the project site.

Adjacent Land Uses and Zoning

North:	PO (Planned Office District) – First Baptist Church
South:	CBD (Planned Central Business District) – Offices
East:	CP-2 (Planned Community Commercial District) – Parking lots & Lee’s Summit Elementary School
West:	Union Pacific Railroad

Site Characteristics

The site of the proposed development is the former home of the Lee’s Summit United Methodist Church Campus. The original two-story brick church was built in 1922. The various additions that were added throughout the following 97 years have been razed in preparation of future development.

Special Considerations

N/A

3. Unified Development Ordinance (UDO)

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

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3

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. Adequate utility, pedestrian and vehicular access to the abutting properties is unaffected by the request to vacate the subject right-of-way.

5. Analysis

History and Background

- October 19, 1865– The original Town of Strother plat was recorded with Jackson County.
- July 3, 1997 - The administratively approved minor plat (Appl. #1997-304) of *Replat of Lots 1-9 and 11-23 inclusive, Block 4 Town of Strother* was recorded with the Jackson County Recorder of Deeds Office by Instrument No. 1997I0040754
- May 7, 2019 – The City Council approved a preliminary development plan (Appl. PL2018-234) for the DTLs Apartments Development by Ordinance No. 8627.

- January 14, 2020 – The City Council approved a vacation of easement (Appl. PL2019-364) for the DTLS Apartments Development by Ordinance No. 8798(a).
- March 24, 2020 – Staff administratively approved a final development plan (Appl. PL2020-024) for the DTLS Apartments Development.

Adverse Impacts

The proposed vacation of right-of-way 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. Adequate access to the surrounding lot is provided by the area’s existing street network.

Public Services

Comments were solicited on the requested vacation of easement from the utility companies, including the City’s Public Works and Water Utilities Departments. Objections were received from Evergy and AT&T. Both stated that they have or will have facilities in the area of the proposed vacation. A condition of approval placed on this application is to retain a general utility easement to cover the existing infrastructure serving the area.

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).

6. Recommended Conditions of Approval

Site Specific

1. A general utility easement shall be retained over the portion of the right-of-way being vacated to cover existing infrastructure located within the right-of-way along SE Main St.

Standard Conditions of Approval

2. 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.