
Blight Study

for the Colbern Ridge Redevelopment Area

**Lee's Summit,
Missouri**

May 9, 2023

Prepared by:

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BLIGHT STUDY

Colbern Ridge Redevelopment Area, Lee's Summit, Missouri

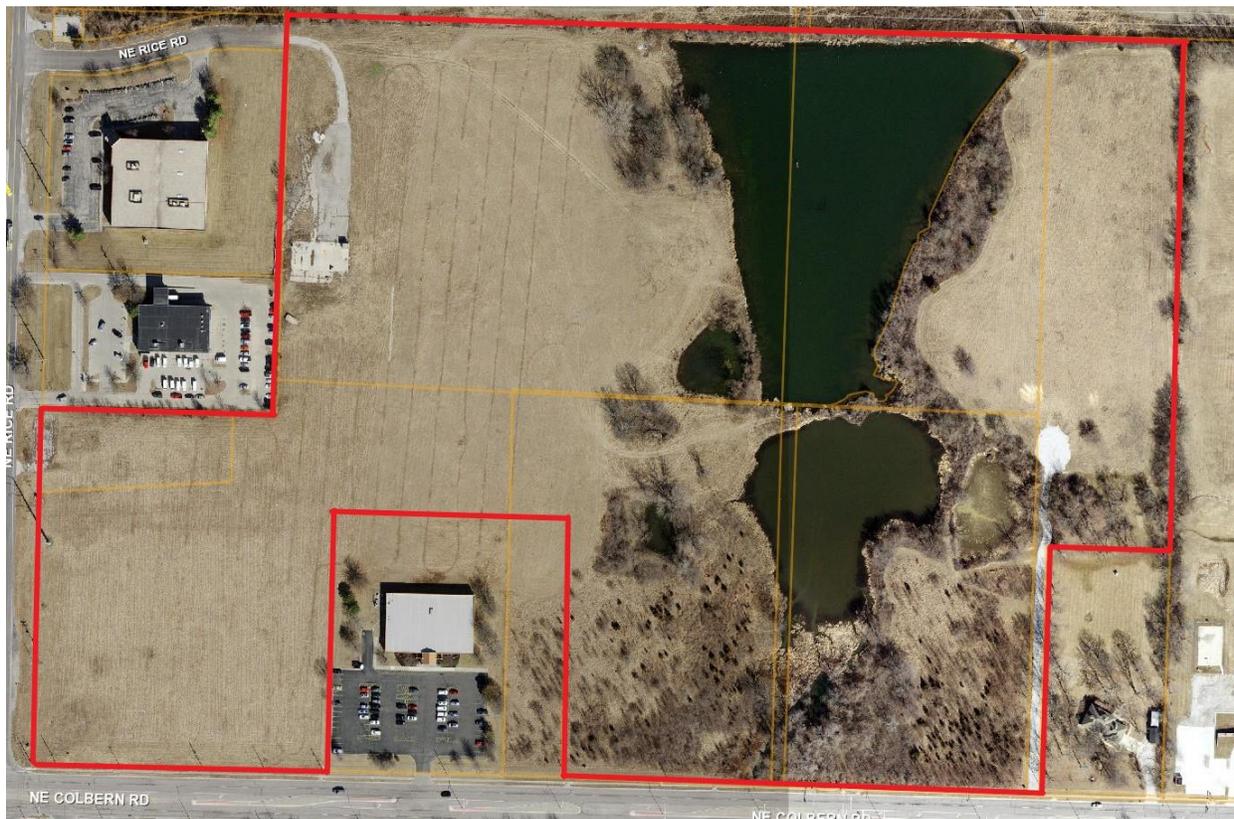
I. Introduction

Purpose

This analysis has been prepared to determine whether the Colbern Ridge Redevelopment Area in Lee's Summit, Missouri is "blighted" as defined in RSMo. Section 99.320(3) of the Land Clearance for Redevelopment Authority Law (the "LCRA Law"). The property evaluated by this study is generally located at the northeast corner of the intersection of NE Colbern Road and NE Rice Road in the City of Lee's Summit, Missouri (the "Study Area").

Study Area

The Study Area is comprised of 7 parcels of land located in the City of Lee's Summit, Jackson County, Missouri. The Study Area consists of vacant ground and comprises approximately 41.38 acres. A legal description and map of the Study Area are attached as **Exhibit A** and **Exhibit B**, respectively. The boundaries of the Study Area are generally as depicted in red below:



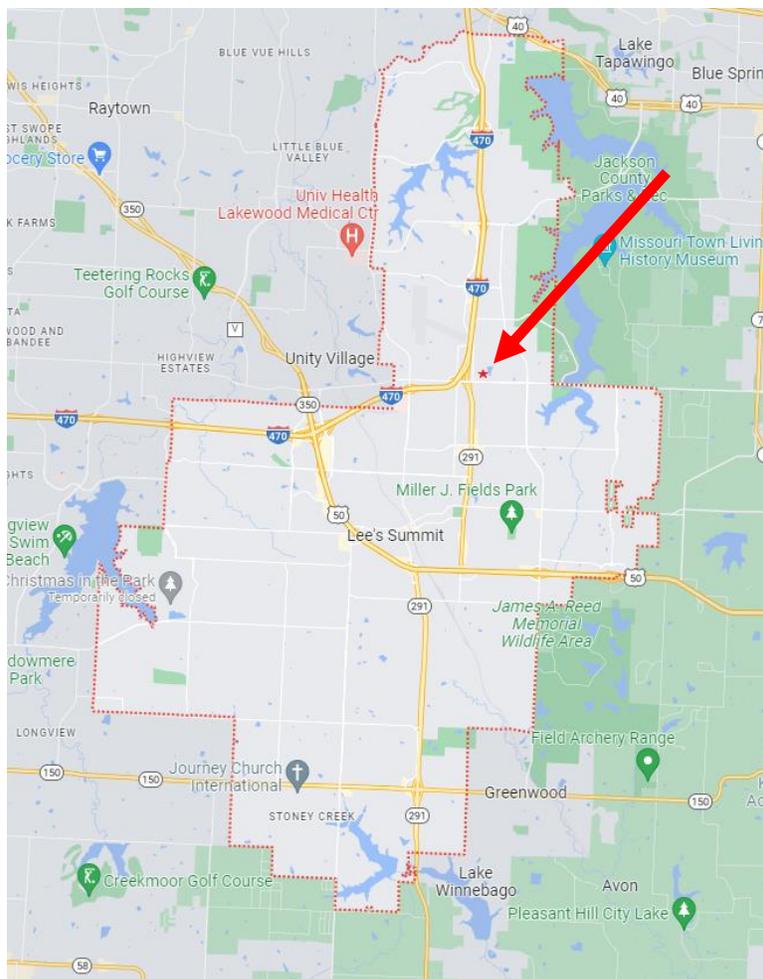
Statutory Analysis

The LCRA Law defines a “Blighted area” as “the same meaning as defined pursuant to Section 99.805” [of the Missouri Revised Statutes]. Section 99.805 of the Missouri Revised Statutes defines a “Blighted area” as “an area which, by reason of the predominance of insanitary or unsafe conditions, deterioration of site improvements, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision or housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, or welfare in its present condition and use.”

An investigation of the presence of these factors within the Study Area is included below.

II. Study Area Data

The Study Area is generally located in the northern portion of the corporate limits of Lee’s Summit, Missouri and lies approximately ¼ mile east of Interstate 470 as shown below:



Land Area

According to Jackson County records, the 7 parcels that constitute the Study Area are as follows:

| Jackson County, MO Parcel # | Acreage |
|-----------------------------|---------|
| 52-500-01-15-02-0-00-000 | 0.98 |
| 52-500-01-15-01-2-00-000 | 7.53 |
| 52-500-01-29-00-0-00-000 | 5.74 |
| 52-600-02-10-00-0-00-000 | 6.36 |
| 52-600-02-11-00-0-00-000 | 4.79 |
| 52-600-02-12-00-0-00-000 | 3.6 |
| 52-500-01-11-01-1-00-000 | 12.38 |
| TOTAL | 41.38 |

Ownership and Current Use

According to Jackson County records, all land parcels within the Study Area are owned by Colbern-Rice Investments, LLC, a Missouri limited liability company, and are currently being utilized as unimproved agricultural land.

Access

The Study Area currently only has one access point, which provides access from NE Rice Road near the northwest corner of the Study Area. The access point connects to a deteriorating asphalt lot. The remainder of the property is cut off from the sole access point, as no paved roads exist on the remainder of the Study Area.

Any future development of the Study Area would require design and construction of internal roads to facilitate proper access to the Study Area. It is anticipated that future access to the Study Area will require construction of one or more public streets from NE Colbern Road north to the northern boundary of the Study Area, one or more east-west public streets connecting NE Rice Road with the rest of the Study Area, and multiple private streets to provide full accessibility for all parts of the Study Area. Furthermore, development of the Study Area will likely require one or more traffic signals and turn lanes along NE Colbern Road south of the Study Area.

Other Public Infrastructure Improvements

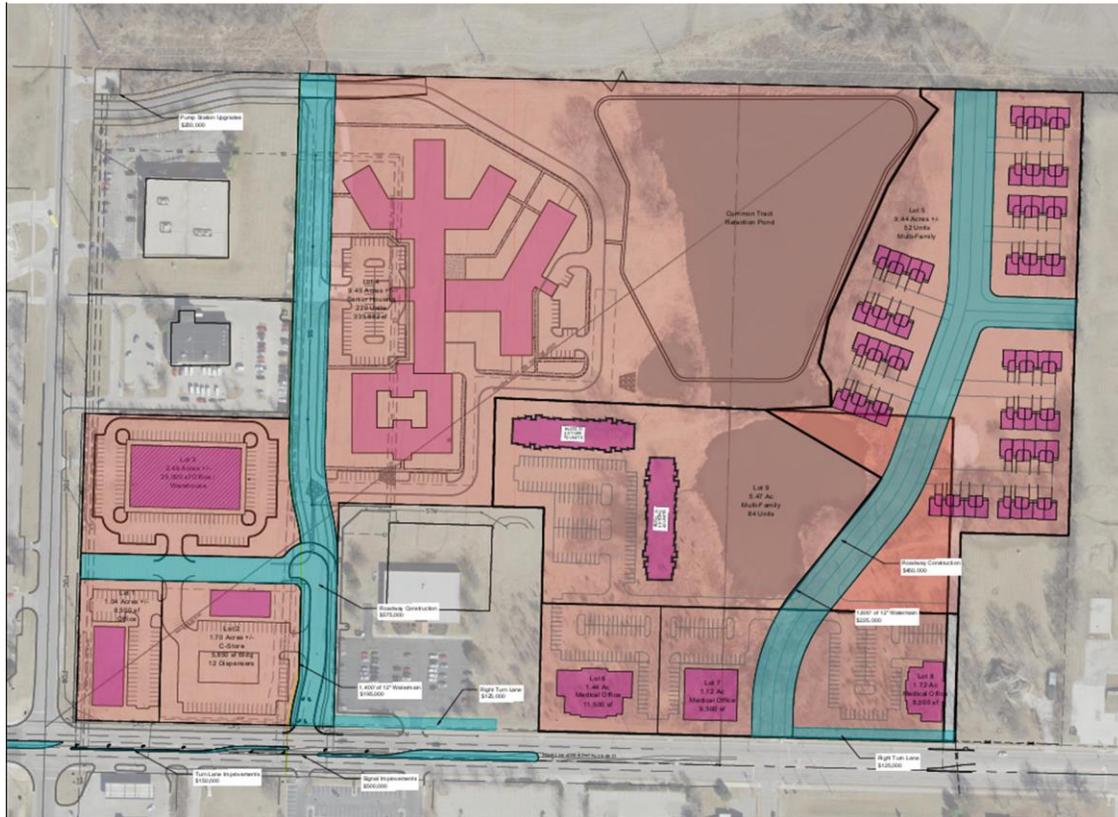
Any future development of the Study Area will require significant upgrades to the stormwater, sanitary sewer, and water infrastructure.

The cost of addressing all necessary access issues and other public infrastructure improvements will impose a formidable financial hurdle for any potential developer of the Study Area as the estimated cost of constructing the necessary improvements is \$4,000,000, as set forth below.

| | |
|-----------------------------|-----------------------|
| Pump Station Upgrades | \$250,000.00 |
| Turn Lane Improvements | \$150,000.00 |
| Signal Improvements | \$500,000.00 |
| Water Main Extensions | \$420,000.00 |
| Roadway Construction | \$1,025,000.00 |
| Turn Lane Construction | \$250,000.00 |
| Regional Detention Facility | \$1,405,000.00 |
| TOTAL: | \$4,000,000.00 |

Site Plan for Proposed Redevelopment

The conceptual site plan included with the LCRA Redevelopment Plan, filed with the City, for the Study Area includes a total of six commercial buildings, a senior living facility, two multifamily apartment buildings, and thirteen townhome buildings as shown below.



III. Blight Analysis

The LCRA Law defines a “Blighted area” as “the same meaning as defined pursuant to Section 99.805” [of the Missouri Revised Statutes]. Section 99.805 of the Missouri Revised Statutes defines a “Blighted area” as “an area which, by reason of the predominance of insanitary or unsafe conditions, deterioration of site improvements, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision or housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, or welfare in its present condition and use.”

We have prepared the following study pursuant to the statutory factors described above and accordingly determined that the Study Area is a blighted area within the meaning of the LCRA Law.

Component 1: Insanitary of Unsafe Conditions

The Study Area is plagued with trash and debris, illuminating the fact that illegal dumping is occurring on the site. Evidence of illegal trespassing is also evidenced by the presence of graffiti markings on the deteriorated improvements within the Study Area and evidence indicating that trespassers are using the Study Area for target practice.

Furthermore, the overgrown vegetation on the Study Area may serve as cover for deer and other wildlife that may find their way onto NE Colbern Road.

Additionally, the Study Area lacks adequate lighting and security as there are no lights installed around the perimeter nor on the interior of the Study Area. Also, the Study Area is completely unsecured, allowing trespassers to wander on to the site unimpeded.

Lastly, the Study Area contains the remnants of what appears to be a former concrete structure, a dilapidated oil pump and various trenches containing standing water. The dilapidated oil pump poses an environmental hazard if any leakage occurs and the trenches holding the standing water serve as a potential breeding ground for a wide range of micro-organisms and insects, including disease-carrying mosquitos.

See Figures 1 – 4 below.

Figure 1: Trash and Debris Littering the Study Area





Figure 2: Overgrown Vegetation



Overgrown vegetation bordering NE Colbern Road along Study Area's southern boundary line.

Figure 3: Lack of Security and Lighting at Study Area



Unsecured northern property line boundary.



Unsecured western property line boundary.

Figure 4: Former Structure; Oil Pump; Trenches



Large concrete structures within Study Area.



Dilapidated oil pump.



Trenches containing standing water.

Component 2: Deterioration of Site Improvements

This factor was not found to be applicable within the Study Area.

Component 3: Existence of Conditions which Endanger Life or Property by Fire and Other Causes

The Study Area currently lacks adequate access points which endanger both life and property. As described above, the only access to the Study Area comes by way of a narrow gravel road, approximately 10 feet wide, at the northwest corner of the Study Area. This gravel road is grossly inadequate and will not allow emergency vehicles proper access to the Study Area as it only permits access to approximately one and a half acres of the forty-acre site.

Additionally, the inadequacy of the existing access point on NE Rice Road, including its lack of acceleration and deceleration lanes, could pose life endangerment risks in the event of a higher visitor count following development of the Study Area.

See Figures 5 and 6 below.

Figure 5: Inadequate Access Road



Narrow gravel road serving as only access point to the Study Area.



Lack of acceleration/deceleration lane on NE Rice Road.

Conclusion

The above analysis indicates that two of the three defined conditions of blight – a clear predominance – are present in the Study Area. These components include:

10. Insanitary or unsafe conditions
11. Existence of conditions which endanger life or property by fire or other causes

As a result of the preponderance of the factors above, the Study Area constitutes an economic and social liability in its present condition and use.

The concept of an economic liability and the economic underutilization of property as a basis for blight has been addressed by the Missouri Supreme Court. The Court has determined that “the concept of urban redevelopment has gone far beyond ‘slum clearance’ and the concept of economic underutilization is a valid one.” *Tierney v. Planned Industrial Expansion Authority of Kansas City*, 742 S.W.2d 146, 151 (Mo. banc 1987). If vacant land “no longer meets the economic and social needs of modern city life and progress,” the land can be considered blighted. *State ex. rel. Atkinson v. Planned Industrial Expansion Authority*, 517 S.W.2d 36, 46 (Mo. banc 1975). Blight may also be found if the redevelopment of an area “could promote a higher level of economic activity, increased employment, and greater services to the public.” *Tierney*, 742 S.W.2d at 151. Further, the Court determined that an otherwise viable use of a property may be considered blighted if it is an economic underutilization of the property. *Cestwood Commons Redevelopment Corporation v. 66 Drive-In. Inc.*, 812 S.W. 2d 903, 910 (MO. App. E.D.1991). The Court determined that blight exists to the extent an area is being utilized for less than its potential from an economic standpoint.

Presently, the Study Area only generates \$9,839 in annual property taxes. If the LCRA Redevelopment Plan submitted to the City is fully implemented, real estate taxes in the year following completion of the project are estimated to produce over \$1,000,000 in real estate taxes. Additionally, the Study Area may produce more than \$150,000 per year in local sales tax revenues.

Additionally, as described above, the Study Area requires approximately \$4,000,000 of public infrastructure improvements to develop the site. This immense investment in public infrastructure improvements is an additional, and perhaps the most determinative, factor as to why the Study Area has remained stagnate and undeveloped for decades.

The stagnate nature of the Study Area’s real property taxes and sales taxes, coupled with the presence of the blighting factors and public infrastructure costs discussed above are clear indicators that the Study Area is not being utilized for its highest and best use. The result is less tax revenue for the taxing jurisdictions to provide services to the public, a clear economic liability to taxpayers. Clearly, the Study Area “could promote a higher level of economic activity, increased employment and greater services to the public”, thus falling within the definition of a blighted area.

To achieve the Study Area’s highest, best, and most productive use, and to transform the Study Area into an attractive and appealing development, significant financial investment by a developer to remove the Study Area’s blight will be required.

As a result of the factors detailed in this report, as of May 2023, the Study Area constitutes an economic and social liability in its present condition and use, thus being a “blighted area” according to the definition provided in Section 99.805(1) of the Missouri Revised Statutes.

EXHIBIT A

LEGAL DESCRIPTION OF STUDY AREA

Tract 1 (Doc No. 2022E0112828)

All that part of the Northeast Quarter of Section 29 and that part of the Northwest Quarter of Section 28, all in Township 48, Range 31 in Lee's Summit, Jackson County, Missouri described as follows: commencing at the Southeast corner of said. Northeast Quarter of Section 29; thence North 88 degrees 28 minutes 52 seconds West along the South line of said Quarter Section, a distance of 1257.71 feet; thence North 01 degrees 39 minutes 46 seconds East. a distance of 53.94 feet to the intersection of the North right of way of Colbern Road as established and the East right of way of Rice Road as established, said point being the point of beginning; thence continuing North 01 degrees 39 minutes 46 seconds East along the East right of way line of said Rice Road, a distance of 599.14 feet to the Southwest corner of RICE ACRES LOT 2, a subdivision of record; thence South 88 degrees 31 minutes 22 seconds East along the South line of said subdivision, a distance of 399.53 feet to the Southeast corner thereof; thence North 01 degrees 39 minutes 46 seconds East along the East line of said subdivision and also along the East line of RICE ACRES LOT 3 AND TRACT A, a subdivision of record, a distance of 674.29 feet to the Northeast corner thereof; thence South 88 degrees 40 minutes 23 seconds East, a distance of 856.02 feet to a point on the East line of said Northeast Quarter of Section 29, said point also being on the West line of said Northeast Quarter of Section 28; thence South 88 degrees 31 minutes 14 seconds East, a distance of 349.15 feet; thence South 01 degrees 28 minutes 46 seconds West, a distance of 15.12 feet to a point on the edge of water of existing reservoir as located in the field on March 16, 2006; thence Southwesterly along the edge of water of said reservoir to a point on an East/West line described in Document No. 1329187 in Book 1842 at Page 401 as being 603 feet Southerly of the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 29 of said Township and Range; thence North 87 degrees 21 minutes 17 seconds West along said line, a distance of 522.27 feet to a point on an extension of the East line of RICE ACRES LOT 1, a subdivision of Record; thence South 01 degrees 22 minutes 59 seconds West along said extension, a distance of 214.14 feet to the Northeast corner of said subdivision; thence North 88 degrees 38 minutes 46 seconds West along the North line of said subdivision, a distance of 300.00 feet to the Northwest corner thereof; thence South 01 degrees 22 minutes 59 seconds West along the West line of said subdivision, a distance of 435.83 feet to the Southwest corner thereof, said point being on said North right of way of Colbern Road; thence North 88 degrees 38 minutes 46 seconds West along said right of way line, a distance of 499.89 feet to the point of beginning. Except Lot 1 and 2, Colbern Road Investments, Lots 1 & 2, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri. (Doc No 2023E0021976).

And also,

Tract 2:

The East 231 feet of the West half of the Southwest Quarter of the Northwest Quarter of Section 28, Township 48, Range 31, in Lee's Summit, Jackson County, Missouri, except the South 414.86 feet of the East 210 feet thereof.

And also,

Tract 3:

All that part of the Northwest Quarter of Section 28, Township 48, Range 31 in Lee's Summit, Jackson County, Missouri, described as follows: commencing at the Southwest corner of the Northwest Quarter of said Section 28; thence South 88 degrees 36 minutes 04 seconds East along the South line of said Quarter Section, a distance of 431.31 feet; thence North 01 degrees 44 minutes 29 seconds East, a distance of 56.41 feet to a point on the North right of way line of Colbern Road as established, said point being the point of beginning; thence North 01 degrees 44 minutes 29 seconds East, a distance of 631.34 feet to a point on an East/West line described in Document No. 1329187 in Book 1842 at Page 410 as being 603 feet Southerly of the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 29 of said Township and Range; thence North 87 degrees 21 minutes 15 seconds West along said East/West line, a distance of 371.09 feet to a point on the edge of water of an existing reservoir as located in the field on March 16, 2006; thence Northeasterly along the edge of water to a point being 317.16 feet West of the East line of the West half of the Southwest Quarter of the Northwest Quarter of Section 28 and 15.12 feet South of the North line of the Southwest Quarter of the Northwest Quarter of Section 28; thence North 01 degrees 28 minutes 46 seconds East, a distance of 15.12 feet to a point on said North line; thence South 88 degrees 31 minutes 14 seconds East along said North line, a distance of 317.16 feet; thence South 01 degrees 44 minutes 29 seconds West along said East line of the West half of the Southwest Quarter of the Northwest Quarter of Section 28, a distance of 864.74 feet; thence North 88 degrees 36 minutes 04 seconds West, a distance of 210.00 feet; thence South 01 degrees 44 minutes 29 seconds West, a distance of 408.51 feet to a point on said North right of way line of Colbern Road; thence North 88 degrees 26 minutes 53 seconds West along said right of way line, a distance of 21.00 feet to the point of beginning. (Doc No. 2022E0113021).

And also,

Tract 4

Lot 5, RICE ACRES, Lots 4 & 5, a subdivision in the City of Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.

And also,

Tract 5

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 29 AND THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 48 NORTH, RANGE 31 WEST IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE RIGHT OF WAY OF COLBERN ROAD AS RECORDED IN DOCUMENT NO. 9910056412 IN BOOK 1 AT PAGE 4 AND THE EAST LINE OF RICE ACRES, LOT 1, A SUBDIVISION IN SAID CITY, COUNTY AND STATE; THENCE NORTH 00 DEGREES 12 MINUTES 18 SECONDS EAST ALONG THE EAST LINE OF SAID SUBDIVISION AND ITS NORTHERLY PROLONGATION, A

DISTANCE OF 649.18 FEET TO A POINT ON THE EAST/WEST LINE DESCRIBED IN DOCUMENT NO. 1329187 IN BOOK 1842 AT PAGE 401 AS BEING 603 FEET SOUTHERLY OF THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 29; THENCE SOUTH 88 DEGREES 48 MINUTES 45 SECONDS EAST ALONG SAID LINE AND ITS EASTERLY PROLONGATION, A DISTANCE OF 890.15 FEET TO A POINT BEING 231.00 FEET DISTANT FROM THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE SOUTH 00 DEGREES 17 MINUTES 01 SECONDS WEST ALONG A LINE PARALLEL WITH AND 231.00 FEET PERPENDICULAR TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 630.83 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF NORTHEAST COLBERN ROAD AS RECORDED IN DOCUMENT NO. 9910056412 IN BOOK 1 AT PAGE 4; THENCE NORTH 89 DEGREES 53 MINUTES 09 SECONDS WEST ALONG SAID NORTH LINE, A DISTANCE OF 435.78 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE SOUTH 89 DEGREES 54 MINUTES 09 SECONDS WEST, A DISTANCE OF 453.39 FEET TO THE POINT OF BEGINNING. EXCEPT ANY PART THEREOF IN ROAD.

EXCEPT THAT PART OF THE ABOVE-DESCRIBED TRACT OF LAND NOW PLATTED AS: RICE ACRES, LOTS 4 & 5, a subdivision in the City of Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.

And also,

Tract 6

Lot 1, Colbern Road Investments, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri.

And also,

Tract 7

Lot 2, Colbern Road Investments, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri.

EXHIBIT B
MAP OF STUDY AREA

