

# City of Lee's Summit

## Development Services Department

August 18, 2017

TO: Planning Commission

FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *RM*

RE: **Appl. #PL2017-136 – VACATION OF EASEMENT – all of the easements located 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**

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### Commentary

The applicant proposes to vacate all of the easements that were dedicated by the plat of Reiss Industrial Park for the purpose of developing the site with a church. The easements conflict with the location of the proposed building. New easements will be dedicated as part of a new plat for the church. The vacation of easements does not apply to the 20' utility easement which was dedicated by Document #1998I93531, nor does it include the 15' x 20' sanitary sewer and storm sewer easements dedicated by Document #2002I0021483 and #2002I0040404, respectively.

### Recommendation

Staff recommends <b>APPROVAL</b> of the vacation of easement.
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### Project Information

<p><b>Vacation of Easement:</b> all of the easements dedicated by the plat of Reiss Industrial Park</p>
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<p><b>Location:</b> generally located at the southeast corner of SE M-291 Hwy. and SE Stuart Rd.</p>
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<p><b>Zoning:</b> CP-2 (Planned Community Commercial) and PI (Planned Industrial)</p>
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<p><b>Surrounding Zoning and Use:</b></p>
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<p><b>North (across SE Stuart Rd.):</b> CP-2 and PI—vacant undeveloped land and Geiger Ready Mix Concrete Plant</p>
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<p><b>South:</b> CP-2 and CS (Planned Commercial Services)—Croft Trailers and vacant undeveloped property</p>
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<p><b>East:</b> AG (Agricultural)—vacant undeveloped property</p>
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<p><b>West (across S. M-291 Hwy.):</b> AG—vacant undeveloped property</p>
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### 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.

## **Analysis of Vacation of Easement**

The applicant proposes to vacate all of the easements located 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.

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 to the vacation of the easements dedicated by the *Reiss Industrial Park* plat.

## **Code and Ordinance Requirements**

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

### **Planning**

1. The vacation of easement shall be recorded prior to the issuance of any building permits on the subject property. A copy of the recorded document shall be provided to the Development Services Department.

RGM/cs

Attachments:

1. Legal description and drawing of easements to be vacated, date stamped June 21, 2017 – 1 page
2. Reduced copy of *Reiss Industrial Park, Lots 1-12*
3. Location Map