



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2019-379 – VACATION OF EASEMENT
<b>Applicant</b>	Engineering Solutions, LLC
<b>Property Address</b>	3620 NE Ralph Powell Rd
<b>Planning Commission Date</b>	December 12, 2019
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	Hector Soto, Jr., AICP, Planning Manager
<b>Checked By</b>	Kent Monter, PE, Development Engineering Manager

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### 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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### Table of Contents

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

### Attachments

Exhibit and Legal Description, dated November 8, 2019  
Location Map

## 1. Project Data and Facts

Project Data	
<b>Applicant/Status</b>	Engineering Solutions, LLC /Surveyor
<b>Applicant's Representative</b>	Matt Schlicht
<b>Location of Property</b>	3620 NE Ralph Powell Rd
<b>Size of Property</b>	±2.50 Acres
<b>Zoning</b>	CP-2 (Planned Community Commercial District)
<b>Comprehensive Plan Designation</b>	Commercial (Office/Retail)
<b>Procedure</b>	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 property is currently undeveloped. The property was replatted in 2016 as part of the development of the abutting property to the west.

Description of Applicant's Request
The applicant requests to vacate all of a 20' wide utility easement in order to facilitate the future development of the subject property.

## 2. Land Use

Description and Character of Surrounding Area
The property is located at the northwest corner of NE Morgan Dr and NE Ralph Powell Rd in the Chapel Ridge Business Park. The area is primarily developed with office buildings, plus a large apartment complex further to the west.

### Adjacent Land Uses and Zoning

<b>North:</b>	Office / CP-2
<b>South:</b>	Office / CP-2
<b>East:</b>	Office / CP-2
<b>West:</b>	Office / CP-2

Site Characteristics
The site slopes from south to north. The front of the lot along NE Morgan Dr sits approximately 24' higher than the rear of the lot. The property has frontage along both NE Morgan Dr and NE Ralph Powell Dr.

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 the vacation of easement is to eliminate a potential conflict between the easement and a future building location on the affected property.

### 4. Analysis

#### Background and History

The applicant requests to vacate a 20' wide utility easement located on Lot 14A of *Chapel Ridge Business Park, Lots 14A & 15A*. The vacation of easement is necessary to accommodate the future construction of a building on the subject lot. The subject easement was originally dedicated along the western property line of Lot 14 of *Chapel Ridge Business Park*. Lot 14 was replatted as Lot 14A in 2016. The replat resulted in the western property line being shifted further to the west, leaving the subject easement traversing the western quarter of the newly created Lot 14A. Additional easements were dedicated as part of the replat in order to allow for the vacation of the subject easement.

- December 1, 2005 – The City Council approved the preliminary plat (Appl. #2005-276) for *Chapel Ridge Mixed Use Development, Lots 1-141*
- January 12, 2006 – The City Council approved the rezoning (Appl. #2005-275) from AG to R-1 (Single-family Residential), RP-1 (Planned Single-family Residential), RP-3 (Planned Residential Mixed-Use) and CP-2 and a preliminary development plan (Appl. #2005-277) for the Chapel Ridge Mixed Use Development by Ordinance No. 6106.
- January 4, 2007 – The City Council approved the final plat (Appl. #2006-113) for *Chapel Ridge Business Park, Lot 10 thru 18 and Tracts H-K* by Ordinance No. 6326. The subject easement was dedicated as part of this plat.
- February 16, 2007 – The final plat (Appl. #2006-113) for *Chapel Ridge Business Park, Lot 10 thru 18 and Tracts H-K* was recorded by the Jackson County Recorder of Deeds office by Instrument #2007-E-0022027.
- February 20, 2016 – The minor plat (Appl. #PL2016-208) for *Chapel Ridge Business Park, Lot 14A and Lot 15A* was recorded by the Jackson County Recorder of Deeds office by Instrument #2016-E-0119794.

#### Compatibility

The proposed vacation of easement facilitates the future development of a commercial building on the subject property. The property is located in a commercial/office park area along the NE Ralph Powell Rd corridor.

#### Adverse Impacts

The proposed vacation of easement 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 easements 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. New easements to accommodate future utility needs were dedicated in 2016 at the time the subject property was replatted.

**Comprehensive Plan**

The proposed vacation of easements 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 lot.