



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

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## Development Services Staff Report

<b>File Number</b>	PL2020-190 – VACATION OF EASEMENT
<b>Applicant</b>	Clayton Properties Group, Inc.
<b>Property Address</b>	2025 SW M-150 Hwy
<b>Planning Commission Date</b>	November 12, 2020
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Planner
<b>Checked By</b>	Hector Soto, Jr., AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

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### Public Notification

Pre-application held: June 25, 2019  
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 Description, date stamped March 4, 2020  
Location Map

## 1. Project Data and Facts

Project Data	
<b>Applicant/Status</b>	Clayton Properties Group, Inc. /Owner
<b>Applicant's Representative</b>	Bradley Kempf
<b>Location of Property</b>	2025 SW M-150 Hwy
<b>Size of Property</b>	±7.9 Acres (344,922.89sq. ft.)
<b>Zoning</b>	RP-3 (Planned Residential Mixed Use District)
<b>Comprehensive Plan Designation</b>	Planned Mixed Use Residential Mixed-density Low-density Residential
<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 7.9 acre subject property is a vacant and currently being developed into the previously approved Osage residential subdivision.

Description of Applicant's Request
The applicant requests to vacate a utility easement that was originally dedicated in 1993 by the plat titled Salvaggio's Ranch. The proposed easement vacation, located at 2025 SW M-150 Hwy, is in preparation for future development of the previously approved Osage mixed density residential subdivision.

## 2. Land Use

Description and Character of Surrounding Area
The surrounding area is a mix of single-family and undeveloped vacant properties. The properties to the north are large lot single-family homes. The properties to the east and west are undeveloped vacant parcels. To the south are large lot single-family homes. The Napa Valley single-family subdivision is located southeast of the proposed project. Grand Summit View and Arborwalk single-family subdivisions are located to the northeast.

### Adjacent Land Uses and Zoning

<b>North(across M-150 Hwy):</b>	AG (Agricultural) and R-1 (Single-Family Residential) — large lot single-family
<b>South:</b>	AG (Agricultural)—large lot single-family
<b>East:</b>	CP-2 (Planned Community Commercial/Retail) and RP-3 (Planned Residential Mixed

	Use) —vacant ground
<b>West:</b>	AG (Agricultural) and R-1 (Single-Family Residential) —vacant ground

<b>Site Characteristics</b>
The 7.9 acre property consists of three (3) platted lots. The existing home and barn on lot 1 have razed and the subject property is currently being developed into the previously approved Osage residential subdivision.

<b>Special Considerations</b>
N/A

### 3. Unified Development Ordinance (UDO)

Section	Description
2.480, 2.490	Vacation of Easement

#### Unified Development Ordinance (UDO)

The vacation of the easement is related to the development of the Osage mixed density residential development. New easements will be established as part of the approved subdivision.

### 4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.2
Residential Development	Objective 3.2 Objective 3.3

#### 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. New utility easements will be dedicated as part of the replatting of the subject property.

### 5. Analysis

#### Background and History

The applicant requests to vacate the utility easement on the subject property as it is in conflict with the future development of the subject property.

- November 11, 1975 – The City Council approved a rezoning (Appl. #1975-003) of approximately 87 acres generally located at the southwest corner of SW M-150 Hwy and SW Pryor Rd from AG to R-1 by Ordinance #1632. The south 20 acres of the proposed Osage residential development was included in this rezoning.
- June 1, 1993—The City Council approved a rezoning (Appl. #1993-017) of 10 acres located at the southwest corner of SW M-150 Hwy and SW Pryor Rd from AG (Agricultural) to R-1 (Single-Family

Residential) for the proposed Salvaggio's Ranch final plat by Ordinance #3852. This property constitutes the northeast portion of the proposed Osage residential development.

- June 1, 1993—The City Council approved the final plat (Appl. #1993-235) of Salvaggio's Ranch, Lots 1-3 by Ordinance #3856. The utility easement was dedicated by this plat.
- February 5, 2019 — Appl. #PL2018-184 – Rezoning from AG and R-1 to RP-3 and Preliminary Development Plan – Proposed Allera single-family development failed to attain the minimum required affirmative votes to be approved.
- December 10, 2019 —The City Council approved a rezoning from AG and R-1 to RP-3 and Preliminary Development Plan (Appl. #PL2019-307) for the Osage mixed density residential development by Ordinance #8784.

### **Compatibility**

The proposed vacation and subsequent dedication of new easements ensures the appropriate utility access to the Osage residential development.

### **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 easement have been expressed by the utility companies, including the City's Public Works and Water Utilities Departments.

### **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**

### **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.