



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-324 – VACATION OF EASEMENT
Applicant	George Butler Associates, Inc.
Property Address	1401 NW View High Drive
Planning Commission Date	January 7, 2021
Heard by	Planning Commission and City Council
Analyst	Jennifer Thompson, Senior Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

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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Attachments

Exhibit and Legal Descriptions, date stamped December 9, 2020
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	George Butler Associates, Inc. / Surveyor
Applicant's Representative	Brad Burton
Location of Property	1401 NW View High Dr.
Size of Property	±2.36 Acres (102,801 sq. ft.)
Zoning	PMIX (Planned Mixed Use District)
Comprehensive Plan Designation	Commercial – office/retail, potential TOD location, and nature preserve
Procedure	<p>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.</p> <p>Duration of Validity: Approval of the vacation of easement does not expire unless stated in the approval.</p>

Current Land Use
<p>The subject property is currently vacant ground and approved for the Paragon Star commercial development. The property was platted in 1998 dedicating the subject easements that are requested to be vacated. The property and surrounding property is currently undergoing mass grading, storm, sanitary, and soccer field construction.</p>

Description of Applicant's Request
<p>The property owner proposes to vacate several easements that were dedicated as part of the <i>Graham Commercial Center Plat, Lots 1-4</i>. The easements consist of a 7.5' UE, 30' UE, a storm detention basin easement, and a 40' UE and Ingress/Egress easement. The request for the vacation is to allow for the construction of the Paragon Star development. The property will be replatted and new easements, as needed, will be dedicated at that time.</p>

2. Land Use

Description and Character of Surrounding Area
<p>The subject easements are located on vacant commercial property located at the NE corner of I-470 and View High Drive. The property is surrounded by vacant properties to the west and south, and to the north and east. The property and surrounding properties are currently under development as part of the Paragon Star commercial development.</p>

Adjacent Land Uses and Zoning

North:	Vacant ground/Little Blue River/future Paragon Star Dev. / PMIX
South (across I-470 Hwy):	Vacant ground / AG

East:	Vacant ground/future Paragon Star Dev. / PMIX
West (across NW View High Dr.):	Vacant ground/Little Blue River / AG and KC, MO jurisdiction

Site Characteristics
The subject property was platted as a four lot commercial development in 1998, however no development has historically occurred on the site. The Paragon Star commercial development has been approved for this property consisting of: soccer fields, apartments, and retail/office uses. The property and surrounding property is currently undergoing mass grading, storm, sanitary, and soccer field construction. The Little Blue River meanders around the property to the north and east.

Special Considerations
N/A

3. Unified Development Ordinance (UDO)

Section	Description
2.480, 2.490	Vacation of Easement

Unified Development Ordinance (UDO)

The vacation of easement is requested to allow for the construction of the Paragon Star commercial development. The entirety of the easements will be vacated. New easements will be dedicated as part of the replatting process.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Public Facilities and Services	Objective 6.1

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 easements will be dedicated as part the replatting process.

5. Analysis

Background and History

The property owner proposes to vacate several easements that were dedicated as part of the *Graham Commercial Center Plat, Lots 1-4*. The easements consist of a 7.5' UE, 30' UE, a storm detention basin easement, and a 40' UE and Ingress/Egress easement. The request for the vacation is to allow for the construction of the Paragon Star development.

- October 23, 1998 – The final plat of *Graham Commercial Center, Lots 1-4* was recorded with the Jackson County Recorder of Deeds office by Instrument #1998-I-0084255. The subject easements were dedicated as part of this plat.

Compatibility

The remaining easements plus future easements to be dedicated via replat ensure the appropriate utility access to the area properties.

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 prior to the issuance of a building permit.