



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

---

## Development Services Staff Report

<b>File Number</b>	PL2020-372 – VACATION OF EASEMENT
<b>Applicant</b>	Engineering Solutions, LLC
<b>Property Address</b>	780 NE Meadowview Dr and 3338 NE Ralph Powell Rd
<b>Planning Commission Date</b>	January 28, 2021
<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

---

### 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

---

### Table of Contents

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

### Attachments

Exhibit and Legal Description, dated December 15, 2020  
Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC / Engineer
Applicant's Representative	Matt Schlicht
Location of Property	780 NE Meadowview Dr and 3338 NE Ralph Powell Rd
Size of Property	±0.05 Acres (2,205 sq. ft.)
Zoning	CP-2 (Planned Community Commercial)
Comprehensive Plan Designation	Commercial (Office/Retail)
Procedure	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 properties (Lots 4-O and 5-C) are vacant commercial properties in the Chapel Ridge Business Park subdivision. The lots have a 15' utility easement centered on the common property line between the subject lots.

Description of Applicant's Request
The developer proposes to vacate a 15' wide x 144' long utility easement to eliminate a conflict in order to accommodate future development of the subject properties. A minor plat (Appl. #PL2020-317) reconfiguring the abutting lots in preparation for future development has been administratively approved and is pending recording with the County.

## 2. Land Use

Description and Character of Surrounding Area
The subject easement is located along a shared property line of two commercial lots in the Chapel Ridge Business Park. The adjacent NE Ralph Powell Rd to the east serves as a commercial corridor, primarily developed with professional office uses. The area transitions from commercial to residential uses as one travels west of NE Ralph Powell Rd.

### Adjacent Land Uses and Zoning

North:	Commercial / CP-2
South:	Commercial / CP-2
East:	Commercial / CP-2
West:	Commercial / CP-2

Site Characteristics
The site is a second tier commercial property. Access to the property is provided from NE Meadowview

Dr, as well as a private drive connection from NE Ralph Powell Rd. The property generally slopes from northeast to southwest.

**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 stems from the need to eliminate a conflict between the easement location and future development on the subject property.

### 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. The subject utility easement is unneeded.

### 5. Analysis

**Background and History**

The applicant requests to vacate the 15’ wide x approximately 144’ long utility easement along the shared property line between Lots 4-O and 5-C in the Chapel Ridge Business Park subdivision. The subject lots are in the process of being replatted to accommodate future development. The existing easement conflicts with the buildable area on the future lot.

- August 6, 2004 – The minor plat of *Chapel Ridge Business Park, Lots 4-O & 4-P* was recorded with the Jackson County Recorder of Deeds office by Instrument #2004-I-0075799. The northern 7.5’ of the subject utility easement was dedicated as part of this plat.
- August 30, 2007 – The minor plat of *Chapel Ridge Business Park, Lots 5-A thru 5-C* was recorded with the Jackson County Recorder of Deeds office by Instrument #2007-E-0114868. The southern 7.5’ of the subject utility easement was dedicated as part of this plat.
- December 28, 2020 – Staff administratively approved a minor plat (Appl. #PL2020-317) to replat the subject properties as *Chapel Ridge Business Park, Lots 4-K & 5-D*. The plat has not been recorded as of the writing of this staff report.

**Compatibility**

The proposed vacation of easement facilitates the ability to develop the subject property by eliminating a conflict with future 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.