



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2022-426 – VACATION OF EASEMENT
Applicant	Hammes Partners
Property Address	1950 SE Shenandoah Dr
Planning Commission Date	January 26, 2023
Heard by	Planning Commission and City Council
Analyst	Hector Soto, Jr., AICP, Senior Planner
Checked By	Sue Pyles, 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	3
3. Unified Development Ordinance (UDO)	3
4. Comprehensive Plan	3
5. Analysis	4
6. Recommended Conditions of Approval	5

Attachments

Legal Description and Exhibit, dated December 5, 2022 – 2 pages
Location Map

1. Project Data and Facts

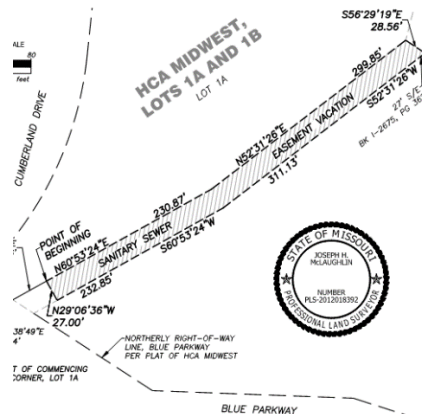
Project Data	
Applicant/Status	Hammes Partners/Applicant
Applicant's Representative	Steve Buckeridge
Property Owner	Midwest Division – LSH, LLC
Location of Property	1950 SE Shenandoah Dr
Size of Property	±0.32 Acres (14,133 sq. ft.)
Zoning	CP-2 (Planned Community Commercial)
Comprehensive Plan Designation	Office
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

The subject easement is located at the northeast corner of the intersection of SE Cumberland Dr and SE Blue Pkwy, which is the site of the 28.5-acre parcel on which Lee's Summit Medical Center is developed. The actual hospital site is further to the east across a wooded creek area.

Description of Applicant's Request

The applicant requests to vacate a 27'-wide x approximately 544'-long general utility easement at the northwest corner of SE Cumberland Dr and SE Blue Pkwy. The easement was dedicated to the City by separate document 1995. An existing sanitary sewer line housed within said easement is required to be relocated to accommodate the development of the site with a 19,750 sq. ft. ambulatory surgical center. The easement must also be vacated upon the relocation of the sanitary sewer line, thus the reason for the applicant's request.



2. Land Use

Description and Character of Surrounding Area

The subject site constitutes the southwest 3.96 acres of the Lee's Summit Medical Center site. The area south of SE Shenandoah Dr and east of SE Todd George Pkwy is developed with a mix of commercial, residential and institutional uses (e.g. hospital, library and churches). The area north of SE Shenandoah Dr is developed as single-family residential.

Adjacent Land Uses and Zoning

North:	Undeveloped acreage / CP-2 (Planned Community Commercial)
South (across SE Blue Pkwy):	US 50 Hwy
East:	Lee's Summit Medical Center / CP-2
West (across SE Cumberland Dr):	Undeveloped acreage / CP-2 (Planned Community Commercial)

Site Characteristics

The 3.96-acre project area is bounded by SE Cumberland Dr to the west; SE Blue Pkwy/US 50 Hwy to the south; Lee's Summit Medical Center to the east; and abuts undeveloped acreage to the north that is also on the hospital site. Vehicular access to the site will come from two driveway connections to SE Cumberland Dr. The site primarily drains to the east toward the adjacent wooded creek area.

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 relocation of a sanitary sewer main to accommodate the construction of a new building on the subject site.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Facilities and Infrastructure	<p>Objective: Maintain high-quality service levels for existing and future customers.</p> <p>Objective: Maintain high-quality infrastructure that supports and entices quality growth.</p>

Comprehensive Plan

The proposed vacation of the subject easement does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Ignite Comprehensive Plan. The request vacates a 27'-wide x approximately 544'-long easement that will no longer be needed upon the relocation of an existing sanitary sewer main. A new easement will be dedicated to house the relocated sanitary sewer main.

5. Analysis

Background and History

- April 5, 1995 – The subject 27'-wide utility easement was dedicated to the City and recorded by the Jackson County Recorder of Deeds office by Instrument #1995-I-1336289.
- June 1, 2006 – The minor plat (Appl. #2005-352) of *HCA Midwest, Lots 1 and 2* was recorded by the Jackson County Recorder of Deeds office by Instrument #2006-E-0034892.
- June 8, 2006 – Staff approved the final development plan (Appl. #2006-048) for Lee's Summit Hospital (now Lee's Summit Medical Center).
- October 1, 2007 – The minor plat (Appl. #2007-190) of *HCA Midwest, Lots 1A and 1B* was recorded by the Jackson County Recorder of Deeds office by Instrument #2007-E-0127459.
- January 12, 2023 – The Planning Commission held a public hearing for the preliminary development plan (Appl. #PL2022-378) for a 19,750 sq. ft. ambulatory surgical center on the subject site. The application is tentatively scheduled for the February 7, 2023, City Council meeting.

Compatibility

The request to vacate the subject portion of easement is consistent with the City's practice of managing its inventory of easements by eliminating easements in whole or in part that no longer serve a public purpose. The subject segment of easement will no longer serve a public purpose after the sanitary sewer main running through it is relocated. Vacating the easement is also consistent with the City's Encroachment Policy, which prohibits the construction of certain structures within or across any public utility easements.

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 objection to the requested vacation of easement has been expressed by any utility company, 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 any building permit.