

# City of Lee's Summit

## Development Services Department

January 5, 2018

TO: Planning Commission  
PREPARED BY: C. Shannon McGuire, Planner  
CHECKED BY: Josh Johnson, AICP, Assistant Director of Plan Services  
RE: **Appl. #PL2017-247 – VACATION OF EASEMENT – a 15' utility easement located on Lots 217, 224 and 291 of Siena at Longview, 2nd Plat; Engineering Solutions, LLC, applicant**

### Commentary

The applicant proposes to vacate a 15 foot utility easement on lots 217, 224, and 291 in the Siena at Longview subdivision. The easements conflict with the new lot configuration of the final phase for the subdivision.

### Recommendation

Staff recommends **APPROVAL** of the vacation of a 15 foot utility easement located on lots 217, 224 and 291 of Siena at Longview

### Zoning and Land Use Information

**Location:** SW 16th St. and SW Corinth Dr. - Siena at Longview, Lots 217, 224 and 291

**Zoning:** RP-3 (Planned Residential Mixed Use District)

**Surrounding Zoning and Use:**

**North:** RP-3 (Planned Residential Mixed Use District) — Siena at Longview subdivision

**South:** RP-3 (Planned Residential Mixed Use District) — Siena at Longview subdivision

**East:** RP-3 (Planned Residential Mixed Use District) — Siena at Longview subdivision

**West:** RP-3 (Planned Residential Mixed Use District) — Siena at Longview subdivision

### Project Information

**Current Use:** single-family residence

**Vacation of Easement:** a 15 foot utility easement on lots 217, 224, and 291 in the Siena at Longview subdivision.

### Unified Development Ordinance

Applicable Section(s)	Description
4.480, 4.490	Vacation of Easement

### Process

**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.

**Duration of Validity:** Approval of the vacation of easement does not expire unless stated in the approval.

## Background

- March 4, 1986 – The City Council approved the rezoning request (Appl. #1985-068 from R-1 to CP-2 and RP-3, as well as a concept plan for the Longview Farm property. This plan consisted of single family residential, apartments, office and retail spaces. Although approved, the concept plan was never constructed. The existing CP-2 zoning on the subject property was established as part of this rezoning.
- May 13, 1999 – The City Council approved the preliminary site plan (Appl. #1999-168) for the Carriage Homes development. This application was for 61 duplexes (122 units) on 27.44 acres of existing RP-3 zoned land located at the northeast corner of Sampson Rd and Scherer Rd.
- July 1, 1999 – The City Council approved the final site plan (Appl. #1999-164) for the Carriage Homes development. These units were never constructed.
- September 21, 2000 – The City Council approved the preliminary (Appl. #2000-168) and final (Appl. #2000-170) site plans for the Siena at Longview subdivision.
- September 26, 2000 – The Planning Commission approved the preliminary plat (Appl. #2000-169) for *Siena at Longview, Blocks 1-7 and Tracts A, B and C*.
- October 12, 2000 – The City Council approved the final plat (Appl. #2000-171) for *Siena at Longview, Blocks 1-7 and Tracts A, B and C* by Ordinance No. 5048.
- December 7, 2017 – The City Council approved the rezoning request (Appl. #PL2017-174 from CP-2 and RP-3 by Ordinance No. 8279.

## Analysis of Vacation of Easement

The applicant proposes to vacate a 15 foot utility easement on lots 217, 224, and 291 in the Siena at Longview subdivision. The easements conflict with the new lot configuration of the final phase for the Siena at Longview subdivision.

Letters were sent to the utility companies (KCP&L, Spire, AT&T, Spectrum Cable, and Comcast Cable), as well as to the City's Public Works and Water Utilities Departments, for their input. No objections were received to the proposed vacation of easement.

## Code and Ordinance Requirements

*The items in the box below are specific to this development and must be satisfactorily addressed in order to bring it into compliance with the Codes and Ordinances of the City.*

### **Planning**

1. The vacation of easement shall be recorded prior to the issuance of a building permit.

Attachments:

1. Easement Vacation Exhibit, date stamped November 20, 2017 – 1 page
2. Location Map