

City of Lee's Summit

Development Services Department

January 20, 2017

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *RMK*
RE: **Application #PL2016-221 – VACATION OF EASEMENT – 1740 NE Aberdeen Dr.; JFE Construction, Inc., applicant**

Commentary

This application is for the vacation of a 15' portion of a 25' utility easement that is approximately 134' long located on Lot 251, *Park Ridge 5th Plat*. The vacation request stems from a conflict between the easement and the proposed location of a retaining wall. No objection was raised by the City's Public Works, Water Utilities Departments or other utility companies.

Recommendation

Staff recommends **APPROVAL** of the vacation of easement.

Project Information

Vacation of Easement: a 15' portion of a 25' utility easement

Location: 1740 NE Aberdeen Drive (Lot 251, *Park Ridge, 5th Plat*)

Zoning: R-1 (Single-Family Residential)

Surrounding Zoning and Use:

North: AG—Fleming Park

South (across NE Aberdeen Drive): R-1(Single-Family Residential)—vacant lot

East: R-1(Single-Family Residential)—vacant lot

West: R-1(Single-Family Residential)—single-family residence

Background

- May 19, 2016 – The City Council approved the final plat (Appl. #PL2014-034) *Park Ridge, 5th Plat, Lots 244 thru 289 and Tracts A5 thru F5*, by Ord. #7888. The subject easement was dedicated as part of this plat. The plat was recorded at the Jackson County Recorder's Office on May 27, 2016 by Doc. #2016E0046775.
- July 19, 2016 – A building permit (Permit #PRRES20161680) was issued for the construction of a home at 1740 NE Aberdeen Drive.

Analysis of Vacation of Easement

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Code and Ordinance Requirements

The items in the box below are specific to this application and must be satisfactorily addressed in order to be in compliance with the Codes and Ordinances of the City.

Planning

1. The vacation of easement shall be recorded prior to the issuance of any building permit for the retaining wall, if required.

RGM/jmt

Attachments:

1. Drawing and legal description of the easement to be vacated, date stamped December 5, 2016—1 page
2. Location Map