



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

| | |
|---------------------------------|--|
| File Number | PL2020-214 – VACATION OF EASEMENT |
| Applicant | Kyle Parris |
| Property Address | 1518 SW Blackstone Pl |
| Planning Commission Date | September 24, 2020 |
| Heard by | Planning Commission and City Council |
| Analyst | Hector Soto, Jr., AICP, Planning Manager |
| Checked By | 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, date stamped July 21, 2020
Location Map

1. Project Data and Facts

| Project Data | |
|---------------------------------------|---|
| Applicant/Status | Kyle Parris / Property Owner |
| Applicant's Representative | N/A |
| Location of Property | 1518 SW Blackstone Pl |
| Size of Property | ±0.33 Acres (14,179 sq. ft.) |
| Zoning | PMIX (Planned Mixed Use) |
| Comprehensive Plan Designation | Low-Density Residential |
| 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 property is a single-family residential lot in the Napa Valley subdivision. The lot has a 15' utility easement in the rear yard. |

| Description of Applicant's Request |
|---|
| The developer proposes to vacate all of the 15' utility easement located in the rear yard in order to facilitate the construction of a swimming pool. |

2. Land Use

| Description and Character of Surrounding Area |
|---|
| The subject easement is located on a residential lot located in the northeast quadrant of the Napa Valley single-family residential subdivision. The subject property backs up to a large common area tract to the east and is surrounded by single-family residential lots to the north, south and west. |

Adjacent Land Uses and Zoning

| | |
|---------------|----------------------------------|
| North: | Single-family residential / PMIX |
| South: | Single-family residential / PMIX |
| East: | Common area tract / PMIX |
| West: | Single-family residential / PMIX |

| Site Characteristics |
|---|
| The subject property has a moderate amount of slope from west to east that leads to a natural drainageway and floodplain. |

| Special Considerations |
|---|
| The subject property is located adjacent to, but not within, the boundaries of a 100-year floodplain. |

3. Unified Development Ordinance (UDO)

| Section | Description |
|--------------|----------------------|
| 2.480, 2.490 | Vacation of Easement |

Unified Development Ordinance (UDO)

The vacation of easement request stems from the property owner’s desire to construct a swimming pool in the rear yard. Vacating the easement eliminates a conflict with the proposed swimming pool location. The proposed pool will satisfy all property line setbacks.

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. Existing area infrastructure serving the subdivision is located within the public right-of-way or other existing easements located in the immediate area.

5. Analysis

Background and History

The applicant requests to vacate all of the 15’ utility easement located in the subject property’s rear yard for the purpose of constructing a swimming pool. The proposed vacation of easement will not negatively impact the provision of public infrastructure to the area. Area infrastructure is located within other easements and public right-of-way in the immediate area.

- October 13, 2016 – The City Council approved the final plat (Appl. #PL2016-098) of *Napa Valley, 3rd Plat, Lots 116 thru 146* by Ordinance No. 7988. The subject easement was dedicated as part of this plat.
- December 9, 2016 – The final plat of *Napa Valley, 3rd Plat, Lots 116 thru 146* was recorded with the Jackson County Recorder of Deeds office by Instrument #2016-E-0116408.
- February 11, 2019 – The minor plat (Appl. #PL2018-095) of *Napa Valley, 3rd Plat, Lots 116 thru 146* was recorded with the Jackson County Recorder of Deeds office by Instrument #2019-E-0009681.

Compatibility

The proposed vacation of easement eliminates a conflict with the location of a proposed swimming pool on the subject property.

Adverse Impacts

The proposed vacation of easement will not negatively affect 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.