



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-222 – VACATION OF EASEMENT
Applicant	Engineering Solutions, LLC
Property Address	1721 SW Napa Valley Dr
Planning Commission Date	October 22, 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: June 30, 2020
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

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Attachments

Exhibit and Legal Description, date stamped June 3, 2020
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC / Engineer
Applicant's Representative	Matt Schlicht
Location of Property	1721 SW Napa Valley Dr
Size of Property	±0.02 Acres (904 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 (Lot 80) is a vacant single-family lot in the Napa Valley subdivision. The lot has 10' utility easements along the north and east property lines adjacent to the lot's frontages along SW Napa Valley Dr and SW Flintrock Dr, respectively.

Description of Applicant's Request
The developer proposes to vacate the east 10' utility easement along the SW Flintrock Dr right-of-way. The request is associated with a proposed vacation of right-of-way for a portion of SW Flintrock Dr, also on this agenda. In conjunction with the separate application for the vacation of right-of-way, the purpose of the vacation of easement is to remove a conflict for the future creation of an additional single-family residential lot on the subject property.

2. Land Use

Description and Character of Surrounding Area
The subject easement is located on a vacant lot in the middle of the Napa Valley single-family residential subdivision. The Napa Valley subdivision is developed with villa-style, standard and estate sized single-family residential lots.

Adjacent Land Uses and Zoning

North (across SW Napa Valley Dr):	Single-family residential / PMIX
South:	Single-family residential / PMIX
East:	Single-family residential / PMIX
West:	Single-family residential / PMIX

Site Characteristics
The subject property was platted as a corner lot at the southwest intersection of SW Napa Valley Dr and SW Flintrock Dr. The lot slopes from southwest to northeast.

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 is related to a proposed vacation of a portion of the abutting SW Flintrock Dr right-of-way. The subject residential lot will absorb the vacated right-of-way and be re-platted to create an additional lot. New easements will be established as part of the replat.

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. New utility easements will be dedicated as part of the replatting of the subject property.

5. Analysis

Background and History

The applicant requests to vacate the 10' wide x approximately 87' long utility easement along the east property line of the subject property. The proposed vacation stems from a related application to vacate a portion of the abutting SW Flintrock Dr. The subject residential lot will be replatted to create an additional lot upon the vacation of the abutting right-of-way. The existing easement conflicts with the buildable area on the future lot.

- October 21, 2004 – The City Council approved the final plat (Appl. #2004-059) for *Napa Valley, 1st Plat, Lots 1 thru 88 and Tracts A thru M* by Ordinance No. 5825. The subject easement was dedicated as part of this plat.
- June 13, 2005 – The final plat of *Napa Valley, 1st Plat, Lots 1 thru 88 and Tracts A thru M* was recorded with the Jackson County Recorder of Deeds office by Instrument #2005-I-0049801.

Compatibility

The proposed vacation and subsequent dedication of a new easement ensures the appropriate utility access to the area properties.

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.