



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-303 – VACATION OF EASEMENT
Applicant	Swim Things, Inc.
Property Address	1728 NE Aberdeen Drive
Planning Commission Date	December 10, 2020
Heard by	Planning Commission and City Council
Analyst	Victoria Nelson, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager 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

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Attachments

Exhibit and Legal Description, dated October 12, 2020
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Swim Things, Inc. / Applicant
Applicant's Representative	Vince Davenport
Location of Property	1728 NE Aberdeen Drive
Size of Property	±0.27 Acres (11,792 sq. ft.)
Zoning	R-1 (Single-Family Residential)
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 with an existing home. The lot has a 25' utility easement along the rear property line.

Description of Applicant's Request
The homeowner would like to vacate approximately 15' of the 25' utility easement along the rear property line. The request for the vacation is to allow for the construction of a private swimming pool.

2. Land Use

Description and Character of Surrounding Area
The subject easement is located on a developed single-family residential lot located within the Park Ridge subdivision. North of the property is Blue Springs Lake and to the south, east, and west are single-family homes.

Adjacent Land Uses and Zoning

North:	Blue Springs Lake/ AG (Agriculture District)
South:	Single-Family Residential / R-1
East:	Single-Family Residential / R-1
West:	Single-Family Residential / R-1

Site Characteristics
A single-family residence is located on the subject property.

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 requested to allow for the construction of a privately owned pool. A 10' utility easement will be retained along the rear property line.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Public Facilities and Services	Goal 6

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.

5. Analysis

Background and History

The applicant requests to vacate approximately 15' of the 25' utility easement along the rear property line. A 10' utility easement will be retained along the rear property line. The request for the vacation of easement is to allow for the construction of a private swimming pool.

- July 14, 2005– The Planning Commission approved preliminary plat (Appl. #PL2005-138) for Park Ridge, Lots 1-347.
- July 20, 2005 – The City Council approved a rezoning from AG to RP-1 and R-1 (Appl. #PL2005-119), and preliminary development plan, (Appl. #PL 2005-120) for Park Ridge by Ordinance No. 6001.
- January 5, 2006 – The City Council approved the Annexation and Development Agreement between ACH Development, LLC and the City of Lee’s Summit for 19.94 acres by Ordinance No 6103.
- October 24, 2006 – The Planning Commission approved the preliminary plat (Appl. #PL 2006-198) for Park Ridge, Lots 348-410 and Tract H. Approval for the Preliminary Plat expired on October 24, 2008.
- April 23, 2013 – The Planning Commission approved the preliminary plat (Appl. #PL 2013-002) for Park Ridge, Lots 206-381 and Tracts A-I.
- November 7, 2013 – The City Council approved final plat (Appl. # PL 2013-059) Park Ridge, 3rd Plat, Lots 206-217 and Tract A3, by Ordinance No 7390.

- November 7, 2013 – The City Council approved final plat (Appl. # PL 2013-060) Park Ridge, 4th Plat, Lots 218-243 and Tract A4 and B4, by Ordinance No 7390. Was recorded with the Jackson County Recorder of Deeds office by Instrument #2013-E-013002. The subject easement was dedicated as part of this plat.

Compatibility

The proposed vacation doesn't affect any utilities and a 10' utility easement will be retained to ensure the appropriate utility access to the subject property.

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 prior to the issuance of a building permit.