



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2021-207 – VACATION OF EASEMENT
Applicant	John Knox Village
Property Address	605 NW Redbud Dr
Planning Commission Date	October 7, 2021
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

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Attachments

Legal Description and Vacation of Easement Exhibit, signed and sealed August 9, 2021
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	John Knox Village/Property Owner
Applicant's Representative	Mike Smith
Property Owner	John Knox Village
Location of Property	605 NW Redbud Dr
Size of Property	±2.9 Acres (128,384 sq. ft.)
Zoning	PMIX (Planned Mixed Use)
Comprehensive Plan Designation	Residential 3
Procedure	<p>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.</p> <p>Approval of the vacation of easement does not expire unless stated in the approval.</p>

Current Land Use
The subject property at-large is developed with several single-story, 1-, 2-, 3- and 4-unit residential buildings.

Description of Applicant's Request
The applicant proposes to vacate three (3) segments of an existing 15' utility easement along the rear of two recently demolished residential buildings on the subject property. The former site of the buildings will be redeveloped with new buildings. The new building layout conflicts with the location of the existing easement, thus requiring the requested vacation of easement.

2. Land Use

Description and Character of Surrounding Area
The subject property is located in a mixed-density residential area of John Knox Village (JKV).

Adjacent Land Uses and Zoning

North (across NW Redbud Dr):	Mixed-density residential / PMIX
South:	Open space / PMIX
East:	Mixed-density residential / PMIX
West:	Mixed-density residential / PMIX

Site Characteristics
The property generally slopes from north to south. The easement is located immediately behind the former site of 2-unit and 4-unit residential building, adjacent to a large open space area.

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 stems from a conflict between a planned residential redevelopment project and an existing 15' wide utility easement. The redevelopment project can be accommodated by vacating three (3) segments of the easement.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Public Facilities and Services	Objective 6.1

Comprehensive Plan

The proposed vacation of three (3) easement segments does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Ignite Comprehensive Plan. Portions of the existing easement are being retained where needed to cover existing area infrastructure.

5. Analysis

Background and History

The applicant requests to vacate three (3) segments of a 15' wide utility easement along the rear of Lot 3B, *John Knox Retirement Village, 3rd Plat, Lots 3A, 3B and 3C*. The three (3) easement segments conflict with a planned building redevelopment.

- February 5, 1974 – The City Council approved the final plat (Appl. #1974-032) for *John Knox Retirement Village, 3rd Plat* by Ordinance No. 1508. The subject utility easement was dedicated as part of this plat.
- July 11, 1974 – The final plat of *John Knox Retirement Village, 3rd Plat* was recorded with the Jackson County Recorder of Deeds office by Instrument #1974-I-0188415.
- November 17, 2016 – The minor plat (Appl. #PL2017-181) for *Replat of John Knox Retirement Village, 3rd Plat, Lots 1, 2 & 3* was recorded with the Jackson County Recorder of Deeds office by Instrument #2016-E-0123990.
- December 1, 2017 – The minor plat (Appl. #PL2017-181) for *John Knox Retirement Village, 3rd Plat, Lots 3A, 3B and 3C* was recorded with the Jackson County Recorder of Deeds office by Instrument #2017-E-0113708.

Compatibility

The purpose for vacating the subject portions of easement is to allow for the redevelopment of the site of two former residential buildings with new residential buildings that better serve the current needs of JKV and its residents.

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 objection to the requested vacation of easement has been expressed by any utility company, including the City's Public Works and Water Utilities Departments. Portions of the existing easement will be retained where needed in order to serve the infrastructure needs of the area.

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 any building permits.
2. A final or minor plat shall be approved and recorded prior to any building permits being issued.