

# City of Lee's Summit

## Development Services Department

March 23, 2018

TO: Planning Commission  
PREPARED BY: Hector Soto, Jr, AICP, Current Planning Manager  
RE: **Appl. #PL2018-020 – VACATION OF EASEMENT – 4028 and 4032 NE Grant St; James Brown, applicant**

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### Commentary

The applicant proposes to vacate the fire access easement portion of a 26'-wide combined fire access/utility easement located on Lots 6 and 7 of the Fairfield Woods subdivision. The 26'-wide general utility easement will be preserved due to the presence of an existing public water line.

This application is related to the preliminary development plan application (Appl. #PL2018-019) submitted by the applicant requesting elimination of the emergency access road requirement for the Fairfield Woods subdivision, also on this agenda.

### Recommendation

Staff recommends **APPROVAL** of the vacation of the 26'-wide fire access easement. The 26'-wide general utility easement will be preserved.

### Zoning and Land Use Information

**Location:** Fairfield Woods subdivision, located at the intersection of NE Woods Chapel Rd and NE Grant St

**Current Zoning:** RP-1 (Planned Single-family Residential)

**Surrounding zoning and use:**

**North:** R-1 (Single-family Residential) — Lakewood common area (East Lake Pool facility)

**South (across NE Woods Chapel Rd):** RP-2 (Planned Two-family Residential) — single-family, duplex and 4-plex residential

**East:** AG (Agricultural) — Fire Station No. 4; R-1 — single-family residential

**West:** R-1 — single-family residential

**Site Characteristics.** Fairfield Woods is a fully developed 36-lot single-family residential subdivision. The subdivision is laid out as an approximately 1,300 foot long cul-de-sac (NE Grant St) that connects to NE Woods Chapel Rd. A 12-foot concrete drive provides an emergency access connection between NE Grant St and NE Channel Dr; the drive crosses the properties addressed 4028 NE Grant St, 4032 NE Grant St and 4025 NE Channel Dr.

**Description and Character of Surrounding Area.** Abutting Fairfield Woods to the north is common area for Lakewood. Fire Station No. 4 abuts the subdivision along a portion of the subdivision's east boundary. The remaining surrounding property is predominately developed as single-family residential.

## Project Information

**Current Use:** single-family residential subdivision  
**Number of Lots:** 36 lots and 2 common area tracts  
**Land Area:** 10.6 acres

## Unified Development Ordinance

Applicable Section(s)	Description
4.480, 4.490	Vacation of Easement

## Process

**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.

**Duration of Validity:** Approval of the vacation of easement does not expire unless stated in the approval.

## Background

- September 13, 2005 – The Planning Commission approved the preliminary plat (Appl. #2005-067) for Fairfield Woods, Lots 1-37 and Tract A.
- October 20, 2005 – The City Council approved the rezoning (Appl. #2005-066) from AG and R-1 to RP-1 and preliminary development plan (Appl. #2005-137) for Fairfield Woods by Ordinance No. 6066.
- August 10, 2006 – The City Council approved the final plat (Appl. #2006-051) for Fairfield Woods, Lots 1-37 and Tract A by Ordinance No. 6244. The 26'-wide combined fire access/utility easement was dedicated as part of this plat. The final plat was recorded with the Jackson County Recorder of Deeds Office by Instrument No. 2006-E-0122787 on November 15, 2006.
- August 31, 2009 – Staff administratively approved the minor plat (Appl. #2009-068) for Fairfield Woods, Lots 34-A, 35-A & 36-A. The minor plat was recorded with the Jackson County Recorder of Deeds Office on October 30, 2009, by Instrument No. 2009-E-0109577.

## Analysis of Vacation of Easement

The applicant proposes to vacate the fire access easement portion of a 26'-wide combined fire access/utility easement located on Lots 6 and 7 of the Fairfield Woods subdivision. The presence of an 8" public water line requires that the general utility easement be preserved. The Fire Department has no objection to the vacation of the fire access easement.

Attachments:

1. Vacation of easement legal description and exhibit, date stamped February 1, 2018
2. Location Map