

# City of Lee's Summit

## Development Services Department

March 23, 2018

TO: Planning Commission  
PREPARED BY: Hector Soto, Jr, AICP, Current Planning Manager  
RE: **PUBLIC HEARING – Appl. #PL2018-019 – PRELIMINARY DEVELOPMENT PLAN – Fairfield Woods subdivision, request to remove conditions of approval requiring an emergency access road on the properties addressed 4028 and 4032 NE Grant St and fire access road easement; James Brown, applicant**

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### Commentary

The applicant requests removal of a condition of approval for the Fairfield Woods subdivision that required the construction of an emergency access road along the common property line of Lots 6 and 7 of the subdivision. The applicant is the owner of Lot 7. Elimination of the emergency access road requirement would also necessitate the removal of a second condition of approval requiring an off-site access easement through Lot 16 of the abutting Westwood Estates subdivision to accommodate the emergency access road connection between NE Grant St and NE Channel Dr. The applicant intends to remove the access drive on his property so as to provide additional open space on his lot. The Fire Department has no objection to removing the access drive. Staff supports removal of the two conditions of approval.

This application is related to the application for vacation of easement (Appl. #PL2018-020), also on this agenda.

### Recommendation

Staff recommends **APPROVAL** of the preliminary development plan, subject to the following:

1. The Fairfield Woods subdivision shall continue to be subject to the conditions of approval of Ordinance No. 6066, except that conditions #2 and #6 shall no longer apply.

### 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**

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

**Public Notification**

<b>Neighborhood meeting conducted:</b> n/a
<b>Newspaper notification published:</b> March 10, 2018
<b>Radius notices mailed to properties within 185 feet:</b> March 12, 2018

**Process**

<b>Procedure:</b> The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan. The City Council takes final action on the preliminary development plan application.
<b>Duration of Validity:</b> Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.

**Unified Development Ordinance**

Applicable Section(s)	Description
4.300, 4.310, 4.320	Preliminary Development Plan

**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.
- 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 the Preliminary Development Plan

**Emergency Access Road.** The condition requiring an emergency access road for Fairfield Woods resulted from a modification request to the Unified Development Ordinance's (UDO) 500' maximum cul-de-sac length in effect at the time the subdivision was approved by City Council in 2005. Existing site conditions (e.g. an existing 30" water transmission main, topography and access management) made it infeasible for NE Grant St to connect to NE Dick Howser Dr in order to create a through-street subdivision layout as proposed in early project iterations, and thus resulted in a 1,300' cul-de-sac. Due to the lack of a second point of public access to the development, Planning staff recommended that an access road be provided between NE Channel Dr and NE Grant St in order to accommodate emergency services vehicles.

Neither the current Fire Code nor the code in effect at the time of the subdivision's approval required that a second point of access be provided to the subdivision. The Fire Code allows no more than 50 dwelling units to be served by a single point of access; Fairfield Woods is a fully developed subdivision composed of 36 single-family residences. There is also no Fire Code requirement for a second point of access tied to cul-de-sac length. Therefore, the existing access road is not required to satisfy a public safety code requirement.

In the approximately 12 years of its existence, the access road has never been used by the City for any emergency service response. As such, the Fire Department has no objection to the elimination of the access road. Further, eliminating the emergency access road requirement allows the affected property owners to reclaim 600-700 sq. ft. of their respective properties as open area. Staff supports the applicant's request to eliminate the emergency access road requirement and associated requirement for the provision of an emergency access road easement.

## Code and Ordinance Requirements

*The items in the box below are specific to this development and must be satisfactorily addressed in order to bring the plan into compliance with the Codes and Ordinances of the City.*

### **Engineering**

1. Any removal of pavement must not interfere with the existing public water line. Depth of cover must be maintained within City of Lee's Summit standards. (Minimum depth of cover is 3.5 feet.) Additional fill will most likely be required to maintain minimum cover. Applicant shall confirm prior to pavement removal.

Attachments:

1. Copy of Ordinance No. 6066
2. Location Map