

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM AG AND R-1 TO RP-1 ON LAND LOCATED NORTH OF WOODS CHAPEL ROAD AND EAST OF CHANNEL DRIVE AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR FAIRFIELD WOODS, (NORTH OF WOODS CHAPEL ROAD, EAST OF CHANNEL DRIVE), ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #2005-066 requesting a change in zoning classification from District AG and R-1 (Agricultural and Single Family Residential) to District <sup>RP-1 Planned Single Family</sup> ~~RP-2 (Planned Two Family Residential)~~ on land located north of Woods Chapel Road and east of Channel Drive and Application #2005-137, requesting approval of a preliminary development plan for Fairfield Woods, submitted by Fairfield Woods LLC, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on September 13, 2005, and rendered a report to the City Council recommending that the zoning requested be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on October 6, 2005, and rendered a decision to rezone said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the following described property is hereby rezoned from District AG and R-1 to District ~~RP-2~~ <sup>RP-1</sup>

*A tract of land located in the SW ¼ of the SW ¼ of Section B, Township 48N, Range 31W, in Lee's Summit, Jackson County, Missouri, more particularly described as follows: Commencing at the SW corner of said ¼ ¼ Section; thence N 02°30'44" E along the West line of said ¼ ¼ Section a distance of 59.70 feet to the Point of Beginning, said point being on the North right of way line of Woods Chapel Road, as it now exists, and the SE corner of "Westwood Estates", a subdivision in Lee's Summit, Jackson County, Missouri; thence N 02°30'44" E along the West line of said ¼ ¼ Section and the East line of said subdivision, a distance of 1266.19 feet to the NE corner of said subdivision, said corner being on the North line of said ¼ ¼ Section; thence S 88°06'21" E along the North line of said ¼ ¼ and the North line of "Caddell Place", a subdivision in said City, County, and State, a distance of 494.66 feet to the NE corner of said subdivision, said corner also being the NW corner of "Fairfield Green", a subdivision in said City, County, and State; thence S 02°31'45" W along the East line of said "Caddell Place" also being the West line of said "Fairfield Green", a distance of 265.00 feet; thence N 87°29'21" W, a distance of 164.94 feet; thence S 02°30'39" W along the West line of Lots 1 and 2 of said "Caddell Place" subdivision and its Southerly prolongation, a distance of 1007.67 feet to a point on the existing North right of way line of NW Woods Chapel Road; thence N 87°17'20" W along said existing North right of way line, a distance of 329.96 feet to the Point of Beginning, containing 10.609 acres, more or less, all being subject to restrictions, easements, and rights of way.*

SECTION 2. That development shall be in accordance with the preliminary development plan dated August 12, 2005 appended hereto and made a part hereof. The development standards shall be as shown on the preliminary development plan.

SECTION 3. That the following conditions of approval apply:


1. A modification shall be granted to the maximum allowable 500' cul-de-sac length, to allow a cul-de-sac approximately 1,100' in length.
2. An emergency access road connecting Channel Drive to the cul-de-sac at the end of Grant Street between Lots 6 and 7 shall be provided. The road shall be a minimum 12' in width and shall be constructed to a standard acceptable to the City that will support the weight of emergency vehicles. In addition, a series of bollards, of a design that is acceptable to the City shall be placed at each end of the emergency access road.
3. A modification shall be granted to the required minimum 50' setback for residences from arterial streets, to allow Lots 21 and 22 to maintain a minimum 25' rear yard setback.
4. A modification shall be granted to the minimum 10% open/green space requirement, to allow the reduced amount of common open/green space as shown on the plan.
5. To meet the requirement of the UDO, the typical building footprints on the plan shall be revised so that the minimum setback for front-facing garages shall be 25'.
6. An access easement shall be granted to the City for the off-site access road along the north side of Lot 16 of *Westwood Estates*.
7. Lot 10 shall be redesignated as a tract. The ownership and maintenance of the tract, a proposed detention basin, shall be dedicated to the homeowners association.
8. To meet the requirement of the UDO, a low-impact landscape buffer shall be provided between the proposed development and the existing subdivision to the west. The low-impact buffer shall conform to the requirements of Article 14 of the UDO. A landscaping plan shall be submitted to the Planning and Development Department as part of the final plat for review to ensure the requirement for the low-impact buffer has been met. The landscaping shall be installed prior to any certificates of occupancy being issued in this plat.

SECTION 4. In granting modifications listed in Section 3, the Governing Body concludes that the development will provide sustainable value to the City, incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent through the proposed project, effectively utilize the land upon which the development is proposed, and further the goals, spirit and intent of the Unified Development Ordinance.


SECTION 5. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance No. 5209.

SECTION 6. That this ordinance shall be in full force and effect from and after the date of its passage and approval.


PASSED by the City Council of the City of Lee's Summit, Missouri, this 20th day of October, 2005.

  
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Mayor Karen R. Messerli

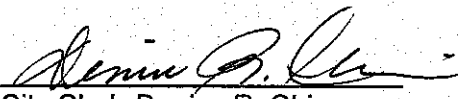
ATTEST:

  
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City Clerk Denise R. Chisum

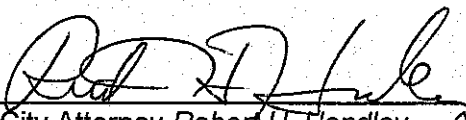
APPROVED by the Mayor of said city this 20th day of October, 2005.

  
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Mayor Karen R. Messerli

ATTEST:

  
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City Clerk Denise R. Chisum

APPROVED AS TO FORM:

  
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City Attorney Robert H. Handley