

November 17, 2021

City of Lee's Summit, MO  
Attn: Ryan Elam, Director of Development Services  
220 SE Green Street  
Lee's Summit, MO 64063

RE: Rush Creek Minor Plat  
Application PL2021251

Dear Mr. Elam:

I am working with Larry and Myrna Jones the owners of Rush Creek LLC. The Jones' have recently completed rezoning of a 16.25 acre tract of land which is south of the spillway in Raintree Lake and on the east side of Raintree Parkway. The property has been rezoned to RLL. Recently a minor plat application was filed on the property by Engineering Solutions. The Jones' are platting the entire 16.25 acres into one lot for the purpose of building one single family home.

The staff report indicated that the platting of the property triggered a requirement for a public sidewalk. The report further indicated that the sidewalk did not seem practical. Not knowing the sidewalk requirements, I took a look at what I think are the applicable ordinances. Here is what I found:

Section 7.280 of the ordinance indicates that a sidewalk is not required on either side of a local or access street in a residential area if the density is less than 1.5 dwelling units per acre. Since the property is not on a local or access street a sidewalk would be required. Since there will be one single family home on 16.25 acres the property meets the density requirement a sidewalk not be required.

Section 7.280 of the ordinance goes on to say sidewalks are required on both sides of the street if the street is a residential collector. Raintree Parkway would seem to fall into this category so a sidewalk would be required.

Section 7.280 of the ordinance goes on to say that when a sidewalk is required on one side of the street, the sidewalk should be placed on the opposite side of the street from the water line, where feasible. I am not certain, but I think the water line is on the east side of Raintree Parkway which is where the sidewalk should be built. Mixed conclusion in that feasible is open to interpretation.


In looking beyond the ordinance and at both the subject property and the adjoining properties here is what I found:

- The guard rail on the east side of Raintree Parkway adjacent to the spillway overflow extends approximately 60 feet south across the frontage of the subject property leaving only an approximate 35 feet opening in the property for a driveway
- The property just to the north of the spillway and on the east side of Raintree Parkway, in an almost identical scenario (Minor plat, one home on 7 +/- acres), there is no sidewalk
- There is no sidewalk on the east / south side of Raintree Parkway from the north side of the dam all the way to Ward Road – therefore there is no sidewalk to connect to
- The property on the west / north side of Raintree Parkway already has a 5 foot sidewalk that connects to the existing sidewalk network in Raintree

Would the City to consider a complete waiver of the sidewalk requirement with no payment in lieu of ? If this is not an option, would the city consider reducing the front footage from 96.55 feet to approximate 35 feet to calculate the in lieu of payment ? This is basically the distance from the south end of the guard rail to the south property line.

Thank you for your consideration.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul L. Roberts, Jr.", with a stylized flourish at the end.

Paul L. Roberts, Jr.  
21401 E. 34<sup>th</sup> St. S.  
Independence, MO 64057