

## Legislation Details (With Text)

**File #:** 2016-0548      **Name:**

**Type:** Public Hearing - Sworn      **Status:** Passed

**File created:** 9/9/2016      **In control:** City Council - Regular Session

**On agenda:** 10/6/2016      **Final action:**

**Title:** PUBLIC HEARING - Application #PL2016-135 - REZONING from AG and CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN - Paragon Star, approximately 120 acres located at the northeast corner of NE View High Dr. and I-470; Paragon Star, LLC, applicant.

**Sponsors:** Planning and Special Projects

**Indexes:**

**Code sections:**

**Attachments:** 1. Paragon Star - PDP - Presentation, 2. Planning Commission Action Report for 9-13-16, 3. Paragon Star Planning Commission Letter Revised, 4. Paragon Star Transportation Impact Analysis, 5. Traffic Impact Study, 6. Paragon Star Preliminary Development Plan, 7. Correspondence from Linda Hartman, 8. Rezoning & Preliminary Development Plan Location Map, 9. Preliminary Plat Location Map

Date	Ver.	Action By	Action	Result
10/6/2016	1	City Council - Regular Session	approved with conditions	Pass
9/13/2016	1	Planning Commission	recommended for approval	Pass

PUBLIC HEARING - Application #PL2016-135 - REZONING from AG and CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN - Paragon Star, approximately 120 acres located at the northeast corner of NE View High Dr. and I-470; Paragon Star, LLC, applicant.

Issue/Request:

The applicant proposes to rezone approximately 120 acres, located at the northeast corner of NE View High Drive and I-470, from AG (Agricultural) and CP-2 (Planned Community Commercial) to PMIX (Planned Mixed Use) for the development of a soccer complex consisting of 10 fields, a clubhouse and an auxiliary restroom and concessions building. A conceptual development plan has also been provided for a future fieldhouse and future mixed use village areas both north and south of the proposed private street, NW Paragon Parkway. The future development of the fieldhouse and mixed used village depicted on the conceptual development plan will require separate preliminary development plan approval as additional phases of the development are implemented. The subject undeveloped property is largely comprised of wooded and unwooded wetlands and floodplain, which will require permitting through the United States Army Corps of Engineers (USACE) prior to its development.

The applicant requests modifications to the minimum tree caliper size and to the height of athletic field light fixtures. Staff supports the requested modifications.

26.3% impervious coverage

73.7% open space

937 parking spaces provided

Proposed City Council Motion:

I move to direct staff to PRESENT AN ORDINANCE approving Appl. #PL2016-135 - REZONING from AG and CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN - Paragon Star, approximately 120 acres located at the northeast corner of NE View High Dr. and I-470; Paragon Star, LLC, applicant.

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

1. A modification shall be granted to the minimum caliper size requirement of 3 inches, to allow for 1.5 inches for the flowering/ornamental trees and 2-2.5 inches for the deciduous trees.
2. A modification shall be granted to the maximum mounted height of 70 feet for recreational lighting for soccer fields, to allow for a maximum mounted height of 80 feet.
3. Both Paragon Parkway and River Road shall be private streets.
4. A sound amplification system or any other noise caused by the operation shall not exceed sixty-five (65) decibels as measured at the property lines.
5. A total of 13 monument signs with overall sign areas of 90 square feet and structure areas of 138 square feet and electronic digital LED display board shall be allowed as depicted in the preliminary development plan date stamped August 23, 2016.
6. Development shall be as shown on the preliminary development plan date stamped August 23, 2016.
7. Approval of the preliminary development plan is only for the 10 soccer fields, clubhouse and auxiliary restrooms/concession building. Development of the conceptual development plan for the fieldhouse and mixed use village shall require preliminary development plan approval under separate application.
8. The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the road improvements recommended in the Transportation Impact Analysis dated September 9, 2016 and water lines improvements described in GBA's letter, dated August 23, 2016. No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Recorders' Office.
9. Use of the fields shall not be allowed until all required infrastructure has been constructed.

Committee Recommendation: On motion of Mr. Delibero and seconded by Mr. DeMoro, the Planning Commission voted unanimously by voice vote to recommend **APPROVAL** of **Appl. #PL2016-135 - REZONING from AG and CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN** - Paragon Star, approximately 120 acres located at the northeast corner of NE View High Dr and I-470; Paragon Star, LLC, applicant, subject to staff's letter dated September 9, 2016, modifying recommendation Item #8 to read *"The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the road improvements recommended in the Transportation Impact Analysis dated September 9, 2016 and water line improvements described in GBA's letter, dated August 23, 2016. No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Recorders' Office"* and adding language to Item #9 under the Code and Ordinance Requirements to read *"In lieu of a "no rise" certificate, applicant may submit a CLOMR/LOMR to FEMA for evaluation.*