

## Legislation Details (With Text)

**File #:** 2019-2716      **Name:**

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

**File created:** 4/18/2019      **In control:** City Council - Regular Session

**On agenda:** 7/9/2019      **Final action:** 7/9/2019

**Title:** Continued Public Hearing - Application #PL2019-075 - Rezoning from AG to CP-2 and RP-4, Conceptual Development Plan and Preliminary Development Plan- Summit Village North and Aria, approximately 62 acres generally located at the northwest corner of NE Douglas St and NW Colbern Rd; Aria LS, LLC, applicant.  
(Note: This Public Hearing was continued from June 18, 2019 per staff's request.)

**Sponsors:** Development Services, Weisenborn, Mike

**Indexes:**

**Code sections:**

**Attachments:** 1. Memo to City Council, 2. Planning Commission Minutes, 3. Staff Letter, 4. Transportation Impact Analysis, 5. Traffic Study, 6. Conceptual Development Plan and Preliminary Development Plan, 7. Stormwater Letter, 8. Sanitary Sewer Capacity Analysis, 9. UDO Application Criteria, submitted by applicant, 10. Modification Requests submitted by Applicant, 11. Location Map

| Date      | Ver. | Action By                      | Action                              | Result |
|-----------|------|--------------------------------|-------------------------------------|--------|
| 7/9/2019  | 1    | City Council - Regular Session | presented                           |        |
| 6/18/2019 | 1    | City Council - Regular Session | continued                           | Pass   |
| 5/23/2019 | 1    | Planning Commission            | recommended for approval as amended | Pass   |
| 4/25/2019 | 1    | Planning Commission            | continued                           | Pass   |

Continued Public Hearing - Application #PL2019-075 - Rezoning from AG to CP-2 and RP-4, Conceptual Development Plan and Preliminary Development Plan- Summit Village North and Aria, approximately 62 acres generally located at the northwest corner of NE Douglas St and NW Colbern Rd; Aria LS, LLC, applicant.  
(Note: This Public Hearing was continued from June 18, 2019 per staff's request.)

Issue/Request:

The applicant proposes to rezone approximately 61.92 acres, located at the northwest corner of NW Colbern Rd. and NE Douglas St., from AG (Agricultural) to RP-4 (Planned Apartment Residential District) and CP-2 (Planned Community Commercial District). Approximately 23 (twenty-three) acres are proposed to be rezoned to RP-4 for the development of an apartment development, "Aria", proposing 485 apartment units. The remaining 40 (forty) acres are proposed to be rezoned to CP-2 for the future commercial development of "Summit Village North", totaling approximately 198,400 sq. ft. consisting of mixed commercial uses.

The proposed Aria apartment development consists of twelve, 4-story apartment buildings, one clubhouse, garages and a maintenance building. A conceptual development plan has also been provided for a future commercial development, Summit Village North, consisting of retail, restaurant, convenience store, hotel, and retirement resort uses. The proposed Summit Village North commercial development is not part of the "Aria" preliminary development plan approval, thus requiring additional review and approval under separate application.

The Aria apartment development is proposed in 2 phases; Phase consists of five apartment buildings consisting of 195 units, the clubhouse, and associated garages. Phase 2 will complete the development with

7 (seven) apartment buildings consisting of 290 units, associated garages, and a maintenance building. Proposed materials primarily include red brick and gray stucco/E.I.F.S. on the 3<sup>rd</sup> and 4<sup>th</sup> stories, with accents of red brick.

In accordance with Section 7.120 of the UDO, the preliminary development plan also serves as the preliminary plat.

The applicant requests modifications to the UDO for density and landscape buffering. Staff supports the modification requests.

-485 units on 22.50 acres (Aria)

-21.55 units/acre; 12 units/acre max allowed in RP-4 (Aria)

-76% impervious coverage; 80% maximum recommended (Aria)

-24% open space; 20% minimum recommended open area (Aria)

-974 parking spaces required (Aria)

-1005 parking spaces provided (Aria)

Josh Johnson, AICP, Assistant Director of Plan Services

Jennifer Thompson, Senior Planner

John Erpelding, Olsson

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

1. A modification shall be granted to the required high- and medium-impact landscape buffers along the southwest and northwest portions of the property, to allow an existing off-site, dense-treed area to serve as a buffer.
2. A modification shall be granted to the maximum allowable density of 12 dwelling units per acre in the RP-4 district, to allow 21.55 dwelling units per acre.
3. The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, an off-site landscape easement, road improvements on Lee's Summit Road and possible down stream stormwater improvements. 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 Recorder of Deeds Office.
4. Development shall be in accordance with the preliminary development plan date stamped May 7, 2019.
5. Road improvements shall be provided on both sides of the street for the length of the applicant's development.

Committee Recommendation: At the May 23, 2019 Planning Commission meeting a motion was made by Commissioner Funk, seconded by Commissioner Dial, that **Continued Appl. #PL2019-075 - REZONING from AG to CP-2 and RP-4, CONCEPTUAL DEVELOPMENT PLAN and PRELIMINARY DEVELOPMENT PLAN- Summit Village North and Aria, approximately 62 acres generally located at the northwest corner of NE Douglas St and NW Colbern Rd; Aria LS, LLC**, be recommended for approval to the City Council-Regular Session, due back on 7/9/2019. The motion carried unanimously.