

## Legislation Details (With Text)

**File #:** 2016-0306      **Name:**

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

**File created:** 6/10/2016      **In control:** City Council - Regular Session

**On agenda:** 7/7/2016      **Final action:** 7/7/2016

**Title:** PUBLIC HEARING - Appl. #PL2016-084 - REZONING from CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN - Lee's Summit Senior Apartments, 110 SE Todd George Parkway; North Star Housing, LLC, applicant.

**Sponsors:** Planning and Special Projects

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Planning Commission Minutes 6-14-16, 3. Transportation Impact Analysis, 4. Rezoning Plan, 5. Site Plan, 6. Site Plan - 2, 7. Site Demolition Plan, 8. ARCH-PLANS, 9. Original PDP 7-27-2007, 10. Protest Petition, 11. Location Map

Date	Ver.	Action By	Action	Result
7/7/2016	1	City Council - Regular Session	denied	Pass
6/14/2016	1	Planning Commission	recommended for approval	Pass

PUBLIC HEARING - Appl. #PL2016-084 - REZONING from CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN - Lee's Summit Senior Apartments, 110 SE Todd George Parkway; North Star Housing, LLC, applicant.

Issue/Request:

The applicant proposes to rezone approximately 2.6 acres, located south of NE Langsford Road and west of SE Todd George Parkway, from CP-2 (Planned Community Commercial) to PMIX (Planned Mixed Use) for construction of a 4-story 72-unit senior apartment building. The original preliminary development plan for the area showed two retail buildings totaling 18,500 square feet. As part of the PMIX zoning district designation, the applicant requests setting a standard rear setback of 18 feet along the northwest corner of the site. The applicant desires to carry the modification to the screening requirement along the west property line forward from the previously approved preliminary development plan. Staff supports the requested modifications.

- 72 units on 2.6 acres
- 27.7 units/acre (density)
- 72% impervious coverage
- 28% open space
- 110 parking spaces provided; 108 spaces required

*As of June 23, 2016, 14 petitions in opposition to the proposed rezoning and preliminary development plan for the Lee's Summit Senior Apartments development located south of Langsford Road, west of the existing gas station and bank on Todd George Parkway were submitted to the Department of Planning and Codes Administration. In accordance with the Unified Development Ordinance, Section 4.170.C. and Section 4.200.A.1, a petition must be "duly signed and acknowledged by owners of 30% or more, either of the areas of*

*the land (exclusive of streets and alleys) included in such application, and within an area determined by lines drawn parallel to and 185 distant from the boundaries of the property in the application, as the case may be” in order to become a legal protest. Of the 14 petitions, 10 petitioners were within 185-foot boundary*

*Of the 352,672 square feet included in the surrounding 185-foot boundary, notarized signatures of property owners were present for 66,906 square feet, or 18.97%. Therefore, this petition does not meet the criteria to be considered a legal protest.*

Proposed City Council Motion:

I move to direct staff to present an ordinance approving Appl. #PL2016-084 - REZONING from CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN- Lee’s Summit Senior Apartments, 110 SE Todd George Pkwy.; North Star Housing, 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 high impact screening requirement along the west property line to allow the existing mature tree stand to serve as a screen, provided the trees in the creek area remain undisturbed.
2. A trail easement shall be dedicated for the realigned portions of the trail that are not within the existing 10-foot trail easement.
3. A vacation of easement shall be submitted for those portions of the existing 10-foot trail easement that are no longer intended to be utilized.
4. Development standards including density, lot area, setbacks, shall be as shown on the Preliminary Development Plan date stamped June 3, 2016.

PLANNING COMMISSION ACTION: On motion of Mr. DeMoro and seconded by Mr. Funk, the Planning Commission voted unanimously by voice vote to **APPROVE Appl. #PL2016-084 - REZONING from CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN** - Lee’s Summit Senior Apartments, 110 SE Todd George Pkwy; North Star Housing, LLC, applicant, subject to staff’s letter, dated June 10, 2016, subject to staff’s letter, recommendation items 1-4.