ISSUE/REQUEST:
AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM CP-2 (PLANNED COMMUNITY COMMERCIAL DISTRICT) AND TNZ (TRANSITIONAL NEIGHBORHOOD ZONE) TO PMIX (PLANNED MIXED USE DISTRICT) ON LAND LOCATED AT 204-210 SW MARKET STREET AND 211 SW JEFFERSON STREET AND APPROVING A CONCEPTUAL DEVELOPMENT PLAN FOR STROTHER LOFTS AT 204-210 SW MARKET STREET AND 211 SW JEFFERSON STREET, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

PROPOSED CITY COUNCIL MOTION:
FIRST MOTION: I move for a second reading of AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM CP-2 (PLANNED COMMUNITY COMMERCIAL DISTRICT) AND TNZ (TRANSITIONAL NEIGHBORHOOD ZONE) TO PMIX (PLANNED MIXED USE DISTRICT) ON LAND LOCATED AT 204-210 SW MARKET STREET AND 211 SW JEFFERSON STREET AND APPROVING A CONCEPTUAL DEVELOPMENT PLAN FOR STROTHER LOFTS AT 204-210 SW MARKET STREET AND 211 SW JEFFERSON STREET, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

SECOND MOTION: I move for adoption of AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM CP-2 (PLANNED COMMUNITY COMMERCIAL DISTRICT) AND TNZ (TRANSITIONAL NEIGHBORHOOD ZONE) TO PMIX (PLANNED MIXED USE DISTRICT) ON LAND LOCATED AT 204-210 SW MARKET STREET AND 211 SW JEFFERSON STREET AND APPROVING A CONCEPTUAL DEVELOPMENT PLAN FOR STROTHER LOFTS AT 204-210 SW MARKET STREET AND 211 SW JEFFERSON STREET, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

BACKGROUND:
(including location, programs/departments affected, and process issues)

IMPACT/ANALYSIS:

TIMELINE
Start:
Finish:

OTHER INFORMATION/UNIQUE CHARACTERISTICS:
STAFF RECOMMENDATION

OTHER BOARDS AND COMMISSIONS ASSIGNED: Not Applicable
DATE: 
ACTION: 

COUNCIL COMMITTEE ASSIGNED: Not Applicable
DATE: 
ACTION: 

List of Reference Documents Attached

1. Ordinance
2. Conceptual development plan
3. Parking Elevations
4. Parking Elevations_2
5. Location map
AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM CP-2 (PLANNED COMMUNITY COMMERCIAL DISTRICT) AND TNZ (TRANSITIONAL NEIGHBORHOOD ZONE) TO PMIX (PLANNED MIXED USE DISTRICT) ON LAND LOCATED AT 204-210 SW MARKET STREET AND 211 SW JEFFERSON STREET AND APPROVING A CONCEPTUAL DEVELOPMENT PLAN FOR STROTHER LOFTS AT 204-210 SW MARKET STREET AND 211 SW JEFFERSON STREET, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE’S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-055 requesting a change in zoning classification from Districts CP-2 (Planned Community Commercial District) and TNZ (Transitional Neighborhood Zone) to District PMIX (Planned Mixed Use District) on land located at 204-210 SW Market Street and 211 SW Jefferson Street and requesting approval of a conceptual development plan for Strother Lofts, submitted by Yarco-Devco, 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 April 12, 2016; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on April 14, 2016, and rendered a decision to rezone said property and approve the conceptual development plan for 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 CP-2 and TNZ to District PMIX:

Lots 3, 4, 5, 6, 7, 8, 16, 17, and 18 of The Town of Strother, Block 11 including the alleyway between Lots 3-5 and 16-18

SECTION 2. That development shall be in accordance with the conceptual development plan date stamped April 1, 2016, appended hereto and made a part hereof.

SECTION 3. That the following conditions of approval apply:

1. A preliminary development plan shall be required for any phase of the conceptual development plan and shall include a parking feasibility study.

   SECTION 4. 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. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 6. 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, enacted by Ordinance No. 5209 and amended from time to time.

SECTION 7. That this ordinance shall be in full force and effect from and after the date of June 1, 2016.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _________day of _____________, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this __ day of ____________, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED AS TO FORM:

City Attorney Brian Head