

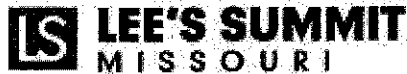
Mike Weisenborn

From: Mark Dunning
Sent: Tuesday, March 07, 2017 8:36 PM
To: Ryan Elam; Robert McKay; Mike Weisenborn; Hector Soto
Subject: FW: Request for reconsideration of denial
Attachments: Whispering Woods - request.pdf

FYI -

Yours Truly,

Mark Dunning | Asst. City Manager, Development Services & Communications
220 SE Green Street | Lee's Summit, MO 64063
816.969.1026 | cityofLS.net | Mark.Dunning@cityofls.net



From: Mark Dunning
Sent: Tuesday, March 07, 2017 8:35 PM
To: Randy Rhoads; Rob Binney; Diane Forte; Trish Carlyle; Craig Faith; Diane J. Seif; Phyllis Edson; Dave Mosby; Chris Moreno
Cc: Denise Chisum; Stephen Arbo; Brian Head
Subject: FW: Request for reconsideration of denial

Mayor and City Councilmembers,

Below and attached please find a request from Mr. Park with Whispering Woods Land, LLC that is being forwarded on as requested for review and consideration. Whispering Woods Land, LLC understands unless the Council, at the March 9, 2017 meeting approves a motion to reconsider, the preliminary development plan and rezoning application is denied and no other opportunities exist for the Council to consider the proposed subdivision development under the current application.

In an effort to provide the various options that Council could take with this application staff has identified the following:

- If no reconsideration of the denial were made at the March 9, 2017 Council meeting, the developer will be required to wait 60 days prior to filing a new application (per Section 4.290 of the UDO), then could file a new application, pay appropriate fees and begin the development review process as a new application. (Per Council Rules Section 2-44, the March 9, 2017 meeting would be the latest any motion to reconsider may be made on the application).

- If a motion to reconsider were made and approved, the preliminary development plan and rezoning application would then be back before the City Council for consideration. *If a motion to reconsider this application were to be made, the motion must come from the prevailing side of the March 2, 2017 vote to deny the application.*

The Council could then take either of the following actions on the matter

- Remand the application back to the Planning Commission (staff would suggest the application be re-advertised for a new public hearing before the Planning Commission in the event any changes were made to the application).
- Place the application on a future City Council agenda after properly re-advertising for a new public hearing before the Council.

Given the receipt of this request from the developer, staff will work with the Law Department to prepare motions that would be appropriate for these various actions and have them available at the March 9, 2017 Council meeting should there be a desire to reconsider the denial of the application. If there is no desire to reconsider the March 2, 2017 denial of the application, no further action by the City Council is necessary.

We would be happy to provide additional information or answer questions with regard to this matter. Staff has thoughtfully responded to the developer's inquiries after the March 2, 2017 denial of the application and assisted them in understanding the options previously noted.

Thank you -

From: Doug Park [<mailto:doug.park32@yahoo.com>]

Sent: Tuesday, March 07, 2017 1:56 PM

To: Mark Dunning

Subject: Request for reconsideration of denial

***** This email is from an external source, use caution before clicking on links or opening attachments. *****

Mark, I have attached a request for reconsideration of denial. I am asking for your assistance in forwarding this to Mayor Rhoads and Councilmembers.

I would be more than happy to discuss this further with the Mayor and Councilmembers at their convenience, and they are welcome to contact me by e-mail or phone if they would like.

Thank you for your assistance in this matter.

Doug Park,
Whispering Woods Land, LLC
816-564-2333

March 7, 2017

TO: Mayor Randall Rhoads
Councilmember Trish Carlyle
Councilmember Craig Faith
Councilmember Rob Binney
Councilmember Diane Forte
Councilmember Diane Seif
Councilmember Phyllis Edson
Councilmember Dave Mosby
Councilmember Chris Moreno

From: Whispering Woods Land, LLC

RE: Request for reconsideration of denial

Mayor Rhoads and Councilmembers,

Whispering Woods Land LLC is respectfully requesting a reconsideration of the action of denial taken at the March 2, 2017 City Council meeting with regard to the Whispering Woods Subdivision preliminary development plan and rezoning. We feel that reconsidering the denial and continuing the public hearing on this proposed development will be beneficial to allow additional time for continued dialogue with regard to the development. Continuing the public hearing would provide time for Whispering Woods Land LLC to meet with adjoining property owners to discuss their concerns, allow additional time for Whispering Woods Land LLC to provide the Council with additional information that we feel needs to be conveyed with regard to the following concerns:

1. Flood Plain matters
2. Inquiries about entrance near the school
3. Off site public water main construction
4. Concerns of adjacent homeowners
5. Timeline for phasing of first 3 plats to include second entrance
6. Actual Density (approx 2.12 lots per acre)

Whispering Woods Land LLC understands the March 9, 2017 meeting is the only opportunity to reconsider the action of denial for this proposed development and respectfully requests a motion to reconsider the action of denial and continuance of the public hearing to a date that would be amenable to the Council. Whispering Woods understands that a motion to reconsider the denial is not a gesture in favor of the development, however would permit additional time for Whispering Woods Land LLC to work through concerns raised at the City

Council meeting that were not brought forward at the Planning Commission public hearing. Whispering Woods Land LLC would be happy to meet with each of you and City staff at your convenience to further discuss the proposed development and provide any additional information you may need in consideration of this request.

Thank you for your thoughtful consideration in this matter.

Doug Park