

# COMMUNITY PROJECT/REZONING

## Ordinance Fact Sheet

Case No. CD-CPC-2019-00187

Approval of a previously approved rezoning from UR to UR, which expired August 8, 2018.

**CD-CPC-2019-00187** A request to approve a rezoning from MPD (Master Planned Development) to MPD (Master Planned Development) in order to accommodate the use of group living, which was previously approved in an expired plan.

### Details

**Location:** on about 9 acres at 7801 Holmes Road

**Reason for Legislation:** Changes to MPD Plans constitute a rezoning. Rezoning applications require public hearings at City Plan Commission with final action by City Council.

### SUMMARY OF REQUEST

Applicant is seeking approval of a rezoning from MPD (Urban Redevelopment) to MPD (Master Planned Development) to MPD (Master Planned Development) in order to accommodate the use of group living. The applicant represents VisionQuest, a company that operates facilities which houses refugees and immigrants while their legal status is determined and their immigration process is completed.

Update 11/19/19: Staff was informed at time of application that this site was under consideration of use by the company VisionQuest, which maintains government contracts to house immigrants while they navigate the immigration process. Staff has since been informed that that this use is not under contract at this time. In the event that specific use occurs on the site, staff maintains the following opinions.

### HISTORY

Historical Background:

1948 – Groundbreaking for a new home at 78th and Holmes.

1950 - September 3, ribbon-cutting day for the Home for the Jewish Aged. Eighteen residents move in.

1954 - Special Services unit is opened, increasing capacity to 90 residents.

1967 - Name is changed to Jewish Home for the Aged.

1968 - Capacity is increased to 181 residents. Women's Auxiliary furnishes and decorates the living room and adjoining terrace.

Section 88-20A-1219

Ordinance Number

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	5 <sup>th</sup> District (Barnes, Park-Shaw)
<b>Applicants / Proponents</b>	<b>Applicant</b> Rachelle Biondo Rouse Frets White Goss Gentile Rhodes 4510 Bellevue Kansas City, Mo 64111  <b>City Department</b> City Planning & Development <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b> <hr/> <b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission (6-0) 11-19-2019 By Archie, Baker-Hughes, Crowl, Henderson, Macy, May <input checked="" type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <input type="checkbox"/> <b>No Action Taken</b> <input type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)
<b>Council Committee</b>	<input type="checkbox"/> <b>Do Pass</b>

1970 - Name is changed to Jewish Geriatric and Convalescent Center, reflecting the expanded services offered. Sheltered Workshop established.

1974 - Adult Day Health program is established for seniors in the community.

1978 - Shalom Plaza Apartments and Multi-Activity Senior Center is opened with 125 apartments and full-support services.

1986 - Alzheimer's care unit is opened at Shalom Plaza.

1987 - Shalom Plaza Apartments opens 65 additional units.

1993 - Outpatient rehabilitation program is established.

1997 - Village Shalom sign at the new Overland Park location is unveiled. Plans for Village Shalom are completed.

1998 - Community breaks ground for Village Shalom.

2000 - Village Shalom opens its doors to the community on June 20.

2014 - Master Planned Development approved in order to allow for group living in both apartment and assisted living facilities. Plan was allowed to expire without action by the developer (2018).

### CONTROLLING CASE

Case No. 7613-MPD-6 approved by Ordinance No. 140680 on August 8, 2014 allowed for daycare use and group living in household living units or assisted living facility, up to 194 beds. ***This plan expired on August 8, 2018.***

### EXISTING CONDITIONS

This site is currently vacant. Built as a multi-family residential development for elderly Jewish people, with two primary buildings, the site has been used as multi-unit residences since the late 1970s. The site currently sits primarily vacant, while another multi-family development to the north, included in the original plan for this site, remains in use as apartments for people 62+ and those with disabilities.

### NEARBY DEVELOPMENTS

**North:** Plaza I and II apartments

**East:** Single family homes

**South:** Single family homes

**West:** South-Broadland Presbyterian Church

**All Directions:** Primarily residential development

### KEY POINTS

- Rezoning from MPD to MPD to amend allowed uses
- Proposed group living for male refugee and immigrant minors

### PLAN REVIEW

The applicant proposes a group-living use, which was one of the approved uses on the previously-approved plan which has expired. The applicant is seeking approval of the same plan and use as

### Actions

- ☐ Do Pass (as amended)
- ☐ Committee Sub.
- ☐ Without Recommendation
- ☐ Hold
- ☐ Do not pass

previously-approved.

The MPD plan is proposed the following uses on the site:

1. 3-story brick building -
  - Household Living Units/Group Living/Nursing Home (or Assisted Living and/or skilled care as the case may be of up to 194 beds on all four floors);
  - Personal Improvement Services (rehabilitation services or educational training); Food and Beverage Retail Sales (kitchen to support independent, assisted or skilled living and kitchen for delivery of meals off premises);
  - Meeting rooms that are available for use by community groups and non-profit organizations;
  - Adult Day Care Center; and
  - Professional Medical and Administrative or General Offices
2. 1-story brick building – 1,900 sq. ft.
  - Existing Child Care with up to 20 Children.
  - Expansion of the Child Care Facility to a Child Care Center for up to 45 children.
3. 1-story metal building – 8,309 sq. ft. – Mechanical building.
4. 1-story metal building – 971 sq. ft. – Storage building.

City Planning and Development staff RECOMMENDS APPROVAL of **Case No. CD-CPC-2019-00146 East Village PIEA Blight Study and General Development Plan** with no conditions, based on the application, plans, and documents provided for review prior to the hearing.

**Parking and Loading Standards (88-420)**

The parking lot appears to be in disrepair, or not up to current standards. The lot shall be striped and brought into use compliance with the Zoning & Development Code or images showing current conditions meet those standards shall be provided.

Subject to the recommended conditions/plan corrections, the applicant's request conforms to the applicable provisions of this section.

**Landscape and Screening Standards (88-425)**

A landscape plan is not required because the scope of the project does not include exterior modifications to the property.

Policy or  
Program  
Change

☐

Yes

☐

No

Operational  
Impact  
Assessment

**Finances**

Cost &  
Revenue  
Projections –  
Including  
Indirect Costs

<p>The applicant's request conforms to the applicable requirements of this section.</p> <p><b>Outdoor Lighting Standards (88-430)</b>  A lighting plan is not required because the scope of the project does not include exterior modifications to the property.</p> <p>The applicant's request conforms to the applicable requirements of this section.</p> <p><b>Sign Standards (88-445)</b>  A sign plan is not required because there are existing signs on the site and no significant changes are expected. Any signs installed are subject to a sign permit and shall conform to the requirements of this section.</p> <p><b>Pedestrian Standards (88-450)</b>  Choose an item.  Striping of pedestrian walkways from parking lot and public right-of-way shall be included in parking lot improvements if not present in current conditions. The site shall be brought into use compliance with the Zoning &amp; Development Code or images showing current conditions meet those standards shall be provided.</p> <p>Subject to the recommended conditions/plan corrections, the applicant's request conforms to the applicable provisions of this section.</p> <p><b>Requested Waivers</b>  None.</p> <p><b>REZONING ANALYSIS</b>  In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission, and city council must consider at least the following factors:</p> <p><b>88-515-08-A. Conformance with adopted plans and planning policies;</b>  <i>The previously approved MPD plan allowed for group living of up to 194 units. If approved, the revised MPD would allow for the use of group living. Since the proposed type of group living (housing of minor immigrants), is somewhat different in operation than an assisted living facility, staff has</i></p> <p><b>88-515-08-B. Zoning and use of nearby property;</b>  Adjacent properties are primarily residential in nature. There is a 5-story multi-family development directly to the north, and single-family residences in the general vicinity in all directions.</p> <p><b>88-515-08-C. Physical character of the area in which the subject property is located;</b></p>	<p><b>Financial Impact</b></p>	<p><b>Funding Source(s) and Appropriation Account Codes</b></p>
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The area in which the facility is located is suburban residential in nature and has no significant physical constraints to the use.

**88-515-08-D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;**

The public facilities are existing and are sufficient, or will be upgraded as required, in order to meet the needs of group living at this facility.

**88-515-08-E. Suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;**

The facility was built to house a large number of people. It is assumed that there is sufficient space for children to occupy and live safely. Outdoor recreation space is paramount for children; there appears to be a courtyard and some outdoor space on the site. Specific areas should be set aside for recreational use by the children in the facility.

**88-515-08-F. Length of time the subject property has remained vacant as zoned;**

The property has recently been used as a meeting place for a church; it has been vacant off and on over the last 5 years.

**88-515-08-G. The extent to which approving the rezoning will detrimentally affect nearby properties; and**

There is not expected to be any significant impact to nearby properties.

**88-515-08-H. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

Immigrant children without family in the U.S. need safe, secure housing in a place where they can receive services and be guided through the remainder of their immigration process. If the facility is clean, secure, and provides for recreation opportunities and wrap-around services to help the children through their legal process and to acclimate to a new culture and community, the facility could have a profound positive affect on the welfare of these children and the communities they are entering. It is imperative that the facility, operated by VisionQuest, be organized and run in such a manner that these elements are at the forefront of their operation. Failure to do so could have a significant negative impact on the emotional and physical wellbeing of these children.

**PLAN ANALYSIS**

In order to be approved, the plan must comply with all of the following criteria:

**88-516-05-A. The plan must comply with all standards of this zoning and development code and all other applicable city ordinances and policies.**

The plan is expected to comply with standards of the zoning & development code, subject to the compliance with the conditions places upon this case.

**88-516-05-B. The proposed use must be allowed in the district in which it is located.**

The approval of this rezoning application would allow for group living use at this location.

**88-516-05-C. Vehicular ingress and egress to and from the site, and circulation within the site, must provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways.**

Vehicular ingress, egress, and circulation of the site is sufficient for the needs of the facility.

**88-516-05-D. The plan must provide for safe, efficient, and convenient non-motorized travel opportunities, being pedestrian and bicycle movement, on the subject site.**

The plan is expected to meet standards for safe, efficient, convenient pedestrian and bicycle access to the site.

**88-516-05-E. The plan must provide for adequate utilities based on City standards for the particular development proposed.**

Utilities are expected to be adequate for the use proposed on the site.

**PROFESSIONAL STAFF RECOMMENDATION**

City Planning and Development Staff **recommends approval subject to the following conditions** based on the application, plans, and documents provided for review prior to the hearing:

1. That plans, revised as noted below, are submitted at time of Final Development Plan:
  - a. That the applicant shall revise plans showing the parking lot re-striped in compliance with 88-420. If lot is currently in compliance, proof shall be provided to staff.
  - b. That the applicant shall revise plans showing striping of pedestrian walkways from parking lot and public right-of-way to be included in parking lot improvements, in compliance with 88-420. If lot is currently in compliance, proof shall be provided to staff.

- c. That the applicant shall provide revised plans showing dedicated, secure outdoor recreation space.
- d. That the applicant eliminate the current daycare access on E. 78th Street and Campbell Street and a new access established from Holmes Road as a condition of expanding to a Daycare Center (21+ children).
- e. That the applicant shall submit a final MPD Development Plan to the Director of City Planning and Development for approval by the Development Review Committee prior to issuance of a building permit. The final MPD Development Plan shall meet the development standards of Chapter 88-400 including; plan information; property uses; setback distances; lighting (with a photometric study); landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery; (ii) buildings and dumpster elevation drawings; (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section; streetscaping; signage (including elevations); and architectural characteristics.

Respectfully submitted,



Jamie Hickey  
Lead Planner

**Fact Sheet Prepared**

**Date:** 12/2/2019

**By:**

Jamie Hickey  
Lead Planner

**Initial Application**

**Filed:** 10/22/2019

**Reviewed By:**

**Date:** 12/2/2019

**City Plan** 11/19/2019

Joe Rexwinkle, AICP  
Division Manager  
Development  
Management

**Commission:**

**Revised Plans Filed:** N/A

**Reference Numbers:**

Case Nos. CD-CPC-2019-00187