

**STAFF REPORT**  
**Planning Commission Meeting March 27, 2017**

**AGENDA ITEM NO.:** 4

**PROJECT NUMBER / TITLE:** Application # 17-01

**REQUEST:** Final Site Development Plan for The Gateway Development

**LOCATION:** Property located on the south side of Johnson Drive between Roeland Dr, Shawnee Mission Pkwy, and Roe Ave

**APPLICANT:** Korb Maxwell, Polsinelli PC

**PROPERTY OWNER:** Aryeh Realty, LLC  
140 Broadway, FL 41  
New York, NY 10005

**STAFF CONTACT:** Danielle Sitzman



**PUBLIC HEARING: NA**

**Property Information:**

The subject property is the site of the former Mission Mall and is zoned Planned Mixed Use District "MXD". This district is intended to encourage a variety of land uses in closer proximity to one another than would be possible with more conventional zoning districts, and to encourage building configurations that create a distinctive and memorable sense of place. Developments in this district are allowed and expected to have a mixture of residential, office and retail uses, along with public spaces, entertainment uses and other specialty facilities that are compatible in both character and function. Developments are also expected to utilize shared parking facilities linked to multiple buildings and uses by an attractive and logical pedestrian network that places more emphasis on the quality of the pedestrian experience than is generally found in typical suburban development.

Buildings are intended to be primarily multi-story structures with differing uses organized vertically rather than the horizontal separation of uses that commonly results from conventional zoning districts. The property is also subject to the Mission, Kansas *Design Guidelines* for the Johnson Drive Corridor.

Surrounding properties are zoned and developed as follows:

North:Roeland Park “OB” Office Building District-small offices, “PUB” Public Services-vacant, and “MXD” Mixed Use District-vacant

West: Mission “RP-3” Planned Townhome District-Roeland Court Townhomes, “MS2” Main Street District 2-vacant, restaurant, “R-1” Single Family Residential District-detached dwelling units,

South: Mission “RP-6” Planned High Rise Apartment District-vacant “C-1” Restricted Business District-bank, “C-O” Office Building District-dentist and other office uses.

East: Fairway “R-1” Single Family Residential District-detached dwelling units.

Comprehensive Plan Future Land Use Recommendation for this area:

The Comprehensive Plan indicates this area is appropriate for Mixed Use High-Density to be composed of a pedestrian friendly mix of neighborhood and community office uses, retail-commercial and service-commercial uses, institutional, civic, and medium to high density residential.

### **Project Background:**

In 2005 The Cameron Group, LLC, a development company from East Syracuse, New York, purchased the Mission Mall property with plans to build a mixed-use development on the site. In 2006 the Planning Commission reviewed and approved the rezoning and preliminary site plan for the redevelopment of the subject property for urban development composed of retail, office, hotel, restaurant, and residential uses (Ordinance #1203). Since the “MXD” zoning and preliminary site plan was first approved the project has evolved through several revisions reflected in revised plans presented to the Planning Commission and City Council in 2007, 2008, 2012, and 2015. Each of these plan approvals included a range of stipulations for site development issues, and requirements for additional details to be provided with final plan reviews. A preliminary site plan was approved by the City Council on January 20, 2016 after a public hearing before the Planning Commission on September 28, 2015.

At this time the applicant is requesting final site plan approval for the entire development. The applicant intends to proceed to construction of the entire project in three sequential phases. The timing of these phases will be considered by the City Council as part of their review of the Development Agreement.

### **Plan Review**

The proposed plan identifies six buildings around the perimeter of the site surrounding a partially free-standing three level parking garage. Building “B” on the southwest corner of the site is a 200 room, 7-story hotel. To the north buildings “C”, “D” and “E” along Roeland Drive and Johnson Drive will contain 168 apartments over ground floor retail in 4-story buildings. Building “A” remains a single story building with three retail tenant spaces defined. Building “F” is a 58,000 3-story office building. A boardwalk system is proposed to connect a surface parking lot on Roeland Drive to a green space adjacent to Buildings “C”, “D” and “E”. This courtyard is proposed for the benefit of residents and for use by the public. It includes seating and a small performance area.

A comparison of the modifications between the approved preliminary plan and the submitted final site plan is shown below. The total floor area of this version has been reduced 19,792 square feet and 5 parking stalls have been removed. The number of hotel rooms remains the same while the square footage of the hotel increased slightly. Fourteen (14) fewer dwelling

units are proposed. Office increased by 3,976 square feet. These changes are not considered significant per Section 440.175 and the site plan is therefore in substantial compliance.

Use	Approved Prelim 2015 (SqFt)	Final
Retail	382,974*	166,991
Office	54,540	58,516
Residential	(182 units)*	177,812 (168 units)
Service/ Mechanical	Not itemized	12,109
Hotel	138,610 (200 rooms)	140,904 (200 rooms)
<b>Total</b>	<b>576,124 square feet</b>	<b>556,332 square feet</b>
Parking Provided	1,533 parking spaces	1,528 parking spaces

\*2015 tally combines Residential and Retail

The City’s development review team conducted a review of the final site plans as well as special studies of traffic and stormwater impacts. Review comments were provided to the applicant’s representatives which were addressed in a revised submittal. Some issues do remain and are discussed below in the staff comments. Other unresolved comments are construction details in nature and best addressed at the time of review of those documents. Conditions relating to each are included in staff’s recommendation.

The following is a summary of issues that were identified by the city’s development review team to be addressed with final plans and/or development agreements.

Sustainable design and construction practices

The City’s development review team initially suggested the project pursue and demonstrate a commitment to achieve LEED for Neighborhood Development (LEED-ND). This certification by the U.S. Green Building Council addresses a wide range of design and construction practices related to site design and green infrastructure and building components, such as energy and water efficiency, storm water management, civic spaces, and relationship to the surrounding community. The applicant is opposed to certifying the project through this agency due to the increased upfront certification costs; however as indicated with previously approved plans will “...entertain and implement prudent design principles that follow a ‘green’ protocol in the spirit of a LEED project in the form of a Sustainable Design and Construction Implementation Plan (SDCIP).”

**Staff Notes-Sustainability-** The Mission Sustainability Commission has developed a rating and certification system for development projects. The proposed revised plans have been reviewed by the Sustainability Commission who have endorsed the sustainable elements of the project. Their review scorecard is attached.

Johnson Drive Design Guidelines & Municipal Code Standards

The Johnson Drive Design Guidelines provide a wide range of recommended and required design elements applicable to the development. These and the site development standards of the municipal code are reviewed below.

Building Design and Material Palette

The proposed building materials and architectural style are described in reflected in sheets FDP-A200-A211 and A300. A modern architectural theme is proposed. According to the project architect this style views the structures as larger singular elements whose mass is pushed close to the street and articulated in facade material color variation, balcony insets, and interesting window placement that respond to the particular use housed in the structure. The

ground floor of the buildings fold back at the street level forming a protected pedestrian experience.

A materials board has also been submitted with samples of the proposed materials. The predominant materials on building "A" are painted pre-cast concrete with thin brick and thin block at their base. The north elevation of this building contains 75% glazing at ground level in the form of storefront display boxes. Details of the display boxes are included on sheet FDP-A200. A corner entrance which addresses both Johnson Drive and the west side of the building has been included. The predominant materials of Buildings "B-F" are various metal panels, glass, board formed concrete, stained woods, and stucco.

**Staff Notes-Buildings:** The intent of the Johnson Drive Guidelines is to encourage detailed and articulated building elevations that create interesting facades, complementary massing, human scale elements, and high quality appearance materials. It acknowledges that Mission benefits from a diversity of architectural styles and would not prohibit modern styles that are compatible in form and proportion to buildings with their immediate context on Johnson Drive. The Gateway development is a large site on the far east end of Johnson Drive. It demonstrates a unified design approach within its boundaries. A mix of complementary building materials that are maintenance free are encouraged such as stone, stucco, brick, tile, concrete masonry units and clear glass. Pre-cast concrete is not preferred. Building "A" does make use of different materials that are in similar color to the rest of the site. The proposed design and materials are generally in conformance with the intent of the Design Guidelines. Ground floor percentage minimums of glazing and stucco maximums per story requirements have been met.

#### Public Open Space

A boardwalk and courtyard area between the buildings along Roeland Drive and the parking structure provides 49,000 square feet of public open space. This area is proposed for the benefit of residents of the apartments and visitors to the ground floor restaurants or retailers. This new courtyard does include built in seating and a small performance area. Shade trees and ornamental plantings are included in this space.

Pedestrian routes which are ADA accessible are shown throughout the development on sheet FDP-C1.1

**Staff Notes-Public Open Space:** The intent of the "MXD" zoning district is to encourage public spaces that are compatible in character and function with the other uses surrounding them. The design of the public open space interior to the site is appropriate for its proposed use and accessible.

#### Parking and Loading

The submitted plan provides 1,528 parking spaces for the mix of retail, residential, office and hotel uses. This includes angled parking spaces along Johnson Drive adjacent to street-level retail in Building "E", a surface parking lot is adjacent to Roeland Drive for Buildings "C" and "D", and a multi-level parking structure located in the center of the development.

The parking structure is L-shaped with two floors of parking above one slightly larger level of surface parking. A single circulator to the upper floors is located on the south end of the structure. The lowest level is no longer below grade and is intended for retail visitors. The upper levels will be for hotel guests and the residential units. The exterior of the garage will be wrapped in an articulated perforated aluminum panel system that allows for ventilation of an

open air garage and screens parked vehicles from view. See sheet FDP-A204 and FDP-A211. The material will extend approximately 8' beyond the top deck of the garage. Vignette views on sheets FDP-004-008 demonstrate how parking decks are screened from the view of surrounding roadways.

The surface parking lot along Roeland Drive will be screened from view by a 3' tall concrete wall with wood plan formliner finish on both sides. A planting bed with hardwood mulch is combined with this wall along the south half of the parking field.

**Staff Notes-Parking:** The amount and design of parking provided meets city ordinances. Adequate screening of the parking structure and surface parking lot has been provided. The perimeter concrete wall must be a minimum of 3' in height, not a maximum. Revise the note on sheet FDP-L106 to reflect this. Truck turning movements have been evaluated and are sufficient.

### Screening

Screening of undesirable areas of the development such as rooftop units, trash dumpsters, loading docks, utility pad sites and surface parking lots is required. Rooftop screening is noted on the elevation sheets to be the same as the building cladding and detailed on sheet FDP-A212. The loading dock is screened through the curved pre-cast concrete and brick wall and evergreen plantings. Pad-mounted utilities are to be screened with landscape materials as shown on sheet FDP-L210. All retaining walls and perimeter concrete walls will have a board form finish including the surface parking lot along Roeland Drive. The majority of trash storage will occur within the buildings.

**Staff Notes-Screening:** The proposed screening is adequate to block undesirable views. Add trash enclosure details for the exterior enclosure behind building "A" as noted on sheet FDP-A000.

### On and Off Site Public Improvements

The developer is responsible for installation of streetscaping around the perimeter of the site which includes sidewalks, street trees, benches, bike racks, and street lights and for providing public improvements off-site (crosswalks, modifications to traffic signals, turn lanes, etc). A sample streetscape improvement plan is included on FDP-L107 and other details are shown on the landscape plans.

A minimum 8-foot wide sidewalk clear zone along Johnson Drive must be provided in addition to adequate space for a streetscape amenity zone (street trees, tree wells, street lights, signage, etc.) and a seating area zone for any proposed outdoor restaurant space. The ideal minimum width for all zones combined is 20-feet from the street curb to the building wall. A sidewalk approximately 8'-8.5' wide is shown for a portion of this block to be 60% concrete and 40% specialty paving. Numerous intrusions into the clear zone are shown on the plans including the street lighting along Johnson Drive and vehicle overhangs from the on-street parking. A choke point appears to exist at the far west end of the on-street parking stalls. The sidewalk width shown along Building "A" is only 5' in width. A minimum 5-foot wide sidewalk clear zone is required and provided along Roeland Drive (except Rock Creek Trail segments) and Roe Avenue.

Street trees should be planted between the curb and walking path of the sidewalk space 50' on center. Trees may be clustered to work about other streetscape features but should be

provided at a rate of 1:50' of frontage. Irrigation will be provided for all street trees. Qualifying trees are shown in the table below.

Frontage	Required Street Trees	Provided	Notes
Johnson Drive	21	15	On-street parking and limited width along Building E reduce the number of trees provided. Adequate width should be provided and the number of trees increased.
Roe Avenue	10	4	Additional evergreen trees are proposed in place of shade trees. Screening is a priority in this corridor.
Roeland Drive	21	21	Trees must be located between back of curb and sidewalk.

Street lights are provided meeting the East Gateway Streetscape design standard. Lighting levels have been evaluated by GBA. Site lighting has also been reviewed.

**Staff Notes-Public Improvements:** Increase the width of the paved sidewalk along Johnson Drive to eliminate the numerous intrusions such as street lighting and vehicle overhangs into the required 8' clear zone, remove the choke point that narrows the sidewalk in the proximity of the far west end of the on-street parking stalls, and maintain an 8' clear width path sidewalk along the entire Johnson Drive frontage. Additional benches and trash receptacles should be added to both the Johnson Drive and Roeland Drive frontages.

The curb line along Roeland Drive is unclear. On future replats, right-of-way should be dedicated including all on-street parking areas, sidewalks, and public infrastructure along Roeland Drive, Johnson Drive, and Roe Avenue. The property line should conform with the build-to standard. The applicant has indicated that a plat will be submitted upon approval of the Final Site Plan.

The proposed street trees meet city code for species selected. Street trees along Roeland Drive should be shifted to the west side of the sidewalk. A reduction of street trees along Roe Avenue is acceptable given that the priority in this corridor is screening.

### Signs

The City's Sign Code does not specify any signs by right in the "MXD" Planned Mixed Use District. Instead, the Code requires shopping centers to establish private sign criteria governing all exterior signs in the development and that the Planning Commission review and approve these criteria as part of a final site plan approval. The intent of city's sign code is to ensure harmony and visual quality throughout the development. After approval, no sign permit will be issued by the City for a sign that does not conform to the criteria.

The applicant has provided a sign criteria document for consideration as summarized below:

<b>Permitted Signs</b>				
<b>Type</b>	<b>Style</b>	<b>Location</b>	<b>Illumination</b>	<b>Size</b>
Wall	Halo type/reverse channel letter	Coordinate w. Tenant's storefront entry location. If main sign then immediately above the tenant's storefront on the base building facade	Neon or LED	Proportional to overall storefront TBD by architect
Wall	Panel sign or pin mounted letters	"	Non-internally illuminated/accent lighting	Panels must be a minimum of 3" thick
Wall	Metal cabinet with routed out copy and push through plexiglas letters	Must be fully recessed or incorporated into the tenant's storefront design	Internally illuminated	Proportional to overall storefront TBD by architect
Projecting	Blade sign	Coordinate w. Tenant's storefront entry location. If main sign then immediately above the tenant's storefront on the base building facade. May be considered decorative secondary sign. 9' clearance, Max projection 4', Min projection 1'	Not specified	Proportional to overall storefront TBD by architect
Window	Adhesive or painted lettering	On storefront glazing, located low on the window	Not specified	Max ht 4"
Wall	Open faced channel letters	Coordinate w. Tenant's storefront entry location. If main sign then immediately above the tenant's storefront on the base building facade	Visually exposed neon tube	Proportional to overall storefront TBD by architect
Detached	Directional	At major entrances to the project, for tenants 3,000 or larger, must be multiple tenants listed.	Not specified	Proportional to overall storefront TBD by architect
Detached	Monument	Limit of 2 for development-Northeast and southwest corners of site	Not specified	Not specified-See FDP-L106
Temporary	Temporary	4 weeks max duration for any one sign. May inc. Vinyl banners allowed on storefront or within storefront glass	Not specified	Proportional to overall storefront TBD by architect
<b>Prohibited Signs</b>				
Wall	Exposed or surface mounted box or cabinet or exposed raceway signs			
Window	Suspended internally illuminated panel sign behind storefront glass			
Window	Neon tube sign in front or behind storefront. Specifically single line neon lettered signs.			
Detached	Freestanding, moving, rotating, flashing, noise making or odor producing signs			
Roof	Roof mounted signs			
Window	Cloth, paper, cardboard and large stickers, decals or other temporary looking signs on or around the storefront.			

**Staff Notes-Signs:** The proposed criteria does not specify the size and number of signs allowed instead leaving it up to a subjective review by the architect. Additional exhibits might help to narrow down the proposed locations for tenant main and secondary signs. Several sheets in the site plan indicate a freestanding sign in the island at Drive 4. This location would block pedestrians from view of turning vehicles and should not be allowed.

#### Public Transportation

A transit stop area has been installed along Johnson Drive near the intersection of Roe Avenue.

**Staff Notes-Transit Stop:** The transit stop along the northeast side of the Gateway site is part of the system of newly enhanced bus facilities installed in the Metcalf Ave/Shawnee Mission Parkway corridor as part of a federal TIGER grant. The transit stop is served by proposed sidewalks along the south side of Johnson Drive and west side of Roe Avenue.

#### Rock Creek Trail Extension

The continuation of the Rock Creek Trail from Martway Street to the Roeland Drive/Johnson Drive intersection is required. The submitted plans identify crosswalks at both intersections and a 10-ft wide sidewalk along the east side of Roeland Drive north of the Martway intersection, continuing north across Johnson Drive to Roeland Park. Directional trail marking signs are indicated on sheet FDP-C1.2.

**Staff Notes-Trail:** There is ample room for street trees, streetlights and street furnishings such as benches and trash cans to be located adjacent to the trail without constricting the 10-ft wide path. Rock Creek Trail layout will be reviewed again as part of the city approval of construction drawings.

#### Traffic & Access Management

Access into the site is proposed from six access points, three on Roeland Drive, one on Johnson Drive, and two on Roe Avenue. The driveway access to the load docks of Building "A" has been narrowed. All street intersections surrounding the subject property are currently signalized.

The applicant has submitted an update to the previous traffic study analyzing current conditions and proposed conditions after development. The applicant has proposed improvements to accommodate the expected daily trips the development will generate. On public streets these include restriping turn lanes along Roeland Drive at all three driveway locations to create queueing capacity to prevent blockages of the through lanes or congestion of the intersections; traffic control signs, modify the timing or phases of existing traffic signals, and improve pedestrian accommodations at intersections.

The Kansas Department of Transportation (KDOT) will also need to review and accept any changes proposed to the intersection of Shawnee Mission Parkway at Roeland Drive as this is a US Highway under their jurisdiction.

The City's on-call traffic engineer, George Butler Associates (GBA), has reviewed the applicant's revised Traffic Impact study and the final site plans. GBA accepts the applicant's proposed improvements as adequate for the expected traffic impacts of development of the site. At the time of construction plan review the following issues will need to be addressed: provision of a safe north-south pedestrian crossing at the intersection of Shawnee Mission Parkway and



Roeland Drive, regulatory signs at Drive 2 and 3, and definition of the vehicular pathway at Drive 6. At the the time of platting GBA has asked for an additional exhibit depicting curb lines, lanes utilization, and pavement markings. An excerpt of the Traffic Impact Study is attached along with GBA's memo.

### Stormwater Management

A multi-barrel reinforced concrete box (RCB) drainage system was installed across the site underground for this portion of Rock Creek. The RCB's were designed to convey the 100 year storm event and a letter of map revision (LOMR) has been approved by FEMA taking the property out of the flood zone. Therefore a floodplain permit is not required. Storm sewers for the site will direct water into this system at various locations and surface grading will direct overflows.

The City's on-call engineer at GBA has reviewed the Drainage Study and the proposed final site plans for storm water control. This included consideration of the amount of impervious surface in the development scenario, peak water flows after rain storms, and the location of below ground development features in relation to existing storm sewers. A reduction in the amount of impervious surface has been demonstrated by the addition of green space compared to the existing (pre-demolition) condition. The layout of any piers footings for the new buildings will be reviewed against the pier plan used during the construction of the RCB's and venting for the proper function of the RCB's will be taken into consideration with the design of Building "A" as part of building permit review.

### Consideration of Final Site Plans (440.160 & 440.190)

Final site plans which contain modifications from the approved preliminary development plan but which are in substantial compliance with the preliminary plan, may be approved by the Planning Commission without a public hearing, provided that the Commission determines that the landscaping and screening plan is adequate and that all other submission requirements have been satisfied. In addition the site plan shall be approved by the Planning Commission if it determines that:

1. The site is capable of accommodating the building(s), parking areas and drives with appropriate open space.

-The building, parking area, driveways, and open space have been designed to meet codes and guidelines and have been reviewed by the City's engineers.

2. The plan provides for safe and easy ingress, egress and internal traffic circulation.

-There is adequate space on the site to allow for on-site circulation of customer traffic and design vehicles. Impacts to traffic on adjacent public streets has been studied Traffic Impact Statement (TIS) and endorsed by City's engineers with stipulations.

3. The plan is consistent with good land planning and site engineering design principles.

-The proposed plan is consistent with the City's zoning and site development standards with the stipulations noted.

4. An appropriate degree of harmony will prevail between the architectural quality of the proposed building(s) and the surrounding neighborhood.

-The proposed project is of high quality design and adds to the diverse architecture of the

surrounding area.

5. The plan represents an overall development pattern that is consistent with the Comprehensive Plan and other adopted planning policies.

-The proposed mixed use development is consistent in density and design with the City's adopted plans and policies.

6. Right-of-way for any abutting thoroughfare has been dedicated pursuant to the provisions of Chapter 455.

-A plat reflecting the proposed development pattern has not been submitted. One will be required prior to development. Any required right-of-way changes for this site will be addressed at that time.

### **Staff Recommendation**

While the development is generally in conformance with the approved preliminary site plan and site planning requirements, several details do remain unresolved.

Therefore, Staff recommends the Planning Commission approve the Final Site Development Plan for Case # 17-01 The Gateway with the following conditions:

1. Submit a revised final site for staff review and approval showing the following:
  - a. Correct minor typos including: street names on sheet FDP-L101 and tables on sheets FDP-001, FDP-A050-055.
  - b. Show the minimum height of the perimeter concrete wall on sheet FDP-L106 to be 3' in height.
  - c. Add trash enclosure details for the exterior enclosure behind building "A" as noted on sheet FDP-A000.
  - d. Increase the width of the paved sidewalk along Johnson Drive to eliminate the numerous intrusions such as street lighting and vehicle overhangs into the required 8' clear zone.
  - e. Remove the choke point that narrows the sidewalk in the proximity of the far west end of the on-street parking stalls.
  - f. Maintain an 8' clear width path sidewalk along the entire Johnson Drive frontage.
  - g. Remove the freestanding sign from the island at Drive 4.
  - h. Increase the number of street trees provided along Johnson Drive.
2. Prior to the approval of construction drawings by staff:
  - a. Provide revisions to the streetlight layout and revised site light levels as noted by GBA.
  - b. Locate street trees between back of curb and sidewalk. Street trees along Roeland Drive should be shifted to the west side of the sidewalk.
  - c. Add benches, bike racks, and trash receptacles to both the Johnson Drive and Roeland Drive frontages.
  - d. Provide a safe north-south pedestrian crossing at the intersection of Shawnee Mission Parkway and Roeland Drive.
  - e. Provide regulatory signs at Drive 2 and 3.
  - f. Provide definition of the vehicular pathway at Drive 6.

3. Prior to the issuance of any building permits, a revised final plat must be approved by the City. Right-of-way should be dedicated including all on-street parking areas, sidewalks, and public infrastructure along Roeland Drive, Johnson Drive, and Roe Avenue.
4. Prior to building permit issuance for any building spanning the RCB's, demonstrate venting for the proper function of the RCB's will be taken into consideration and that any piers or footings will not impact the facility.

Staff recommends the Planning Commission reject the private sign criteria and direct the applicant to resubmit a version with edits showing the following:

- a. The size and number of signs allowed by type, tenant, or building.
- b. Additional exhibits to illustrate proposed locations for tenant main and secondary signs and freestanding signs.