

**STAFF REPORT**  
**Planning Commission Meeting May 22, 2017**

**AGENDA ITEM NO.:** 2

**PROJECT NUMBER / TITLE:** Application # 17-04

**REQUEST:** Preliminary Site Development Plan for Mission Trails

**LOCATION:** 6201 Johnson Drive

**APPLICANT:** Steve Coon, EPC Real Estate

**PROPERTY OWNER:** 6201 Johnson Inc  
4520 Madison Ave, Apt 300  
Kansas City, MO 64111

**STAFF CONTACT:** Danielle Sitzman

**ADVERTISEMENT:** 5/2/17-The Legal Record newspaper

**PUBLIC HEARING:** Planning Commission meeting, May 22, 2017



**Property Information:**  
The subject property is the site of the former Pyramid Life and Continental General insurance office and is zoned Main Street District 1 “MS1”. It is located in the Downtown District and subject to the Mission, Kansas *Design Guidelines* for the Johnson Drive Corridor. “MS1” was assigned to this property at the time of the city initiated rezoning of entire downtown in 2006. The District was designed to reinforce and encourage the existing character within the core of the downtown.

Surrounding properties are zoned and developed as follows:

North: "MS1" Main Street District 1-small row buildings with retail and service uses

West: "MS1" Main Street District 1-clothing and household goods store and "C-2B" public high school

South:"MS2" Main Street District 2-municipal community center and senior multi-family housing.

East: "MS1" & "MS2" Main Street District 1&2-restaurant, auto repair and various retail & service uses.

Comprehensive Plan Future Land Use Recommendation for this area:

The Comprehensive Plan indicates this area is appropriate for Downtown District to maintain the historic community characterized by small businesses and a pedestrian oriented environment. The ground floor is appropriate for retail with upper floors including housing units and office uses. The proposed project is in conformance with the intent of the Comprehensive Plan.

**Project Background:**

In October of 2016 the subject property was purchased from Waddell & Reed by R.H. Johnson Company. This group also has an ownership role in the adjacent property at 6101 Johnson Drive-The Bar. Since the time of purchase the ownership has marketed the property for sale and redevelopment. At this time the applicant, Steve Coon of EPC Real Estate, is requesting a preliminary site plan approval for redevelopment of the site into a mixed use building consisting of retail, office and housing.

**Plan Review**

The applicant is proposing a 5-story mixed use building containing apartments, retail space and offices on a 2.8 acre infill site in the downtown near the southwest corner of Johnson Drive and Beverly Avenue. Ground floor uses fronting Johnson Drive would include a restaurant and several small retail/service spaces as well as leasing offices. Two hundred apartments wrapping around an internal courtyard would be located on floors two thru five as well as behind the Johnson Drive frontage on the ground floor. A four level parking garage would be located adjacent to the building to the southeast.

The preliminary plan submitted for review by the Planning Commission includes the following total planned square footage by use:

	<b>Use</b>	<b>Approximate Area</b>
Retail	Restaurant/Retail/Service	7,500 Sq Ft
Residential	200 units	203,125 Sq Ft
Office	Leasing	2,500 Sq Ft
	<b>Total</b>	<b>213,125 Sq Ft</b>
<b>Parking Provided</b>	<b>Surface (inc on-street)</b>	<b>Structured (inc. public)</b>
	38 stalls	287 stalls

**Planned District Deviations Requested**

The Main Street District 1 is a planned zoning district and therefore eligible for consideration of deviations from the prescribed zoning standards. A planned district is a

zoning technique that is intended to create additional flexibility in the application of zoning standards such as, but not limited to, setbacks and height. Conventional zoning, which relies on rigid dimensional standards, does not easily accommodate innovative development especially where mixed-use or infill projects are proposed. In addition, conventional zoning relief requires changing the zoning code standards on a project by project basis or through the consideration of variances. In the case of the former, changing zoning district standards often would create non-conformities as the new rules are then applied to all existing developed property within the same zoning district. On the other hand, variances are difficult to justify as the criteria used for evaluation rely on the demonstration of a unique hardship related to the physical characteristics of the property. The merits of a particular development concept alone are not a proper reason to grant a variance.

The adoption of planned zoning in Mission was a precursor to the development of other innovative zoning techniques such as mixed use zoning districts like the Main Street District 1 & 2 districts and other overlay zones. It is a valuable tool as it allows for deviations from conventional zoning standards on a case by case basis upon review of specific development proposals. The stated intent of the City of Mission's planned district code is to encourage quality development by permitting deviations from the conventional zoning district to encourage large-scale developments, efficient development of smaller tracts, innovative and imaginative site planning, conservation of natural resources, and minimum waste of land. The applicant is requesting the following deviations:

- 1) Height. The "MS1" zoning standard limits a building's maximum height to 3 stories and or forty-five feet. (410.180.A) The applicant is requesting a maximum height allowance of 5 stories and or sixty-five feet.

The project narrative explains that the massing of the building is designed to respect the intent of the code to provide a streetscape environment that is not overwhelming to the pedestrian by incorporating step backs into the upper floors, reducing the building height at the corner of the building, and including wall articulations and a covered courtyard along the street. The applicant is requesting the additional height so that additional apartment units can be included in the design.

**Staff Notes-**The additional apartment units allows the developer to plan for a project that is similar to other successful projects they have undertaken in the past. In exchange for this predictability, the project generates additional density, more efficient use of land, potentially higher property values, and a better quality project. Granting this deviation would not waive any other design requirements of the Johnson Drive Design Guidelines which are also intended to reinforce a pedestrian scale streetscape and architectural styles that are compatible with the neighborhood.

- 2) Permitted Uses of the Ground Floor. The "MS1" zoning standard prohibits residential and office uses from being located on the ground floor level. (410.170.M). The applicant is requesting permission to have residential and office uses on the ground floor.

The applicant states in the project narrative that the depth of the proposed retail along the north side of the ground floor along Johnson Drive of 40'-80' satisfies the intent of the code by matching similar retail footprints along the corridor. As the proposed building is much deeper than that, they request to be allowed to also include residential and office uses on the ground floor away from the Johnson Drive frontage.

**Staff Notes**-Again, the proposed layout of the ground floor results in a more predictable outcome for the applicant. Also, as the proposed building is nearly twice as deep as other commercial structures in the downtown corridor, focusing retail along the street reinforces a pattern that is already established. Patrons would already expect to find this scale of retail/service adjacent to on-street parking. This arrangement avoids hiding retail within the depths of the building or a footprint for a larger single retailer that might not be in character with the neighborhood. A stipulation should be made that retail or services uses must still make up the majority of the Johnson Drive ground floor frontage.

**Code Review: Standards of Development (405.090)**

The Planning Commission in the process of approving preliminary site development plans may approve deviations upon a finding that all of the following conditions have been met:

1. The granting of the deviation will not adversely affect the rights of adjacent property owners.

-The requested deviations in height and use do not infringe upon the rights of other adjacent property owners to continue to reasonably use their own properties. The proposed development repeats a pattern already established in the neighborhood of ground floor retail along Johnson Drive, multi-story multi-family housing, and on-street parking.

2. That the deviation desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

-The impacts of the deviations upon traffic, stormwater runoff, and the public streetscape are being examined and must be found to meet city requirements at the time of final site plan approval.

3. The granting of the deviation will not be opposed to the general spirit and intent of this Title.

-The requested deviations meet the spirit and intent of the code as discussed in the section above by maintaining an acceptable pedestrian scale through design.

4. That it has been determined the granting of a deviation will not result in extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing federal or state laws.

-The proposed deviations will not create additional public expense, nuisances, or violate other laws.

### Johnson Drive Design Guidelines

The Johnson Drive Design Guidelines provide a wide range of recommended and required design elements applicable to the development. These include streetscaping and the relationship of buildings and their exterior facades to public streets as well as building materials and screening. Many of these details are not required at the time of preliminary site plan review and will be fully evaluated with final site plans.

**Staff Notes-Design Guidelines:** Buildings are shown filling in the block parallel to the public street and extending the width of the property with parking behind the primary facade. Adequate room has been reserved for streetscape elements to match the Johnson Drive streetscape already established and as required by the design guidelines. The proposed building materials and architectural style are reflected in the colored design package submittal and sheet A200. A Spanish Revival or Mission Revival architecture theme is represented by the images, generally consisting of stone bases, stucco, tile roofs and synthetic wood timber canopy elements. Specific details of all of these elements will be reviewed at the time of final site plan submittal.

### Parking

The submitted plan provides 325 parking spaces for the mix of uses proposed. This includes angled parking spaces along Johnson Drive, a small surface parking lot adjacent to street-level retail on the east side of the site and four level parking garage. Access to the parking garage and surface parking would be both from Johnson Drive and Beverly Avenue. The parking garage will connect to the 2<sup>nd</sup>-4<sup>th</sup> floors of the building. It is anticipated that the parking in the ground level of the structure will be reserved for the public while the upper levels will be reserved for residents.

**Staff Notes-Parking:** The Johnson Drive Design Guidelines support structured parking and minimizing the amount of surface parking in redeveloping areas of the city. The Main Street District 1 zone does not require any off-street parking in the Downtown District (410.190.A). At the time of the creation of this zoning district the City conducted a study of the existing traffic and parking conditions in the Downtown area to determine if the public on-street parking and off-street private parking was sufficient to support the mix of permitted uses. It was determined that it would be. Staff recently requested parking demand studies in this area of the City. The studies confirm that sufficient parking is still available and that spillover demand from new businesses can easily be absorbed by the surrounding public parking on Johnson Drive which is less than half full. In addition, most of the surrounding businesses are closed by 6:00 PM at the time of peak demand of other uses.

The applicant has also provided data of parking demand observed at other similar developments in their project narrative. They estimate that 1 stall/1 bedroom unit and 1.5 stalls/two bedroom units is sufficient to meet the needs for residential parking without building unnecessary stalls that would remain unused. The 38 surface parking stalls and 52 public garage stalls exceed the parking ratio required in other zoning

districts for the remaining retail and offices uses in the project.

Additional details will be necessary with final plans to ensure parking decks and surface lots are screened from the view of surrounding roadways to the fullest extent possible.

A request for the city to reserve a clear air space in perpetuity along the south facade of the parking garage on city owned property has been made by the developer. If granted, this would allow for the structure to be built closer to the property line without incurring additional costs required to upgrade the wall to a higher fire resistance. In addition it would allow for a more appealing architectural treatment (open vs. closed). This request will be considered through the development agreement process. No action from the Planning Commission or City Council is required with the preliminary site plan.

### Traffic Generation

Access into the site is proposed from two access points, one on Johnson Drive and one on Beverly Avenue. The Johnson Drive access will serve the surface parking lot and the parking garage. The Beverly Avenue access will serve the parking garage. The amount of traffic expected to be generated by the site has been estimated using standard traffic engineering practices. Compared to the previous office use, the proposed residential project is expected to generate more trips during the morning and evening peak hours but with a reversal and concentration in the direction of flow. This reflects the expectation that residents leave their homes in the morning and come home in the evening whereas the office was a work destination with clients coming and going throughout the day. Additional data regarding the impact of the 10,000 sq feet of commercial uses has not yet been provided by the applicant.

The City's on-call engineers at Olsson Associates have reviewed the Trip Generation Assessment and the proposed preliminary site plans. They are generally satisfied with the preliminary project design but recommend reserving the right to make further comment until the final study is provided. Any further comments for the applicant to address will be required to be resolved before the study or final site plan are accepted.

### On Site/Off-Site Public Improvements

The developer is responsible for installation of on-street parking and streetscaping (sidewalk, street trees, benches, bike racks, street lights, etc) around the perimeter of the development. Any necessary off-site improvements identified in review of the final traffic and stormwater studies will also be the responsibility of the applicant.

**Staff Notes-Public Improvements:** 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.) Additional details are needed with final plans to ensure the Johnson Drive frontage provides adequate sidewalk dimensions to ensure a comfortable pedestrian environment for a successful retail and walking atmosphere. A minimum 5-foot wide sidewalk clear zone along Beverly Avenue is required for the same reasons. Additional street right-of-way dedication will be required with final plans and plats.

## Signs

As a mixed use development, the subject property is encouraged to establish a private sign criteria as an alternative to the specific sign requirements of this district.

**Staff Notes-Signs:** The city's sign code indicates criteria shall be for the purpose of ensuring harmony and visual quality throughout the development. The size, colors, materials, styles of lettering, appearance of logos, types of illumination and location of signs must be set out in such criteria. Signs may wait to be addressed in this manner until final development plans are submitted.

## Stormwater Management

The subject property generally drains southeasterly to below-ground stormwater infrastructure along Beverly Avenue collected in a 5'x5' inlet. The city recently installed an a reinforced concrete box (RCB) interceptor along Johnson Drive to collect and re-route stormwater heading to the site from the north side of Johnson Drive. Off-site drainage from the west of the building will be routed in an enclosed pipe system south of the proposed building to allow it to continue to mimic existing conditions. The proposed development results in a slight reduction in the overall impervious surface therefore no detention is required for the project.

The City's on-call engineers at Olsson Associates have reviewed the Preliminary Stormwater Study and the proposed preliminary site plans for storm water control. They are generally satisfied with the preliminary project design but recommend reserving the right to make further comment until the final study is provided. Any further comments for the applicant to address will be required to be resolved before the study or final site plan are accepted.

## Sustainable design and construction practices

The Mission Sustainability Commission has developed a rating and certification system for development projects. The proposed plans were reviewed by the Sustainability Commission with the applicant at their May 1<sup>st</sup> meeting and received a favorable opinion. The final scoring will be provided to the Planning Commission at the time of Final Site Plan review.

## **Code Review: Consideration of Site Plans (440.160)**

Site plans shall be approved upon determination of the following criteria:

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.

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

-There is adequate space on the site to allow for circulation of residents, customers, and the public with no impact to traffic on adjacent public streets. A traffic/trip generation study was submitted for review and any further comments can be addressed at final site

plan review.

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

-The proposed project is in preliminary conformance with the Johnson Drive design guidelines for building placement and massing.

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 subject to the design guidelines for the downtown district which will ensure architectural harmony as the final site plan is prepared. The design concept expressed at preliminary site plan indicates a Spanish Mission style architecture similar to buildings in the surrounding neighborhood.

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

-The proposed mixed use building is consistent with the intent of the Comprehensive Plan to encourage greater density and mix of uses in the downtown District.

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

-Any required right-of-way changes for this site to accommodate such things as public sidewalks and on-street parking will be addressed with preparation of a revised final plat.

### **Staff Recommendation**

The proposed development conforms with the Comprehensive plan, meets the overall intent of the "MS1" zoning district, and complies with the required findings for Section 405.090 and 440.160. Therefore, Staff recommends the Planning Commission recommend approval of the Preliminary Site Development Plan for Case # 17-04 Mission Trails to the City Council with the following stipulations:

1. Approval of the requested deviation to height to allow a maximum building height of five stories and or 65 feet.
2. Approval of the requested deviation to allow for residential and offices uses on the ground floor with the condition that retail and service uses be required to make up the majority of the Johnson Drive frontage.
3. A final traffic study and final stormwater drainage design plan must be submitted for review with the final site plan. The appropriate text, maps, drawings and tables must be included.
4. Staff reserves the right to provide additional comments or stipulations on development plans until all traffic or storm drainage related concerns have been addressed.