

STAFF REPORT
Planning Commission Meeting April 25, 2018

AGENDA ITEM NO.: 2

PROJECT NUMBER / TITLE: Case # 18-05

REQUEST: Preliminary & Final Plat of The Gateway Second Plat

LOCATION: 6101 and 6201 Johnson Drive

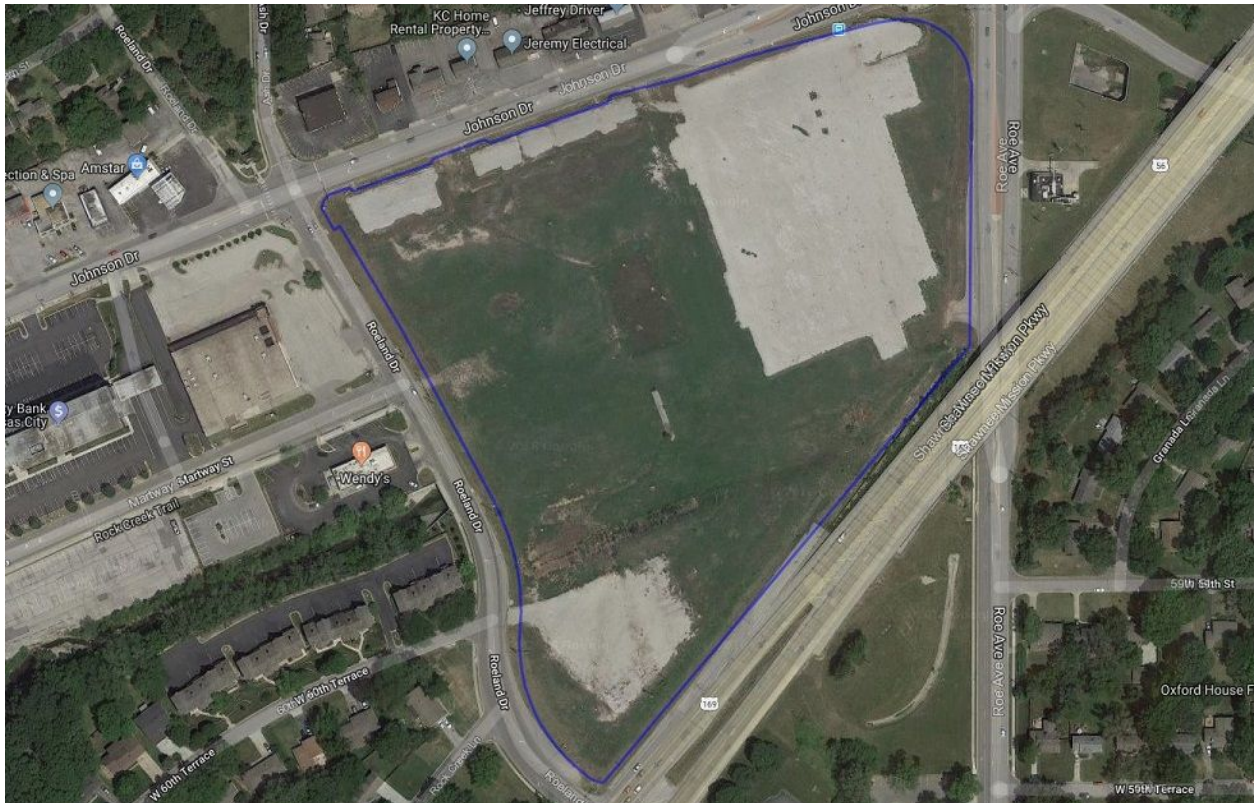
PROPERTY OWNER:
Aryeh Realty, LLC
140 Broadway, 41st Floor
New York, NY 10005

APPLICANT:
David Eickman, P.E.
Olsson Associates
7301 W. 133rd Street
Overland Park, KS 66213

STAFF CONTACT: Brian Scott, Assistant City Administrator

ADVERTISEMENT: June 5, 2018 -The Legal Record

PUBLIC HEARING: June 25, 2018 - Planning Commission



Property Information

The subject property is undeveloped and is currently zoned “MXD” Planned Mixed District.

Surrounding properties are zoned and used as follows:

West: "R-1" Single Family Residential District, "R-3" Planned Town House District, "MS-2" Main Street District,

North: "OB Business Office (property located in Roeland Park)

East: Not Zoned (Kansas Department of Transportation)

South: "RP-6" Highrise Apartment District, C-1 Restricted Business District

Comprehensive Plan Future Land Use Recommendation for this area:

The subject property is identified as appropriate for "Mixed-Use High Density" development.

All surrounding properties are currently developed:

Surrounding properties are developed with a mix of attached and freestanding buildings for commercial uses, townhouses, and single-family residential properties.

Project Background

This property was originally the site of the Mission Shopping Center, first developed in the mid 1950's. Later enclosed and rebranded as the Mission Mall, the center was purchased in 2005 and demolished for development of a new, mixed-use residential/commercial product.

In 2006 the Planning Commission reviewed and approved the rezoning and preliminary site development 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 development 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, and January 2012.

The current owner is Aryeh Realty of New York City. They own a number of residential properties in New York City, and across the country including the Kansas City area. Aryeh Realty is working with the developer of record, Mission Mall, LLC (aka Cameron Group) of Syracuse, New York.

A revised preliminary site development plan (case #15-10) was submitted to the City in the summer of 2015. This plan, consisted of three (3), four-story apartment buildings with ground floor retail in each located at the corner of Johnson Drive and Roeland Drive; a hotel at the back of the site; an office building; and a Walmart store at the corner of Johnson Drive and Roe. This preliminary plan was eventually approved by the City Council with the Mayor breaking a split vote in favor of the plan.

Another revised preliminary plan (case#16-10) was submitted to the City the following summer with same components, but residential above the proposed Walmart store. This plan was approved by the Planning Commission, but rejected by the City Council in a 7-1 vote. Shortly after this decision, Walmart formerly pulled out of the project.

A final site development plan (case #17-01) was submitted and considered by the Planning Commission in March of 2017. This plan indicates retail use(s) for the building

that would have been the Walmart store, but gives no further detail. Since this time, it has been announced that a “food hall” will occupy this space as well as another, yet to be identified, entertainment venue space. When plans for these spaces are finalized by the developer, staff will determine if a revised final site development plan needs to be submitted.

In the meantime, the developer is moving forward with construction of the apartment buildings as Phase I of the project. In doing this, the developer is submitting this plat - The Gateway Second Plat - for the purpose of creating a lot just for the apartment buildings. The purpose for doing this is to better track property assessment and taxation of each component of the overall project.

Currently, the entire property is platted as one lot. This was approved by the City in May of 2013 as The Gateway First Plat. The Gateway Second Plat will create two lots, Lot 2 for the apartment buildings, and Lot 3 for the rest of the site. Further plats will further subdivide Lot 3 into Lot 4 and Lot 5. These plats will come as design plans for these buildings are finalized.

Code Review: Consideration of Preliminary Plats (440.220)

Preliminary plats shall be approved by the Planning Commission if it determines that:

1. The proposed preliminary plat conforms to the requirements of this Title, the applicable zoning district regulations and any other applicable provisions of this Code, subject only to acceptable rule exceptions.

-The proposed plats are in conformance.

2. The subdivision or platting represents an overall development pattern that is consistent with the Master Plan and the Official Street Map.

-The plat represents a development pattern already established and supported by the Comprehensive Plan.

3. The plat contains a sound, well-conceived parcel and land subdivision layout which is consistent with good land planning and site engineering design principles.

-The plat supports good land planning and allows for future redevelopment in compliance with adopted standards.

4. The spacing and design of proposed curb cuts and intersection locations is consistent with good traffic engineering design and public safety considerations.

-The plat does not propose any changes to curb cuts or intersections.

5. All submission requirements have been satisfied.

-All of the requirements of 440.220-Submission of Preliminary Plats have been satisfied

Code Review: Consideration of Final Plats (440.260)

Final plats shall be approved by the Planning Commission if it determines that:

1. The final plat substantially conforms to the approved preliminary plat and rule exceptions granted thereto.

-A preliminary plat matching the final plat is under review with this application.

2. The plat conforms to all applicable requirements of this Code, subject only to approved rule exceptions.

-Code requirements are described below. The proposed plat is in conformance.

3. All submission requirements have been satisfied.

-All of the requirements of 440.250-Submission of Final Plats have been satisfied.

4. Approval of a final plat shall require the affirmative vote of a majority of the membership of the Planning Commission.

Analysis:

Lots

In the presented plat the applicant proposes to subdivide the subject property which is composed of one parcel into two lots. The subject property was last platted in 2013. The "MXD" District has no requirements for minimum lot sizes. The only yard requirements are for a front build-to line of zero, and a minimum of 30% of the development site's perimeter public street frontage shall be occupied by a building wall located no further than thirty (30) feet from the perimeter right-of-way line.

- Lot 2: 170,777 sq ft or 3.9025 acres
- Lot 3: 533,029 sq ft or 12.2367 acres

Right-of-way

The Gateway First Plat dedicated 3,523 sq. ft. of right-of-way along Johnson Drive. The Gateway Second Plat indicates a re-alignment of a portion of the right-of-way just east of the intersection of Johnson Drive and Roeland Drive. This realignment will reduce a portion of the on street parking and results in a vacation of a portion (902 sq. ft.) of the initial right-of-way dedication.

Easements

No additional public easements are needed at this time.

Staff Recommendation

Staff recommends the Planning Commission approve the preliminary and final plat for Case # 18-05 the plat of land to be known as "The Gateway Second Plat."

Planning Commission Action

To be completed once the Planning Commission has made its determination.

City Council Action

To be completed once the City Council has made its determination.