

City of MISSION

City Hall - 6090 Woodson Street - Mission, Kansas 66202
Community Development Department
(913) 676-8360 - Fax (913) 722-1415

PLANNING COMMISSION

AGENDA

June 25, 2018

7:00 PM

Mission City Hall - 6090 Woodson

Council Chambers

1. Call to Order
2. Approval of Minutes from the May 29, 2018 meeting
3. New Business
 - A. **Public Hearing** - Case # 18-04 Preliminary and Final Plat for 5655 Broadmoor

An application for consideration of plat to be known as "5655 Broadmoor" for property located at 5655 Broadmoor in the City of Mission.

 - a. Staff Report
 - b. Final Plat
 - c. Notice of Public Hearing
 - B. **Public Hearing** - Case # 18-05 Preliminary and Final Plat for 4801 Johnson Drive

An application for consideration of a plat to be know "The Gateway Second Plat" for property located at 4801 Johnson Drive in the City of Mission.

 - a. Staff Report
 - b. Final Plat
 - c. Notice of Public Hearing
4. Old Business
5. PC Comments/CIP Committee Update
6. Staff Updates

Questions concerning this meeting may be addressed to staff contact, Brian Scott, Assistant City Administrator at (913) 676-8353 or bscott@missionks.org.

Mike Lee, Chairperson
Stuart Braden, Vice-Chairperson

STAFF REPORT
Planning Commission Meeting June 25, 2018

AGENDA ITEM NO.: 1

PROJECT NUMBER / TITLE: Case # 18-04

REQUEST: Preliminary & Final 1st Plat of 5655 Broadmoor

LOCATION: 5655 Broadmoor

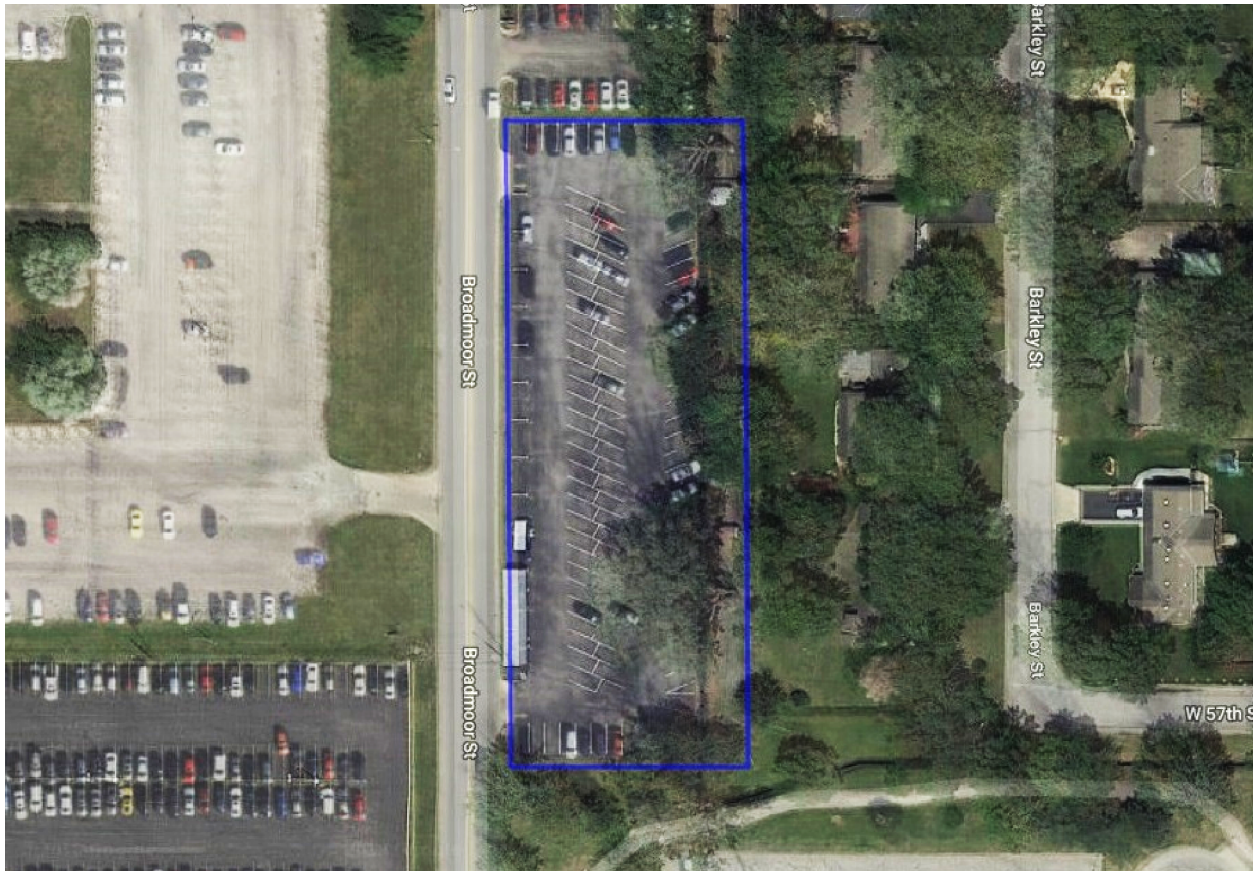
PROPERTY OWNER: CAPROCQ
5700 Broadmoor Street
Mission, KS 66202

APPLICANT: Michael OsBourn, P.E.
Kaw Valley Engineering
14700 West 147th Street
Lenexa, KS 66215

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 developed as a parking lot and is currently zoned “C-O” (Office Building) District.

Surrounding properties are zoned and used as follows:

West: Former J.C. Penny call center (currently vacant) - Zoned "M-P"
Mission Tower office building - Zoned "C-O" Office Building
South: Broadmoor Park - Zoned "C-O" Business Office
East: Private Homes - Zoned "R-1" Single-Family Residential
North: Office Building - Zoned "C-O" Office Building

Comprehensive Plan Future Land Use Recommendation for this area:

The subject property is identified in the City's comprehensive plan as appropriate for "Mixed-Use Medium-Density" development. The property also lies within the City's West Gateway Vision area where it is identified as Block E, future park land.

All surrounding properties are currently developed:

Surrounding properties are developed with a mix of free-standing commercial buildings, residential property, and park land. The property directly to the west contains an unoccupied office building.

Project Background

The subject property is currently developed as a surface parking lot, and appears to have been a surface parking lot since at least the early 1990s. Prior to that aerial photos indicate it was part of a larger undeveloped parcel that included the Mission Tower office building and the former J.C. Penny call center building. Aerial photos also indicate that the Kansas City Interurban Railroad, better known as the Strang Line, crossed the southern boundary of this property at one time.

The subject property is owned by CAPROCQ, the same owner of the Mission Tower office building. The City recently discovered that vehicle parking was occurring on the property, which is only allowed with a special use permit when the property is separate from the use that is generating the parking (offsite parking). In this situation the property was being used as overflow parking for the Mission Tower office building, which is across the street.

The owner worked with the City to obtain the Special Use Permit, which was granted by the City Council in February of this year. The Special Use Permit will run with the property for as long as it is utilized as an offsite parking lot.

In considering the application for the Special Use Permit, staff discovered that this property has never been formally platted. The City encourages that property be plated for better land use control. In addition, a portion of the property is being dedicated for right-of-way which will need to be shown on the plat.

At this time the owner is requesting approval of a plat for this property. The owner is proposing the plat consist of one lot. The final plat will include a dedication of four (4) feet along the western boundary for public right-of-way (sidewalk). This will become a sidewalk. The City Council is required to review the preliminary plat because of the dedication for public purpose. The decision of the Planning Commission to approve or deny the proposed plats will be final.

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 plat is in conformance. Site developments, which may already be in nonconformance do not increase their non-conformity due to platting.

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. The plat will dedicate four (4) feet along the western boundary for public use, in particular a sidewalk which allows for better pedestrian connectivity.

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

The applicant is not proposing any changes to the subject property with this plat application, which indicates one lot for the entire property. The subject property has never been platted before. The “C-O” District has no requirements for minimum lot sizes.

- Lot 1: 45,089 sq ft or 1.035 acres

Right-of-way

Four (4) feet of right-of-way is being dedicated with this plat.

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 # 18-04 the plat of land to be known as “5655 Broadmoor.”

Planning Commission Action

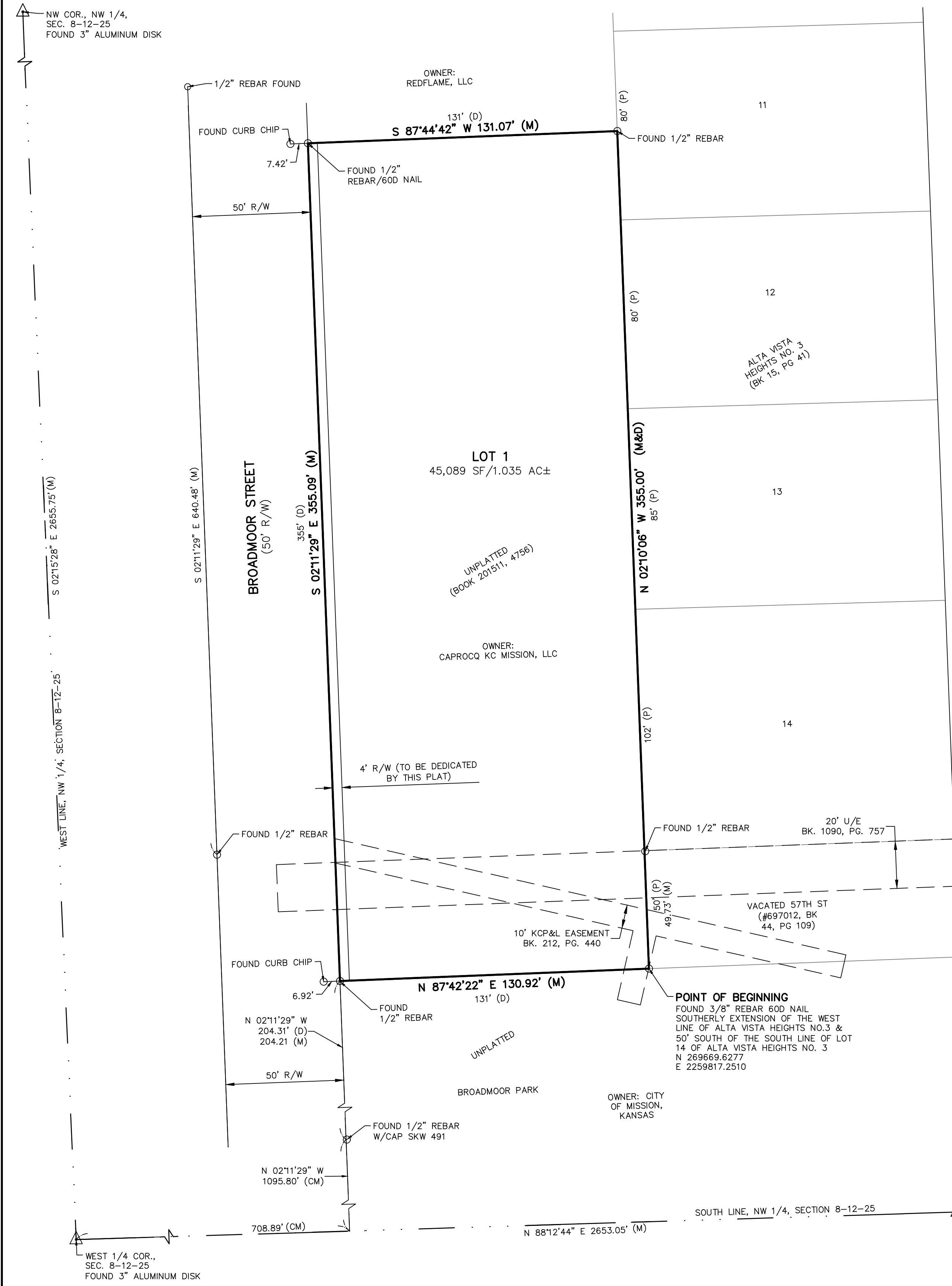
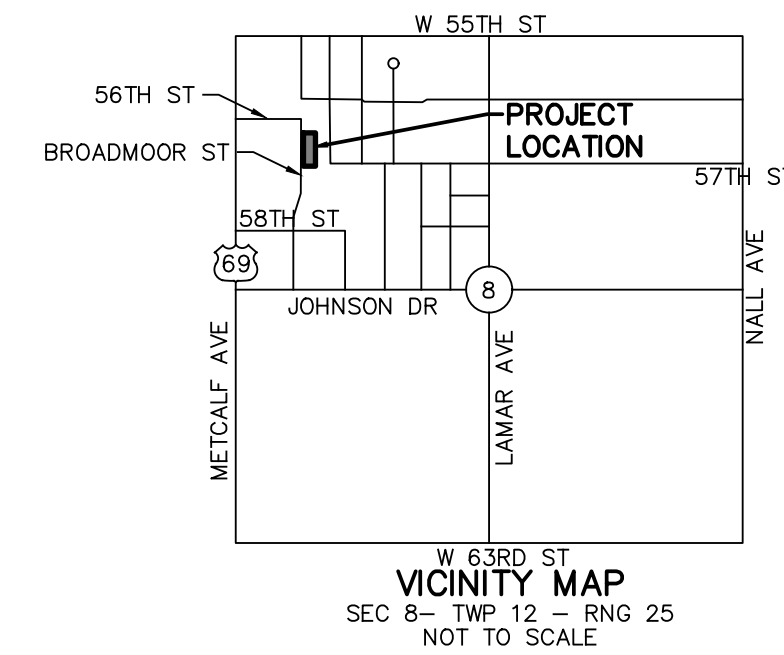
To be completed once the Planning Commission has made its determination.

City Council Action

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

FINAL PLAT OF 5655 BROADMOOR

SECTION 8, TOWNSHIP 12 SOUTH, RANGE 25 EAST, CITY OF MISSION, JOHNSON COUNTY, KANSAS



DESCRIPTION (BOOK 201511, PAGE 4756)
ALL THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 12, RANGE 25, NOW IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 57TH STREET, AS NOW ESTABLISHED, SAID POINT BEING ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF ALTA VISTA HEIGHTS NO. 3, A SUBDIVISION OF LAND NOW IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, AND 50 FEET SOUTH OF THE SOUTH LINE OF SAID LOT 14; THENCE NORTHERLY ALONG THE WEST LINE AND ITS EXTENSION OF LOTS 14 THROUGH 11 INCLUSIVE OF SAID ALTA VISTA HEIGHTS NO. 3, A DISTANCE OF 355 FEET, THENCE WESTERLY, ALONG A LINE 355 FEET NORTH OF AND PARALLEL TO THE WESTERLY EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF SAID 57TH STREET, A DISTANCE OF 131 FEET, TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF BROADMOOR STREET, AS NOW ESTABLISHED; THENCE SOUTHERLY, ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BROADMOOR, A DISTANCE OF 355 FEET, TO ITS INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF SAID 57TH STREET; THENCE EASTERLY, ALONG THE WESTERLY EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF SAID 57TH STREET, A DISTANCE OF 131 FEET, TO THE POINT OF BEGINNING, ALL SUBJECT TO THE PART THEREOF DEDICATED FOR STREET PURPOSES.

FLOOD STATEMENT:
SURVEYED PARCEL IS SHOWN TO BE LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND SURVEYED PARCEL IS SHOWN TO BE LOCATED IN ZONE "X" OTHER FLOOD AREAS (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD) AS DEPICTED ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 20091C0023G, MAP REVISED AUGUST 3, 2009. LOCATION DETERMINED BY A SCALED GRAPHICAL PLOT OF THE FLOOD INSURANCE RATE MAP.

CONSENT TO LEVY:
THE UNDERSIGNED PROPRIETOR OF THE ABOVE DESCRIBED TRACT OF LAND HEREBY CONSENTS AND AGREES THAT THE BOARD OF COUNTY COMMISSIONS AND THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, SHALL HAVE THE POWER TO RELEASE SUCH LAND PROPOSED TO BE DEDICATED FOR PUBLIC USE FROM THE LIEN AND EFFECT OF ANY SPECIAL ASSESSMENTS, AND THAT THE AMOUNT OF UNPAID SPECIAL ASSESSMENTS ON SUCH LAND DEDICATED, SHALL BECOME AND REMAIN A LIEN ON THE LAND FRONTING AND ABUTTING ON SUCH DEDICATED PUBLIC WAY OR THOROUGHFARE.

DEDICATIONS:
THE UNDERSIGNED PROPRIETOR AND THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT AS STREETS OR PUBLIC WAYS NOT HERETOFORE DEDICATED. ACCEPTANCE FOR THE DEDICATION OF LAND FOR PUBLIC RIGHT-OF-WAY PURPOSES DESCRIBED ON THIS PLAT IS FOR THE SOLE PURPOSE OF MAINTAINING RIGHT-OF-WAY, AND DOES NOT CONSTITUTE ACCEPTANCE OF ANY TERMS OR CONDITIONS SET FORTH IN ANY AGREEMENT NOT SHOWN ON THIS PLAT.

IN ACCORDANCE WITH KSA 12-512B, ALL RIGHTS, OBLIGATIONS, RESERVATIONS, EASEMENTS, OR INTEREST NOT SHOWN ON THIS PLAT SHALL BE VACATED AS TO USE AND AS TO TITLE, UPON FILING AND RECORDING OF THIS PLAT. THE PROPRIETORS, SUCCESSORS, AND ASSIGNS, OF PROPERTY SHOWN ON THIS PLAT HEREBY ABSOLVE AND AGREE, JOINTLY AND SEVERALLY, TO INDEMNIFY THE CITY OF MISSION, KANSAS, OF ANY EXPENSE INCIDENT TO THE RELOCATION OF ANY EXISTING UTILITY IMPROVEMENTS HERETOFORE INSTALLED AND REQUIRED TO BE RELOCATED IN ACCORDANCE WITH PROPOSED IMPROVEMENTS DESCRIBED IN THIS PLAT.

AN EASEMENT IS HEREBY GRANTED TO THE CITY OF MISSION, KANSAS, TO ENTER UPON, CONSTRUCT, MAINTAIN, USE, AND AUTHORIZE THE LOCATION OF CONDUITS FOR PROVIDING WATER, GAS, CABLE, ELECTRIC, SEWERS, AND OTHER UTILITY SERVICES, INCLUDING RELATED FACILITIES AND APPURTENANCES THERETO, AND DRAIN FACILITIES, UPON, OVER, UNDER, AND ACROSS THOSE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "U/E", AND FURTHER, SUBJECT TO ADMINISTRATION AND REGULATION BY THE CITY, THE SUBORDINATE USE OF SUCH AREAS BY OTHER GOVERNMENTAL ENTITIES AND UTILITIES, FRANCHISED OR AUTHORIZED TO DO BUSINESS IN THE CITY OF MISSION, KANSAS.

THE UNDERSIGNED PROPRIETOR OF THE ABOVE DESCRIBED LAND HEREBY CONSENTS AND AGREES THAT THE GOVERNING BODY OF ANY SPECIAL ASSESSMENT DISTRICT SHALL HAVE THE POWER TO RELEASE SUCH LAND PROPOSED TO BE DEDICATED FOR STREETS AND ROADS, OR PARTS THEREOF, FOR PUBLIC USE, FROM THE LIEN AND EFFECT OF ANY SPECIAL ASSESSMENTS AND THAT THE AMOUNT OF UNPAID SPECIAL ASSESSMENTS ON SUCH LAND DEDICATED, SHALL BECOME AND REMAIN A LIEN ON THE REMAINDER OF THIS LAND FRONTING OR ABUTTING ON SAID DEDICATED ROAD OR STREET.

HORIZONTAL AND VERTICAL DATUM:
THE COORDINATES SHOWN HEREON ARE GROUND COORDINATES BASED ON THE KANSAS STATE PLANE NORTH ZONE (NAD 83-HARN) (NAD 83, BK 88)
CAF: 0.999922619
1 METER = 3.28083333 U.S. SURVEY FEET
GROUND COORDINATES X COMBINED ADJUSTMENT FACTOR (CAF) = GRID COORDINATES
SCALED AROUND 0,0

TOTAL AREA
RIGHT-OF-WAY DEDICATION=1,420 SQUARE FEET/0.033 ACRES
LOT 1=45,089 SQUARE FEET/1.035 ACRES
TOTAL=46,509 SQUARE FEET/1.068 ACRES

SHAWNEE 2/BM #1
NORTHING: 263968.29 (GRID)
EASTING: 2251815.46 (GRID)

PROPERTY OWNER/ADDRESS
CAPROQC KC MISSION, LLC
5700 BROADMOOR STREET
MISSION, KANSAS 66202

OWNERSHIP & ENCUMBRANCE REPORT WITH EASEMENTS:
CHICAGO TITLE INSURANCE COMPANY
FILE NO.: 185640
EFFECTIVE DATE: APRIL 25, 2018 AT 8:00 A.M.

REFERENCE DEEDS:
1. SPECIAL WARRANTY DEED, BOOK 201511, PAGE 4756.
2. KANSAS WARRANTY DEED, BOOK 200601, PAGE 1284.
3. SHERIFF'S DEED, BOOK 4780, PAGE 458.

REFERENCE PLATS:
1. ALTA VISTA HEIGHTS, BOOK 15, PAGE 41.

LEGEND:
 △ SECTION CORNER
 ○ MONUMENT FOUND AS NOTED
 (CM) CALCULATED MEASURED VALUE
 (D) DEED VALUE
 (P) PLAT VALUE
 (M) MEASURED VALUE

APPROVALS:
APPROVED BY: THE CITY COUNCIL OF THE CITY OF MISSION, JOHNSON COUNTY, KANSAS THIS ____ DAY OF _____, 2018

RONALD E. APPLETOFT, MAYOR ATTEST: MARTHA SUMRALL, CITY CLERK

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MISSION, JOHNSON COUNTY, KANSAS THIS ____ DAY OF _____, 2018

MIKE LEE, PLANNING COMMISSION CHAIRMAN ASHLEY ELMORE, PLANNING COMMISSION SECRETARY

EXECUTION:
IN TESTIMONY WHEREOF, THE UNDERSIGNED PROPRIETOR, CARPROQC KC MISSION, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED ON THIS ____ DAY OF _____, 2018.

CARPROQC KC MISSION, LLC
NAME/TITLE OF SIGNED

STATE OF KANSAS }
COUNTY OF JOHNSON } SS


ON THIS ____ DAY OF _____, IN THE YEAR 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN PLAT AND ACKNOWLEDGEMENT TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSE THEREIN STATED.

NOTARY PUBLIC (PRINT NAME) MY APPOINTMENT EXPIRES

SURVEYOR'S CERTIFICATION:
I, KENNETH J. DEDRICK, BEING A DULY REGISTERED AND LICENSED LAND SURVEYOR IN THE STATE OF KANSAS, HEREBY CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT WAS BASED WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND MEETS OR EXCEEDS THE CURRENT KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. THAT THE LINES OF POSSESSION ARE DEPICTED HEREON, THE COURSES AND DISTANCES SHOWN HEREON ARE THOSE MEASURED ON THE DATE OF THE SURVEY AND THE TOPOGRAPHIC SURVEY WAS PERFORMED TO MEET OR EXCEED THE STANDARDS OF PRACTICE APPROVED BY THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS FOR TOPOGRAPHIC SURVEYS AND THAT THE SURVEY WAS COMPLETED IN THE FIELD AND ON THE GROUND AND MAY BE RELIED UPON BY THE PARTIES CERTIFIED AS TO BEING CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE.
THE FIELD WORK WAS COMPLETED ON AUGUST 16, 2017.
DATE OF PLAT OR MAP: MAY 22, 2018

PRELIMINARY

KENNETH J. DEDRICK
KANSAS PS NO. 1067
dedrick@kveng.com



KAW VALLEY ENGINEERING

14700 WEST 114TH TERRACE
LENEXA, KANSAS 66215
PH. (913) 894-5150 | FAX (913) 894-5977
lx@kveng.com | www.kveng.com

PROJECT NO. **C17_9526**
DRAWN BY **RJN**
CHECKED BY **KJD**
CFN **9526FPLAT**
SHEET **1 OF 1**

PREPARED FOR:
COLLIERS INTERNATIONAL
1 ALLIED DRIVE, SUITE #1500
LITTLE ROCK, ARKANSAS 72202

KAW VALLEY ENGINEERING, INC., IS AUTHORIZED TO OFFER SURVEYING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION NO. LS-20. EXPIRES 12/31/18

NOTICE OF HEARING
BEFORE THE CITY OF MISSION
PIANNING COMMISSION

YOU ARE HEREBY NOTIFIED THAT a preliminary plat application #18-04 has been filed in the Office of the Community Development Department by Mr. Michael Osbourn, representing CARPROCQ KC MISSION, LLC for property located at 5655 Broadmoor, Mission, Kansas. The applicant is requesting a approval of a preliminary plat to allow for subdivision of the subject property.

LEGAL DESCRIPTION (Abbreviated)

8-12-25 PT NW1/4 BG 50' S OF SW CR LT 14 ALTA VISTA HGTS NO3 N 355' X W 131'
1.068 AC M/L MIC 253T 1

More specifically identified as Johnson County parcel
Tax Property ID: KF251208-1033

There will be a Planning Commission Meeting to consider the application on **Monday June 25, 2018 at 7:00 p.m.** at Mission City Hall, 6090 Woodson St, Mission, Kansas, at which time all interested persons will be heard.

State Statute requires that the City of Mission notify property owners within 200 feet of the subject property regarding this proposed change in land use. The application and complete legal description are on file and available for public inspection in the Community Development office at 6090 Woodson St, Mission, Kansas.



Ashley Elmore,
Planning Commission Secretary

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.

Final Plat of The Gateway Second Plat

A Replat of Lot 1 and a portion of Johnson Drive Right of Way, both of The Gateway First Plat, a subdivision in the City of Mission, Johnson County, Kansas, lying in the West Half of Section 9, Township 12 South, Range 25 East

Lot	Area (S.F.)	Area (Ac.)
Lot 2	170,777 S.F.	3.9205 Ac.
Lot 3	533,029 S.F.	12.2367 Ac.
Dedicated Johnson Drive R/W	4,596 S.F.	0.1055 Ac.
Total	708,402 S.F.	16.2627 Ac.
Vacated Johnson Drive R/W	902 S.F.	0.0207 Ac.
Total Replatted Area	708,402 S.F.	16.2627 Ac.

Property Description

All of Lot 1, together with part of Johnson Drive right of way, both as established in The Gateway First Plat, a subdivision in the City of Mission, Johnson County, Kansas, lying in the West Half of Section 9, Township 12 South, Range 25 East, described as follows:

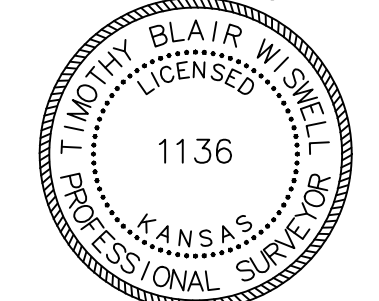
COMMENCING at the Southwest corner of the Northwest Quarter of Section 9, Township 12 South, Range 25 East; thence North 01 degree 49 minutes 20 seconds West, along the West line of the Northwest Quarter of said Section 9, a distance of 449.18 feet to a point; thence North 88 degrees 10 minutes 40 seconds East, departing the West line of said Northwest Quarter, a distance of 1692.48 feet to a point on the West line of Lot 1, The Gateway First Plat, a subdivision in the City of Mission, Johnson County, Kansas, the POINT OF BEGINNING; thence North 33 degrees 24 minutes 43 seconds West, along the West line of said Lot 1, a distance of 192.12 feet to a point; thence South 56 degrees 29 minutes 55 seconds West, continuing along said West line, a distance of 11.71 feet to a point; thence North 33 degrees 29 minutes 13 seconds West, continuing along said West line, a distance of 38.56 feet to a point on a non-tangent curve; thence in a Northerly and Northeasterly direction, continuing along the West line of said Lot 1, along a curve to the right whose initial tangent bears North 03 degrees 07 minutes 31 seconds East, having a radius of 32.00 feet, through a central angle of 47 degrees 59 minutes 09 seconds, an arc distance of 26.80 feet to a point of non-tangency, said point also being the Northwest corner of said Lot 1; thence North 67 degrees 34 minutes 47 seconds East, along the North line of said Lot 1 and its Easterly extension, a distance of 120.60 feet to a point; thence North 68 degrees 09 minutes 28 seconds East, along the Westerly extension of said North line, a distance of 32.64 feet to a point; thence South 52 degrees 11 minutes 09 seconds East, departing the Westerly extension of said North line, a distance of 8.96 feet to a point on the North line of said Lot 1; thence North 68 degrees 05 minutes 48 seconds East, along the North line of said Lot 1, a distance of 10.01 feet to a point; thence North 23 degrees 09 minutes 46 seconds East, continuing along the North line of said Lot 1, a distance of 10.92 feet to a point; thence North 68 degrees 09 minutes 28 seconds East, continuing along the North line of said Lot 1, a distance of 85.58 feet to a point; thence South 66 degrees 50 minutes 32 seconds East, continuing along the North line of said Lot 1, a distance of 11.03 feet to a point; thence North 68 degrees 10 minutes 25 seconds East, continuing along the North line of said Lot 1, a distance of 11.06 feet to a point; thence North 72 degrees 47 minutes 43 seconds East, continuing along the North line of said Lot 1, a distance of 111.29 feet to a point; thence North 69 degrees 58 minutes 58 seconds East, continuing along the North line of said Lot 1, a distance of 85.15 feet to a point; thence North 69 degrees 51 minutes 36 seconds East, continuing along the North line of said Lot 1, a distance of 29.34 feet to a point; thence North 72 degrees 37 minutes 31 seconds East, continuing along the North line of said Lot 1, a distance of 198.99 feet to a point of curvature; thence in a Northeasterly direction, continuing along the North line of said Lot 1, along a curve to the right, having a radius of 48.36 feet, through a central angle of 9 degrees 19 minutes 18 seconds, an arc distance of 48.36 feet to a point of compound curvature; thence in a Northeasterly, Easterly and Southeasterly direction, continuing along the North line of said Lot 1, along a curve to the right, having a radius of 106.25 feet, through a central angle of 85 degrees 00 minutes 09 seconds, an arc distance of 157.63 feet to a point of compound curvature, said point also being the Northeast corner of said Lot 1; thence in a Southeasterly and Southerly direction, along the East line of said Lot 1, along a curve to the right, having a radius of 397.25 feet, through a central angle of 2 degrees 28 minutes 31 seconds, an arc distance of 17.16 feet to a point of non-tangency; thence South 02 degrees 07 minutes 38 seconds East, continuing along the East line of said Lot 1, a distance of 413.54 feet to the Southeast corner of said Lot 1; thence South 37 degrees 23 minutes 58 seconds West, along the South line of said Lot 1, a distance of 905.03 feet to the Southeastmost corner of said Lot 1, said point also lying on a non-tangent curve; thence in a Westerly and Northwesterly direction, along the West line of said Lot 1, along a curve to the right whose initial tangent bears North 86 degrees 55 minutes 17 seconds West, having a radius of 49.00 feet, through a central angle of 34 degrees 02 minutes 33 seconds, an arc distance of 29.11 feet to a point of tangency; thence North 52 degrees 52 minutes 44 seconds West, continuing along said West line, a distance of 19.08 feet to a point of curvature; thence in a Northwesterly and Northerly direction, continuing along said West line, along a curve to the right, having a radius of 255.59 feet, through a central angle of 55 degrees 15 minutes 11 seconds, an arc distance of 246.48 feet to a point of reverse curvature; thence in a Northerly and Northwesterly direction, continuing along said West line, along a curve to the left, having a radius of 362.33 feet, through a central angle of 33 degrees 12 minutes 39 seconds, an arc distance of 210.02 feet to a point of tangency; thence North 30 degrees 50 minutes 12 seconds West, continuing along said West line, a distance of 308.85 feet to the POINT OF BEGINNING, containing 708,402 Square Feet or 16.2627 Acres, more or less.

Surveyor's Notes:

- Basis of Bearings: Held West Line of Northwest Quarter of Section 9, Township 12, Range 25 East = N01°49'20"W, Kansas Coordinate System 1983, North Zone. All bearings and distances match previously platted values on The Gateway First Plat, unless otherwise noted.
- Subject Property lies within a 100 year flood plain as designated on the U.S. Department of Housing, Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) Community Panel Number 20091C00246, Map Revised August 3, 2009. Per drainage redevelopment within this project, the projected 100-year floodplain is contained within the Storm Sewer culverts lying within the dedicated drainage easements as filed at Book 200803, Page 008379. This is reflected in the LOMR ID 11-07-1190P-205185, dated February 8, 2012.
- Subject Property contains 708,402 Square Feet, or 16.2627 Acres, more or less.
- This plat lies within the required minimum closure of 1:10,000.
- The following easements, as depicted herein, are hereby vacated with the recording of this plat:
Storm Sewer Easement, Volume 2816, Page 90
Utility Easement, as recorded in Book 200803, Page 008378
11.5' Clear Space and Bike Access Easement, as recorded in Book 200808, Page 007719
Utility Easement, as recorded in Book 200808, Page 007720
Permanent Sidewalk/Utility Easement, as established in The Gateway First Plat
Sanitary Sewer Easement, as established in The Gateway First Plat

Certification:

This is to certify that on May 14, 2018 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for Boundary Surveys pursuant to K.A.R. 66-12-1.



Timothy Blair Wiswell, PS-1136
Olsson Associates, LS-114



7301 West 133rd Street, Suite 200
Overland Park, KS 66213-4750
TEL: 913.381.1170
FAX: 913.381.1174
www.olssonassociates.com

REV. NO.	DATE	REVISIONS DESCRIPTION	BY

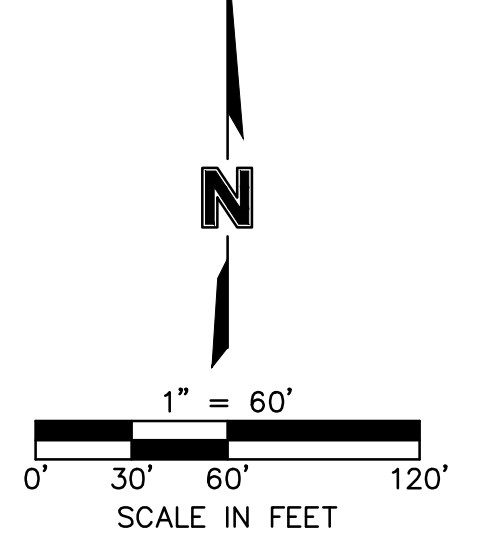
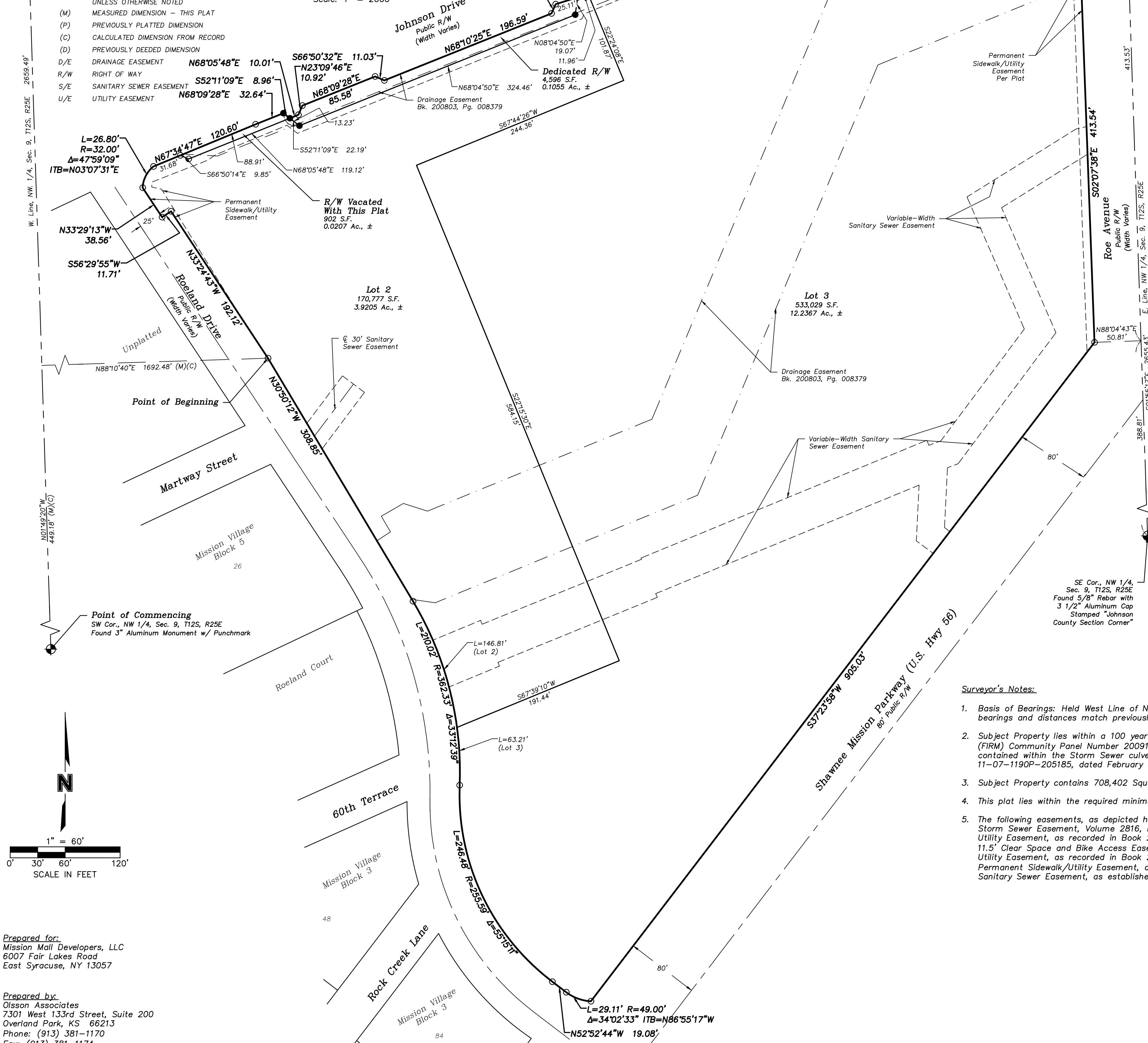
Final Plat of
The Gateway Second Plat
A Replat of Lot 1 & part of Johnson Drive R/W, both of The Gateway First Plat, lying in the West Half of Section 9, Township 12 South, Range 25 East
City of Mission, Johnson County, Kansas
2018
SHEET
1 of 3

NW Cor., NW 1/4, Sec. 9, T12S, R25E
Found 5/8" Rebar w/ LC-114 Aluminum Cap

NE Cor., NW 1/4, Sec. 9, T12S, R25E
Found 2" Aluminum Cap Stamped
"Johnson County Section Corner"

- LEGEND**
- SECTION CORNER
 - SET 1/2" REBAR W/LC 114 CAP
 - FOUND 1/2" REBAR W/LC 114 CAP UNLESS OTHERWISE NOTED
 - (M) MEASURED DIMENSION - THIS PLAT
 - (P) PREVIOUSLY PLATTED DIMENSION
 - (C) CALCULATED DIMENSION FROM RECORD
 - (D) PREVIOUSLY DEEDED DIMENSION
 - D/E DRAINAGE EASEMENT
 - R/W RIGHT OF WAY
 - S/E SANITARY SEWER EASEMENT
 - U/E UTILITY EASEMENT

Section 9, T12S, R25E
VICINITY MAP
Scale: 1" = 2000'



Prepared for:
Mission Mall Developers, LLC
6007 Fair Lakes Road
East Syracuse, NY 13057

Prepared by:
Olsson Associates
7301 West 133rd Street, Suite 200
Overland Park, KS 66213
Phone: (913) 381-1170
Fax: (913) 381-1174

DWG: C:\temp\Acad\publish_17692\VP_452039.dwg
 DATE: May 31, 2018 1:38pm
 USER: mjbogina
 XREFS:

Final Plat of The Gateway Second Plat

A Replat of Lot 1 and a portion of Johnson Drive Right of Way, both of The Gateway First Plat, a subdivision in the City of Mission, Johnson County, Kansas, lying in the West Half of Section 9, Township 12 South, Range 25 East

Dedications

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "The Gateway Second Plat".

The proprietors, successors and assigns, of property described on this plat hereby dedicate for public use all land described on this plat as streets or public ways (designated as Dedicated R/W) not heretofore dedicated. The proprietors, successors and assigns, of property shown on this plat hereby absolve and agree, jointly and severally, to indemnify the City of Mission, Kansas, of any expense incident to the relocation of any existing utility improvements heretofore installed and required to be relocated in accordance with proposed improvements described in this plat.

The undersigned proprietor of the above described land hereby consents and agrees that the Governing Body of any special assessment district shall have the power to release such land proposed to be dedicated for streets and roads, or parts thereof, for public use, from the lien and effect of any special assessments, and that the amount of the unpaid special assessments on such land dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated road or street.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of sidewalks, conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as a "Sidewalk/Utility Easement" is hereby granted to the City of Mission, Kansas with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for other purposes. This easement shall not prevent Grantor from installing cantilevered structures over the easement area so long as such structures do not interfere with Grantee's ability to construct and maintain its improvements installed within the easement area.

A non-exclusive easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Storm Sewer Easement" is hereby granted to the City of Mission, Kansas. Storm Sewer Easements end at grade, however building foundations can be constructed within said easements below grade.

An easement or license to lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as "Sanitary Sewer Easement" or "S/E" on this plat is hereby dedicated to the Consolidated Main Sewer District of Johnson County, Kansas or their assigns. This easement shall not prevent Grantor from installing cantilevered structures over the easement area so long as such structures do not interfere with Grantee's ability to construct and maintain its sewer lines within the easement area.

The undersigned proprietor, for itself, and its successors and assigns, hereby agrees that the respective owner(s), of buildings on the above described tract of land shall be responsible for the maintenance and repair of all building plumbing and sanitary sewer service lines common to more than one unit, and service lines from the point of connection at the building to the point of connection at the main. Individual unit tenants shall allow access to the units by the property owner and associates as needed for proper maintenance, repair and/or replacement of plumbing lines that are common to more than one unit. In the event the property is replatted to allow the sale of individual units within the building(s), the undersigned proprietor, its successors and assigns shall establish an owners association and record a restrictive covenant obligating such association to repair and maintain all building plumbing common to more than one unit including the aforesaid service lines from such building(s) to the main prior to sale of an individual unit within such building(s).

Execution

IN TESTIMONY WHEREOF, the undersigned proprietors have hereunto subscribed their names.

OWNER - Aryeh Realty, LLC, a Delaware Limited Liability Company

Thomas J. Valenti, Managing Partner

STATE OF _____)
COUNTY OF _____) SS

Be it remembered, that on this _____ day of _____, 2018, before me, a notary public in and for said county and state, came Thomas J. Valenti, Managing Partner of Aryeh Realty, LLC, duly organized and existing under and by virtue of the laws of the State of Delaware; who is personally known to me to be the same person who executed as such officer the foregoing instrument of writing on behalf of said owners, and such persons duly acknowledged the execution of the same to be the free act and deed of said owners.

In witness hereof, I have hereunto subscribed my name and affixed my notarial seal this day and year last above written.

Notary: _____ My appointment expires: _____

Surveyor's Notes:

1. Basis of Bearings: Held West Line of Northwest Quarter of Section 9, Township 12, Range 25 East = N01°49'20"W, Kansas Coordinate System 1983, North Zone. All bearings and distances match previously platted values on The Gateway First Plat, unless otherwise noted.
2. Subject Property lies within a 100 year flood plain as designated on the U.S. Department of Housing, Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) Community Panel Number 20091C0024G, Map Revised August 3, 2009. Per drainage redevelopment within this project, the projected 100-year floodplain is contained within the Storm Sewer culverts lying within the dedicated drainage easements as filed at Book 200803, Page 008379. This is reflected in the LOMR ID 11-07-1190P-205185, dated February 8, 2012.
3. Subject Property contains 708,402 Square Feet, or 16.2627 Acres, more or less.
4. This plat lies within the required minimum closure of 1:10,000.
5. The following easements, as depicted herein, are hereby vacated with the recording of this plat:
Storm Sewer Easement, Volume 2816, Page 90
Utility Easement, as recorded in Book 200803, Page 008378
11.5' Clear Space and Bike Access Easement, as recorded in Book 200808, Page 007719
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Permanent Sidewalk/Utility Easement, as established in The Gateway First Plat
Sanitary Sewer Easement, as established in The Gateway First Plat

Approvals

APPROVED BY, the City Council of the City of Mission, Johnson County, Kansas, this _____ day of _____, 2018.

Ron Appletoft, Mayor Martha Sumrall, City Clerk

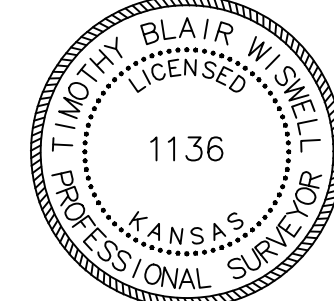
APPROVED BY, the Planning Commission of the City of Mission, Johnson County, Kansas, this _____ day of _____, 2018.

Mike Lee, Planning Commission Chairperson

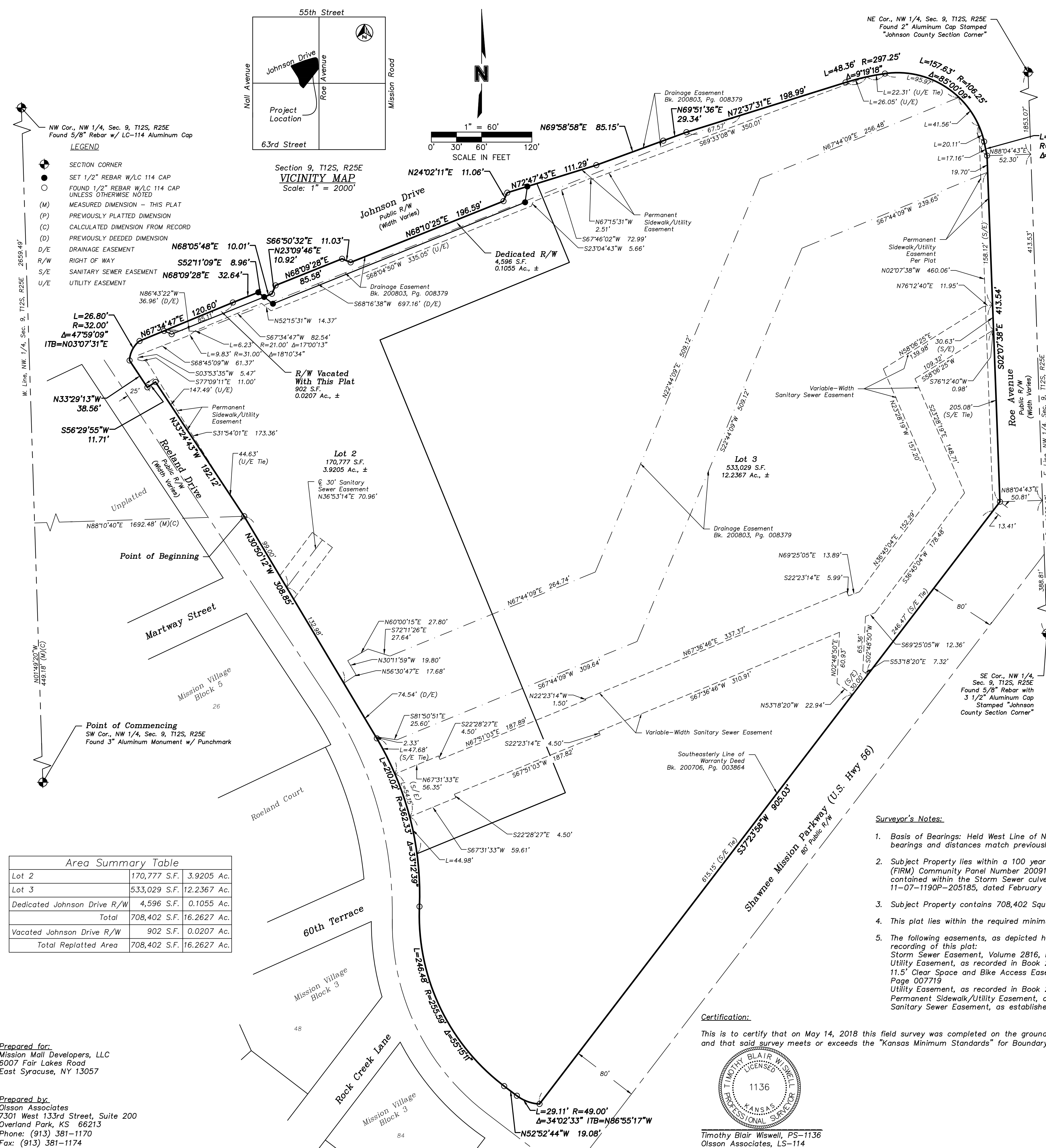
Ashley Elmore, Planning Commission Secretary

Certification:

This is to certify that on May 14, 2018 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for Boundary Surveys pursuant to K.A.R. 66-12-1.



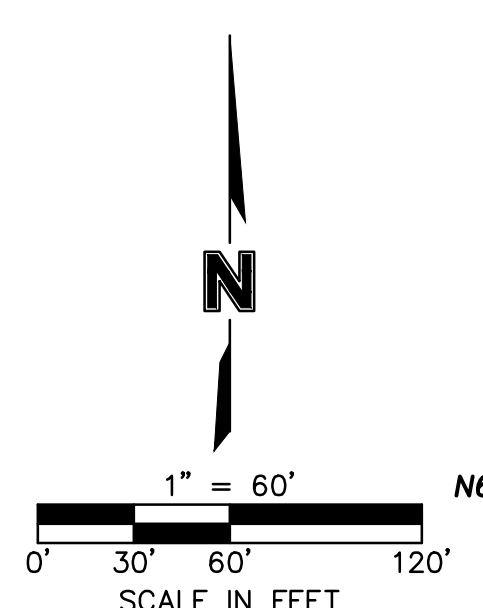
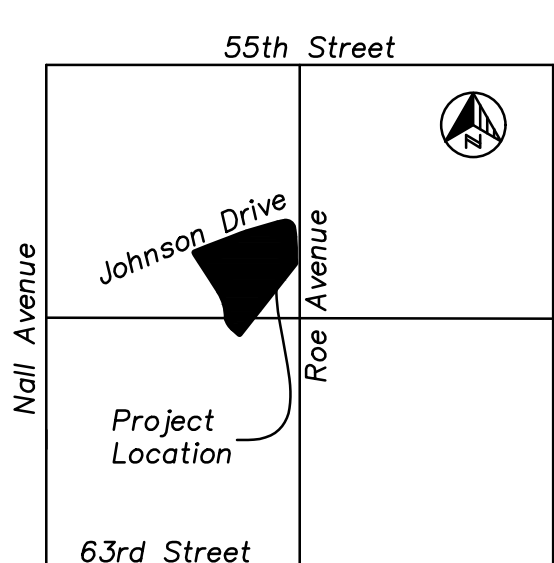
Timothy Blair Wiswell, PS-1136
Olsson Associates, LS-114



Area Summary Table		
Lot 2	170,777 S.F.	3.9205 Ac.
Lot 3	533,029 S.F.	12.2367 Ac.
Dedicated Johnson Drive R/W	4,596 S.F.	0.1055 Ac.
Total	708,402 S.F.	16.2627 Ac.
Vacated Johnson Drive R/W	902 S.F.	0.0207 Ac.
Total Replatted Area	708,402 S.F.	16.2627 Ac.

Prepared for:
Mission Mall Developers, LLC
6007 Fair Lakes Road
East Syracuse, NY 13057

Prepared by:
Olsson Associates
7301 West 133rd Street, Suite 200
Overland Park, KS 66213
Phone: (913) 381-1170
Fax: (913) 381-1174



Section 9, T12S, R25E
VICINITY MAP
Scale: 1" = 2000'



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REV. NO.	DATE	REVISIONS DESCRIPTION	BY
1	2018.03.31	Revised Dedications, Language & Approval Signature Block	MB

Final Plat of
The Gateway Second Plat
A Replat of Lot 1 & part of Johnson Drive R/W, both of The Gateway First Plat,
lying in the West Half of Section 9, Township 12 South, Range 25 East
City of Mission, Johnson County, Kansas

2018

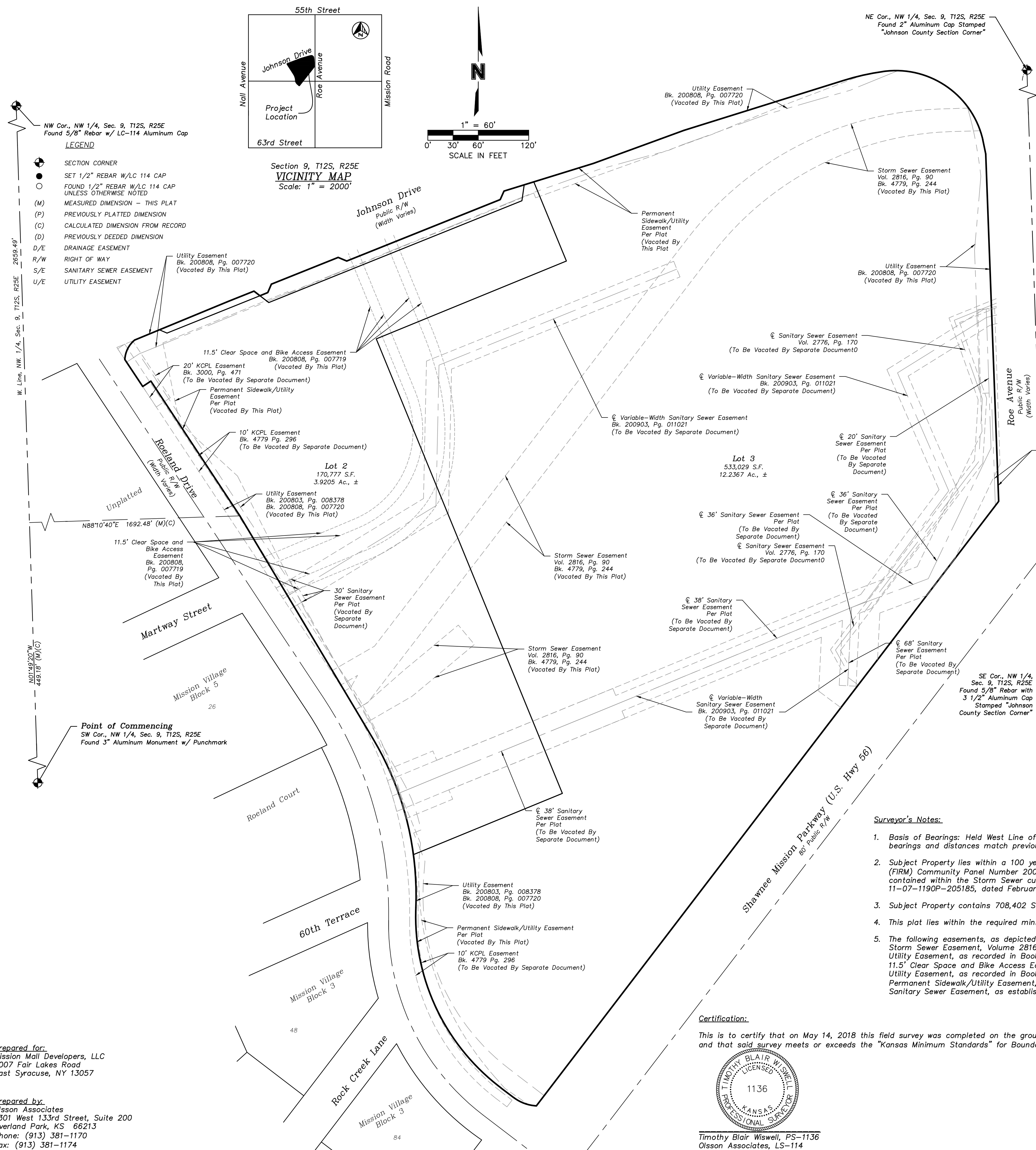
SHEET
2 of 3

DWG: C:\temp\AcPublish_17692\VP_452030.dwg
 DATE: May 31, 2018 1:38pm
 USER: mjbogina
 XREFS:

Final Plat of The Gateway Second Plat

A Replat of Lot 1 and a portion of Johnson Drive Right of Way, both of The Gateway First Plat, a subdivision in the City of Mission, Johnson County, Kansas, lying in the West Half of Section 9, Township 12 South, Range 25 East

Lot	Area (S.F.)	Area (Ac.)
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REV. NO.	DATE	REVISIONS DESCRIPTION

Final Plat of
The Gateway Second Plat

A Replat of Lot 1 & part of Johnson Drive R/W, both of The Gateway First Plat, lying in the West Half of Section 9, Township 12 South, Range 25 East

City of Mission, Johnson County, Kansas

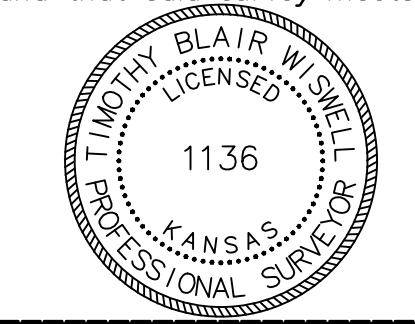
2018

drawn by: MJB
checked by: TBW
approved by: TBW
QA/QC by: TBW
project no.: A15-2039
drawing no.: V FP AS2039
date: 2018.04.18

DWG: C:\Temp\AsPublish\17692\VP_452039.dwg
DATE: May 31, 2018 1:38pm
USER: mjbogina
XREFS:

Prepared for:
Mission Mall Developers, LLC
6007 Fair Lakes Road
East Syracuse, NY 13057

Prepared by:
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Phone: (913) 381-1170
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Timothy Blair Wiswell, PS-1136
Olsson Associates, LS-114

NOTICE OF HEARING
BEFORE THE CITY OF MISSION
PIANNING COMMISSION

YOU ARE HEREBY NOTIFIED THAT a preliminary plat application #18-05 has been filed in the Office of the Community Development Department by Mr. David Eickman, representing Andy Ashwal of Aryeh Realty, LLC for property located at 4801 Johnson Drive, Mission, Kansas. The applicant is requesting a approval of a preliminary plat to allow for subdivision of the subject property.

LEGAL DESCRIPTION (Abbreviated)

THE GATEWAY FIRST PLAT LT 1

More specifically identified as Johnson County parcel
Tax Property ID: KP58100000 0001

There will be a Planning Commission Meeting to consider the application on **Monday June 25, 2018 at 7:00 p.m.** at Mission City Hall, 6090 Woodson St, Mission, Kansas, at which time all interested persons will be heard.

State Statute requires that the City of Mission notify property owners within 200 feet of the subject property regarding this proposed change in land use. The application and complete legal description are on file and available for public inspection in the Community Development office at 6090 Woodson St, Mission, Kansas.



Ashley Elmore,
Planning Commission Secretary