

MEETING DATE: March 22, 2022

STAFF: Stuart Borders, senior planner

PROJECT NAME: Eastgate Commerce Center at Little Blue Parkway and R. D. Mize Road

CASE NUMBER / REQUEST: 22-125-02 – Rezoning from R-6, R-6/PUD, O-1, and C-1 to BP/PUD and approval of a Preliminary Development Plan for properties at R. D. Mize and the Little Blue Parkway

APPLICANT: NorthPoint Development, LLC

OWNERS: Beyond the Horizon LLC, and Fisher Hill Farm LLC

PROPERTY LOCATIONS: North of R. D. Mize Road, east of the Little Blue Parkway, and west of Necessary Road

SURROUNDING ZONING / LAND USE:

- North:** R-6 (Single Family Residential); Farm fields
- South:** R-6, I-1 (Industrial); small business, vacant
- East:** R-A (Residential Agriculture), R-6, C-2 (General Commercial); Youth football complex, County Trace Park
- West:** R-6; single family homes, vacant lot

PUBLIC NOTICE:

- Letters to adjoining property owners – March 4, 2022
- Public Notice published in The Kansas City Star – March 4, 2022
- Signs posted on property – February 16, 2022

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on April 4th and the public hearing/second reading on April 18th.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request and the preliminary development plan with the following conditions:

1. Retail buildings in this business park phase shall not have restrictions on the maximum building size, however; the development site shall meet the BP/PUD Floor to Area Ratio for the site.
2. The permissible uses for these properties includes all BP/PUD uses permitted by right plus a grocery store and businesses with drive-through facilities. Development must follow section 14-302 of the UDO for the BP/PUD District.
3. The design guidelines attached to this staff report shall apply to all construction within the Eastgate Commerce Center.

4. Restaurant parking is established at 1 parking space per 3 seats; individual buildings containing retail and office uses shall provide at least 1 space per 500 SF. For warehouse/manufacturing, the parking ratio shall be 1/1,000 SF.
5. Provide a draft copy of the covenants and restrictions with the first final development plan.
6. In lieu of curb and gutter along Necessary Road, asphalt resurfacing of the existing roadway is required with applicable striping.
7. Each new drive or access location for this development plan will need to be evaluated and approved or denied on its own merits and the traffic impact study updated accordingly.
8. The current stream buffers and the new proposed stream buffers should be more clearly indicated on the proposed plan.

PROJECT DESCRIPTION/BACKGROUND INFORMATION

PROJECT DESCRIPTION:

A request by NorthPoint Development to rezone the property north of R. D. Mize Road and east of the Little Blue Parkway, from R-6 (Single Family Residential), R-6/PUD (Single Family Residential/Planned Unit Development), O-1 (Office Residential) and C-1 (Neighborhood Commercial) to BP/PUD (Business Park/Planned Unit Development) and approve a preliminary development plan.

Current Zoning:	R-6, R-6/PUD, O-1, C-1	Proposed Zoning:	BP/PUD (Business Park/Planned Unit Development)
Current Use:	Farm fields, undeveloped	Proposed Use:	Commercial and industrial uses
Acreage:	149.61 +/-	Building Square Footage:	Varies

BACKGROUND & HISTORY:

This request consists of two adjacent properties on the east side of the Little Blue Parkway, north of R. D. Mize Road. The southern-most piece consists of 54.27 acres encircled by R. D. Mize Road on the south, Necessary Road on the east, and the Little Blue Parkway on the west/northwest. The second tract is a 95.34-acre property being sited just north of Necessary Road, across the street from the other parcel.

NorthPoint has provided preliminary development plans and building elevations for the warehouse structures for review purposes only; the final plans may vary considerably from what has been provided here. Only the two warehouse buildings (B2/B3) on the North site are scheduled for Phase 1 construction with all other buildings being in Phase 4.

North site – This site to the north of Necessary Road’s connection with the Little Blue Parkway is scheduled for two identical 298,000 SF buildings (B2/B3) for warehousing/distribution and two smaller warehouses (C27/C28); also shown are numerous small retail/office buildings along the Little Blue Parkway, including a drive-through restaurant. This North site is served by a system of internal

driveways and parking areas, with access points onto Necessary Road and the Little Blue Parkway; several landscaped open areas are placed around the property with a large detention/retention basin on the northern end of the site.

South site - This application was recently amended by NorthPoint to eliminate development around the horseshoe lake and relocate a stream through the site. The two principal buildings (C10/C11) are now in the rear, closer to Necessary Road. Adjacent to those larger structures are over 15 smaller buildings including a convenience store (C24), a drive-through restaurant (C8), and a grocery store (C12). All buildings will be accessed by an internal system of driveways with limited access to Necessary Road, R. D. Mize, and the Little Blue Parkway. Parking encircles most of the buildings; the loading docks for the three larger buildings are in the rear and not visible from the Little Blue Parkway. Several landscaped open areas are placed around the property with landscape berms along the east property line. A relocated stream, and its buffer corridor, now bifurcate the site to create north/south tracts.

Site and building designs – The provided preliminary building elevations for the larger warehouse buildings are attached. The structures feature tilt-up concrete walls in finished mix of either light, medium or dark brown colors. Extensive glass areas will be utilized around entry ways with windows spaced along the elevations at different heights and distances. Also provided are design guidelines for all buildings constructed within Eastgate. The guidelines outline acceptable building materials, the use of windows, lighting, building height, façade articulations, and other topics. At the final plan stage, all buildings will be reviewed in accordance with the City Code design requirements and the BP zoning district requirements.

ANALYSIS

The Proposal's Consistency with *Independence for All*, Strategic Plan:

This application, along with others proposed by NorthPoint, furthers the goal of increasing the economic prosperity of the community and providing additional employment opportunities. It will also support the development of an industrial/office business park and the development of a key City corridor.

Comprehensive Plan Guiding Land Use Principles for the Current Designation:

In conjunction with this rezoning application, the City Comprehensive Plan is being amended to reflect this and the other related applications from NorthPoint. One of the Comprehensive Plan Guiding Principles is to “Provide sufficient opportunities for industrial development sites within the community and promote diversification of the City’s commercial/industrial base.”

Public Facilities:

Streets/access

No new public streets will be created with the development of these lots. Instead, the existing street network, R. D. Mize Road, Necessary Road, and the Little Blue Parkway, will provide access. The City Code requires Necessary Road to be improved. In lieu of curb and gutter along Necessary Road, the existing roadway shall be resurfaced with asphalt and applicable striping. Each new drive or access locations will need to be evaluated and approved or denied on their own merits. The sites

themselves will need to change in conformance to City staff reviews and required studies. While a traffic study has been submitted, it will be required to be updated as specific locations are submitted for review and engineering approval.

Stormwater

The submitted Preliminary Stormwater Drainage Study indicates that tributary management will need to be addressed in future development plans. The low-lying nature of a significant portion of the area necessitates that innovative earthwork and hydrology practices be implemented to effectively deal with these challenges. Similarly, the proposed basins, mitigation areas, and other natural amenities are an integral part of the development pattern and utilization of the land within the project. There is a detention volume buy-out option for sites within 1,200 linear feet of the Little Blue River; all other areas will require detention.

Sanitary sewer

A large transmission main running along the east side of Little Blue Parkway is a 120-inch pipe owned by Little Blue Valley Sewer District; it will not allow tie-ins to this main. NorthPoint must use existing City infrastructure or Blue Springs sewer mains to extend the sewer facilities. All sanitary sewer main extensions will be public.

Water

Water main extension plans will be required for all phases of this development. A set of water main extension plans will be required to be submitted for review and approval before any construction may begin on any water mains. Fire hydrants will be required to be laid out per the requirements of the Independence Water Department and the International Fire Code 2018 Edition.

Historic and Archeological Sites: There are no apparent historic issues with this property.

REVIEW CRITERIA

Recommendations and decisions for proposed planned unit development rezoning and its associated preliminary development plan must be based on consideration of the criteria listed in Section 14-703-05-H:

1. **The consistency with the Comprehensive Plan.**
Included with this proposal is an amendment to the Comprehensive Plan to reflect this rezoning/preliminary plan application. One of the Comprehensive Plan Guiding Principles is to "Provide sufficient opportunities for industrial development sites within the community and promote diversification of the City's commercial/industrial base."
2. **The consistency with the PUD standards of Section 14-902, including the statement of purpose.**
Section 14-902 is intended to allow design flexibility that results in greater public benefit than would be achieved using conventional zoning regulations; this project is in conformance with that standard with an attractive mix of commercial, office and industrial uses.

3. **The nature and extent of Common Open Space in the PUD.**
The site plan provides for open space in green areas as shown on the development plan. Also provided is a connection to the Trace Park trail system from the southernmost parking lot, and an open space around the detention area on the north end of the site.
4. **The reliability of the proposals for maintenance and conservation of Common Open Space.**
NorthPoint states that it will retain ownership of the project, facilitating the construction work, and retain management of the properties; it has no intent to sell any units, buildings, or property.
5. **The adequacy or inadequacy of the amount and function of Common Open Space in terms of the densities and dwelling types proposed in the plan.**
Not applicable, this is a Business Park project.
6. **The extent to which the proposed use will adversely affect the capacity of safety portions of the street network or present parking problems in the vicinity of the property. Whether adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation, and visual enjoyment.**
Public services in the area are adequate to serve this project and will be extended to the sites as necessary. This proposed project will not adversely affect the street network in the vicinity of the project. More than adequate parking is provided internal to the complex; no on street parking is allowed on any of the surrounding streets.
7. **The extent to which the proposed use will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area.**
These two tracts are isolated with the Little Blue Parkway on the west, R. D. Mize on the south, with only one landowner, the Pop Warner Football complex, between the site and the County's Trace Park. As such, the mitigation of impact measures relating to traffic, parking, recreation, and related elements should not have a substantial adverse impact on the area.
8. **Whether potential adverse impacts have been mitigated to the maximum practical extent.**
Mitigation efforts have been planned by the developer to reduce impacts to the area. This will be managed by restricting access points to the existing street network, providing adequate stormwater management, and extending the existing public utilities throughout the sites.
9. **Whether the Preliminary Development Plan represents such a unique development proposal that it could not have accomplished through use of (non-PUD) conventional zoning regulations.**
When considering this project's mixture of proposed office, commercial, and industrial uses, combined site layouts, and building designs, the use of the 'PUD' designation is the only option.
10. **The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.**
While this project will be constructed in multiple phases, the entire development will remain in a single ownership.

EXHIBITS

1. Application
2. Project Narrative
3. March 22 Notification Letter
4. March 22 Affidavit
5. March 8 Notification Letter
6. March 8 Affidavit Addresses
7. Aerial Location Plan Sheet
8. Site Plan
9. Landscape Plan
10. Utilities Plan
11. Eastgate Design Guidelines
12. Eastgate Cross Dock Elevations
13. Eastgate Commerce Rear Elevations
14. Comp Plan Map
15. Zoning Map