

MEETING DATE: January 23, 2024

STAFF: Brian L. Harker, Senior Planner

PROJECT NAME: Eastgate Commerce Center at Little Blue Parkway and M-78 Highway

CASE NUMBER/REQUEST: **Case 24-125-02 – Rezoning/PUD – M-78 Highway & Little Blue Parkway** – A request by Chris Chancellor with NorthPoint Development to rezone the property from BP/PUD (Business Park/Planned Unit Development) and C-2/PUD (General Commercial/Planned Unit Development) to BP/PUD (Business Park/Planned Unit Development) and approving a preliminary development plan.

APPLICANT: NorthPoint Development, LLC

OWNERS: Little Blue Valley (West) LLC

PROPERTY LOCATIONS: Properties surrounding the Little Blue Parkway, Truman Road, and M-78 Highway intersections

SURROUNDING ZONING/LAND USE:

- North:** C-2/PUD (General Commercial/Planned Unit Development) and I-1 (Industrial)...farm fields
- South:** C-2/PUD (General Commercial/Planned Unit Development) and I-1 (Industrial)...farm fields
- East:** I-1 (Industrial)...Jackson County Trace Park
- West:** C-1 (Neighborhood Commercial) and I-1 (Industrial)...farm fields

PUBLIC NOTICE:

- Letters to adjoining property owners – January 4, 2024
- Public Notice published in The Kansas City Star – January 6, 2024
- Signs posted on property – January 5, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on February 19, 2024 and the public hearing/second reading on March 4, 2024.

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 businesses with drive-through facilities. Development must follow section 14-302 of the UDO for the BP/PUD District.
3. The previously approved design guidelines 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. Conclude detailed Landscaping Plans and Elevations with the Final Development Plans.
7. Any future improvements to Truman Road will be in accordance with the relevant development agreement between the city and developer.
8. 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.
9. The current stream buffers and the new proposed stream buffers shall be more clearly indicated on the Final Development Plans and Final Plats.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

A request by Chris Chancellor with NorthPoint Development to rezone the property from B-P/PUD (Business Park/Planned Unit Development) and C-2 (General Commercial) to B-P/PUD (Business Park/Planned Unit Development) and approving a Preliminary Development Plan for property at Little Blue Parkway, Truman Road, and M-78 Highway intersections.

Current Zoning:	B-P/PUD (Business Park/Planned Unit Development) and C-2/PUD (General Commercial/Planned Unit Development)	Proposed Zoning:	B-P/PUD (Business Park/Planned Unit Development)
Current Use:	Farm fields	Proposed Use:	Commercial and warehouse uses
Acreage:	74-acres	Building Square Foot:	Varies +/-

BACKGROUND:

NorthPoint Development proposes a minor modification to EastGate Commerce Center. The portion of the development subject to this rezoning application contemplates approximately 321,000 square feet of commercial space. The property is located at the southeast corner of Highway 78, Truman Road and Little Blue Parkway. These tracts will be built out in phases over the next 5-7 years and are located on approximately 74-acres. The properties are currently zoned B-P/PUD and C-2/PUD and the applicant is proposing a zoning change to adjust the boundary to the Business Park. The majority of the area already zoned B-P/PUD with planned commercial retail buildings. The main intent of this

rezoning is to shift the buildings to have Little Blue Parkway frontage. This creates a better buffer from the trail, while also giving better visibility from Little Blue Parkway. This zoning is consistent with property in the area. The buildings within the BP area will be designed to be pedestrian friendly, by way of connecting walkways, including connections, where feasible, between adjacent buildings and public streets. In addition, the buildings themselves will be designed with vertical and horizontal articulation and the use of glass to provide a two-story appearance.

The applicant is requesting that there be no restriction on building size or lot size. This will allow for a mix of larger industrial buildings with smaller commercial lots that can be sized to fit future tenant needs.

NorthPoint has provided preliminary development plans, and building elevations for the warehouse structures, for review purposes only; the final plans may vary from what has been provided.

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:

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."

Sub-Area Plans:

The property is located within the Little Blue Valley Plan Area

Public Facilities:

Streets/access

No new public streets will be created with the development of these lots. Instead, the existing street network will provide access. 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.

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.**
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 providing a mix of commercial, office and industrial uses.
- 3. The nature and extent of Common Open Space in the PUD.**
A connection will be made to the Trace Park trail system from the southernmost parking lot and an open space around the stormwater mitigation area south of Truman Road.
- 4. The reliability of the proposals for maintenance and conservation of Common Open Space.**
NorthPoint states that it will construct, manage, and maintain the properties; it also has no intent to sell any units, buildings, or properties.
- 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 proposed 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, however; improvements are necessary to Truman Road. 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.

Much like the proposed Eastgate business park project at R.D. Mize Road and the Little Blue Parkway, these sites are isolated with the Northeast site abutting property sought by NorthPoint to be rezoned to I-1 and the South tract abutting the County Trace Park. The West site is encircled by roadways with adjacent properties being the City power plant, and a concrete plant. 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 done 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 is proposed to be under one ownership.

EXHIBITS

1. Narrative
2. Application
3. Notification Letter
4. Addresses
5. Affidavit
6. Existing Zoning Map
7. Proposed Zoning Map
8. Overall Site Plan
9. Design Guidelines