

STAFF REPORT

Planning Commission Meeting: January 14, 2019

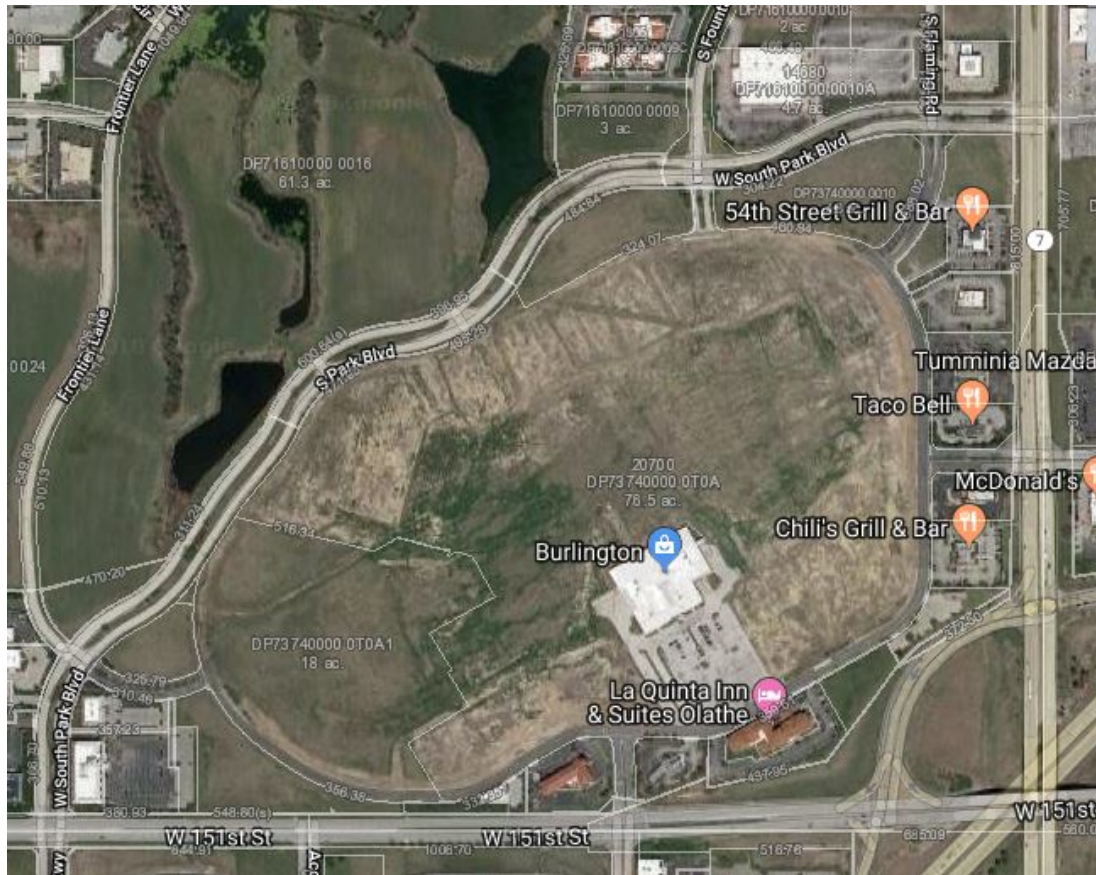
Application	<u>RZ18-0021</u>: Rezoning from CP-3 to PD (Planned District), and preliminary development plan for Mentum, mixed-use development
Location	Vicinity of northwest corner of 151 st Street and Harrison Street
Owner	David Harrison, Great Olathe Center, LLC
Applicant	Lynn Woodbury, Woodbury Corporation
Engineer	Judd Claussen, Phelps Engineering
Architect	Hellmuth, Obata + Kassabaum (HO+K)
Staff Contact	Sean Pendley, Senior Planner

Site Area:	<u>105.54 ± acres (total)</u>	Proposed Use:	<u>Arena/ Entertainment/ Commercial/ Multi-family Residential</u>
Lots/Buildings:	<u>29</u>	Plat:	<u>The Great Mall, Lot 1, 9, 10, 11, 12 and Tract A</u>
Building Area:	<u>195,000 sq. ft. (Commercial)</u>	Capacity (arena):	<u>4,000 seats</u>
Entertainment:	<u>227,000 sq. ft. (Arena, Fitness, Golf Facility, Rock Climbing)</u>		
Dwelling Units:	<u>570 (Apartment Units)</u>		

	Plan Olathe Land Use Category	Existing Use	Current Zoning	Site Design Category	Building Design Category
Site	Urban Mixed Use Center	Vacant/ Retail	CP-3	3	C
North	Urban Mixed Use Center	Office/ Commercial	C-O/ C-2/ R-3	-	-
South	Urban Mixed Use Center	Hotels/ Office	CP-2/ CP-3	-	-
East	Urban Mixed Use Center	Restaurants/ Vacant	CP-3	-	-
West	Urban Mixed Use Center	Vacant/ Office	R-3/ CP-3	-	-

1. Proposal:

The applicant is requesting a rezoning from CP-3 (Planned Commercial District) to PD (Planned District) and preliminary site development plan for Mentum, a mixed-use development containing a total area of 105.5 acres. The subject property is generally bounded by 151st Street to the south, Harrison Street to the east and South Park Boulevard to the north and west. The site was formerly developed as The Great Mall of the Great Plains. The mall closed in 2016 and the majority of the building was demolished, with the exception of Burlington Coat Factory which still remains.



Aerial map of subject area

The proposed development, Mentum, is envisioned as a regional destination with a variety of entertainment, commercial, office and multifamily residential uses (see attached project summary). The primary entertainment uses consist of an arena with ice hockey rink, fitness center, interactive-golf facility, rock climbing center and theater.

A minor league hockey team is proposed to be the anchor tenant for the arena; however, it will also allow for event space, other sports, and activities. The preliminary plan also includes approximately 190,000 square feet of retail, hotel and restaurant uses and a 40,000 square foot medical office building. In addition, there are seven apartment buildings with a total of 570 units.

The proposed commercial buildings are located along two main drives through the center of the development with on-street parking and pedestrian oriented storefronts. A community plaza is located within the center of the development that is designed to support outdoor

activities with art fairs, concerts and vendors. The proposed apartments are located on the west side of the development and will be connected to the surrounding commercial areas with landscaped walkways. The development will also include several amenities with active open spaces and public artwork.

An application was approved in 2018 for the Olathe 151st Street STAR Bond project plan which was required for the proposed STAR bond financing. The Planning Commission and City Council found that the project plan was consistent with the intent and goals of the Comprehensive Plan.

2. History:

A rezoning to CP-3 district (RZ-16-94) and preliminary site development plan for the previous commercial development was approved in 1994. Subsequently, the property was platted The Great Mall in 1996. Separate final site development plans have been approved for the mall and outlots along 151st Street and Harrison Street.

3. Existing Conditions:

The site was previously developed with a one-story commercial mall, associated surface parking and a private loop road. The majority of the mall has been demolished, with the exception of Burlington Coat Factory. Some outlots remain developed with hotels and medical offices along 151st Street and restaurants on Harrison Street. The outer lots are not included in this rezoning for Planned District.



(View from entrance near 151st Street, looking north)



(View from South Park Boulevard, looking northeast)

4. Neighborhood Meeting/ Public Notice:

The applicant held a neighborhood meeting on December 17, 2018. Seven property owners attended the meeting and there were several questions regarding the proposed development and phases of construction. The applicant provided responses to the questions which are reflected in the attached minutes.

The applicant also mailed the required public notification letters to surrounding properties within 200 feet and posted signs on the subject property per *Unified Development Ordinance (UDO)* requirements.

5. Zoning/ Planned District Requirements:

The current zoning for the property is CP-3 (Planned Community/ Corridor Business District). General commercial, retail, restaurants, hotels, offices, and indoor athletic facilities are permitted within these districts. However, multifamily residential uses, which is part of the proposed zoning request, are not permitted.

The applicant is requesting PD zoning due to the unique integration between different land uses and creative design elements for the overall development area. The development is best suited as a Planned District due to the approach in creating a mixed use destination encompassing harmonious themes and design throughout with the anticipated development pattern. Planned Districts are intended to encourage innovative land planning and design in a way that is not possible under conventional zoning districts. These districts promote quality development by allowing special site conditions, land uses and deviations from certain zoning standards.

- a. **Land Uses** – The permitted uses for a Planned District are established through the rezoning process. While the UDO does specify certain uses that are prohibited within PD Districts, it allows for the greatest amount of flexibility for what uses can be requested. Staff analyzed the uses permitted and compatibility to the development

proposal and has created a list of permitted, restricted and prohibited land uses (Exhibit A). The uses determined to be prohibited with the development would not be compatible with the intended concept for the planned district or vision for the area as recommended in *Plan Olathe*. Staff also recommends a limit for fast-food restaurants, not including coffee shops, to be set for a maximum of two drive-through restaurants

Staff has shared this exhibit with the applicant and their only concern is with the limitation for drive-through restaurants and prohibition of motor vehicle services. The applicant is requesting that consideration be given to allow automotive maintenance establishments. However, staff does not support this use due to incompatibility with the development and potential nuisances associated with automotive related services. Automotive maintenance businesses have overhead bay doors and these are often left open which can create issues with noise and detract from quality architectural design.

If the property owner obtains a tenant in the future that falls under one of these restricted or prohibited uses, the owner may seek reconsideration of the use list through the zoning amendment process. This would be presented to the Planning Commission and require approval by City Council.

- b. **Density** –The allowable density for the development is established within the preliminary development plan. The square footage of proposed buildings are distributed by use type within different segments of the development. Generally, the development includes approximately 227,000 square feet of entertainment uses and 195,000 square feet of retail, restaurant and hotel space. The plan also shows seven multifamily residential buildings totaling 570 apartment units.
- c. **Building Height** – The maximum height for all buildings and structures will be reviewed and approved during final development plan review. Building elevations have been submitted for the arena but details are not yet available for the other entertainment uses, such as the golf facility. Conceptual building elevations have been submitted for commercial buildings which identify one-story retail buildings and office buildings with 2-3 stories. The apartments consist of four-story buildings. The maximum structure heights are expected to be consistent with heights typically permitted in commercial and multi-family residential zoning districts.
- d. **Setbacks** – The building and parking/paving setbacks for PD districts are determined at the time of zoning and the minimum standards are based on impacts to surrounding development, existing conditions of the site and proposed design. The building and parking/paving setbacks are identified on the preliminary development plan. The commercial buildings are located with store fronts close to the private streets with on-street parking and large sidewalks to emphasize pedestrian access.
- e. **Open Space/ Amenities** – The supplemental design package includes a plan for open space which identifies a total of 24.8 acres of open space which is approximately 23% of the overall development area. The plan also shows a central plaza and courtyard with 6.9 acres of outdoor amenity space which will primarily serves as the common space and commercial pedestrian area for the development.
- f. **Site Design** – The site design standards are established within the adoption of the planned district and preliminary development plan. The applicant has defined the intent and overall vision for the site in more detail within *Mentum Design Standards and Guidelines* (Exhibit B). The proposed development contains elements typically

found within **Site Design Category 3** (*UDO 18.15.115*). The following is a summary of the composite site design standards and proposed development features.

<i>Site Design Standard</i>	<i>Proposed Design Features</i>
<i>Outdoor Amenity Space</i>	The courtyard in front of the arena will serve as the primary amenity space and additional amenities will be dispersed throughout the site including public art
<i>Pedestrian Connectivity</i>	An abundance of pedestrian connections will be utilized throughout the site and to adjacent streets. A pedestrian connectivity plan is included in the supplemental design package.
<i>Landscape Buffers Adjacent to Other Uses</i>	Landscape buffers are provided along public streets and around the perimeter of the development
<i>Maximum Parking Pod Size</i>	Parking areas are separated by landscape islands and pedestrian pathways and will be evaluated for compliance with final development plans
<i>Drainage Features</i>	Drainage/detention areas are provided by existing off-site detention basins on the north side of South Park Boulevard.
<i>Building Placement</i>	Commercial and residential buildings are located fronting pedestrian use areas and promote a pedestrian-oriented streetscape environment

- g. **Building Design** – The goal of the *Mentum Design Standards and Guidelines* is to ensure a cohesive theme for the development which establishes high quality design objectives without limiting flexibility or creativity. The guidelines include site and architectural design criteria with color building elevations and renderings depicting each portion of the development to illustrate the desired materials and design features that will be incorporated to maintain a harmonious theme. The building design standards are established as part of the planned district and will be upheld for subsequent final development plans.

The applicant has submitted conceptual building elevations for the commercial buildings and apartments. If approved, the proposed buildings will follow the *Mentum Design Standards and Guidelines*. In addition, staff recommends that commercial and residential buildings follow the general design categories that are described below and staff will evaluate each building within the development at the time of final development plan for compliance with these established standards.

Building Design Category C (*UDO 18.15.035*) will be utilized as the base standard for the commercial and office buildings. Increased articulation, focal points and pedestrian interest too ls must be utilized within this area. High-quality building materials are expected and additional detailing elements such as canopies, arcades, balconies and variations in materials are utilized within this category.

Building Design Category B (*UDO 18.15.040*) will be utilized as the base standard for the apartment buildings. Several elements for articulation, focal point and pedestrian interest tools will be utilized throughout the buildings. All sides of the apartments will include architectural features to fulfill the design requirements and the final development plans will meet or exceed the design standards as detailed within the *UDO* and attached design narrative. The *Mentum Design Standards* indicate that the multifamily buildings may include accessory materials, such as EIFS, lap siding and corrugated metal. Staff supports the use of these materials with the exception of corrugated metal.

- h. **Arena Structure** – The applicant and design team has worked closely with staff to review the arena design and staff supports the proposed building elevations and perspective drawings for the arena. The building incorporates a high quality design with a variety of materials, parapets and recessed wall planes. The primary building materials consist of precast concrete, architectural metal panels, synthetic wood panels and glazing.

The main entrance for the arena is on the south elevation facing the courtyard. The west elevation provides access to the community rink. The rear of the building faces South Park Boulevard and the service area and loading dock will be screened by a landscape berm and possibly additional screen wall if necessary. The arena may incorporate video boards on the exterior walls in the future. The video boards would be located on the lower portions of the façade and the placement and size of the video screens shall be approved by the City prior to installation.

- i. **Golf Facility** – The proposed plan identifies a golf facility on the northeast corner of the site. There is no final agreement for the user but the applicant has discussed a potential deal with Big Shots Golf. Since there are no details available for the building design or structures, staff recommends a separate preliminary site development plan for this use.

The applicant did obtain some basic information for the facility, including netting and lighting. According to Big Shot Golf, netting pole heights range from 75 feet near the building, to 160 feet in height at the midpoint of the range, to 100' at the back of the range. A detailed design analysis is performed on a site by site basis by an expert in the field of ball trajectory to determine the required heights of the nets and poles to maintain a safe system. The light fixtures are mounted on the netting poles at approximately 40 feet in height. The details for netting poles, lighting and the photometric plans will be provided with the preliminary site development plan for the golf facility.

- j. **Parking** – The supplemental design package includes a parking distribution plan that shows total parking for the different land uses and buildings. The plan shows the total required parking for each building and the proposed number of spaces in each of the parking fields surrounding the buildings. In addition, there is a table with a listing for all buildings and respective parking spaces.

The preliminary development plan includes a total of 4,492 parking spaces for the overall development area. Based on the proposed uses, if calculated individually, the minimum required parking would typically be 5,046 spaces for the total development. However, the applicant is requesting a shared parking allowance for certain uses as part of the mixed use development and idea that visitors will come to the site and patronize more than one activity or business along with internal walkways and

sidewalks to encourage pedestrian access. Based on a 25% - 35% shared parking rate for the arena and surrounding commercial lots, the applicant has identified what they recommend for minimum parking at 4,279 spaces. The *UDO* allows for reductions where convention centers, assembly halls or other similar facilities are built in conjunction with a hotel, office park or shopping centers. In these cases, the Planning Commission or Governing Body may permit up to a 35 percent reduction of each of the uses listed above due to the usage of parking and to ensure the site is not overparked.

In addition, the applicant has submitted a shared parking summary that considered all land uses, peak hours for daily operations and relationship to physical location of parking for different buildings. The summary referred to standard parking demands based on organizations such as the Urban Land Institute (ULI) and Institution for Transportation and Development Policy (ITDP). The results of the analysis indicate the proposed reduction for parking is in the line with the ULI ratios for shared parking studies. Staff is supportive of the general layout and distribution of parking with reductions for shared parking as identified on the proposed plans.

Staff recommends accommodating electrical charging stations in parking areas where feasible and including bicycle racks for areas around the courtyard and plaza. The applicant has included notes for this on the overall site plan. The applicant has also identified potential bus shelters on the overall preliminary site plan and the exact locations will be determined at the time of final development plan. The developer will coordinate with Johnson County Transit to determine the best locations for bus stops and shelters within the development area.

- k. **Landscaping/Screening** – The preliminary landscape plan identifies perimeter landscaping and screening requirements and parking lot/internal drive lane landscaping. Buffering requirements are typically associated with districts in the *UDO* and are established with the rezoning for a planned district. Perimeter landscaping including deciduous ornamental, evergreen trees and shrubs is provided around the site. The Mentum Design Standards and Guidelines also include landscape design criteria.

A 25-foot landscape and screening area is provided along South Park Boulevard and street trees are included around the loop road. Additionally, a continuous shrub hedge will be provided to screen parking and paving areas to a minimum 3-foot height along public and private streets. The private streets within the interior of the development include street trees and landscape islands and the entrances from public streets include landscape tracts.

Internal landscaping will be distributed throughout the site to fulfill the parking lot landscaping requirements. A variety of shade and ornamental trees are distributed throughout pedestrian areas in the development. Ornamental grass, perennials and sod will be utilized within pedestrian and parking areas to add further softening and visual interest. Integrated planters are also proposed at the curb line along the streetscapes to allow for pedestrian circulation and increased separation from vehicular parking areas. Additional building foundation landscaping will be provided within other segments of the development as typically seen in other commercial developments throughout the City. Final development plans will include more details for the type and size of trees per *UDO* landscaping requirements.

- i. **Signage** – The applicant has submitted a comprehensive sign package with the Planned District zoning. The applicant is requesting exceptions for the height and size of monument signs and use of video boards and electronic signage. Exceptions for sign requirements may be approved by the Planning Commission and City Council as part of the rezoning for planned districts. Due to the size and complexity of the sign package, staff is continuing to work with the applicant on the various types of signage and this will be submitted for consideration at the next Planning Commission meeting.
- m. **Lighting** – The *Mentum Design Guidelines* include standards for site lighting. Details for photometric plans and building and parking lot lighting for all buildings shall be submitted with final development plans. Lighting fixtures and design shall follow the *Mentum Design Standards* and lighting levels shall comply with *UDO Section 18.30.135*.
- n. **Phasing** – The site will be developed in two general phases as depicted in the phasing plan. Phase 1 includes the arena, central common space, golf facility and some residential development. In addition, the private roads within the interior of the development, Mentum Drive and Meadow Lane, and parking for the arena and surrounding commercial lots would be developed with the first phase.

The phasing plan shows all other uses as future phases, which include hotels, additional commercial uses and multifamily residential buildings. The applicant has indicated that the future phases may be built in three phases based on market demand. The proposed development shall follow the general phasing plan as approved with the planned district.

6. Development Requirements:

- a. **Access/ Traffic** – The applicant completed a traffic impact study that included a review of 13 intersections – along 151st Street from Lone Elm Road to I-35/US-169/K-7 interchange, and along Harrison/K-7 from Old 56 Highway to I-35/US-169/K-7 interchange.

Access into the site will use the existing access points along 151st Street and along Harrison Street/ K-7 Highway:

- Harrison/K-7 and South Park Boulevard
- Harrison/K-7 and Meadow Lane/Hamilton Circle
- 151st Street and South Park Boulevard
- 151st Street and Access 1/Fountain/OMC access

Along South Park Boulevard, the proposed site plan includes the three existing access points and adds three access points. The three existing accesses are at Frontier Lane, Fountain Drive and Flaming Road. The three new accesses are proposed at:

- The loading dock for the arena
- Access to parking lot west of the arena
- Access to the parking lot east of the arena

The proposed development will create new internal circulation. The existing ring road would remain in place. Meadow Lane will be extended to the west from Harrison/K-7 toward South Park Boulevard. Fountain Drive will be extended south from South Park Boulevard toward Meadow Lane and the existing ring road. Access

1/ Fountain Drive will be extended north from 151st Street to Meadow Lane. These internal streets will have angled on-street parking to create a downtown feel and promote walkability. The applicant has included street section drawings showing the dimensions for streets, parking, sidewalks and landscape areas.

The traffic impact study reviewed each phase of development. Phase 1 included the arena, fitness center, rock climbing facility, volleyball courts, cinema, restaurants, one big box retail, office space, and retail space. Phase 2 included the remainder of the site -- multi-family, additional restaurants, hotels, golf facility, medical office space, office space, and retail space.

For the first phase of development, the TIS recommended several public improvements to support the proposed development:

- 1) A new traffic signal at 151st Street and South Park Boulevard.
- 2) At 151st Street and Fountain Drive/ Access 1, restripe the southbound approach to create one left turn lane, one shared left turn/through lane, and one right turn lane, with corresponding signal modifications.
- 3) At the Harrison/K-7 and Southbound I-35 Off Ramp, construct a second southbound left turn lane so that the ramp has two left turn lanes, two through lanes, and one right turn lane. Signal modifications are required for this geometric change.
- 4) Along South Park Boulevard, construction left turn lanes at proposed access drives.

All of these onsite and offsite public improvements recommended in the TIS for the first phase of the development will be completed prior to issuance of the first Certificate of Occupation.

For the second phase of development, the TIS recommended:

- 1) At Meadow Lane/Hamilton Circle and Harrison/K-7, restripe the eastbound approach to create one left turn lane, one shared left turn/through lane, and one right turn lane, with corresponding signal modifications.
- 2) At 151st St and Southbound I-35 On Ramp, construct a second westbound left turn lane, with corresponding signal modifications and ramp widening.

All of the on-site and off-site public improvements recommended in the TIS for the 2nd phase will be completed prior to first Certificate of Occupancy of the second phase.

Additionally, City staff recommends a 10-foot wide sidewalk along South Park Boulevard between Harrison/K-7 and 151st Street. This will support the City's goal to provide bicycle and pedestrian connections from this site to Downtown, and eventually to Cedar Lake and Lake Olathe.

- b. **Stormwater/Detention** – There are existing regional detention basins on the north side of South Park Boulevard that serve the proposed development area. The location of stormwater quality features have been identified within the plans. A preliminary stormwater management report will be required with final site development plan submittal.

- c. **Public Utilities** – The site is located within the City of Olathe water service area and the sanitary sewer service area. The proposed development will require water and sewer extensions to serve all areas of the site. The applicant has submitted preliminary civil plans for the entire site. Additional details will be required with final site development plans.
- d. **Fire Department** – The Fire Department has general comments for the preliminary development plan. Where fire hydrants are provided adjacent to the road, at least that area of the road (the length of the apparatus) is required to be 26 feet wide. If parking is desired on a fire apparatus access road, the clear road width (drive lane) is required to be 20 feet wide. Vertical clearance of 13.5 feet is required.

Buildings that are over 30 feet tall are required to be provided with an aerial apparatus access road on one side of the building. The road shall be a minimum of 15 feet and maximum 30 feet from the side the building is addressed from. The aerial apparatus access road shall be 26-foot wide road. No overhead utilities are permitted on the aerial apparatus access road or between the building and this road. This comment applies to the hotels, multi-family, and large commercial occupancies (retail, cinema, arena, business offices, etc.).

Turning templates were submitted with the preliminary development plan package. The department will review all plans in more detail with final development plans and building permits.

7. **Comprehensive Plan Analysis:**

The Comprehensive Plan (*Plan Olathe*) identifies the subject area as a “Urban Mixed Use Center”. *Plan Olathe* has goals for redevelopment of this site and includes the following description for the Urban Mixed Use Center:

“Olathe will have one centralized Urban Center/Downtown area, serving as a primary business, government and commercial hub and also a place for art, community spaces, and cultural exhibits. At the core of the urban center will be a revitalized historic downtown. Beyond the downtown area, the urban center will include the redevelopment of the Great Mall of the Great Plains and the surrounding area. This expanded Urban Center will provide the necessary households and supporting employment needed to make the Urban Center successful. The Urban Center will include new entertainment options, restaurants, offices, retail, civic and cultural amenities and connections to the local and regional transit options.”

A. The conformance of the proposed use to the Comprehensive Plan and other adopted planning policies.

1) Principle ES-3: “Strengthen and revitalize existing commercial centers.”

The redevelopment of the subject property with lifestyle entertainment, hotel, restaurants and other retail uses, in addition to the arena, will improve economic development and benefit adjacent businesses for the long-term vitality of the commercial establishments located in the area around 151st Street and Harrison Street

- 2) **Principle LUCC-6:** *“Discourage “leap-frog” or sprawling land use patterns by encouraging growth in serviceable areas. Promote the infill of vacant parcels and reinvestment in buildable areas.”*
- The associated **Policy LUCC – 6.1: Targeted Development:** *“With the guidance of the Comprehensive Plan’s Future Land Use Map, encourage targeted development, redevelopment and infill so as to channel growth where it will contribute to the long-term community vision and improve access to jobs, housing and services.”*
 - The land uses proposed for this site will build upon the extension of existing infrastructure. Construction of an arena, entertainment and other commercial uses promotes infill of mostly vacant properties and reinvestment in a buildable area while providing new opportunities for economic development near a major interchange within Olathe.
- 3) **Principle ES-2:** *“Achieve a balanced mix of commercial and residential development to promote fiscal sustainability and ensure tax revenues are sufficient to support public services provided to the citizens of Olathe.”*
- The proposed development with a combination of commercial, entertainment, office and multi-family residential uses provides a good mix of land uses that will help support a vibrant development with amenities for residents and increased revenues for business.

B. The character of the neighborhood including but not limited to: land use, zoning, density (residential), architectural style, building materials, height, structural mass, siting, open space and floor-to-area ratio (commercial and industrial).

The surrounding area consists of restaurants, hotels, hospital, medical offices and vacant residential properties. The subject property is suited for a variety of commercial uses, entertainment, offices, and related business uses to serve the needs of the community and the larger region. Mixed use development is encouraged in this area with a combination of commercial and multi-family residential uses. The residential uses will be higher density development, such as apartments or condominiums, that are located in close proximity to highly connected street systems, sidewalks, bikeways and transit facilities that contribute to the multimodal character.

C. The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses.

The design of the proposed planned district was modeled with the Urban Mixed Use Center goals for *Plan Olathe*. The applicant has created a site layout and design that incorporates elements typically seen within higher density commercial and multi-family settings. The development with entertainment, commercial and residential uses is consistent with the surrounding development. Furthermore, the site has close access to major transportation connections with 151st Street, I-35 and 169 Highway.

D. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.

The property is suitable for commercial development within the current regulations for the CP-3 District. The existing district does not provide the mix of retail, residential and office use that are expected within the Urban Mixed Use Center as defined within *Plan Olathe*. The special character and higher quality design standards that are intended for the development are not typically found within conventional districts and are better achieved through a planned district designation.

E. The length of time the property has been vacant as zoned.

The property was zoned CP-3 in 1994 and developed with the mall in 1996. The mall was demolished in 2016, with the exception on one free-standing building, and the rest of the interior mall site has remained undeveloped since that time. The market demand for a development of this magnitude takes time and responds to greater economic forces occurring in the Kansas City area and national scale. The rezoning of the property will better facilitate the vision of the property to develop with its intended purpose.

F. The extent to which approval of the application would detrimentally affect nearby properties.

Staff does not anticipate that the development would harm the value or character of any nearby properties. The district is intended to serve as mixed use development. The rezoning and preliminary plan will establish the vision and standards for the property to ensure that a higher quality, cohesive development will be established that is reflective of the surrounding industrial uses while generating a welcoming gateway into the community.

G. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property.

The traffic study was generated based on the provided development plan and carefully reviewed by staff for any negative impacts on the capacity and safety of the surrounding road network. The major corridors of 151st Street and 169 Highway generate a greater traffic volume than other areas within the City and future roadway improvements are expected within this area. City Engineering staff have reviewed the TIS and the applicant is responding to recommendations of the study by providing many additional turn lanes and vehicle queuing areas within the development. Parking has been provided greater than the required minimum and an increased tendency towards shared parking distribution is typically seen within mixed-use developments.

H. The extent to which the proposed use would create air pollution, water pollution, noise pollution or other environmental harm.

Staff is not aware of any potential for unlawful levels of air, water or noise pollution with the proposed development. The development shall comply with the City's stormwater requirements and provide best management practices for water quality.

I. The economic impact of the proposed use on the community.

A development of this scope is expected to have a significant impact on Olathe's economy. The variation and increased concentration of uses within a mixed-use development generally provides a greater source of revenue and longevity for the retail center. The proposed development is also expected to attract both local and regional visitors as intended for the area per *PlanOlathe*.

8. Staff Recommendation:

A. Staff recommends approval of RZ18-0021 for the following reasons:

- (1) The proposed development complies with the ***Comprehensive Plan*** for Land Use which calls for an Urban Mixed Use Center with a high-quality concentrated mix of uses. In addition, the proposal adheres to the policies and goals of the *Comprehensive Plan* for Land Use and Economic Sustainability (Principles LUCC-6, ES-2 and ES-3).
- (2) The requested rezoning to PD district meets the *Unified Development Ordinance (UDO)* criteria for considering zoning applications.

B. Staff recommends approval of RZ18-0021 with the following stipulations to be included in the ordinance:

- (1) The Planned District includes permitted, restricted and prohibited uses as established in Exhibit A. Any modifications to permitted uses must be requested and approved through the zoning amendment process.
- (2) All street improvements shall be provided in accordance with the traffic impact study and as required by the City Engineer.
- (3) All public improvements for each phase of development shall be completed prior to issuance of first Certificate of Occupancy for the respective phase.
- (4) A revised traffic study shall be submitted for any proposed changes in land use, as required by the City Engineer.
- (5) A ten (10) foot wide sidewalk shall be constructed along South Park Boulevard between Harrison Street/K-7 and 151st Street with respective phase of development.
- (6) Parking is established as shown on the preliminary development plan and reductions for shared parking are granted for certain uses as proposed on the parking distribution plan. Any changes to parking shall require separate review and approval per *Unified Development Ordinance (UDO)* requirements.
- (7) Public art shall be provided pursuant to City of Olathe Municipal Code, and the artwork shall be installed in visible locations throughout the development. The location for proposed artwork will be identified on appropriate final site development plans.
- (8) Open space, building setbacks, parking and paving setbacks, and phasing of development are established as shown on the preliminary development plan and as described in the Supplemental Design Package for Mentum Development.

- (9) The proposed golf facility, including poles for netting and lighting, shall require approval of a separate preliminary site development plan.
 - (10) A comprehensive sign package, including any exceptions to *UDO* requirements, shall be approved with the rezoning for Planned District.
 - (11) The arena building design and materials shall follow the building elevations dated January 2, 2019.
 - (12) The proposed commercial, office and multi-family residential buildings shall follow the *Mentum Design Standards and Guidelines* and include desired materials and design features to maintain a harmonious theme throughout the development.
- C. Staff recommends approval of the preliminary development plan with the following stipulations:
- (1) Final site development plans shall be approved prior to issuance of building permits for respective buildings.
 - (2) The building design and height for all structures will be reviewed and approved during final development plan review.
 - (3) Landscaping, screening and buffering shall be provided as shown on the preliminary development plan package. Screening details shall be included within final site development plans and maintained to provide 100% screening through the use of shrubs, berms, or walls for parking/paving areas facing public streets per *UDO 18.30.130*.
 - (4) Site lighting shall comply with the *Mentum Design Standards and Guidelines* and *UDO 18.30.135*. Details for Photometric plans lighting, poles and fixtures shall be submitted with final site development plans.
 - (5) Pedestrian areas shall be provided according to the *Mentum Design Standards and Guidelines* and pedestrian crossings shall consist of stamped, colored concrete or similar decorative materials
 - (6) Details for trash enclosures or compactors and screening for loading areas shall be submitted and approved with final site development plans per *UDO 18.30.130*.
 - (7) All rooftop mechanical equipment shall be screened from public view. All exterior ground or building mounted equipment, including but not limited to mechanical equipment and utility meter banks shall be screened from public view with landscaping or an architectural treatment compatible with the building architecture in compliance with *UDO 18.30.130*.
 - (8) The parking lots shall accommodate electrical charging stations where feasible and bicycle racks shall be provided in the multi-family areas and near the commercial courtyard or plaza.
 - (9) The developer shall coordinate with Johnson County Transit to determine appropriate locations for bus stops and shelters within the development area.