

# WESTWOOD PLANNING COMMISSION

Staff Report

Meeting Date: August 7, 2023

Staff Contact: Leslie Herring, City Administrator

**FP-2023-01** – Consider application of Karbank Holdings, LLC on behalf of owner City of Westwood to replat property at 5000 and 5050 Rainbow Blvd.

**FP-2023-02** – Consider application of Karbank Holdings, LLC on behalf of owner Shawnee Mission School District to replat property at 2511 W. 50th St., et. al.

## OWNER OF RECORD:

- 5000 Rainbow Blvd.: City of Westwood, Kansas
- 5050 Rainbow Blvd.: City of Westwood, Kansas
- 2511 W. 50th St.: Unified School District No. 512 (Shawnee Mission School District)

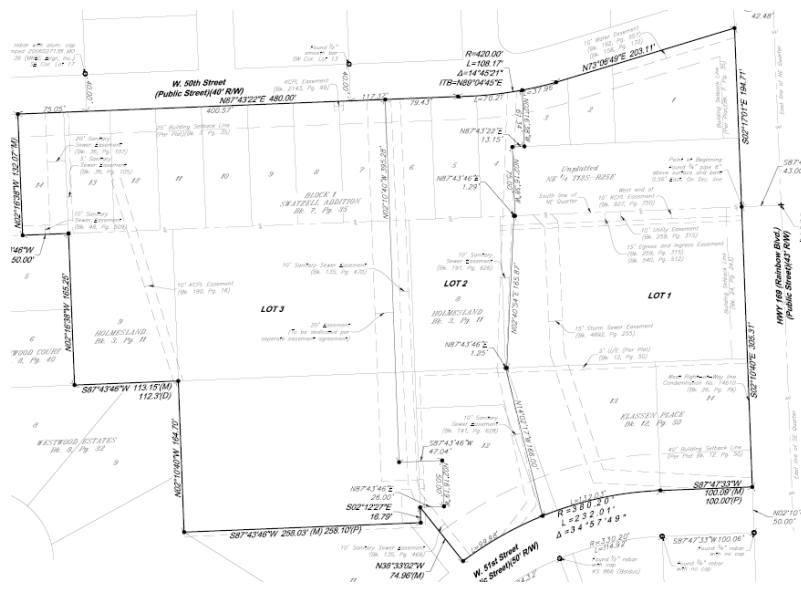
**APPLICANT:** Karbank Holdings, LLC, agent for property owners City of Westwood, Kansas and Unified School District No. 512, jointly.

**LOCATION:** The property is located on the southwest corner of W. 50<sup>th</sup> St. and Rainbow Blvd.

**EXISTING ZONING:** The property is currently zoned R-1 (D): single-family residential.

**REQUESTED ACTION:** Approval of a final plat to consolidate and divide portions of the subject site amongst parties currently under contract to purchase portions of the subject site and to establishing property intended for public use, including easements.

**EXISTING CONDITIONS:** The subject property parcels are a mixture of platted and unplatted. Lots 1 and 2 (as proposed and illustrated on the plat below) of the subject property are currently undergoing review by the Planning Commission for rezoning from R-1 to PD with an underlying C-1 zoning designation and review of the associated preliminary development plan.



**REVIEW AND APPROVAL PROCESS:**

Section 1.5 of the Westwood Zoning Ordinance specifies the procedures and requirements for the consideration of a final plat, which includes submission to the Planning Commission for review and approval and then submission to the Governing Body for acceptance/approval. Following approval by both the Planning Commission and Governing Body, the plat shall be recorded with the County Register of Deeds.

The submitted final plat creates three (3) lots on the subject property. Lot 1 is currently entirely owned by the City of Westwood and Lots 2 and 3 are currently entirely owned by USD 512. The concurrently-running rezoning and preliminary development plan applications and the existing purchase agreements dated June 8, 2023 by and between the three parties – The City of Westwood, USD 512, and Karbank Holdings, LLC – contemplate that Karbank Holdings will acquire Lots 1 and 2 upon closing of the sale, scheduled for January 4, 2024 and subject to land entitlements and other conditions as identified in the purchase agreements and a development agreement still under negotiation by the City of Westwood and Karbank Holdings, LLC.

The City of Westwood and Karbank Holdings, LLC – the two sole resulting property owners within the proposed new addition – are currently anticipating the following notable potential easements to be dedicated (either new or relocated):

- a. Maintenance easement for Karbank to maintain its landscaping and the wall of its parking structure;
- b. Sanitary sewer easement (unless Johnson County Wastewater confirms they no longer have facilities on the property requiring an easement cutting through the property); and
- c. Stormwater and detention facility easements.

No additional right-of-way nor public streets are being dedicated on the property.

**STAFF ANALYSIS:** Staff review of the application submittal concludes that the following items are to be resolved prior to approval of the plat:

- a. Rationale for offset property line at southern portion of Lots 2 and 3;
- b. Clarity on the plat as to which existing easements are to be vacated; and
- c. Coordination of lot lines on plat with those shown on the preliminary development plan.

Further, a complementing Private Detention Basin/Stormwater Quality Best Management Practice Maintenance Agreement and Easement setting out rights and responsibilities related to the dedicated stormwater detention facility, is to be agreed upon in form by Karbank Holdings, LLC and the City, with the expectation that such Agreement will be recorded with the plat on the property.

**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission allow this Final Plat to track concurrently with the rezoning and preliminary development plan applications so that all applications – which are inextricably linked – will complement one another and be updated and reviewed simultaneously.

*Suggested Motion*  
*None.*