

WESTWOOD PLANNING COMMISSION

Staff Report

Meeting Date: September 11, 2023

Staff Contact: Leslie Herring, City Administrator

RZ-2023-01 – Consider application of Karbank Holdings, LLC, on behalf of owner City of Westwood, KS to rezone property at 5000 and 5050 Rainbow Blvd., Westwood, KS 66205 from R-1 (Single-Family Residential) to PD (Planned Development)

RZ-2023-02 – Consider application of Karbank Holdings, LLC, on behalf of owner Shawnee Mission School District to rezone property at 2511 W. 50th St., et al., Westwood, KS 66205 from R-1 (Single-Family Residential) to PD (Planned Development)

PDP-2023-01 – Consider application of Karbank Holdings, LLC on behalf of owners Shawnee Mission School District and City of Westwood, KS, jointly, for approval of a preliminary development plan at 2511 W. 50th St., 5000 Rainbow Blvd., and 5050 Rainbow Blvd, Westwood, KS 66205

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. 50th St. and Rainbow Blvd.

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

PROPOSED PROJECT: Build a mixed-use office and retail development (an adjoining future City Park to the west of the subject site but located on the western portion of 2511 W. 50th St. outside of the rezoning subject site).

BACKGROUND: The applicant is requesting approval to rezone a portion of the subject site and for approval of a preliminary development plan to build a mixed-use office and retail development on property currently under contract at 5000 Rainbow Blvd., 5050 Rainbow Blvd., and 2511 W. 50th St.

Pursuant to Page Nos. 4-15 – 4-18 of the 2017 Westwood Master Plan, the following have been identified as potential uses for the subject site:

- 5050 Rainbow Blvd. – a low-intensity development, including some retail services to nearby residents and businesses along with residential uses.
- 2511 W. 50th St. (former) Westwood View Elementary – park and open green spaces; civic uses

As such, the proposed use for the subject site has been contemplated by the Westwood Master Plan, which serves as the City's Comprehensive Plan for guiding land use within the City of Westwood.

Although a park is a permitted use by right within the R-1 zone, a mixed-use commercial use is not permitted within the R-1 zone and requires a rezoning to accommodate the proposed development. The applicant desires to rezone to PD – Planned Development, Westwood Zoning Ordinance 1.6.24 requires that the preliminary development plan shall be considered and approved as part of the rezoning application.

As such, this application is subject to the conditions and criteria for:

- Rezoning approval, provided for in Section 1.6.1-18 of the Westwood Zoning Ordinance; and
- Preliminary development (site) plan approval provided for in Section 1.6.20-24 of the Westwood Zoning Ordinance.

The rezoning and preliminary development plan are subject to public hearing before the Planning Commission, at the conclusion of which the Planning Commission is to make a recommendation to the Governing Body, which body then takes the ultimate action on the applications¹.

The Planning Commission opened the public hearing on these items on August 7, 2023 and, at that time, continued the public hearing to today's agenda to allow Karbank an opportunity to integrate feedback from the public hearing into its preliminary development plan.

City Park Not Included in this Application

The proposed City Park is not included in this application, as its existence in the location proposed on the west side of the subject site is wholly dependent on the outcome of the applications filed by Karbank for its proposal on the east side of the subject site. The park planning process – including final grading and features/amenities – will take place only if and when approvals for the Karbank proposal have been obtained, lot lines determined and platted², and the successful sale and purchase of the various property parcels within the subject site has closed³.

Application Subject to Final Development Plan Approval

This application is subject to both preliminary and a final development plan approval. The preliminary development plan is the subject of the current meeting, with the final development plan submittal and review process to take place shortly hereafter. Unlike the preliminary development plan, which must in this case run concurrently with the rezoning application and which are subject to public hearing, the final development plan is not subject to public hearing so long as it is not substantially changed from the preliminary development plan and so long as the Planning Commission finds that it satisfies the requirements for site planning, landscaping, and other technical studies.

The purpose of the final development plan is to provide for more detailed technical plans that cannot be finalized until the site layout and general elements of the site are agreed upon by the parties (i.e. the

¹ Pursuant to Westwood Zoning Ordinance 1.6.13.

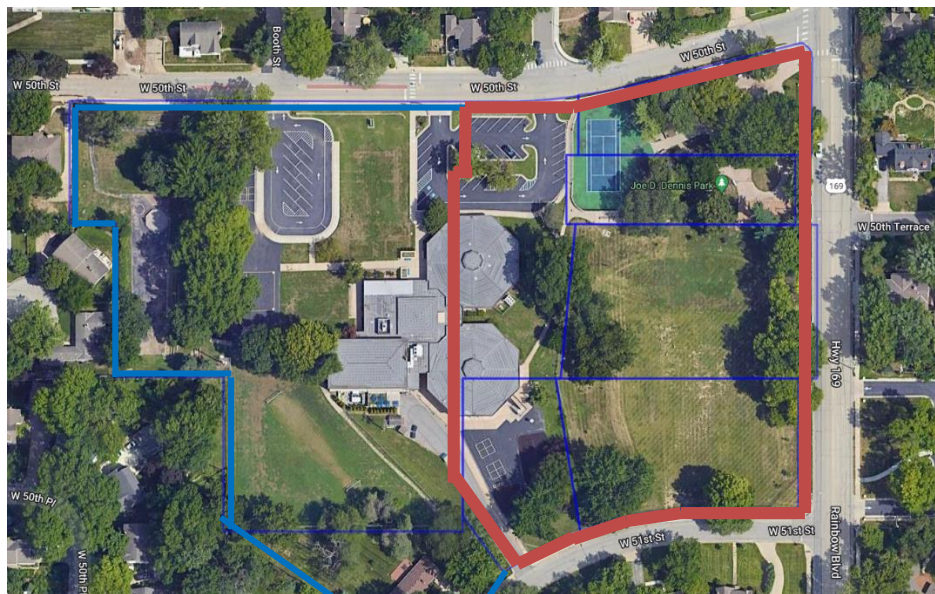
² Subject to separate but related process being run commensurate with the rezoning and preliminary development plan applications.

³ Pursuant to Purchase Agreements executed jointly by and between USD 512, the City of Westwood, and Karbank Holdings, LLC dated June 8, 2023.

City via Staff and the Planning Commission/Governing Body and the applicant). The final development plan is anticipated to be considered by the Planning Commission at the October 2, 2023 regular meeting.

EXISTING CONDITIONS: This application is to rezone 4.124 acres of the total 7.624 acres of the combined project area. The red outline in the illustration below indicates the area subject to the rezoning request. The area to the west (outlined in blue) indicates the area of the proposed City Park, which is to remain zoned R-1 and which would be subject to a later planning process in the event this rezoning application and preliminary development plan is approved and the sale and purchase of the various properties closes.

The area subject to this rezoning request (outlined in red) currently contains: a portion of an elementary school building and parking lot(s) (to be decommissioned and sold by USD 512 in 2024, regardless of the outcome of these joint applications), a City tennis court, a City playground, and a vacant parcel.



REQUESTED ACTION:

The applicant is requesting approval of a rezoning and a preliminary development plan to construct a mixed-use office and retail development.

REVIEW CRITERIA:

City staff – with the assistance of outside professionals retained by staff – reviewed the submitted applications pursuant to the following articles of the Westwood Zoning Ordinance, which solely govern this submittal:

- Article 1: Purpose, Responsibilities, and Procedures
- Article 2: Definitions
- Article 5: Commercial Zoning Districts
- Article 6: Planned Zoning Districts
- Article 9: Signs

The submittal is also reviewed to ensure compliance with the 2018 ICC code edition and APWA 5600, as amended.

APPROVAL CRITERIA:

Rezoning

Pursuant to Section 1.6.17 of the Westwood Zoning Ordinance:

In considering any application for rezoning request, the Planning Commission and the Governing Body may give consideration to the criteria stated below, to the extent they are pertinent to the particular application. In addition, the Planning Commission and Governing Body may consider other factors which may be relevant to a particular application⁴.

- A. The conformance of the proposed use to the City's Comprehensive Plan and other adopted planning policies.*
- 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).*
- C. The zonings and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zonings and uses.*
- D. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.*
- E. The length of time the property has remained vacant as zoned.*
- F. The extent to which approval of the application would detrimentally affect nearby properties.*
- G. The extent to which the proposed use would substantially harm the value of nearby properties.*
- H. 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.*
- I. The extent to which the proposed use would create excessive air pollution, water pollution, noise pollution, or other environmental harm.*
- J. The economic impact of the proposed use on the community.*
- K. The gain, if any, to the public health, safety, and welfare due to denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.*
- L. The recommendation of professional staff.*

Preliminary Development Plan

Per Section 1.6.20 of the Westwood Zoning Ordinance:

The purpose and intent of requiring site plan approval is to encourage the compatible arrangement of buildings, off-street parking, lighting, landscaping, pedestrian walkways and sidewalks, ingress and egress, and drainage on the site and from the site, any or all of these, in a

manner that will promote safety and convenience for the public and will preserve property values of surrounding properties.

Section 1.6.21 of the Westwood Zoning Ordinance provides the conditions and criteria for site plan approval.

The Planning Commission shall review the site plan to determine if it demonstrates a satisfactory quality of design in the individual buildings and in its site, the appropriateness of the building or buildings to the intended use, and the aesthetic integration of the development into its surroundings. Satisfactory design quality and harmony will involve among other things:

- A. The site is capable of accommodating the building(s), parking areas and drives with appropriate open space.*
- B. The plan is consistent with good land planning, good site engineering design principles, and good landscape architectural principles.*
- C. An appropriate use of quality materials and harmony and proportion of the overall design.*
- D. The architectural style should be appropriate for the project in question and compatible with the overall character of the neighborhood.*
- E. The siting of the structure on the property, as compared to the siting of other structures in the immediate neighborhood.*
- F. The bulk, height and color of the proposed structure as compared to the bulk, height and color of other structures in the immediate neighborhood.*
- G. Landscaping to City standards shall be required on the site and shall be in keeping with the character or design of the site.*
- H. Ingress, egress, internal traffic circulation, off-street parking facilities and pedestrian ways shall be so designed as to promote safety and convenience, and shall conform to City standards.*
- I. The plan represents an overall development pattern that is consistent with the City's Comprehensive Plan, the official street map, and other adopted planning policies.*

STAFF ANALYSIS: Staff review resulted in identification of the following more noteworthy elements of the preliminary development plan that remain unresolved through the administrative review process:

Setbacks

Sections 5.3.1 and 5.3.7 of the Westwood Zoning Ordinance provide for, among other criteria, the following:

- Consistent with the City's Comprehensive Plan, the C-1 Commercial Mixed-Use District is intended to provide redevelopment or investment opportunities for existing or planned commercial centers within the pg. 67 City. Developments in Commercial Mixed-Use districts are to follow the characteristics of traditional "Main Street" commercial neighborhood developments, and to encourage pedestrian use through connections to adjacent neighborhoods and the construction of mixed-use buildings. The purpose of this District is to allow for the development of fully integrated, mixed-used, pedestrian-oriented neighborhoods. (5.3.1.A)

- The streets and sidewalks [to be] the main pedestrian activity centers in Commercial Mixed-Use Districts. Minimal setbacks bring buildings close to the street and the pedestrians. (5.3.1.C)
- Unless otherwise indicated in a specific Overlay District, the facade of buildings in the C-1 District shall be constructed directly on the build-to line along at least seventy percent of the length of the building. (5.3.7.A)
- Parking areas and parking garages shall be recessed or placed to the rear of buildings. (5.3.7.C)
- Larger setbacks may be permitted for street-side outdoor cafes and patios. (5.3.7.D)
- Buildings on such C-1 District lots shall have no setback from at least one side lot line. (5.3.7.E)
- The required setbacks shall be... as follows:
 - 1. front and side setbacks: Ø feet
 - 2. rear setback: 20 feet minimum (5.3.7.H)

As the requested rezoning is to PD – Planned Development, deviation and flexibility from the strict criteria of the underlying zoning district (in this case C-1) is anticipated and permitted. A deviation from the setbacks required by the C-1 zoning district is requested by the applicant. The compatibility/applicability of these criteria and the setbacks proposed by the applicant should be weighed by the Planning Commission in consideration of the uses of neighboring properties and the larger criteria for reviewing rezoning requests and preliminary development (site) plans, as set forth in the Approval Criteria set forth above.

City staff does not object to the setbacks as proposed as allowing larger setbacks on this site allows for more dense tree canopy planting, which enhances the site while also serving as a transitional buffer to neighboring residential properties.

Trees

It is the stated intent of the applicant that “the majority of existing trees will be preserved at the perimeter of the site to create a large multistory landscape buffer from surrounding neighbors and preserve the existing quality of the streetscape.” However, administrative review concludes that the proposed underground stormwater management system is too close to the trees lining Rainbow and will not allow for installation of the underground detention or, if detention is installed as proposed, mature trees will likely be lost due to severe cutting of the root system and will have a profound affect for them to remain upright.

Additionally, City staff recognizes the value of a dense tree canopy and also the value of redevelopment and of proper stormwater management. As such, City staff recommends that certain conditions for approval of the application be met, which are identified as follows:

- a. Karbank to perform at its sole expense a study prior to any demolition permits being issued, such study to include the following scope of work:
 1. provide an inventory of all existing trees, identifying by location each tree’s:
 - i. specie type;
 - ii. estimated age;

- iii. condition (and to the extent possible an estimate on remaining lifespan);
 - iv. ability to be relocated elsewhere on the development site or at the City Park (with emphasis on relocating as many as possible on the development site); and
 - v. if proposed to be kept, a tree preservation and protection plan for use during the demolition and construction period; and
- b. Karbank to mitigate the removal of mature trees from 5000 and 5050 Rainbow Blvd. by providing one (1) new tree for every tree less than 12" caliper removed and for trees over 12" caliper, replace at 2:1. Preference for new tree plantings is for them to be located in the north and south side yard of the of the development; however, exact location will be determined at a later date following the conclusion of the study defined above.

Traffic Impact

Although a preliminary Traffic Memo has been provided as part of the submittal, a full Traffic Impact Study (TIS) is anticipated in the coming weeks. There are several outstanding items to be resolved to ensure that the applicant is appropriately forecasting and evaluating the traffic impacts of the proposed mixed-use development in relation to existing conditions. Further, City staff has requested and is awaiting from the applicant documentation of approval from the Kansas Department of Transportation (KDOT) as to the applicant's proposed new access point onto Highway 169/Rainbow Blvd., aligned with 50th Terrace. Further still, City staff has directed the applicant to conduct traffic counts around the site once all surrounding schools have commenced their Fall 2023 sessions (on or after August 24, 2023); these traffic counts were conducted the week of September 5th, with counts and analysis expected in an addendum to the Traffic Impact Study to be provided with the final development plan submittal.

Given the status of evaluation of the traffic impact related to the proposed development, there are still two items outstanding, which will need to be provided and resolved during the final development plan review and prior to its approval. Those items are:

- a. A conclusion to the Traffic Impact Study by way of including as an addendum to it, the in-school dates of traffic counts, and an assessment and review of those counts; and
- b. A conclusion to KDOT's review of the access of the development directly onto Rainbow Blvd.

It is worth noting that although there is a current regional study of Rainbow Blvd./Highway 169/7th St. taking place, that process is unrelated to this application; however, the two processes will be connected where possible. The Mid-America Regional Council (MARC) Planning Sustainable Places (PSP) Rainbow Blvd./7th Street/Hwy. 169 Complete Streets Traffic Management Plan study project was contemplated by the City of Westwood following the Urban Land Institute's (ULI) 2021 Technical Assistance Panel (TAP) and was initiated prior to the Karbank proposal being received by the City.

Notably, one of the main stated objectives of the MARC PSP work is to:

Integrate into the design recommendations [for Rainbow Blvd.] strategies and solutions that reduce – or at a minimum don't contribute to or cause higher levels of – non-resident vehicular traffic on adjacent residential streets.

Although this MARC PSP hopes to produce a recommendation that would result in a more pedestrian and transit-oriented Rainbow Blvd. from Shawnee Mission Pkwy. to I-35, the timelines for the projects will not result in integration of the MARC PSP findings into this particular application process.

Nonetheless, the conversations and results from this application process will be integrated into the MARC PSP process.

Stormwater Management

The stormwater management plans are, in theory and method, acceptable. Additional detail and information (including the MARC level of service calculation worksheets showing LOS required and proposed) will be reviewed in depth once it is provided prior to approval of a Final Development Plan.

Signage Guidelines

City staff sees no issues or areas of noncompliance within the submitted Comprehensive Signage Guidelines. As no tenants have yet been identified, exact signs cannot be contemplated nor reviewed by City staff. As tenants are named and signage is designed for their use, it must conform with the Comprehensive Signage Guidelines as approved during this process. Any deviations would come before the Planning Commission for review and approval.

Rezoning

City staff analysis of this application related to the *REZONING* is as follows:

Pursuant to Section 1.6.17 of the Westwood Zoning Ordinance:

In considering any application for rezoning request, the Planning Commission and the Governing Body may give consideration to the criteria stated below, to the extent they are pertinent to the particular application. In addition, the Planning Commission and Governing Body may consider other factors which may be relevant to a particular application⁵.

- A. *The conformance of the proposed use to the City's Comprehensive Plan and other adopted planning policies.*

The 2017 Master Plan provides for low-intensity development with retail uses as a potential use for the site at 5050 Rainbow Blvd. The Master Plan defines a term low-scale within this context as development generally no more than two stories. The proposed buildings are one, two, and three stories looking east from the future City Park; the buildings are three and four stories looking from Rainbow Blvd. west; and are three and one story buildings looking from the north and south of the site.

City staff finds that the proposed project meets the spirit of the 2017 Master Plan for proposed use for this site as the project.

- 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).*

City staff finds that Rainbow Blvd. is a mixed-use corridor with a greater amount of commercial than single-family residential lot frontage from Shawnee Mission Pkwy. to

County Line Rd. at 47th Street.; there are only three (3) residential properties between the subject site and KU Cancer Center on Shawnee Mission Pkwy. Given this proximity to existing commercial/office land uses and the potential use of the specific site for commercial purposes in the 2017 Master Plan, City staff find that this land use and zoning category fit within the Rainbow Blvd. neighborhood context. The architectural style, height, massing, and siting are not out-of-line with the existing KU Cancer Center offices, located just 500 feet to the south of the project site.

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

As stated above, City staff finds that the zoning and use of the proposed project is in harmony with uses of nearby properties along Rainbow Blvd., including KU Cancer Center just 500 feet to the south of the project site.

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

City Staff does not find that the property is ill-suited to R-1 residential uses; however, the location of Joe Dennis Park directly on Rainbow Blvd. – a State Highway – is not ideal given the opportunity to relocate the park nearer Westwood View Elementary School and with a structural buffer between it and Rainbow Blvd.

- E. *The length of time the property has remained vacant as zoned.*

5050 Rainbow Blvd., specifically, has been vacant for 10 years.

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

The 2017 Master Plan, 2021 ULI (Urban Land Institute) TAP (Technical Assistance Panel), and the 2022 City Facilities Assessment and Feasibility Analysis resulted in direct community input that walkable retail and restaurants are a high priority for residents. Residents also expressed interest in having a more walkable community, generally, and the addition of office space would provide more opportunities for residents to work within walking distance of their homes. As such, City staff finds that this application would not detrimentally affect nearby properties.

- G. *The extent to which the proposed use would substantially harm the value of nearby properties.*

City staff cannot estimate the extent to which the proposed use would harm the value of nearby property; however, anecdotally, several examples of single-family residential homes next or close to commercial development exist in our immediate community. These include but are not limited to:

- The Fairway Shops and KU Cancer Center, which back up to houses on W. 51st Ter.

- Commercial and industrial development along 47th St., which backs up to houses on 47th Terrace from Mission Rd. to Belinder Ct.
- Woodside Club and State Line 47 office complex on 47th Pl., which backs up to houses on 47th Ter. between Rainbow & State Line

County property value data indicates that the owners of single-family residential homes on these streets close to commercial development have seen the same – if not higher – average increases over the past 10 years in value than homes in Westwood not immediately abutting commercial uses. In fact, the homes on 47th Ter. between Rainbow and State Line (backing up to Woodside and the State Line 47 office complex) have averaged 19.5% higher property value growth compared to the average of the rest of the City as a whole over the past 10 years. Great parks, good schools, walkable retail and restaurants, and good transportation options are all factors positively impacting property values. Homes immediately surrounding this project are likely to see positive impacts to their value from all of those contributing factors.

- H. 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.*

City staff continues to work with the Karbank team to ensure comprehensive traffic evaluation and analysis and recommends a condition of approval of the final development plan be evidence through the Traffic Impact Study that capacity and safety in the vicinity of the development will not be adversely affected by the development. Further, City staff finds that the on-site parking is adequate to accommodate the proposed mix of uses for the site.

- I. The extent to which the proposed use would create excessive air pollution, water pollution, noise pollution, or other environmental harm.*

City staff has not evaluated these impacts directly nor has an environmental impact study been required for this project; however, proper stormwater management is required to be provided on-site and the photometrics plan provided provides for adequate light containment on-site. Noise pollution from mechanical equipment will be evaluated during the construction design phase prior to the issuance of building permits for the project.

- J. The economic impact of the proposed use on the community.*

Karbank is supportive of the City creating a TIF District covering both its development and the proposed City Park to the west of the development. Karbank is requesting none of the TIF proceeds – incremental value created by the construction and improvements made by Karbank – for its own use. The TIF proceeds would flow directly and entirely to the City for the 20-year period the TIF Project (kicked off by Karbank’s developing their project) and would primarily be used to plan and build the new City Park on the approximately four acres to the west of the mixed-use development. Additionally, all Karbank’s tenants will pay property taxes and sales taxes will be assessed by its retail tenants, which all provides revenue to the City. Further, the economic impact to surrounding property owners is likely to be positive (for reasons cited above in G) and in

that this proposal provides for a larger and more modern park, which absolutely creates positive economic impact for the community.

- K. *The gain, if any, to the public health, safety, and welfare due to denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.*

City staff finds no gains to the public health, safety, and welfare should the application be denied. As the City of Westwood is the landowner in this matter, denial of the application would create a hardship upon it in that it cannot feasibly improve the park amenities with current revenue levels and competing City infrastructure needs. Further, a hardship would be imposed on the City as such denial would likely signal to other interested potential partners that redevelopment of the sight is unlikely to be politically feasible.

- L. *The recommendation of professional staff.*

City staff's recommendation is provided below.

Site (Development) Plan

City staff analysis of this application related to the *SITE (DEVELOPMENT) PLAN* is as follows:

Section 1.6.21 of the Westwood Zoning Ordinance provides the conditions and criteria for site plan approval.

The Planning Commission shall review the site plan to determine if it demonstrates a satisfactory quality of design in the individual buildings and in its site, the appropriateness of the building or buildings to the intended use, and the aesthetic integration of the development into its surroundings. Satisfactory design quality and harmony will involve among other things:

- A. *The site is capable of accommodating the building(s), parking areas and drives with appropriate open space.*

City staff finds this criterion to be met by the current preliminary development plan.

- B. *The plan is consistent with good land planning, good site engineering design principles, and good landscape architectural principles.*

City staff finds this criterion to be met by the current preliminary development plan.

- C. *An appropriate use of quality materials and harmony and proportion of the overall design.*

City staff finds this criterion to be met by the current preliminary development plan.

- D. *The architectural style should be appropriate for the project in question and compatible with the overall character of the neighborhood.*

City staff finds this criterion to be met by the current preliminary development plan as relates the overall character of the Rainbow Blvd. mixed-use corridor neighborhood.

- E. The siting of the structure on the property, as compared to the siting of other structures in the immediate neighborhood.*

City staff finds this criterion to be met by the current preliminary development plan as the site layout calls for enlarged front and side yard setbacks to complement the front yard setbacks of typically single-family homes in the vicinity.

- F. The bulk, height and color of the proposed structure as compared to the bulk, height and color of other structures in the immediate neighborhood.*

City staff finds this criterion to be met – specifically as relates to bulk and height – by the current preliminary development plan as relates the overall character of the Rainbow Blvd. mixed-use corridor neighborhood.

- G. Landscaping to City standards shall be required on the site and shall be in keeping with the character or design of the site.*

City staff finds this criterion to be met by the current preliminary development plan.

- H. Ingress, egress, internal traffic circulation, off-street parking facilities and pedestrian ways shall be so designed as to promote safety and convenience, and shall conform to City standards.*

City staff continues to work with the Karbank team and KDOT to ensure ingress, egress, and pedestrian ways promote safety and convenience. City staff finds the criteria of internal traffic circulation and off-street parking facilities to be met by the current preliminary development plan.

- I. The plan represents an overall development pattern that is consistent with the City's Comprehensive Plan, the official street map, and other adopted planning policies.*

City staff finds this criterion to be met by the current preliminary development plan.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission conditionally approve all three of the applications under concurrent consideration, identified as follows:

RZ-2023-01 – Consider application of Karbank Holdings, LLC, on behalf of owner City of Westwood, KS to rezone property at 5000 and 5050 Rainbow Blvd., Westwood, KS 66205 from R-1 (Single-Family Residential) to PD (Planned Development)

RZ-2023-02 – Consider application of Karbank Holdings, LLC, on behalf of owner Shawnee Mission School District to rezone property at 2511 W. 50th St., et al., Westwood, KS 66205 from R-1 (Single-Family Residential) to PD (Planned Development)

PDP-2023-01 – Consider application of Karbank Holdings, LLC on behalf of owners Shawnee Mission School District and City of Westwood, KS, jointly, for approval of a preliminary development plan at 2511 W. 50th St., 5000 Rainbow Blvd., and 5050 Rainbow Blvd, Westwood, KS 66205

City staff recommends the following conditions of approval:

- a. Karbank to perform at its sole expense a study prior to any demolition permits being issued, such study to include the following scope of work:
 1. provide an inventory of all existing trees, identifying by location each tree's:
 - i. specie type;
 - ii. estimated age;
 - iii. condition (and to the extent possible an estimate on remaining lifespan);
 - iv. ability to be relocated elsewhere on the development site or at the City Park (with emphasis on relocating as many as possible on the development site); and
 - v. if proposed to be kept, a tree preservation and protection plan for use during the demolition and construction period;
- b. Karbank to mitigate the removal of mature trees from 5000 and 5050 Rainbow Blvd. by providing one (1) new tree for every tree less than 12" caliper removed and for trees over 12" caliper, replace at 2:1. Preference for new tree plantings is for them to be located in the north and south side yard of the of the development; however, exact location will be determined at a later date following the conclusion of the study defined above;
- c. Karbank to provide as part of the final development plan consideration sufficient and acceptable in-school traffic counts and traffic modeling and any necessary resulting modifications to the site access to ensure levels of service do not worsen as a result of the development; and
- d. Karbank, prior to final development plan approval, conclude with KDOT its review of the site access as applicable to KDOT and its jurisdiction on Rainbow Blvd.

Suggested Motion:

I move to recommend to the City Council approval of the following applications:

RZ-2023-01 – Application of Karbank Holdings, LLC, on behalf of owner City of Westwood, KS to rezone property at 5000 and 5050 Rainbow Blvd., Westwood, KS 66205 from R-1 (Single-Family Residential) to PD (Planned Development);

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PDP-2023-01 – Application of Karbank Holdings, LLC on behalf of owners Shawnee Mission School District and City of Westwood, KS, jointly, for approval of a preliminary development plan at 2511 W. 50th St., 5000 Rainbow Blvd., and 5050 Rainbow Blvd, Westwood, KS 66205; with the following conditions:

(Wording of conditions recommended by City staff provided above) Planning Commission is welcome to recommend additional or alternate conditions.