

F. REVISED PRELIMINARY PLAN APPROVAL – OAK PARK PLAZA – Vicinity of the southeast corner of 97<sup>th</sup> Street and Quivira Road

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1. APPLICANT: Oak Park Mall, L.L.C., is the applicant for this request.
2. REQUESTED ACTION: The applicant is requesting revised preliminary plan approval to allow the addition of one pad site to a shopping center.
3. LOCATION: The subject property is located in the vicinity of the southeast corner of 97<sup>th</sup> Street and Quivira Road.
4. EXISTING ZONING: This property is currently zoned CP-2, Planned General Business District (Rezoning No. 1995-31).
5. ANALYSIS OF APPLICATION: The applicant is requesting revised preliminary plan approval for Oak Park Mall shopping center. This plan proposes to construct a Sonic restaurant (Building FF) at a location south of the recently approved AT&T (Building AA) at Oak Park Plaza along Quivira Road.

The most recent preliminary plan approval (PDP No. 2008-40) allows for a total of 1,934,933 square feet with a gross leasable square-footage of 1,705,667 square feet and 7,853 parking spaces. The current preliminary plan proposal would maintain consistent allowable square-footages and provide 7,859 parking spaces, an increase of six parking spaces. Pursuant to a preliminary development plan approved in 2007, the applicant removed 110 parking spaces to make room for parking islands. Although this has decreased the number of existing parking spaces by 110, the allowable number of spaces remains. Overall, the required parking is calculated against the gross leasable area and the Unified Development Ordinance requires developments of this size to provide 4.5 spaces per 1,000 square feet. The proposed parking ratio is 4.54 spaces per 1,000 square feet.

The Sonic restaurant (DEV No. 2009-32) is proposed to be 1,728 square feet in size and will be constructed primarily of brick. The final development plan for each proposal will be heard at the July 13, 2009, meeting of the Planning Commission.

TRANSPORTATION IMPACTS: The proposed revisions to the previously approved preliminary plan do not change the main traffic circulation routes within this shopping center and therefore are acceptable to the transportation staff.

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ENVIRONMENTAL IMPACTS: As part of a previous plan approval, the developer was required to perform a structural inspection of the portion of a private box culvert located south of 97<sup>th</sup> Street and identify any required repairs. The inspection was completed and noted minor repairs; however, the repair work has not been completed at this time.

Detention on this property is necessary due to several homes downstream of the project, located at 103<sup>rd</sup> Street and Garnett, that experienced flooding. The existing detention basin is located in the same area as the proposed Sonic restaurant and associated parking lot. A proposed underground detention basin will be located to the east of the proposed Sonic pad site. It is critical that the new underground detention basin is constructed and functioning prior to removal of the existing detention basin.

6. STAFF RECOMMENDATION: Staff recommends approval of Revised Preliminary Plan, Oak Park Plaza, subject to the following stipulations:
- a. Concurrent with the submittal of construction plans for a Site Development or Building Permit, whichever comes first, the applicant's engineer shall submit a Final Stormwater Management Study that includes any design changes associated with the site. The study, plan and calculations shall be approved by the Engineering Services Division staff prior to issuance of any permits.
  - b. Prior to the issuance of a Site Development or Building Permit, whichever comes first, submit repair plans for the private box culvert to city staff for review and approval. The repairs shall be completed prior to a Certificate of Occupancy for each site.
  - c. Prior to, or concurrent with, the submittal of construction plans for a Site Development or Building Permit, whichever comes first, a separate set of final detention plans and calculations shall be submitted for the review and approval by the Engineering Services Division.
  - d. Prior to the issuance of any construction permits that remove the existing basin from service, the proposed underground detention basin must be constructed and in service.
  - e. Prior to the issuance of a Certificate of Occupancy, the underground detention facility serving the site shall be certified by

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the design engineer, a professional engineer, licensed in the State of Kansas, in accordance with Section 15.10.500 of the O.P.M.C.

- f. Prior to the issuance of a Building Permit, a draft agreement regarding division of responsibilities for the cost, maintenance, repair and annual certification of the underground detention facility serving the development shall be submitted to, reviewed and approved by the Engineering Services Division staff.
- g. Prior to the issuance of a Building Permit, the finalized agreement shall be recorded at the Johnson County Register of Deeds by the developer with a copy of the recorded agreement furnished to the Engineering Services staff.
- h. All private sidewalks shall comply with the city's standard details for public sidewalks and sidewalk ramps, unless waived by the Director of Planning and Development Services. Accessible routes leading to accessible structures and amenities within the public way shall be clearly identified on the plans and comply with the building code.
- i. Prior to the issuance of a Certificate of Occupancy, any existing public sidewalk adjacent to this property that does not substantially meet current city sidewalk standards (sidewalk is damaged, broken, or is a tripping hazard) shall be reconstructed to current city standards. The limits of the repair shall be approved by Engineering Services staff prior to the issuance of a Building Permit.
- j. The location and geometrics of all driveways and parking areas are subject to review and approval by the Planning and Development Services Department.