

CITY OF MISSION, KANSAS

ORDINANCE NO. 1546

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN AND PRELIMINARY PLAT WITH STIPULATIONS FOR THE CONSTRUCTION OF A MULTI-FAMILY HOUSING DEVELOPMENT AT APPROXIMATELY W. 51ST AND RIGGS STREET IN THE CITY OF MISSION, KANSAS – STRIDE DEVELOPMENT, LLC, APPLICANT (PLANNING COMMISSION CASE # 22-01 AND CASE #22-02)

WHEREAS, Subject property (KF251205-2001) is located at approximately the southwest corner of W. 51st Street and Riggs Street; and

WHEREAS, Subject property is zoned Planned Senior Adult Residential (“RP-5”) with certain stipulations on permitted uses, setbacks, and density; and

WHEREAS, Stride Development, LLC (the applicant), presented an application to the Community Development Department of the City of Mission for a preliminary development plan and preliminary plat for the construction of a 132-unit, multi-family housing development on the subject property on January 14, 2022; and

WHEREAS, the application (PC Case # 22-01) and (PC Case #22-02) were presented to the Mission Planning Commission on February 28, 2022, at which time a public hearing was held by the Commission so that all interested parties may present their comments concerning the application; and

WHEREAS, Notice of said public hearing was published in The Legal Record on February 8, 2022, and sent certified mail to property owners and occupants within 200 feet of the subject property; and

WHEREAS, At the conclusion of the public hearing, the Planning Commission took the application under consideration and voted X-X to recommend approval of the application to the Mission City Council.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, KANSAS:

Section 1. Approval of Preliminary Development Plan Granted – Pursuant to Section 440.175 of the Mission Municipal Code, permission is hereby granted to use the following property in the manner set forth in the Preliminary Development Plan, Planning Commission Case # 22-01, on file with the Community Development Department of the City of Mission, 6090 Woodson, Mission, Kansas 66202, and in accordance with Section 410.050 of the Mission Municipal Code, subject to the stipulations set forth in Section 2, and subject to all other laws and regulations:

Parcel ID KF251205-2001 more fully described Tract I and Tract II:

Tract I:

All that part of the West Half of Section 5, Township 12, Range 25, now in the City of Mission, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 5; thence North 90' East, along the North Line of the Northeast Quarter of the Southwest Quarter of said Section 5, a distance of 305.81 feet, to the True Point of Beginning of Subject Tract; thence continuing North 90" East, along the North Line of the Northeast Quarter of the Southeast Quarter of said Section 5, a distance of 111.64 feet; thence South 44" 48' 02" West, a distance of 588.30 feet, to a point on the West Line of the Northeast Quarter of the Southwest Quarter of said Section 5, and 417.45 feet South of the Northwest Corner thereof as measured along said West Line; thence South 0" 23' 56" East, along the West Line of the Northeast Quarter of the Southwest Quarter of said Section 5, and along the East Line of the Northwest Quarter of the Southwest Quarter of said Section 5, a distance of 140.99 feet; thence South 79" 19' 48" West, a distance 01517.01 feet; thence North 0" East, a distance of 654.16 feet, to a point on the North Line of the Northwest Quarter of the Southwest Quarter of said Section 5; thence North 90" East, along the North Line of the Northwest Quarter of the Southwest Quarter of said Section 5, a distance of 389.28 feet; thence North 0" East, a distance of 50 feet; thence North 90' East, a distance of 420.71 feet; thence South 0" East, a distance of 50 feet to the True Point of Beginning except that part in streets and roads.

Tract II:

The West 389 28 feet of the East 504 18 feet of the Southwest Quarter of the Northwest Quarter of Section 5, Township 12, Range 25, lying South of 51st Street as established, in the City of Mission, Johnson County, Kansas, except that part in streets and roads.

Section 2. Conditions and Stipulations – The Preliminary Development Plan referenced in Section 1 above is hereby approved and adopted subject to the following stipulations:

1. A final development plan will be submitted to the City and approved by the Planning Commission prior to the issuance of any building permits.
2. A Final Stormwater Management Report will be required with the Final Development Plan submittal. The stormwater report will document stormwater

infrastructure and detention basin design details, subject to review and approval by Public Works staff.

3. An application for a Land Disturbance Permit shall be submitted to, and issued by, the City before any clearing, grading, digging or blasting occurs on the site.
4. The applicant shall submit a Final Site Plan and construction documents to the City for review and approval prior to building permit issuance.
5. A Final Plat shall be approved by the Planning Commission before building permit issuance.
6. The applicant shall obtain all approvals from the Consolidated Fire District No. 2 prior to building permit issuance.
7. The applicant shall obtain all approvals from Johnson County Wastewater and Johnson County Water District #1 prior to building permit issuance.
8. The applicant shall be responsible for all damage to existing City infrastructure, including roads, curbs, and sidewalks. Repairs shall be of a quality like or better than existing conditions before final Certificate of Occupancy issuance.
9. The applicant shall provide a two (2) year warranty bond on all public infrastructure installed as part of this Preliminary Development Plan; bond(s) will be placed on file with the City of Mission Community Development Department.
10. This Preliminary Plan approval shall lapse in five (5) years from its effective date if construction on the project has not begun, or if such construction is not being diligently pursued; provided, however, that the applicant may request a hearing before the City Council to request an extension of this time period. The City Council may grant an extension for a maximum of 12 months for good cause.
11. The traffic study shall be updated to evaluate impact of the development on the W. 51st corridor from Lamar to Foxridge with counts at each intersection and at Riggs Street and W. 51st. Revised traffic study will be presented to the Planning Commission with the Final Development Plan.

Section 3. Approval of a Preliminary Plat Granted – Pursuant to Section 440.210 through Section 44.230 of the Mission Municipal Code, approval of the preliminary plat for property as described in Section 1 is hereby granted as set forth in the Preliminary Plat, Planning Commission Case # 22-02, on file with the Community Development Department of the City of Mission, 6090 Woodson, Mission, Kansas 66202, subject to the following stipulations and all other laws and regulations:

1. A Final Plat will be prepared and presented to the Planning Commission with the following conditions:
 - A. Dedication of the turn-around at the north terminus of Riggs Street to the City and dedication of that portion of property cutting into the yard of 5101 Riggs. Such dedication will require approval by the City Council.
 - B. Final Plat shall be sealed by a surveyor licensed in the state of Kansas and signed over the seal by said surveyor.
 - C. Final Plat shall have appropriate dedications and assignment clauses to be agreed upon between applicant and the City.

Section 4. Effective Date - This ordinance shall take effect and be in force from and after its publication as required by law.

Passed by the City Council this 9th day of March 2022.

Approved by the Mayor this 9th day of March 2022.

DocuSigned by:
Solana Flora
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Solana Flora, Mayor

ATTEST:

DocuSigned by:
Audrey McClanahan
5D3F02C23A52410...

Audrey M. McClanahan, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
David Martin
BD967DA27F5E458...

David Martin, City Attorney

Draft Preliminary Development Plan – Mission Preserve