

5. REVISED PRELIMINARY PLAN APPROVAL - CHURCH OF THE ASCENSION -
9510 West 127th Street

GENERAL COMMENT: Preliminary plan applications for non-residential uses in residential districts, such as churches, are generally not reviewed by the City Council following the Planning Commission hearing, unless a valid protest petition is submitted by a neighboring property owner. The property owner to the east of the church has submitted a valid protest petition, constituting 25.21 percent of the land in the protest area, thus requiring City Council consideration of this application.

1. APPLICANT: Phelps Engineering, Inc., is the applicant for this request.
2. REQUESTED ACTION: The applicant is requesting revised preliminary plan approval to allow a new parking lot. This application does require a public hearing.
3. LOCATION: The subject property is located at 9510 West 127th Street.
4. EXISTING ZONING: This property is currently zoned R-1, Single-Family Residential District.
5. ANALYSIS: The applicant is requesting revised preliminary plan approval to allow the construction of a parking lot. The main church site on the west side of Grant Street is not being altered as part of this revised preliminary plan. The property on the east side of Grant Street was originally platted for single-family homes but was never developed by the church. A vacation application is scheduled for City Council approval on July 19, 2010, to vacate the existing eyebrows on the east side of Grant Street. The final development plan is being continued to the July 26, 2010, Planning Commission meeting, because of the protest petition filed on this application.

The church property on the east side of Grant Street is now proposed to be a 130 stall parking lot. This new parking lot would be for overflow parking for the church. The church has stated that for several Sunday services per year, people are parking in the street and in the existing eyebrows. This would allow all church parking to occur on their property. Therefore, a total of 567 stalls would be provided between the main parking lot and this new lot. The staff has worked with the church to provide sidewalks for the persons utilizing this new parking lot to the entrances to the church.

The new parking lot meets all setback requirements except for approximately seven parking spaces at the northwest corner along Grant Street. These spaces are within the required 30-foot setback and a

REVISED PRELIMINARY PLAN APPROVAL - CHURCH OF THE ASCENSION -
9510 West 127th Street - continued

variance will have to be approved by the Board of Zoning Appeals. If the variance is not approved, the seven spaces will not be able to be constructed. The plan will be altered at the time of final development plan approval if the variance is not approved. The landscape plan is discussed more with the final development plan application.

ENVIRONMENTAL IMPACTS: A Preliminary Stormwater Management Study has been submitted, reviewed and accepted for this parking lot addition.

The run-off from the parking lot addition will be collected in a curb inlet that will connect to the existing storm sewer system on the east side of the property. No downstream drainage issues have been identified; therefore, detention is not proposed for this expansion.

This project is required to provide stormwater treatment facilities for the new impervious surface constructed with the parking lot expansion per Chapter 16.210 of the Municipal Code. The proposed stormwater treatment facility plan includes a rain garden and a native vegetation area. There are minor design issues associated with the stormwater treatment facility plan, but staff is confident that these issues can be resolved at the time of construction plan approval.

6. STAFF RECOMMENDATION: The staff recommended approval of Revised Preliminary Plan, Church of the Ascension, subject to the stipulations approved by the Planning Commission.
7. PLANNING COMMISSION RECOMMENDATION: The Planning Commission considered this item at a public hearing on June 28, 2010. One neighbor spoke about this request and felt the new parking lot would help with traffic flow in the area. This neighbor was concerned about the speed and amount of traffic along Knox and Grant Streets. The applicant stated they would be willing to work with staff on any better plan for traffic in the area. After the public hearing the Planning Commission, voted 10 to 0 to recommend approval of Revised Preliminary Plan, Church of the Ascension, subject to the following stipulations:
 - a. The development shall be in accordance with Exhibit "A" (Site Plan), which is filed in the office of the Planning Commission Secretary at City Hall and which is incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Overland Park, unless specifically exempted by the Governing Body.

REVISED PRELIMINARY PLAN APPROVAL - CHURCH OF THE ASCENSION -
9510 West 127th Street - continued

- b. If a variance is not approved, all parking along Grant Street shall meet the 30-foot required parking setback.
- c. The location and geometrics of all driveways and parking areas are subject to review and approval by the Planning and Development Services Department.
- d. Concurrent with the submittal of construction plans for a Site Development Permit, the applicant shall provide a Final Stormwater Management Study that addresses any outstanding items from the Preliminary Stormwater Management Study and includes any design changes.
- e. Prior to the issuance of a Site Development Permit, a Stormwater Treatment Maintenance Agreement shall be submitted, reviewed and approved by the engineering staff with the associated recording fees paid by the owner/developer.
- f. Prior to the issuance of a Certificate of Compliance, the owner shall provide a Certification of Completion and Compliance for all constructed stormwater treatment facilities. Subsequently, the owner shall have a maintenance certification submitted one year after construction is completed, and every two years thereafter. The certification shall be on a form as approved by the City and shall be performed by a registered professional engineer in the State of Kansas, unless the Director approves other qualified individuals to perform the certification.
- g. Prior to the issuance of a Certificate of Compliance, a Maintenance Surety shall be provided by the owner/developer in accordance with Section 16.210.080.E. of the O.P.M.C.
- h. Prior to the issuance of a Site Development Permit, a Performance Surety shall be provided by the owner/developer in accordance with Section 16.210.080.C. of the O.P.M.C. for any deferred facilities.
- i. Prior to the issuance of a Certificate of Compliance, any existing public sidewalk adjacent to this property that does not substantially meet current city 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 or Site Development Permit.

REVISED PRELIMINARY PLAN APPROVAL - CHURCH OF THE ASCENSION -
9510 West 127th Street - continued

- j. 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.