

ITEM NO. 3B PRELIMINARY PLAT; INVERNESS PARK PLAZA ADDITION; 3900 W 24TH PLACE (SLD)

PP-7-7-11: Consider a Preliminary Plat of Inverness Park Plaza Addition No. 5, a Replat of Lot 1, Block 1, Inverness Park Plaza Addition No. 1, for a two lot commercial development, located at 3900 W 24th Place. Submitted by Landplan Engineering, for Corporate Holdings II, LLC, property owner of record, and Hy-Vee, Inc. as contract purchaser.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Matt Gough, Barber Emerson Law Firm, agreed with the staff report.

ACTION TAKEN

Motioned by Commissioner Liese, seconded by Commissioner Singleton, to approve the Preliminary Plat of Inverness Park Plaza Addition No. 5, a replat of Lot 1, Block 1, Inverness Park Plaza Addition No. 1 and forwarding it to the City Commission for consideration of acceptance of easements and rights-of-way; subject to the following condition:

Provision of a revised Preliminary Plat to show the vacated easement along Crossgate Drive and the 10' pedestrian easement with dimensions.

Commissioner von Achen asked what the purpose was of the original restriction of the access.

Ms. Day said to preserve the street network and to direct all of the access to the abutting local street. She stated the closer to an intersection with an arterial street the more separation you want to try and have for public safety.

Mr. Uddin said traffic flow and safety were the prime objectives for this kind of access restriction.

Commissioner von Achen said given the issue of safety she saw no compelling public interest to rescind that restriction so she said she would vote against the motion.

Commissioner Liese asked for Mr. Uddin's opinion about safety.

Mr. Uddin said access could be allowed on Crossgate between Clinton Parkway and 24th Place without compromising public safety.

Mr. McCullough said the area was master planned and street improvements were put in before land uses were installed. They were installed and designed with certain land uses in mind. This corner had the residential office land use type in mind, not commercial or commercial retail. The proposal for commercial retail through the Inverness Park District Plan made staff review the area and access restrictions more carefully. With a known user staff was more comfortable in making the recommendation of waiving the access on Crossgate.

Commissioner von Achen said she was following the packet of information that talked about the ideal condition for the protection of the road network was to retain the access restriction and listed four options.

Mr. McCullough said that was true in the pure sense in the street network, but knowing there was a commercial retail user and the conveniences that had to be afforded to that particular use. He said it was a balance of all of those things.

Mr. Uddin said it meant from the access management point of view that if you want absolute safety then no access would be provided whatsoever but we cannot function that way. It recognizes anytime there was a driveway on a street there would be movements and the potential for something to go wrong.

Commissioner Hird asked if the access would look like the access to the Miller Mart at Wakarusa & Clinton Parkway.

Mr. McCullough said it could. He said at this point they were talking about breaking the access point but in the next application they would talk about the type of access to Crossgate. He said the City ultimately controlled the access to the street but the plat was needed to open the door to allow discussion for the type of access for specific uses.

Unanimously approved 9-0.