



**MINUTES OF THE
APRIL 17, 2018
LENEXA CITY COUNCIL MEETING
COMMUNITY FORUM, 17101 W 87th STREET PARKWAY
LENEXA, KS 66219**

CALL TO ORDER

The meeting was called to order at 7:00 PM.

ROLL CALL

The following Councilmembers were present with Mayor Mike Boehm presiding: Joe Karlin, Steve Lemons, Bill Nicks, Tom Nolte, Dan Roh, Corey Hunt, Andy Huckaba, and Mandy Stuke.

Staff present included Eric Wade, City Administrator; Todd Pelham, Deputy City Administrator; Mike Nolan, Assistant to the City Administrator; Beccy Yocham, Community Development Director; Cindy Harmison, City Attorney; Danielle Dulin, Interim City Clerk; and other City Staff.

APPROVE MINUTES

A motion to approve the minutes of the April 3, 2018 City Council meeting was made by Councilmember Roh and seconded by Councilmember Stuke. Motion passed unanimously.

MODIFICATION OF AGENDA

None.

PROCLAMATIONS

Arbor Day—April 27, 2018
Metropolitan Organization to Counter Sexual Assault

CONSENT AGENDA

1. Award bid for the Lenexa Monument Signage 2018 project.

This project is the third phase to replace existing signage at various parks throughout the city and adds needed signage at locations that do not currently have any wayfinding. Signage, wayfinding, and branding were in the top priorities

identified in the Parks, Recreation, and Open Space Master Plan which was completed in 2012. Multiple departments were involved in the planning and design of these signs to ensure consistency and reinforce the Lenexa brand.

2. Award bid for stormwater repairs at 8514 Monrovia, Rhodes Circle, and College and Hauser.

This awards the bid for the repair of the existing storm drainage system at three separate locations where failures have occurred. Work will include pipe and inlet replacement as well as pipe lining. This bid amount is \$393,389.79 and the low bidder is Blue Nile Contractors.

3. Acceptance for maintenance.
 - a. City Center Streetlight Replacement Project

This project consisted of replacing the existing decorative, round area street lights along 87th Street from Renner to Haven, on Renner from 87th Street to south of 90th Street, and in City Center East with energy efficient LED decorative street lights. This project did not include the replacement of the twin cobraheads mounted to the 40-foot poles in the median along Renner from 87th Street to just south of 90th Street. The replacement of these luminaires is being done by Black & McDonald as part of the City's maintenance contract with them.

- b. Reserve, 7th Plat

This project constructed public street, storm, and street lighting improvements related to the Reserve, 7th Plat Subdivision.

4. Dedication of rights-of-way and/or easements.
 - a. Acceptance of dedication of public right-of-way and drainage and landscape easements as shown on the Final Plat for Sonoma Plaza, 1st plat. PT18-05F

This plat grants drainage and landscape easements to the City as shown on the Sonoma Plaza, 1st plat, located on the west side of 87th Street Parkway and Loiret Boulevard within the Sonoma Plaza Planned Unit Development.

- b. Acceptance of dedication of drainage and landscape easements as shown on the Final Plat for Sonoma Plaza, 2nd plat. PT18-06F

This plat grants drainage and landscape easements to the City as shown on the Sonoma Plaza, 2nd plat, located on the west side of future Maurer Road within the Sonoma Plaza Planned Unit Development.

- c. Acceptance of dedication of public right-of-way and utility easements as shown on the Final Plat for City Center Lenexa, 9th plat. PT18-04F

This plat dedicates public right-of-way and dedicates utility easements to the City as shown on the City Center Lenexa, 9th plat, located at the southwest corner of W 87th Street Parkway and Renner Boulevard.

5. Cereal Malt Beverage license for Kwik Shop.

A request for approval of a new cereal malt beverage (CMB) license for Kwik Shop located at 10111 Woodland Road.

6. Resolution authorizing the Mayor to execute an agreement with Brungardt Honomichl & Company, P.A., to provide construction inspection services for the Maurer Road Special Benefit District Project.

This Engineering Services Agreement is for construction inspection services for the Maurer Road Special Benefit District Project. The total cost of these services is \$105,498.25.

7. Resolution approving and authorizing the Mayor to execute an addendum to the Alexander Open Systems, Inc. Master Services Agreement to purchase server infrastructure for the replacement and expansion of the City's technology infrastructure.

The City currently has a Master Services Agreement (MSA) with Alexander Open Systems, Inc. (AOS) to provide networking and technology consulting services. Under the MSA, the City can also purchase hardware through AOS. This addendum provides for the purchase of hyper-converged server hardware for the replacement and expansion of the City's technology infrastructure in an amount not to exceed \$640,680.26.

8. Resolution approving a real estate purchase agreement with City Center Lenexa, LLC for land located west of Renner Boulevard and south of 89th/Penrose Lane (the "Kiewit Development Project") and documents associated therewith.

Pursuant to the terms of a development agreement with City Center Lenexa, LLC ("CCL"), the City intends to sell approximately 4 acres located west of Renner Boulevard and south of 89th/Penrose to CCL for \$943,300.33, which is the purchase price calculated in accordance with the development agreement. The property is located west of and immediately adjacent to the Lexmark property recently acquired by the Kiewit Corporation. After closing on the property, CCL then intends to sell such property to Kiewit pursuant to a real estate purchase agreement entered into

between CCL and Kiewit. It is expected these closings will occur simultaneously on or about April 26, 2018.

END OF CONSENT AGENDA

A motion to approve items 1 through 8 on the consent agenda was made by Councilmember Karlin, seconded by Councilmember Lemons. Motion passed unanimously.

BOARD RECOMMENDATIONS

9. Consideration of a Special Use Permit and companion Preliminary Plan for Home2 Suites, located at the southwest corner of 96th Terrace and Rosehill Road, to allow a hotel use. SU18-03 and PL18-03P
 - a. An ordinance approving a Special Use Permit to allow a hotel in a CP-2 zoning district. SU18-03
 - b. Approval of a Preliminary Plan for Home2 Suites.

This application is for a permanent Special Use Permit for Home2 Suites to allow a hotel use at the southwest corner of 96th Terrace and Rosehill Road in a CP-2, Planned Community Commercial Zoning District, with a Preliminary Plan.

Magi Tilton, Planning and Development Administrator, stated the special use permit request is for an extended stay hotel, Home2 Suites by Hilton. The property is located at the southwest corner of 96th Street and Rosehill Road. Ms. Tilton indicated the neighborhood consists of other hotels and commercial properties; therefore, the proposed use would not be detrimental to the area. The materials of the building would be stone veneer with cement panels that have a wood texture. Ms. Tilton explained that 99 parking stalls are required for the hotel property. Sixty-eight (68) parking stalls are included on the property, and a shared parking agreement with the adjacent office building property is proposed. The adjacent office building has more parking stalls than required; therefore, the hotel and office building can share 31 stalls to meet the necessary requirement. Ms. Tilton indicated that staff is comfortable with the shared parking agreement. No one spoke at the public hearing during the Planning Commission meeting. Planning Commission and staff recommended approval of the permanent special use permit and preliminary plan.

Responding to a Governing Body question regarding the scale of the hotel, Beccy Yocham, Community Development Director, stated Home2 Suites by Hilton are considered Upper Midscale by the STR chain scale.

Responding to concerns regarding increased traffic due to the recent

redevelopment in the area and access to the property, Tim Green, Deputy Community Development Director, stated there is no concern with this project, but future projects may require additional traffic studies.

A motion to approve Item 9a was made by Councilmember Nolte, seconded by Councilmember Roh. Motion passed unanimously.

A motion to approve Item 9b was made by Councilmember Lemons, seconded by Councilmember Stuke. Motion passed unanimously.

10. Consideration of a Preliminary Plan for Midwest Sikh Gurdwara.

This application is to allow for the construction of a place of worship on the northeast corner of 101st Street and Lone Elm Road. The place of worship will be approximately 13,736 square feet in size with the main hall having capacity for 326 seats.

Ms. Tilton stated that a place of worship is an allowed use in the R-1 zoning district; however, it is subject to supplementary use restrictions. These regulations require places of worship to be located on lots with direct access to or within acceptable distance to a collector or arterial street. This property is located at the northeast corner of Lone Elm Road, an arterial street, and 101st Street, a collector street. The entire property is 42 acres, and the site for the gurdwara is approximately 12 acres. The developer is proposing the balance of the property would be developed into single-family residences and has provided a conceptual layout of a single family subdivision. The proposed building is oriented to the northeast with a circular parking lot around the north and east sides of the building and the main entrance facing the parking lot. There are three ornamental domes on the building, two mounted on the corners of the entrance and one at the rear of the building. The building materials are brick and precast concrete with gold domes and green metal roofing.

Ms. Tilton noted that no public hearing is required for a preliminary plan application, but it is the usual practice of the Planning Commission to take comments from the public during its meeting. However, the Planning Commission chairman was not aware neighbors were present at the meeting and the neighbors were not given an opportunity to speak at the Planning Commission meeting. Several comments regarding the building architecture, specifically the gold domes and height, trash enclosure, the impact to the adjacent neighborhood property values and traffic were received after the Planning Commission meeting and are included in the meeting packet or were forwarded to the Council prior to the meeting.

Ms. Tilton noted the peak traffic hours for a place of worship are off peak hours for traditional traffic; therefore, staff does not anticipate traffic issues. The finished floor elevation is 10 feet lower than the intersection of 101st Street and Lone Elm Road,

making it appear shorter than it really is from that vantage point. Places of worship in an R1 zoning district are not subject to a maximum height limitation, but the approved plan would dictate the approved maximum height of the temple. For comparison, the proposed gurdwara is 40 feet tall and the top of the largest gold dome is at 57 feet; whereas, the Church of the Latter Day Saints located at the southwest corner of the intersection is 31 feet tall and the top of the steeple is at 70 feet.

The Planning Commission and staff recommended approval.

Pradeep Shukla with Shukla Associates gave a brief description of the Sikh religion and the history of membership of the gurdwara. He indicated nearly half of the site will remain greenspace and described the proposed landscaping. Mr. Shukla noted that the gold dome is a symbol that identifies the gurdwara as a place of worship to the Sikhs.

Mayor Boehm accepted comments from several neighbors: Greg Biehl, 9900 Sunset Drive; David Pulford, 21401 W 98th Place; Rob McGeary, 21609 W 100th Terrace; Dan Langstraat, 21621 West 101st Street; Nate Smith, 21605 W 97th Terrace; Pamela Rist, 20123 W 98th Street; and Frank Jefferson, 10032 Sunset Drive. Their concerns included the color of the domes, property maintenance, decreasing property values in adjacent neighbors, traffic and pedestrian safety.

Councilmember Nolte expressed concern over building code issues, the orientation of the building, adequate parking, and compatibility of the architecture style with the surrounding neighborhoods. Ms. Yocham indicated building code issues are carefully reviewed and addressed during the final plan and building permit review, but would be beyond the scope of preliminary plan review.

Several Councilmembers expressed concern the developer did not meet with the neighbors prior to the Planning Commission meeting. It was suggested the developer be given a continuance to allow for time to meet with the neighbors to hear their concerns and consider whether any changes could be made in response to those concerns prior to Governing Body taking action on the preliminary plan.

A motion to continue Item 10 to the June 19, 2018 City Council meeting was made by Councilmember Karlin, seconded by Councilmember Roh. Motion passed unanimously.

STUDENT INTRODUCTIONS

The following students were present: Hayden Kloster, Dillon Helmstethen, Taylor Foss, Declan Shea, and Clark Blair.

11. Resolution naming the new shelter at Sar-Ko-Par Trails Park the "Grand Pavilion."

The Sar-Ko-Par Trails Park Pavilion Project, which includes the construction of a new large capacity shelter, is nearing completion. The Parks and Recreation Advisory Board is authorized to recommend names for city-owned property to the Governing Body. The Parks and Recreation Advisory Board voted unanimously on April 11, 2018 to recommend naming the new large capacity shelter at Sar-Ko-Par Trails Park the "Grand Pavilion."

Gary Ristow, Parks and Recreation Director, stated the Park Board reconsidered the proposed name of the pavilion at Sar-Ko-Par Trails Park at their April 11, 2018 meeting. The Park Board voted unanimously to recommend naming the pavilion the "Grand Pavilion". Craig Denny, a representative of the Park Board residing at 14609 West 83rd Terrace, stated the board gives great care and consideration when naming facilities, and the board felt that naming the pavilion after somebody—living or deceased—was an injustice to those that have contributed or will contribute in the future to creating Lenexa. Mr. Ristow added the Parks and Recreation Department will be installing story boards in the area to provide a history of the Rose Family and the name Sar-Ko-Par.

Several councilmembers expressed support of the Park Boards recommendation.

A motion to approve Item 11 was made by Councilmember Nicks, seconded by Councilmember Roh. Motion passed unanimously.

PUBLIC HEARINGS

12. Consideration of a request to vacate certain right-of-way in the vicinity of Lenexa Drive and 96th Terrace.
 - a. Conduct a public hearing.
 - b. Approval of an ordinance vacating right-of-way in the vicinity of 96th Terrace and Lenexa Drive.

This is a request to vacate right-of-way east of Lenexa drive and South of 96th Terrace to allow for redevelopment of the subject property.

Ms. Yocham stated the vacation request is associated with the Home2 Suites by Hilton preliminary plan that was heard and previously approved. Ms. Yocham provided a description of the right-of-way area to be vacated and indicated that the right-of-way is not needed. Notice was sent to the utility companies, emergency services, and other city staff. Most of the utilities companies provided written support of the request to vacate the right-of-way. Other who did not respond, typically have no objection. No utility companies have facilities in the right-of-way.

No comments were made during the public hearing.

A motion to close the public hearing was made by Councilmember Nolte, seconded by Councilmember Stuke. Motion passed unanimously.

A motion to approve Item 12b was made by Councilmember Roh, seconded by Councilmember Huckaba. Motion passed unanimously.

13. Public hearing to consider if the fire damaged home at 8513 Constance should be condemned and ordered repaired or demolished. - WITHDRAWN AT THE REQUEST OF CITY STAFF

A fire occurred at 8513 Constance Street on December 17, 2017 which resulted in substantial damage to the home. A public hearing was set for April 17, 2018 for the Governing Body to determine if the structure should be condemned and ordered repaired. The property owner has since demolished the home and the hearing is no longer required.

NEW BUSINESS

14. Approval of the Final Design and Fabrication Documents for the artwork Body Politic by Joe O'Connell to be installed on the west end of the Lenexa Commons.

The City's Agreement with Joe O'Connell for the purchase of artwork entitled "Body Politic" requires the Governing Body to approve the Final Design and Fabrication Documents. Staff has reviewed the Final Design and Fabrication Documents and believes the documents are consistent with the approved concept and the Agreement.

Mr. Ristow stated staff reviewed the Final Design and Fabrication documents for consistency with the design concept approved by the Public Art Committee and Governing Body, and they are in keeping with the original concept. He indicated that city staff will assist with the final install and landscaping.

A motion to approve Item 14 was made by Councilmember Nicks, seconded by Councilmember Lemons. Motion passed unanimously.

BUSINESS FROM FLOOR

None.

COUNCILMEMBER REPORTS

None.

STAFF REPORTS

15. Ridgeview Road Design Discussion

Ms. Yocham reviewed four options for changing the design of Ridgeview Road to accommodate bicycle traffic. Option 1 is a 12' multi-use trail that would be an additional \$142,200, but would not delay the project. Option 2 includes 5' bike lanes on the roadway with a 10' multi-use trail that would be an increase of \$1,283,558 with a potential 3-9 month delay for relocating the sanitary sewer or realigning the bridge. Option 3 includes 5' bike lanes on the roadway with 6' sidewalk for an additional \$491,780 with no delay. The fourth option includes wider lanes with "Share the Road" signage and a 10' multi-use trail for an additional cost of \$484,112 with no delay to the project.

There was consensus to direct staff to move forward with the fourth option.

16. Legislative update

Mike Nolan, Assistant to the City Administrator, provided an update on the 2018 Legislative Session.

ADJOURN

A motion to adjourn was made and seconded. Motion passed unanimously.

Meeting adjourned at 9:25 PM.

/s/ Danielle Dulin
Danielle Dulin, Assistant to the City Administrator/
Interim City Clerk