



Agenda

**REGULAR MEETING
GOVERNING BODY
CITY OF LENEXA, KANSAS
17101 W. 87th STREET PARKWAY**

**June 19, 2018
7:00 PM
COMMUNITY FORUM**

CALL TO ORDER

7:00 PM

ROLL CALL

Councilmembers Lemons, Nicks, Nolte, Hunt, Huckaba and Stuke were present with Mayor Boehm presiding. Councilmembers Karlin and Roh were absent.

APPROVE MINUTES

June 5, 2018 City Council meeting minutes

Approved

MODIFICATION OF AGENDA

PROCLAMATIONS

Lenexa Barbeque Month

CONSENT AGENDA

Items 1 through 12

All matters listed within the Consent Agenda have been distributed to each member of the Governing Body for review, are considered to be routine, and will be enacted by one motion with no separate discussion. If a member of the Governing Body or audience desires separate discussion on an item, that item may be removed from the Consent Agenda and placed on the regular agenda.

1. Bid award to Black & McDonald for the implementation of the Phase I LED Street Lighting Replacement Project.

This awards the bid for the replacement of existing street lights with LED luminaires on arterial and collector roads and LED bulbs in residential neighborhoods from the western city limits to I-435 and from the northern city limits to approximately K-10. The bid amount is \$549,906.44.

2. Authorization for the purchase from the 2018 Equipment Reserve Fund for equipment necessary to outfit one single axle dump truck and two tandem axle dump trucks with snow plows, salt spreaders, hooklifts and hydraulic systems.

This purchase award is through the Kansas City, Missouri cooperative purchasing agreement for a total purchase price of \$291,253.00. The equipment will be installed on trucks used by Municipal Services.

3. Acceptance of drainage easement as shown on the final plat for Stag's Pass.

This final plat is for the Stag's Pass (former Brown Mackie) building and Home2 Suites Hotel. Drainage easements are being dedicated to the City of Lenexa as part of the Stag's Pass Final Plat. PT18-09F

4. Resolution establishing a public hearing date of August 7, 2018 for the 2019 Budget

[Resolution 2018-64](#)

State statute requires cities to publish notice and conduct a public hearing prior to adoption of the annual budget. Staff proposes to set a public hearing date of August 7, 2018 for the 2019 Budget.

5. Resolution authorizing the Mayor to execute a Commercial Parking Lot Agreement with Lenexa Logistics Lot 1 Investment, Inc.

[Resolution 2018-65](#)

Lenexa Logistics Lot 1 Investment, Inc. is the owner of property located on the southwest corner of Renner Boulevard and 113th Street in the Lenexa Logistics Center. The property is adjacent to the Amazon.com, Inc office/warehouse and logistics center. The parking lot for Amazon is insufficient for its current needs, and this agreement will allow Amazon to use the property for additional commercial parking subject to certain terms and conditions related to the future use of the property.

6. Resolution authorizing the Mayor to execute a Public Improvement Maintenance Agreement with the Shawnee Mission Public Schools Unified School District for public improvement work associated with the construction of the aquatics center in Lenexa City Center.

[Resolution 2018-66](#)

As part of the Shawnee Mission Public Schools Unified School District's

(SMSD) construction of an aquatics center in Lenexa City Center, the SMSD will be constructing public improvements along 87th Street Parkway, Elmridge Street and Winchester Street. The Public Improvement Maintenance Agreement will cover any repairs or maintenance of the public improvements for a period of two years following acceptance by the City.

7. Resolution authorizing the public sale of approximately \$24,460,000 general obligation refunding and improvement bonds (Series 2018A) and \$3,715,000 general obligation temporary notes (Series 2018B)

[Resolution 2018-67](#)

The City has scheduled two debt sales for July 17, 2018. The resolution authorizes the sale of general obligation bonds to refinance bonds previously issued in 2006, 2007, and 2008 at lower interest rates to provide permanent financing for four completed special benefit district projects and to finance two storm drainage projects previously approved in the Capital Improvement Program. The resolution also authorizes the sale of general obligation temporary notes to provide temporary financing for two special benefit district projects previously approved by the City Council.

8. Ordinance authorizing the City to make certain storm drainage improvements and authorizing the issuance of general obligation bonds to finance the improvements pursuant to K.S.A. 12-631r and 12-631s

[Ordinance 5662](#)

State statute requires the City to adopt an ordinance authorizing storm drainage improvements before the improvements can be financed with general obligation bonds. The proposed ordinance authorizes the Brookwood Phase 1 and Century Estates storm drainage projects (which were previously approved in the Capital Improvement Program). The estimated bond issue amount for these projects is \$2,520,000.

9. Ordinance authorizing the acquisition of lands or interests therein by condemnation for the construction of certain public improvements associated with the Brookwood Place Storm Drainage Improvement Project.

[Ordinance 5663](#)

This ordinance authorizes the City to file a condemnation petition with the district court to acquire the easements and rights-of-way necessary for the Brookwood Place Storm Drainage project. The City will continue to work with the property owners to acquire their easements outside of condemnation. However, due to the need to ensure that the project is not delayed, the City must prepare for condemnation in the event such negotiations fail.

10. Ordinance authorizing the issuance of Industrial Revenue Bonds in an amount not to exceed \$8,000,000 for the purpose of acquiring, constructing, and equipping a mixed use retail and office project--Central Green MXD project.

[Ordinance 5664](#)

The City previously received an application from Central Green, LLC requesting the issuance of Industrial Revenue Bonds (taxable under federal law) for the construction of a mixed-use retail and office building with structured parking. The City Council previously approved the resolution of intent to issue the bonds on September 5, 2017. The applicant requested the issuance of Industrial Revenue Bonds to receive a sales tax exemption on the construction materials for the project.

11. Ordinance authorizing the issuance of Industrial Revenue Bonds in an amount not to exceed \$5,000,000 for the purpose of acquiring, constructing, and equipping a mixed use project--KSMC 87th Mixed Use project.

[Ordinance 5665](#)

The City previously received an application from KSMC, LLC (formerly referred to as Gomer's) requesting the issuance of Industrial Revenue Bonds (taxable under federal law) for the construction of a multi-phase development with two multi-tenant retail buildings. The City Council previously approved the resolution of intent to issue the bonds on February 20, 2018. The applicant requested the issuance of Industrial Revenue Bonds to receive a sales tax exemption on the construction materials for the project.

12. Ordinance amending Sections 3-9-G-1 and 3-9-G-2 of the Lenexa City Code regarding offenses involving liquor.

[Ordinance 5666](#)

The proposed ordinance amends Sections 3-9-G-1 and 3-9-G-2 of the City Code to make it the responsibility of the City Administrator or designee to review and approve cereal malt beverage and alcoholic liquor permits for private events held on City-owned property. In addition, the proposed ordinance further amends Section 3-9-G-1 of the City code to allow both residents and non-residents to apply for and obtain cereal malt beverage permits for private events held on certain City-owned property.

END OF CONSENT AGENDA

[Items 1-12 approved.](#)

**BOARD
RECOMMENDATIONS**

13. Ordinance approving a special use permit for Limitless Brewing, located at 9765 Widmer/Building 5 of Widmer Place, to allow "Basic Industry" in a BP-2, Planned Manufacturing Zoning District.

[Ordinance 5667](#)

This is a request for approval of a ten-year special use permit to allow the operation of a brewery, classified as "Basic Industry", located at 9765 Widmer Road Building 5, in a BP-2, Planned Manufacturing Zoning District. SU18-04

14. Preliminary plan for 9801 Alden Street.

[Approved](#)

This application is to allow for the expansion of an existing industrial warehouse building and additional trailer storage and parking areas for the site located at 9801 Alden Street. The expansion consists of 216,000 square feet, more than doubling the size of the building. PL18-09P

15. Rezoning, Special Use Permit and Preliminary Plan for QuikTrip #295, located at the northeast corner of 95th street and Noland Road. - **THE APPLICANT HAS REQUESTED THIS ITEM BE CONTINUED TO THE JULY 3, 2018 COUNCIL MEETING**

[Continued to July 3, 2018 City Council meeting](#)

- a. An Ordinance rezoning property located at the northeast corner of 95th Street and Noland Road from existing R-1, Residential Single-Family, NP-O, Planned Neighborhood Office and CP-2, Planned Community Commercial Zoning Districts to CP-1, Planned Neighborhood Commercial Zoning District. RZ18-03
- b. Ordinance for a special use permit to allow "Gasoline Sales, General" in the proposed CP-1, Planned Neighborhood Commercial Zoning District.
- c. Companion Preliminary Plan for QuikTrip #295.

This development application will rezone 1.37 acres of property located at the northeast corner of Noland Road and 95th Street from R-1, NP-O, and CP-2 to CP-1. There is also a request for a special use permit to allow "Gasoline Sales, General" in a CP-1 zoning district. Lastly, the

companion preliminary plan for the rezoning and special use permit shows a 4,840 square foot QuikTrip being constructed on this corner. RZ18-03, SU18-06 and PL18-02CP.

The applicant is requesting this item be continued to allow additional time for them to consider modifications to the proposed site layout and landscaping.

16. Rezoning and companion concept plan for Cottonwood Canyon South Office Park, located at the northeast corner of Prairie Star Parkway and Ridgeview Road.

- a. Ordinance rezoning property located at the northeast corner of Prairie Star Parkway and Ridgeview Road from AG, Agricultural Zoning District to NP-O, Planned Neighborhood Office Zoning District.

[Ordinance 5668](#)

- b. Concept Plan for Cottonwood Canyon South Office Park, a campus consisting of six office buildings.

[Approved](#)

This development application will rezone 0.70 acres of property located at the northeast corner of Prairie Star Parkway and Ridgeview Road from AG to NP-O. The 14.8 acres of land immediately adjacent to the subject property is currently zoned NP-O, thus the companion concept plan is for 15.45 acres and would allow for six office buildings. RZ18-04 and PL18-01CPR.

17. Preliminary and concept plan for Lenexa City Center, East Village (first plat, lot 1), located at the southeast corner of 87th Street Parkway and Renner Boulevard.

[Approved](#)

This application is to allow for the construction of a mixed use development (restaurant, office, entertainment, and multi-family) within Lenexa City Center East Village, located at the southeast corner of 87th Street Parkway and Renner Boulevard. Approximately 40,040 square feet of restaurant, office and entertainment uses will be developed along with approximately 60 multi-family units.

18. Preliminary Plan for Midwest Sikh Gurdwara, located at the northeast corner

of 101st Street and Lone Elm Road. **CONTINUED FROM THE APRIL 17, 2018 COUNCIL MEETING.**

Approved

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. PL18-04P

PUBLIC HEARINGS

19. Consideration of issuing Industrial Revenue Bonds and a Tax Abatement for K-Alden LLC Project - 9801-9807 Alden Street.

- a. Public hearing to consider an exemption from ad valorem taxes for property financed with industrial revenue bonds (IRBs).

No public comment

- b. Resolution determining the intent of the City to issue up to \$13,000,000 in IRBs and approving a ten year tax abatement with Payment in Lieu of Taxes agreement.

Resolution 2018-68

The City received an application from K-Alden LLC requesting the City issue IRBs in an amount not to exceed \$13,000,000 to finance the acquisition, construction and equipping the 216,000 square foot expansion and redevelopment of the office/warehouse facility located at 9801-9807 Alden Street. The applicant has also requested a ten (10) year, 50% tax abatement for the project. Pursuant to State law, the City must hold a public hearing to consider the cost benefit analysis and the granting of a tax abatement for the project.

NEW BUSINESS

20. Resolution approving and authorizing the Mayor to execute a Real Estate Sales Contract with Stag Commercial LLC for land located south of Prairie Star Parkway and west of Britton Street.

Resolution 2018-69

This real estate sales contract with Stag Commercial, LLC authorizes the sale

of approximately 36.4 acres owned by the City and located west of Britton Street, south of Prairie Star Parkway. The sales price is \$3.30/s.f (for an estimated \$5,232,427) which is consistent with the appraisal obtained by City on April 30, 2018. The sales contract provides for a 180-day due diligence period with up to two additional 30-day extensions.

BUSINESS FROM FLOOR

Comments will be accepted from the audience on items not listed on the agenda. Please limit remarks to a maximum of five (5) minutes per person/issue.

COUNCILMEMBER REPORTS

STAFF REPORTS

ADJOURN

9:30 PM