



Agenda

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

**July 17, 2018
7:00 PM
COMMUNITY FORUM**

CALL TO ORDER

7:00 PM

ROLL CALL

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

APPROVE MINUTES

July 3, 2018 City Council meeting minutes

Approved

MODIFICATION OF AGENDA

Item 13 was amended to decrease the bond issue to \$23,000,000. Item 14 was amended to decrease the temporary note amount to \$3,960,000.

CONSENT AGENDA

Items 1 through 6

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. Resolution approving a real estate purchase agreement with AC City Center Lenexa, LLC. (City Center Area A)

[Resolution 2018-74](#)

Pursuant to the terms of a development agreement with City Center Lenexa, LLC (CCL), the City intends to sell approximately 4.42 acres located on the southwest corner of Renner Boulevard and 87th Street Parkway to AC City Center Lenexa, LLC (the Buyer). The Buyer is a related entity to CCL. The closing date is anticipated in August 2018, and the purchase price is estimated to be \$1,040,404.

2. Resolution calling for a public hearing to consider establishing a community improvement district for the Sonoma Plaza Retail Center.

[Resolution 2018-75](#)

The City received an application and petition from Sonoma Plaza, Inc. to establish a community improvement district (CID) for its Sonoma Plaza Retail Center project located on the southeast corner of 87th Street Parkway and I-435. The petition requested the levy of a 1% CID sales tax on all sales within the proposed CID area. A public hearing will be held at the August 21, 2018 City Council meeting to consider establishing a CID.

3. Resolution approving a Petition for the Enlargement of the Consolidated Main Sewer District designated as the Mill Creek No. 1, Contract No. 2 for city-owned property at Prairie Star Parkway and Britton Street.

[Resolution 2018-76](#)

On June 5, 2018 the City Council consented to the enlargement of a sewer district at the southwest corner of Renner Boulevard and Prairie Star Parkway. Thereafter, the property owners located within the proposed enlargement area took the next step and circulated a petition to enlarge the sewer district and implement the sewer improvements. The City owns approximately 36.4 acres within the boundaries of the proposed enlargement area. The petition has been signed by all other property owners within the proposed enlargement area. This resolution approves and authorizes the Mayor to execute the petition as owner of the City property.

4. Resolution amending the Volumetric Rate Calculation Form used in determining the fee paid for natural gas transported within the City in accordance with the City's natural gas franchise ordinances.

[Resolution 2018-77](#)

The City previously adopted franchise ordinances with natural gas providers allowing the City to receive compensation based on the volume of natural gas transported within the City. The franchise ordinances require the City to annually update the Volumetric Rate Calculation Form and this resolution allows the City to continue to collect this fee in 2019.

5. Resolution revising the Victim's Rights Policy.

[Resolution 2018-78](#)

This resolution adopts a revised Victim's Rights Policy and repeals the existing policy. Changes were made to this policy to conform to the City's new policy format, delineate the rights afforded to victims of crime, and clarify the process for reviewing restitution requests.

6. Ordinance amending City Code Sections 3-8-A-14 and 3-8-A-15 regarding driving under the influence.

[Ordinance 5669](#)

This ordinance updates the language of the City's DUI Code Sections to reflect changes made during the 2018 Kansas Legislative Session. The changes in this ordinance primarily deal with the sentencing provisions and are important to ensure the City's continued ability to prosecute DUI violators in municipal court.

END OF CONSENT AGENDA

[Items 1-6 approved.](#)

PUBLIC HEARINGS

7. Consideration of City Center Tax Increment Financing (TIF) District - Redevelopment Project Plan 1I (The Area E Building - AC City Center Lenexa, LLC)

- a. Public hearing to consider adoption of TIF Redevelopment Project Plan 1I.

[No comment](#)

- b. Ordinance adopting TIF Redevelopment Project Plan 1I.

[Ordinance 5670](#)

- c. Resolution approving Disposition & Development Agreement with City Center Lenexa, LLC regarding the TIF Redevelopment Project Plan 1I.

[Resolution 2018-79](#)

TIF Project Plan 1I contemplates construction of a two-story office building, surface parking, and associated infrastructure and improvements on approximately 2.6 acres located west of Renner Boulevard and north of 89th Street. After the public hearing, the Governing Body will consider adoption of TIF Project Plan 1I. If passed by a 2/3 vote, the Governing Body will consider adoption of a Disposition & Development Agreement with AC City Center Lenexa, LLC setting forth the terms and conditions for reimbursement of TIF eligible costs with TIF Revenues generated from the Project Plan 1I area.

**BOARD
RECOMMENDATIONS**

8. Ordinance amending Unified Development Code (UDC) Section 4-1-D-3 regarding flood prevention, Article 4-1-N regarding land disturbance, and Article 4-1-O regarding stream setbacks--**This item will be continued to the August 7, 2018 City Council Meeting.**

[Continued to August 7, 2018 City Council meeting](#)

9. Ordinance approving a special use permit renewal for Southern Star Central Gas, located at 18399 West 87th Street Parkway, to allow a Utility use in an Agricultural Zoning District.

[Ordinance 5671](#)

This is a request for approval of a special use permit renewal for a ten-year time period to allow a utility use, located at 18399 W 87th Street Parkway. SU18-09

10. Consideration of rezoning ordinance, companion concept plan and preliminary plan for The Vistas at Canyon Creek located at the northwest corner of Canyon Creek Boulevard and Highway 10.

[Remanded to August 27, 2018 Planning Commission meeting](#)

- a. Ordinance rezoning property located at the northwest corner of Canyon Creek Boulevard and Highway 10 for The Vistas at Canyon Creek Development from AG, CP-O, and CP-2 to CP-2 and RP-4.
- b. Concept plan for The Vistas at Canyon Creek convenience store.
- c. Preliminary plan for The Vistas at Canyon Creek multi-family complex.

This development application will rezone 25 acres of property located at the northwest corner of Canyon Creek Boulevard and Highway 10 from AG, Agricultural, CP-O, Planned General Office, and CP-2, Planned Community Commercial Zoning Districts to CP-2, Planned Community Commercial and RP-4, Residential Planned (High-Density) Zoning Districts. The companion concept plan would allow for the construction of a convenience store, approximately 4,800 square feet in size, with gas pumps. The companion preliminary plan shows the development of 294

multi-family units in 12 buildings, 3- and 4-stories in height. RZ18-05, PL18-04CP & PL18-11P

11. Ordinance amending Unified Development Code (UDC) Section 4-2-L-19 regarding the Parks and Recreation Impact Fee.

[Ordinance 5672](#)

The Bureau of Labor Statistics will no longer be publishing a consumer price index for the Kansas City metro area. In order to ensure that the Parks and Recreation Impact Fee rate adjusts annually, the City is proposing to amend Section 4-2-L-19 to reference the Consumer Price Index for All Urban Consumers (CPI-U); U.S. city average; all items.

12. Resolution accepting the Quivira Road Corridor Study.

[Resolution 2018-80](#)

As part of the Mid-America Regional Council's Planning Sustainable Places initiative, the City of Lenexa was awarded a grant to study the Quivira Road Corridor, from 79th to 99th Streets. The overall goal of the study was to make recommendations regarding appropriate land uses and multi-modal opportunities along the corridor. By accepting the document, the Governing Body acknowledges the planning process is complete and the recommendations should be considered with future planning activities, but does not attach a time frame or money to the completion of the recommendations.

NEW BUSINESS

13. Approval of winning bid for Series 2018A general obligation bond issue (approximate par amount of \$24,460,000).

- a. Ordinance authorizing the issuance and delivery of \$24,460,000 principal amount of general obligation bonds, Series 2018A.

[Ordinance 5673](#)

- b. Resolution prescribing the form and details of and authorizing the delivery of \$24,460,000 principal amount of general obligation bonds, Series 2018A.

[Resolution 2018-81](#)

The City will conduct a competitive sale for the Series 2018A general

obligation bonds on July 17 until 11:00 AM Central Time. Staff will present a recommendation to the Governing Body at the July 17 City Council meeting after Springsted Incorporated (the City's financial advisor) reviews and verifies the bid information. The \$24,460,000 principal amount of the bond issue is preliminary and subject to change depending on the results of the bond sale.

14. Resolution authorizing the issuance and delivery of \$3,715,000 general obligation temporary notes, Series 2018B.

[Resolution 2018-82](#)

The City will conduct a competitive sale for the Series 2018B general obligation temporary notes on July 17 until 11:00 AM Central Time. Staff will present a recommendation to the Governing Body at the July 17 City Council meeting after Springsted Incorporated reviews and verifies the bid information. The \$3,715,000 principal amount of the temporary note issue is preliminary and subject to change depending on the results of the note sale.

15. Approval of the Final Design and Fabrication Documents for the artwork Splash by Shan Shan Sheng to be installed in the atrium near the south entrance of the Lenexa Rec Center.

[Approved](#)

The City's agreement with Shan Shan Sheng for the purchase of artwork entitled Splash 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.

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

9:10 PM