



## Agenda

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

**August 21, 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

August 7, 2018 City Council Meeting minutes  
Approved as amended to reflect Dan Roh was present at the August 7, 2018 City Council meeting.

### MODIFICATION OF AGENDA

Public hearing to consider an exemption from ad valorem taxes for property financed with industrial revenue bonds for KCI Lenexa 128, LLC, as published for this meeting, has been withdrawn by the applicant.

Item 5 was removed from the consent agenda and acted on after Item 12.

Item 13 was continued at the request of the applicant.

### CONSENT AGENDA

#### Item Numbers 1 through 8

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. Acceptance of maintenance Lenexa Storm Drainage Repairs at 20305 West 94th Terrace, 7450 Park Street and 103rd Street and Rosehill Road

intersection.

*This project repaired the existing storm drainage system at three separate locations where failures have occurred over the last year. Work included pipe and inlet replacement as well as pipe lining.*

2. Acceptance of a public pedestrian access zone easement as shown on the final plat for Lenexa City Center, East Village, Fifth Plat.

*This final plat is for development of the temporary parking lot located in City Center East. A pedestrian access zone easement is being dedicated to the City of Lenexa for public access and walkways in those areas where a public sidewalk will be located outside of the right-of-way. PT18-12F*

3. Acceptance of public right-of-way and utility easements as shown on the final plat for Bradshaw Place, Second Plat.

*This final plat is for Bradshaw Place subdivision. Public right-of-way and utility easements are being dedicated to the City of Lenexa as part of the Bradshaw Place, Second Plat. PT18-11F*

4. Resolution authorizing the sale, possession and consumption of alcohol at the 2018 Lenexa Chili Challenge.

[Resolution 2018-88](#)

*The 2018 Lenexa Chili Challenge will be held on October 19 and 20, 2018. In order to permit the sale, possession, and consumption of alcohol at the event, the City must approve a resolution which recognizes the 2018 Chili Challenge as a special event defined by state law, designate the boundaries of the event where alcohol may be consumed, and identify the public streets to be closed. The resolution will also approve the Lenexa Lions Club as a designated vendor to sell alcohol at the 2018 Chili Challenge.*

5. Resolution determining the intent of the City to issue up to \$11,000,000 in industrial revenue bonds to help acquire, construct and equip a commercial office/warehouse, manufacturing or distribution facility.

[Resolution 2018-92](#)

*The City received an application from KCI Lenexa 128, LLC requesting the City issue Industrial Revenue Bonds (IRBs) in an amount not to exceed \$11,000,000 to finance the acquisition, construction and equipping of a new*

*140,000 S.F. office/warehouse facility in the southwest corner of the intersection of Widmer Road and 96th Terrace. The applicant also requested a ten year, 50% tax abatement for the project. The City will consider the abatement and PILOT at a future meeting but not later than the issuance of IRBs.*

6. Resolution authorizing the Mayor to execute a Kansas Real Estate Contract for the sale of a City--owned tract of land located adjacent to 9759 Shady Bend Circle.

[Resolution 2018-89](#)

*The proposed Kansas Real Estate Contract will sell an approximately 730 square foot tract of land located adjacent to 9759 Shady Bend Circle in the Canyon Creek by the Lake Subdivision for \$4,380. The tract has been used as park property surrounding Mize Lake, but the buyer installed a fence and pool that encroaches onto the property. The city desires to sell the property for legal and practical requirements, and it is in the best interests of the public.*

7. Resolution amending the FY 2018 City Fee Schedule

[Resolution 2018-90](#)

*The proposed resolution authorizes a new Municipal Court fee for use of the courtroom and adjustment to the fees for the use of Police Department standby vehicles. If approved, the fee adjustments would be effective September 1, 2018.*

8. Resolution approving donation of a fire truck to the Shawnee Mission School District #3512 for use in the Blue Eagle Program.

[Resolution 2018-91](#)

*The Fire Department desires to donate a fire apparatus scheduled for replacement this year to the Shawnee Mission School District Blue Eagle Program, which educates and trains students in the areas of law enforcement, fire management and emergency medical services.*

## END OF CONSENT AGENDA

[Items 1-4 & 6-8 approved](#)

## BOARD RECOMMENDATIONS

9. Ordinance approving a special use permit for Elite Sports, located at 15546 West 108th Street, to allow "Personal Instruction, General" in a BP-2, Planned Manufacturing Zoning District

[Ordinance 5674](#)

*This is a request for approval of a ten-year special use permit renewal to allow "Personal Instruction, General", located at 15546 West 108th Street, in a BP-2, Planned Manufacturing Zoning District. This special use permit will allow an indoor practice facility for soccer, baseball and basketball teams and individuals. SU18-10*

10. Final plan for The Yard - Lenexa City Center, East Village, 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 building within Lenexa City Center East Village located at the southeast corner of 87th Street Parkway and Renner Boulevard. The development will include office and restaurant space as well as a large outdoor patio, entertainment component. PL18-15F*

11. Preliminary plan for The Lofts at City Center - Lenexa City Center, East Village, 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 office/retail and residential building located at the southeast corner of 87th Street Parkway and Renner Boulevard. The project is a five-story building with 10,000 square feet of office/retail space on the first floor and 67 residential units on the second through fifth floors. PL18-17P*

12. Preliminary plan for Widmer Industrial Building located at 96th Terrace and Widmer Road.

[Approved](#)

*This application is to allow for the construction of an office/warehouse building at the northwest corner of Widmer Road and 96th Terrace. The building will contain a total of 140,000 square feet of space on 11 acres. PL18-15P*

13. Rezoning and companion preliminary plan for Vantage Point Lenexa Office Park located on the west side of Renner Boulevard at the I-435 entrance/exit ramps.

- a. Adopt an ordinance rezoning property located on the west side of Renner Boulevard and the I-435 entrance/exit ramp from AG, Agricultural and NP-O, Planned Neighborhood Office Zoning Districts to CP-O, Planned General Office and CP-2, Planned Community Commercial Zoning District.
- b. Approval of a companion Preliminary Plan for Vantage Point Lenexa Office Park.

*This development application will rezone 32 acres of property located at 9300 Renner Boulevard from AG and NP-O to CP-O and CP-2. The companion preliminary plan allows for the construction of three office buildings and three restaurant pads centered around a series of reflecting pools, sculptures and seating areas. RZ18-06 and PL18-14.*

[Continued to November 6, 2018 City Council meeting](#)

14. Rezoning, Special Use Permit and Preliminary Plan for QuikTrip #295, located at the northeast corner of 95th street and Noland Road. **Remanded to the Planning Commission at the July 3, 2018 City Council meeting.**

- a. 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

[Planning Commission recommendation to not approve sustained](#)

- b. Ordinance for a special use permit to allow "Gasoline Sales, General" in the proposed CP-1, Planned Neighborhood Commercial Zoning District.

[Planning Commission recommendation to not approve sustained](#)

- c. Companion Preliminary Plan for QuikTrip #295.

[Planning Commission recommendation to not approve sustained](#)

*This 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 shows a 4,840 square foot QuikTrip being constructed on this corner.*

*At the July 3, 2018, Council meeting, this item was remanded to the Planning Commission for reconsideration based on proposed changes to the site plan. The major changes to the site plan included reorienting the building to face 95th Street and increasing the landscape buffer along the north and northeast sides of the property. The Planning Commission considered the revisions at their August 6, 2018 meeting and failed to make a recommendation on the revised application, resulting in it being denied. Therefore, the application is being returned with the Planning Commission's recommendation of denial. RZ18-03, SU18-06 and PL18-02CP*

15. Preliminary plan for Lenexa Fleet Maintenance Building located at 7700 Cottonwood

Approved

*This application is to allow for the construction of a new fleet maintenance building for the at the Municipal Services Complex located at 7700 Cottonwood Street. The new building will contain 22,000 square feet and will include 12 service bays, office space and parts storage. PL18-13P*

16. Stormwater Code Revisions

- a. Ordinance amending City Code Section 4-1-D-3 regarding flood prevention, Article 4-1-N regarding land disturbance, Article 4-1-O regarding stream setbacks, and Section 4-3-D-1 regarding special definitions for floodplain regulations - all part of the Unified Development Code (UDC). **Continue to the September 18, 2018 City Council Meeting to allow for discussion at the August 28, 2018 Committee of the Whole meeting.**

Continued to September 18, 2018 City Council meeting

## PUBLIC HEARINGS

17. Consideration of establishing the Sonoma Plaza Retail Center Community Improvement District and approving an economic development grant with McKeevers RJB, LLC

- a. Public hearing to consider establishing a Community Improvement District (CID) over the Sonoma Plaza Retail Center project area and levying CID sales tax in the project area.

[No comment](#)

- b. Ordinance establishing CID and levying 1% CID sales tax.

[Ordinance 5675](#)

- c. Resolution approving a CID Development Agreement with Sonoma Plaza, Inc.

[Resolution 2018-93](#)

- d. Ordinance approving an Economic Development Grant Agreement for McKeever's Market and Eatery within the Sonoma Plaza Retail Center.

[Ordinance 5676](#)

*The proposed CID includes the Sonoma Plaza Retail Center project area located at the southeast corner of 87th Street Parkway and I-435. The CID revenues generated from the Sonoma Plaza Retail Center will be used by Sonoma Plaza, Inc. for approved CID costs. The purpose of the proposed Economic Development Grant Agreement is to ensure the McKeever's Market and Eatery grocery store concept opens and operates in the City and is constructed in a high-quality manner that follows the City's design guidelines and planning requirements. The Economic Development Grant Agreement is for \$1,350,000 and will be paid in annual installments over five years contingent on certain terms and conditions.*

## NEW BUSINESS

18. Resolution authorizing the Mayor to execute an agreement with Athco, LLC for the purchase and installation of playground equipment.

[Resolution 2018-94](#)

*Agreement with Athco, LLC for the purchase and installation of playground equipment at Heritage Forest Park, John McNerney Park, Tamarisk Park, Gillette Park and Sar-Ko-Par Trails Park as part of the Playground Equipment Replacement Project approved in the Capital Improvement Program. The total fee for the purchase and installation of the playground equipment is*

\$549,670.00.

## 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

19. Public Safety facility study update

## EXECUTIVE SESSION

20. To discuss matters in consultation with the City Attorney which are subject to the attorney-client privilege exception regarding pending litigation styled *Oliver and Weigel v. City of Lenexa, et al.* (K.S.A.75-4319(b)(2)).  
Recessed into executive session for five minutes at 9:55 PM. Regular session resumed at 10:00 PM. A motion to deny the request of former city employee for the City to provide legal defense was approved.
21. To perform the City Administrator midyear performance evaluation as permitted by the non-elected personnel matter exception (K.S.A. 75-4319(b)(1))  
Recessed into executive session for twenty minutes at 10:05 PM. Regular session resumed at 10:25 PM. Recessed into executive session for an additional 15 minutes. Regular session resumed at 10:40 PM. No action was taken.

## ADJOURN

10:40 PM