



Agenda

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

**DECEMBER 6, 2022
7:00 PM
COMMUNITY FORUM**

CALL TO ORDER Pledge of Allegiance

ROLL CALL

APPROVE MINUTES November 15, 2022 City Council meeting draft minutes
(located in the Appendix)

**MODIFICATION OF
AGENDA**

APPOINTMENT Nathalie Brech, Parks & Recreation Advisory Board

CONSENT AGENDA **Item Numbers 1 through 14**

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. Approval of 30 Cereal Malt Beverage license renewals for 2023

Licenses to sell Cereal Malt Beverages (CMB) in the city must be renewed annually. This is the annual license renewal request for 30 locations licensed to sell CMB.

2. Approval of Change Order No. 3 with George Shaw Construction for the City Center North Special Benefit District Project

The proposed change order will increase contract costs due to changes in as-built quantities, including added work to crush and export additional rock. Other increases include revisions to duct bank quantities, including additional conduit and telecommunications boxes. This amendment increases the cost by \$271,707.24 to a total of \$5,008,138.88.

3. Resolution approving the serving of complimentary alcoholic liquor or cereal malt beverages at events promoting the arts

Governing Body approval is required for non-profit organizations to serve complimentary alcoholic liquor or cereal malt beverages at events promoting the arts. The proposed resolution will approve the serving of complimentary alcoholic liquor or cereal malt beverages at the Lenexa artists' receptions in 2023.

4. Resolution approving contracts of insurance with Midwest Employers Casualty Company for the fiscal year 2023 and fiscal year 2024 workers' compensation excess insurance coverage

The City's third party administrator for workers' compensation coverage requested proposals to provide excess insurance coverage for the self-funded workers' compensation fund. Based on the information received, staff is recommending a two-year renewal with Midwest Employers Casualty for 2023 and 2024. The annual quote for this coverage is \$151,951 for each year.

5. Resolution authorizing the dedication of permanent and temporary easements to Johnson County Wastewater for the Cliffs at Waterside subdivision

To serve the Cliffs at Waterside subdivision, Johnson County Wastewater (JCW) must extend the sanitary sewer northerly across a City-owned property. JCW is requesting permanent and temporary easements.

6. Resolution authorizing the Mayor to execute an agreement with Granicus to design, implement, and host City websites and employee intranet

This is a five-year contract to build and host the websites Lenexa.com and LenexaPublicMarket.com, and the Lenexa employee intranet. The not-to-exceed cost for the first year is \$150,000 with a total over five years of \$281,833.01.

7. Resolution adopting the fiscal year 2023-2027 Capital Improvement Program

The recommended fiscal year 2023-2027 Capital Improvement Program (CIP) is approximately \$245.5 million and includes funding for 41 capital projects.

8. Consideration of a bid award to Orr Wyatt Streetscapes for the Oak Park/Century Estates Storm Drainage Improvements Project and a resolution authorizing the Mayor to execute an agreement with Affinis Corp. for construction inspection services

- a. Bid award to Orr Wyatt Streetscapes for the Oak Park/Century Estates Storm Drainage Improvements Project
- b. Resolution authorizing the Mayor to execute an agreement with Affinis Corp. to provide construction inspection services for the Oak Park/Century Estates Storm Drainage Improvements Project

This project will replace and line deteriorated corrugated metal pipe (CMP) in the Oak Park and Century Estates subdivisions. Staff recommends awarding the bid to Orr Wyatt Streetscapes and authorizing the Mayor to execute an agreement with Affinis Corp. for construction inspection services. The total project cost, including inspection services, is \$3,289,451.50.

9. Ordinance authorizing the Mayor and City Manager, or their designee, to execute a Property Conveyance Agreement and any necessary documents for the acquisition of the real property and assets of the Lenexa Cemetery Association

Pursuant to a request by the Board of Directors of the Lenexa Cemetery Association, this ordinance authorizes the Mayor and City Manager, or their designee, to execute the documents necessary for the transfer of the real property and assets of the Association to the City for the perpetual care and maintenance of the cemetery located at 8805 Pflumm Road. The land is appraised at \$189,040 and approximately \$325,000 in cash assets are to be transferred to the City.

10. Ordinance authorizing the issuance of industrial revenue bonds in the principal amount not to exceed \$28.6 million (Lenexa Logistics Centre North Phase II - Building 5)

The City Council previously passed a resolution stating the City's intent to issue up to \$30 million in industrial revenue bonds to help finance the acquisition, construction, and equipping of a 565,027 square foot building in the Lenexa Logistics Centre North Phase II development located east of Mill Creek Road and north of College Boulevard and approving a 10-year tax abatement for the project. The tax abatement will commence January 1, 2023.

11. Ordinance authorizing the issuance of industrial revenue bonds in the principal amount not to exceed \$19.9 million (Lenexa Logistics Centre North Phase II - Building 11)

The City Council previously passed a resolution stating the City's intent to

issue approximately \$23,525,000 in industrial revenue bonds to help finance the acquisition, construction, and equipping of a 200,000 square foot building in the Lenexa Logistics Centre North Phase II development located east of Mill Creek Road and north of College Boulevard and approving a 10-year tax abatement for the project. The tax abatement will commence January 1, 2023.

12. Ordinance authorizing the issuance of industrial revenue bonds in the principal amount not to exceed \$24 million (Meritex Surface Buildings 3, 4, & 5 Project)

On December 7, 2021 the City approved Resolution 2021-126 stating the City's intent to issue approximately \$24 million in industrial revenue bonds to help finance construction of three light industrial/warehouse buildings totaling 300,000 square feet, access road, surface parking, sidewalks, landscaping and associated infrastructure located along 99th Street between Ridgeview Road and Britton Street in the Meritex surface development. The purpose of the bonds was to allow the developer to utilize the sales tax exemption on materials.

13. Consideration of two ordinances authorizing the issuance of two series of industrial revenue bonds in the total principal amount not to exceed \$8.5 million (Ace Properties Project)

- a. Ordinance authorizing the issuance of industrial revenue bonds in the principal amount not to exceed \$6 million (Ace Properties Building 1)
- b. Ordinance authorizing the issuance of industrial revenue bonds in the principal amount not to exceed \$2.5 million (Ace Properties Building 2)

The City Council previously passed a resolution stating the City's intent to issue up to \$10 million in industrial revenue bonds to help finance the acquisition, construction, and equipping of 63,000 square feet of office/warehouse facilities in multiple buildings located at the northwest corner of Lackman Road & College Boulevard and approving a 10-year tax abatement for the project. The tax abatement will commence January 1, 2023.

14. Resolution setting a public hearing to consider amending the fiscal year 2022 budget

State law requires cities to publish notice and hold a public hearing before considering amendments to increase the annual budget. The proposed resolution sets a public hearing on December 20, 2022 to consider

amendments to the fiscal year 2022 budget for the Special Parks and Recreation Fund and the Prairie Creek Community Improvement District Fund.

END OF CONSENT AGENDA

BOARD RECOMMENDATIONS

15. Consideration of rezoning and a companion preliminary plan for Clear Creek Landing located at the southwest corner of 83rd Street & Clare Road from the RP-1, Planned Residential Single-Family (Low-Density), Zoning District to the RP-2, Planned Residential (Intermediate-Density), Zoning District
 - a. Ordinance rezoning property from RP-1, Planned Residential Single-Family (Low-Density), Zoning District to RP-2, Planned Residential (Intermediate-Density), Zoning District
 - b. Approval of a companion preliminary plan for Clear Creek Landing

The applicant proposes to rezone the property to allow for a six-building, 24-unit townhome development on an undeveloped 3.4-acre tract of land at the southwest corner of 83rd Street & Clare Road.

16. Consideration of rezoning and a companion concept plan for Cedar Canyon West located at the northeast corner of Canyon Creek Boulevard & K-10 Highway from AG, Agricultural and CP-2, Planned Community Commercial Zoning Districts to CP-2, Planned Community Commercial; RP-2, Planned Residential (Intermediate-Density); RP-5, Planned Residential (High-Density); CP-O, Planned General Office; and BP-2, Planned Manufacturing, Zoning Districts
 - a. Ordinance rezoning property from AG, Agricultural and CP-2, Planned Community Commercial, Zoning Districts to CP-2, Planned Community Commercial; RP-2, Planned Residential (Intermediate-Density); RP-5, Planned Residential (High-Density); CP-O, Planned General Office; and BP-2, Planned Manufacturing Zoning Districts.
 - b. Approval of a companion concept plan for Cedar Canyon West

The applicant proposes to rezone the property to allow development of Cedar Canyon West, which includes two-family residential, multi-family

residential, commercial, office, and business park uses, at the northeast corner of the K-10 Highway & Canyon Creek Boulevard interchange.

17. Approval of a preliminary plan for Databank - Data Center Expansion located at 11200 Lakeview Avenue in the BP-2, Planned Manufacturing District to allow a data center and storage use

The applicant is requesting preliminary plan approval to allow an addition to the DataBank data processing facility. The addition includes a mechanical court for chillers and generators and server rooms. The expansion is for 60,340 square feet of building floor area to bring the total building size to 102,882 square feet.

18. Ordinance approving a 10-year Special Use Permit renewal for Santa Fe Tow, located at 9125 Rosehill Road, to allow Parking Lot, Storage and Auction Services in the BP-2 Planned Manufacturing, Zoning District

The applicant is requesting a Special Use Permit (SUP) to continue operating a tow lot with an expanded parking area and online auction of unclaimed vehicles. A final plan was reviewed in conjunction with the SUP and approved by the Planning Commission.

19. Ordinance to rezone property located at 12381 W. 95th Street to the CP-3, Planned Regional Commercial, Zoning District to allow for a freeway monument sign for Living Spaces

A portion of former right-of-way is required to be zoned CP-3, Planned Regional Commercial, in order to consolidate it with the main parcel at 12381 W. 95th Street for Living Spaces to have a monument sign on the property.

20. Approval of a revised preliminary plan for City Center Lenexa Area A Restaurant Row located at the southwest corner of 87th Street Parkway & Renner Boulevard in the CC, Planned City Center District to allow a mixed-use development

The proposed development is part of Area A of Lenexa City Center. The proposed plan is for five buildings, four of which are located along Scarborough Street/City Center Drive. The fifth building is located at the northeast corner of the block, which is closest to the southwest corner of 87th & Renner Boulevard.

21. Consideration of rezoning and a companion preliminary plan for 95th & Renner Mixed-Use Project located at 9401 Renner Boulevard from CP-O, Planned General Office Zoning District, to PMU, Planned Mixed-Use Zoning District

- a. Ordinance rezoning property from CP-O Planned General Office District to the PMU Planned Mixed Use District
- b. Approval of a companion preliminary plan for 95th & Renner Mixed Use Project

This proposal is for redevelopment of an existing five-story office building into a mixed-use building including apartments, office and retail space, and amenities. A second five-story apartment building is proposed that will also house an internalized parking garage and upscale amenities.

NEW BUSINESS

None

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

APPENDIX

22. November 15, 2022 City Council meeting draft minutes
23. Item 6 -- Granicus Agreement
24. Item 9 -- Cemetery Conveyance Agreement
25. Item 15 -- Clear Creek Landing Correspondence

Dist. Governing Body; Management Team; Agenda & Minutes Distribution List

IF YOU NEED ANY ACCOMMODATIONS FOR THE MEETING, PLEASE CONTACT THE CITY ADA COORDINATOR, 913/477-7550. KANSAS RELAY SERVICE 800/766-3777. PLEASE GIVE 48 HOURS NOTICE