



Agenda

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

**AUGUST 15, 2023
7:00 PM
COMMUNITY FORUM**

CALL TO ORDER Pledge of Allegiance

ROLL CALL

APPROVE MINUTES August 1, 2023 City Council meeting draft minutes (located in the Appendix)

**MODIFICATION OF
AGENDA**

APPOINTMENT Planning Commission - Cara Wagner

CONSENT AGENDA **Item Numbers 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. Bid award to SAK Construction for the 2023 Pipe Lining Project

Staff identified numerous corrugated metal pipes in various parts of the city that are good candidates for lining. SAK Construction bid \$594,546 for this project.

2. Bid award to Infrastructure Solutions for the 2023 Pavement Management Program Residential Concrete Panel Replacement Project

This project consists of removing and replacing deteriorated concrete roadway panels in and around the southern portion of The Reserve residential neighborhood. Infrastructure Solutions bid \$282,060 for this project.

3. Change order to add a shelter to Phase 1 of the Cedar Station Park Project

The bid approved on July 18, 2023 for Phase 1 of the Cedar Station Park Project left sufficient funds to construct the shelter in that phase, which will minimize site impacts and be much more cost effective. The cost to add the shelter during Phase 1 is \$135,725.

4. Acceptance of utility, sidewalk, and drainage easements as shown on the StorTropolis Final Plat, located at the southwest corner of 96th Terrace & Rosehill Road

StorTropolis is a one-lot self-storage development on 3.3 acres. Utility, sidewalk, and drainage easements are being dedicated to the City as part of the final plat.

5. Resolution approving and authorizing the Mayor to execute an agreement with ClearCompany for applicant tracking and I-9 administration services

The City's current agreement with ClearCompany expires September 29, 2023 and staff recommends entering into a new 36-month Agreement effective September 30, 2023. The annual estimated fees for all services are \$102,374.60.

6. Consideration of a resolution and an ordinance concerning property acquisitions for construction of the Santa Fe Trail Drive Street and Trail Improvements Project

- a. Resolution declaring it necessary to appropriate private property for construction of the Project
- b. Ordinance authorizing and providing for the acquisition of lands or interests therein by condemnation for the construction of the Project

Santa Fe Trail Drive will be rehabilitated and widened from the previous 95th Street Intersection Project limits to Park Street. New curb and gutter will be constructed along with a trail segment along the south side of Santa Fe Trail Drive to Pflumm Road. Temporary construction easements and a sidewalk easement from adjacent property owners will be required for construction.

END OF CONSENT AGENDA

BOARD RECOMMENDATIONS

7. Consideration of a rezoning and preliminary/final plan for retail, office,

personal instruction (general), and wholesale/warehousing (general and limited) uses for 8500 Marshall Drive

- a. Ordinance rezoning property from the BP-2, Planned Manufacturing Zoning District to the CP-4, Planned Service Commercial Zoning District
- b. Approval of a companion preliminary/final plan for 8500 Marshall Drive

The applicant is requesting rezoning of the property located at 8500 Marshall Drive from the BP-2, Planned Manufacturing Zoning District to the CP-4 Planned Service Commercial District, and approval of a companion preliminary/final plan for Bushnell to operate a retail business.

OLD BUSINESS

8. Consideration of two resolutions for the Lenexa Old Town Activity Center Improvement Project
 - a. Resolution amending the FY 2023-2027 Capital Improvement Program (CIP) and increasing the budget amount for the Lenexa Old Town Activity Center Improvement Project to \$12,152,000
 - b. Resolution waiving the sealed bid process, authorizing the Mayor to execute a Construction Manager at Risk (CMAR) Agreement with Turner Construction Company, and approving Guaranteed Maximum Price Amendment 1 to the CMAR Agreement for construction of the Lenexa Old Town Activity Center Improvement Project

Design development and pre-construction work on the Lenexa Old Town Activity Center Improvement Project is complete. This item includes an overview of the final design of the facility, an update on the project schedule and the mural design process, a 2023-2027 Capital Improvement Program amendment to increase the project budget to \$12,152,000, as well as a resolution waiving the sealed bid process and approving a Construction Manager at Risk (CMAR) Agreement with Turner Construction Company, which includes GMP #1 to the CMAR Agreement for early procurement of long lead-time materials in the sum of \$94,928.

NEW BUSINESS

None

COUNCILMEMBER REPORTS

STAFF REPORTS

9. 2023 ProX Internship Program Review

END OF RECORDED SESSION

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.

ADJOURN

APPENDIX

10. August 1, 2023 City Council meeting draft minutes
11. Appointment -- Planning Commission - Cara Wagner
12. Item 6 -- Santa Fe Trail Drive Property Acquisitions Ordinance
13. Item 8 - GMP #1
14. Item 8 -- Lenexa Old Town Activity Center Presentation
15. Item 9 -- ProX Internship Program Presentation

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



**CITY COUNCIL
MEMORANDUM**

ITEM 1

SUBJECT: Bid award to SAK Construction for the 2023 Pipe Lining Project
CONTACT: Tim Green, Deputy Community Development Director
DATE: August 15, 2023

ACTION NEEDED:

Award the bid to SAK Construction for the 2023 Pipe Lining Project.

PROJECT BACKGROUND/DESCRIPTION:

City staff identified numerous pipes in various locations throughout the city that were good candidates for lining. The areas were chosen as priority due to poor pipe conditions and proximity to other storm drainage projects.

Bids were opened on July 25, 2023 with the following results:

Engineer's Estimate	\$878,024.00
SAK Construction*	\$594,546.00
Municipal Pipe Tool Co, LLC	\$622,677.00
S.J. Louis Construction, Inc.	\$679,977.00
Insituform Technologies USA, LLC	\$837,573.04

*Low Bidder

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

This project is included in the approved 2023-2027 Capital Improvement Program (Project No. 90067). The project is funded with stormwater cash.

STAFF RECOMMENDATION:

Award the bid.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

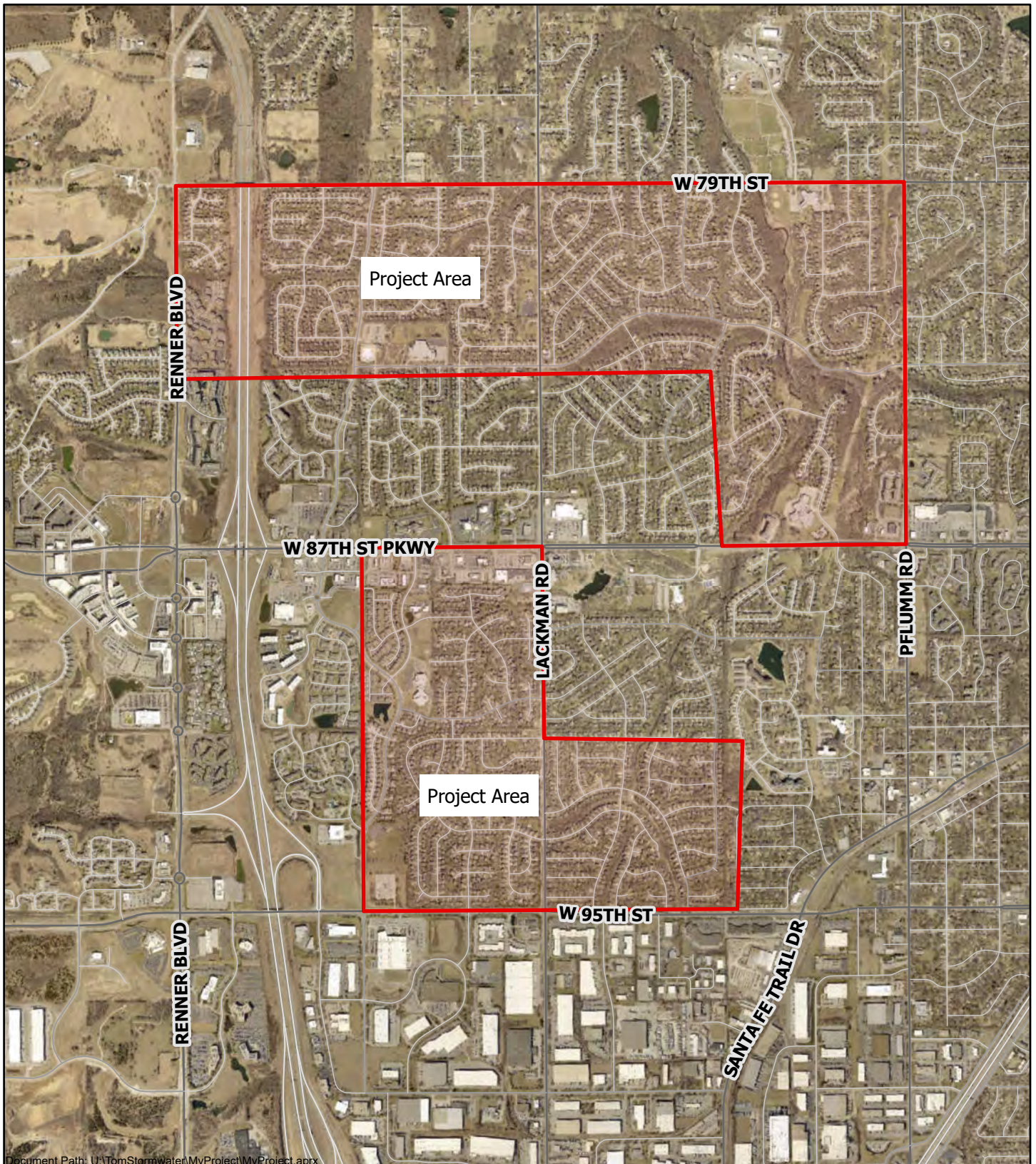
Integrated Infrastructure & Transportation

Guiding Principles

Strategic Community Investment
Sustainable Policies and Practices

ATTACHMENTS

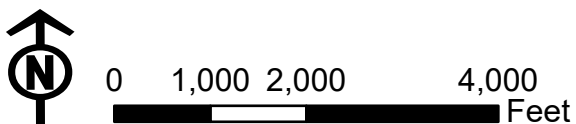
1. Map



Document Path: U:\TomStormwater\MyProject\MyProject.aprx

Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

2023 Stormwater Pipe Lining Aerial/Vicinity Map





**CITY COUNCIL
MEMORANDUM**

ITEM 2

SUBJECT: Bid award to Infrastructure Solutions for the 2023 Pavement Management Program Residential Concrete Panel Replacement Project

CONTACT: Nick Arena, Director of Municipal Services

DATE: August 15, 2023

ACTION NEEDED:

Award a bid to Infrastructure Solutions for the 2023 Pavement Management Program (PMP) Residential Concrete Panel Replacement Project.

PROJECT BACKGROUND/DESCRIPTION:

This contract work is part of the annual PMP and was discussed during staff's presentation on January 24, 2023. It will consist of removing and replacing deteriorated concrete roadway panels in and around the southern portion of The Reserve residential neighborhood.

Bids were opened on August 9, 2023, with the following results:

Engineer's Estimate	\$299,700
Infrastructure Solutions*	\$282,060
Freeman Concrete Construction, LLC	\$486,000
Kansas Heavy Construction, LLC	\$383,400
Mega KC	\$465,480
McConnell & Associates	\$414,000
CM Concrete Inc.	\$357,120
Orr Wyatt Streetscapes	\$354,060

*Low Bidder

Infrastructure Solutions has completed work on previous City projects, and they are qualified to perform this work.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

Funding sources for this project include the annual PMP, which is funded by a portion of the 3/8-cent sales tax, property tax revenue, and the City's share of gas tax revenue (Special Highway Fund).

STAFF RECOMMENDATION:

Award the bid.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Integrated Infrastructure & Transportation
Vibrant Neighborhoods

Guiding Principles

Strategic Community Investment

ATTACHMENTS

1. Map





**CITY COUNCIL
MEMORANDUM**

ITEM 3

SUBJECT: Change order to add a shelter to Phase 1 of the Cedar Station Park Project
CONTACT: Logan Wagler, Parks & Recreation Director
DATE: August 15, 2023

ACTION NEEDED:

Approve a change order to add a shelter to Phase 1 of the Cedar Station Park Project.

PROJECT BACKGROUND/DESCRIPTION:

Cedar Station Park is a 74-acre park located on the east and west sides of Canyon Creek Boulevard just north of K-10 Highway. It currently contains a fishing lake (Mize Lake) and trail system. A bid award was approved to begin construction of Phase 1 in July 2023. This first phase began on August 8th and was planned to include:

- a small parking lot,
- restrooms,
- associated utilities,
- landscaping,
- picnic areas, and
- accessible trail access to the lake.

The shelter and playground were planned for Phase 2 construction.

This is a Capital Improvement Program (CIP) project with a \$1.4 million budget for Phase 1. The bid approved on July 18, 2023 for Phase 1 was \$1,038,165, leaving sufficient funds to construct the shelter in that phase.

Staff recommends constructing the shelter as part of Phase 1 because it will minimize site impacts and be much more cost effective. Additionally, this would make this important element available to the public sooner. A park shelter is a hub for gathering, celebrating, and seeking refuge from the elements.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

This project is included in the approved 2023-2027 CIP (Project No. 70028).

Original approved budget	\$1,400,000
Phase 1 approved bid	\$1,038,165
Change Order to add shelter to Phase 1	\$135,725
Phase 1 total	\$1,173,890

STAFF RECOMMENDATION:

Approval of the change order.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Vibrant Neighborhoods

Inviting Places

Guiding Principles

Extraordinary Community Pride

Strategic Community Investment

ATTACHMENTS

1. Map
2. Exhibits
3. Change Order



Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

Cedar Station Park



0 65 130 260 Feet

THE DESIGN **room to play**

- + Fun equipment
- + Shade
- + Seating
- + Pourous surfaces
- + Visible location



THE DESIGN **shelter**

- + Seating for 16
- + Accessible path
- + Views of lake
- + Protection from the elements



THE DESIGN **lakeside**

- + Another chance to enjoy Mize Lake
- + Access for fishing
- + Space to reflect





PCO #001

Centric Projects, LLC
520 W Pennway St, Suite 100
Kansas City, Missouri 64108
Phone: 8163898300

Project: 23-016 - Cedar Station Park
9555 Canyon Creek Boulevard
Lenexa, Kansas 66227
Phone: 914-907-4229

Prime Contract Potential Change Order #001: CE #001 - Shelter Structure

TO:	City of Lenexa 17101 West 87th Street Parkway Lenexa Kansas, 66219	FROM:	Centric Projects, LLC 520 W Pennway St, Suite 100 Kansas City Missouri, 64108
PCO NUMBER/REVISION:	001 / 0	CONTRACT:	1 - 23-016 Cedar Station Park
CREATED BY:	Randy Greene (Centric Projects, LLC)	CREATED DATE:	8/8 /2023
LOCATION:		SCHEDULE IMPACT:	14 days
		TOTAL AMOUNT:	\$135,725.00

CHANGE REASON: Client Request

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*

CE #001 - Shelter Structure Shelter Structure

- General Conditions (supervision, small tools, dumpsters, port-a-john, & cleanup labor, temp protection)
- Survey & Layout
- Concrete Footings
- Masonry (Stone)
- Steel Columns
- Carpentry & Framing (Beams & T&G Wood Deck)
- Painting & Staining
- Roofing & Flashing
- Electrical

ATTACHMENTS:

#	Cost Code	Description	Type	Amount
1		Shelter Structure		\$ 120,901.00
2		Shelter Add OH & Profit		\$ 12,090.00
3		Shelter Add Bonds		\$ 1,525.00
4		Shelter Add General Liability Insurance		\$ 1,209.00
Subtotal:				\$135,725.00
Grand Total:				\$135,725.00

City of Lenexa
17101 West 87th Street Parkway
Lenexa Kansas 66219

Centric Projects, LLC
520 W Pennway St, Suite 100
Kansas City Missouri 64108

SIGNATURE

DATE

SIGNATURE

DATE

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**CITY COUNCIL
MEMORANDUM**

ITEM 4

SUBJECT: Acceptance of utility, sidewalk, and drainage easements as shown on the StorTropolis Final Plat, located at the southwest corner of 96th Terrace & Rosehill Road

CONTACT: Stephanie Kisler, Planning Manager

DATE: August 15, 2023

ACTION NEEDED:

Accept the utility, sidewalk, and drainage easements as shown on StorTropolis Final Plat, located at the southwest corner of 96th Terrace & Rosehill Road.

APPLICANT:

Daniel Finn, Phelps Engineering

OWNER:

Hunt Midwest Real Estate Development Inc.

PROPERTY LOCATION/ADDRESS:

Southwest corner of 96th Terrace & Rosehill Road

PROJECT BACKGROUND/DESCRIPTION:

On July 31, 2023, the Planning Commission approved the final plan and final plat to construct a 137,775 square foot self-storage facility known as StorTropolis at the southwest corner of 96th Terrace & Rosehill Road. Utility, sidewalk, and drainage easements are being dedicated to the City as part of the final plat for the development.

STAFF RECOMMENDATION:

Acceptance of the easements.

PLANNING COMMISSION ACTION:

This item was considered as Consent Agenda item 1 at the July 31, 2023 Planning Commission meeting. Chairman Poss entertained a motion to **APPROVE** Consent Agenda items 1 and 2. Moved by Commissioner Harber, seconded by Commissioner Burson, and carried by a unanimous voice vote.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

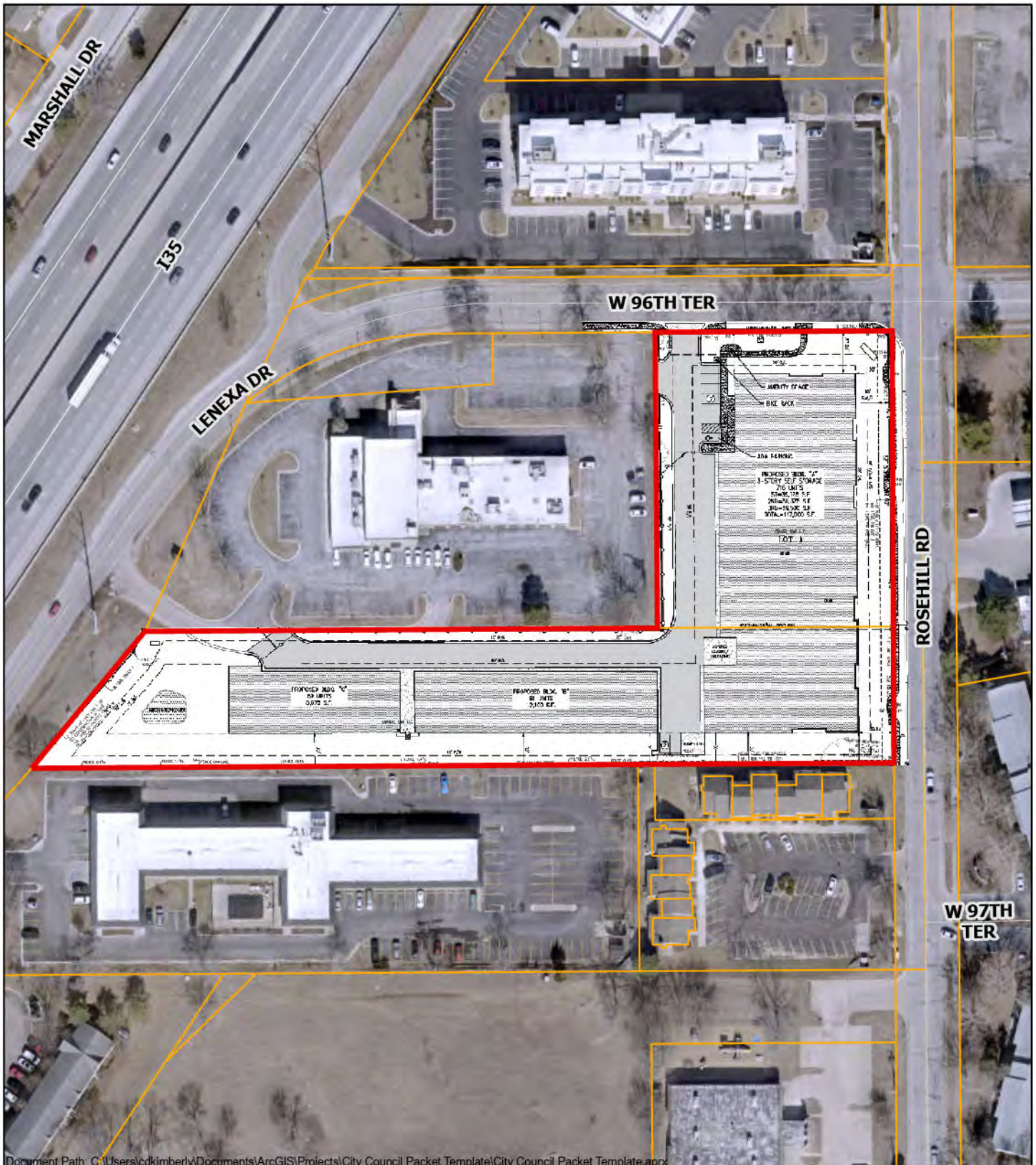
Vibrant Neighborhoods

Guiding Principles

Responsible Economic Development

ATTACHMENTS

1. Map
2. Plat
3. PC Draft Minutes Excerpt



StorTropolis **PL23-11F & PT23-13F**



0 60 120 240 Feet

FINAL PLAT OF
STORTROPOLIS

A SUBDIVISION OF PART OF NW1/4, SECTION 3, TOWNSHIP 13 SOUTH, RANGE 24 EAST
CITY OF LENEXA, JOHNSON COUNTY, KANSAS

Utility Easement

Drainage Easement

Sidewalk Easement

LEGAL DESCRIPTION

This is a survey and subdivision of All that part of the Northwest Quarter of Section 3, Township 13 South, Range 24 East, in the City of Lenexa, Johnson County, Kansas, described by Scott D. Conner, KS LS-1249, Phelps Engineering, Inc. Project No. 220796 March 23, 2023, to wit:

Commencing at the Southeast corner of the Northwest Quarter of said Section 3, thence N 2°15'35" W, along the East line of the Northwest Quarter of said Section 3, a distance of 1246.22 feet, to a point on the Eastern extension of the North line of Tract A, BRISTOL COURT OFFICE CONDOMINIUMS SECOND PLAT, a condominium subdivision in the City of Lenexa, Johnson County, Kansas; thence S 87°50'57" W, along the Eastern extension of the North line of said Tract A, a distance of 30.00 feet, to a point on the West right-of-way line of Roswell Road, as now established, said point also being the Point of Beginning; thence continuing S 87°50'57" W, along the North line of said Tract A, and its Western extension, a distance of 779.30 feet, to a point on the Eastern right-of-way line of Interstate 35, as now established; thence N 30°40'24" E, along the Eastern right-of-way line of said Interstate 35, a distance of 135.22 feet; thence N 24°34'49" E, along the Eastern right-of-way line of said Interstate 35, a distance of 23.25 feet; thence N 87°49'21" E, a distance of 463.33 feet; thence N 2°15'35" W, a distance of 284.37 feet, to a point on the South right-of-way line of said Roswell Road, as now established; thence N 87°49'21" E, along the South right-of-way line of said Roswell Road, a distance of 207.88 feet, to a point on the West right-of-way line of said Roswell Road; thence S 2°15'35" E, along the West right-of-way line of said Roswell Road, a distance of 387.53 feet, to the point of beginning, containing 141,436 square feet or 3.2933 acres, more or less, of unsplit land.

DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "STORTROPOLIS".

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ditches and culverts, and similar facilities upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Lenexa, Kansas, with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, pipes, ditches, manholes, surface drainage facilities and other similar facilities, upon, over and under these areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Lenexa, Kansas. Drainage Easements shall remain free of fences, shrubs and other obstacles that would impede the flow of drainage. The City of Lenexa is under no duty or obligation to maintain or repair the aforementioned drainage facilities shown within the limits of this easement, and in no event shall the easement be construed to impose any such obligation on the City of Lenexa.

An easement to be used to locate, construct, maintain, repair and use a perpetual right of way for public access and walkway, including all appurtenances, shown in those areas designated as "Sidewalk Easement" or "S/E" is hereby granted to the City of Lenexa, Kansas.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietor has caused this instrument to be executed on this ____ day of _____, 20__.

KWB, LLC, a South Dakota limited liability company

By: _____
Name and Title

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)
SS _____)
BY _____)
Name and Title, of KWB, LLC.

BE IT REMEMBERED that this instrument was acknowledged before me on ____ day of _____, 20__.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____

Printed Name: _____

APPROVALS

Approved by the Planning Commission of the City of Lenexa, Johnson County, Kansas, this ____ day of _____, 20__.

Chris Pass, Chairman

Accepted by the Governing Body of the City of Lenexa, Johnson County, Kansas, this ____ day of _____, 20__.

Michael A. Boehm, Mayor

Attest: Jennifer Morris, City Clerk



PHILIPS ENGINEERING, INC.
PHILIPS ENGINEERING - LS-42
ENGINEERING - E-SH
PHILIPS ENGINEERING - 220796
PHILIPS ENGINEERING - 220796

CONSENT AGENDA

1. **StorTropolis - Consideration of a final plan and final plat for a self-storage facility located near the southwest corner of 96th Terrace and Rosehill Road within the CP-2, Planned Community Commercial District. PL23-11F & PT23-13F**
2. **Monticello Ranch, Second Plat - Consideration of a final plat for a single lot replat of a single-family residential home located 9810 Monticello Road within the RP-1, Planned Residential (Low Density) District. PT23-16F**

Chairman Poss entertained a motion to **APPROVE** Consent Agenda Items 1-2. Moved by Commissioner Harber, seconded by Commissioner Burson, and carried by a unanimous voice vote.

DRAFT



**CITY COUNCIL
MEMORANDUM**

ITEM 5

SUBJECT: Resolution approving and authorizing the Mayor to execute an agreement with ClearCompany for applicant tracking and I-9 administration services

CONTACT: James Bowers, Human Resources Director
Kristin Crow, Human Resources Manager

DATE: August 15, 2023

ACTION NEEDED:

Adopt a resolution approving and authorizing the Mayor to execute an agreement with ClearCompany for applicant tracking and I-9 administration services.

PROJECT BACKGROUND/DESCRIPTION:

On September 30, 2020, the City entered a 36-month agreement with ClearCompany for an applicant tracking system. An applicant tracking system allows companies to digitize and streamline the employee hiring and selection process. The City chose ClearCompany after a thorough review of four system providers: ADP Onboarding, Greenhouse, NeoGov, and ClearCompany.

The cost of that 36-month agreement with ClearCompany was approximately \$63,000 (\$21,000 annually). In 2022, the I-9 feature was added to the contract after the City's previous provider, Validity, discontinued offering this service. The first-year cost of this service was \$4,200 annually.

Staff recommends entering a new, 36-month agreement with Clear Company for an applicant tracking and I-9 administration system. The year one cost is \$26,478.20 and years two and three are \$37,948.20 per year. The cost increase in this 36-month agreement from the previous agreement is due to increased headcount from 700 to 795 and an increase in the per employee cost from \$37.71 to \$52.00. The I-9 administration fee is increasing in cost from \$4,200 to \$4,770 annually also due to headcount. The new agreement also includes an application programming interface (API) access fee of \$3,000 annually, an increase of \$1,500 from the previous agreement. The API allows ClearCompany to connect to ADP, our HR and Payroll systems. Staff negotiated an \$11,470 discount for year one of this agreement.

This agreement is available for review in the City Clerk's office.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The prior agreement fees were a total of \$63,000 over three years. The new agreement fees are \$102,374.60 over three years. There are sufficient funds in the Information Technology and Human Resources department budgets to cover these costs.

STAFF RECOMMENDATION:

Adoption of the resolution.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Thriving Economy

Guiding Principles

Prudent Financial Management

ATTACHMENTS

1. Resolution

RESOLUTION NO. _____

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A THIRTY-SIX MONTH PRICE AGREEMENT WITH CLEARCOMPANY ASSOCIATED WITH JOB APPLICANT TRACKING AND I-9 ADMINISTRATION SERVICES.

WHEREAS, On September 30, 2020, the City of Lenexa ("City") entered into an agreement with ClearCompany for applicant tracking services; and

WHEREAS, ClearCompany has offered the City a new 3-year agreement to continue to provide service to the City at a set price as well as adding in additional services; and

WHEREAS, all parties have read and understand the terms and conditions of the ADP, Inc. Guaranteed Price Agreement as set out in the attached Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LENEXA, KANSAS:

SECTION ONE: The City of Lenexa, Kansas, a municipal corporation, does hereby approve and authorize the Mayor to execute the ClearCompany agreement in substantially the same form as attached hereto as Exhibit "A", and incorporated herein by reference. Further, the City Manager is hereby authorized to execute all other forms and documents, on forms acceptable to the City Attorney, required to carry out the terms of this Agreement.

SECTION TWO: This Resolution shall become effective upon adoption.

ADOPTED by the City Council this 15th day of August, 2023.

APPROVED by the Mayor this 15th day of August, 2023.

CITY OF LENEXA, KANSAS

[SEAL]

Michael A. Boehm, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Sean McLaughlin, City Attorney



**CITY COUNCIL
MEMORANDUM**

ITEM 6

SUBJECT: Consideration of a resolution and an ordinance concerning property acquisitions for construction of the Santa Fe Trail Drive Street and Trail Improvements Project

CONTACT: Tim Green, Deputy Community Development Director

DATE: August 15, 2023

ACTION NEEDED:

a. Resolution declaring it necessary to appropriate private property for construction of the Santa Fe Trail Drive Street and Trail Improvements Project ("Project"), and

b. Ordinance authorizing and providing for the acquisition of lands or interests therein by condemnation for the construction of the Project.

PROJECT BACKGROUND/DESCRIPTION:

This resolution declares it necessary to appropriate private property for roadway improvements to Santa Fe Trail Drive and construction of a new trail segment from 95th Street to Pflumm Road. The Project will add new curb and gutter, storm sewer, and 10-foot-wide trail from the limits of the previously constructed intersection at 95th Street to the east side of the intersection at Park Street. Trail construction limits will continue to the intersection at Pflumm Road. The Project will also include mill and overlay with intermittent curb and gutter replacement from east of Park Street to Quivira Road. Temporary construction easements will be required from five property owners. A temporary easement and a sidewalk easement will be required from BNSF Railroad.

Due to potentially lengthy negotiations with the BNSF Railroad, staff is also proposing an ordinance in addition to the resolution to expedite the property acquisition process. Staff will continue to negotiate with affected property owners. The City has retained Orrick and Erskine as outside counsel for acquisition services and they will be used on this Project.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

This Capital Improvement Program (Project No. 60125) will be funded with Capital Improvement Funds (general obligation bonds). The total budget is \$1,635,000, which includes property acquisitions.

STAFF RECOMMENDATION:

Adoption of the resolution and passage of the ordinance.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Integrated Infrastructure & Transportation

Guiding Principles

Strategic Community Investment

ATTACHMENTS

1. Map
2. Resolution
3. Ordinance located in the Appendix



Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

Santa Fe Trail Drive Street and Trail Improvements

Project No. 60125



0 500 1,000 2,000 Feet

RESOLUTION NO. _____

A RESOLUTION DECLARING IT NECESSARY TO APPROPRIATE PRIVATE PROPERTY FOR THE USE OF THE CITY OF LENEXA, KANSAS FOR CONSTRUCTION OF THE SANTA FE TRAIL DRIVE STREET AND TRAIL IMPROVEMENTS PROJECT.

WHEREAS, the City of Lenexa, Kansas does hereby authorize and direct the following described improvement:

Construction of the Santa Fe Trail Drive Street and Trail Improvements Project

WHEREAS, it is necessary to acquire private property for the construction of the improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LENEXA, KANSAS:

SECTION ONE: It is hereby declared necessary to acquire private property for the use of the City of Lenexa, Kansas, for the following described improvements:

Construction of the Santa Fe Trail Drive Street and Trail Improvements Project

SECTION TWO: It is hereby authorized and directed that a survey and description of the lands or interests therein to be acquired be made by the City Engineering staff and filed with the City Clerk of the City of Lenexa, Kansas.

SECTION THREE: The Community Development Director, or his designee, is hereby empowered to negotiate and approve offers for the acquisition of such private property and to enter into agreements accomplishing such acquisition, whose value does not exceed his authorization under the City's purchasing policy; and the City Manager, or her designee, is authorized to enter into all other agreements accomplishing such acquisition; provided there is sufficient funding available in the approved project budget to accomplish the same.

SECTION FOUR: This Resolution shall take effect and be in force from and after its publication in the official City newspaper.

ADOPTED by the City Council this 15th day of August, 2023.

SIGNED by the Mayor this 15th day of August, 2023.

CITY OF LENEXA, KANSAS

[SEAL]

Michael A. Boehm, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Steven D. Shrout, Assistant City Attorney



**CITY COUNCIL
MEMORANDUM**

ITEM 7

SUBJECT: Consideration of a rezoning and preliminary/final plan for retail, office, personal instruction (general), and wholesale/warehousing (general and limited) uses for 8500 Marshall Drive

CONTACT: Stephanie Kisler, Planning Manager

DATE: August 15, 2023

ACTION NEEDED:

a. Pass an ordinance rezoning property located at 8500 Marshall Drive, from the BP-2, Planned Manufacturing Zoning District to the CP-4, Planned Service Commercial Zoning District, and

b. Approve the companion preliminary/final plan for 8500 Marshall Drive.

APPLICANT:

Jeff Schroeder, Scharhag Architects

OWNER:

Citywide Development Company of Oklahoma, Inc.

PROPERTY LOCATION/ADDRESS:

8500 Marshall Drive

PROJECT BACKGROUND/DESCRIPTION:

The applicant requests rezoning of the property at 8500 Marshall Drive from the BP-2, Planned Manufacturing Zoning District to the CP-4 Planned Service Commercial Zoning District to allow for a tenant (Bushnell) to operate a retail business. The other tenants will continue to operate as typical business park uses, which is allowed in this zoning district. The proposed land uses for the site include retail, office, personal instruction (general), and wholesale/warehousing (general and limited).

The rezoning request includes a companion preliminary/final plan. There will be no exterior changes to the building or parking lot except for the addition of two ornamental trees. If approved, Bushnell will complete minor interior renovations to reconfigure space for retail use.

STAFF RECOMMENDATION:

Passage of the ordinance and approval of the companion preliminary/final plan.

PLANNING COMMISSION ACTION:

This item was considered as Regular Agenda Item 3 at the July 31, 2023 Planning Commission meeting. No one spoke at the public hearing. The applicant explained that the request to rezone the property is due to the change of operations for a long-term tenant, Bushnell. Bushnell is changing its operations to provide more retail sales of optics and binocular products from this location. There are no other proposed changes to the site and no building additions or changes for other tenants. Staff explained the current zoning of BP-2 does not allow more than 25% of the floor area of any tenant to be dedicated to retail. Rezoning the site to CP-4 will allow Bushnell to become a retail tenant while allowing the remaining tenants to continue to

operate as they currently are.

Chairman Poss entertained a motion to recommend **APPROVAL** to rezone property from BP-2 to CP-4 for 8500 Marshall Drive. Moved by Commissioner Katterhenry, seconded by Commissioner Horine, and carried by a unanimous voice vote.

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan for 8500 Marshall Drive, for retail, office, personal instruction, and warehouse uses, with the following conditions:

1. Prior to the issuance of any new building permits for any construction activity at the site, or within 90 days from the Governing Body's consideration/approval of the rezoning and preliminary plan, a final plat application to combine the two lots into a single lot shall be submitted for consideration by the Planning Commission and recorded by the applicant within 180 days.
2. The property owner shall install two ornamental trees along the street frontage of Marshall Drive and Nieman Road within 60 days of approval of a rezoning by the Governing Body.

Moved by Commissioner Harber, seconded by Commissioner Burson, and carried by a unanimous voice vote.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040
Thriving Economy

Guiding Principles
Responsible Economic Development

ATTACHMENTS

1. Map
2. PC Staff Report & Exhibits
3. PC Draft Minutes Excerpt
4. Ordinance



Document Path: C:\Users\cddavidd\Documents\ArcGIS\Projects\MyProject3\MyProject3.aprx

Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

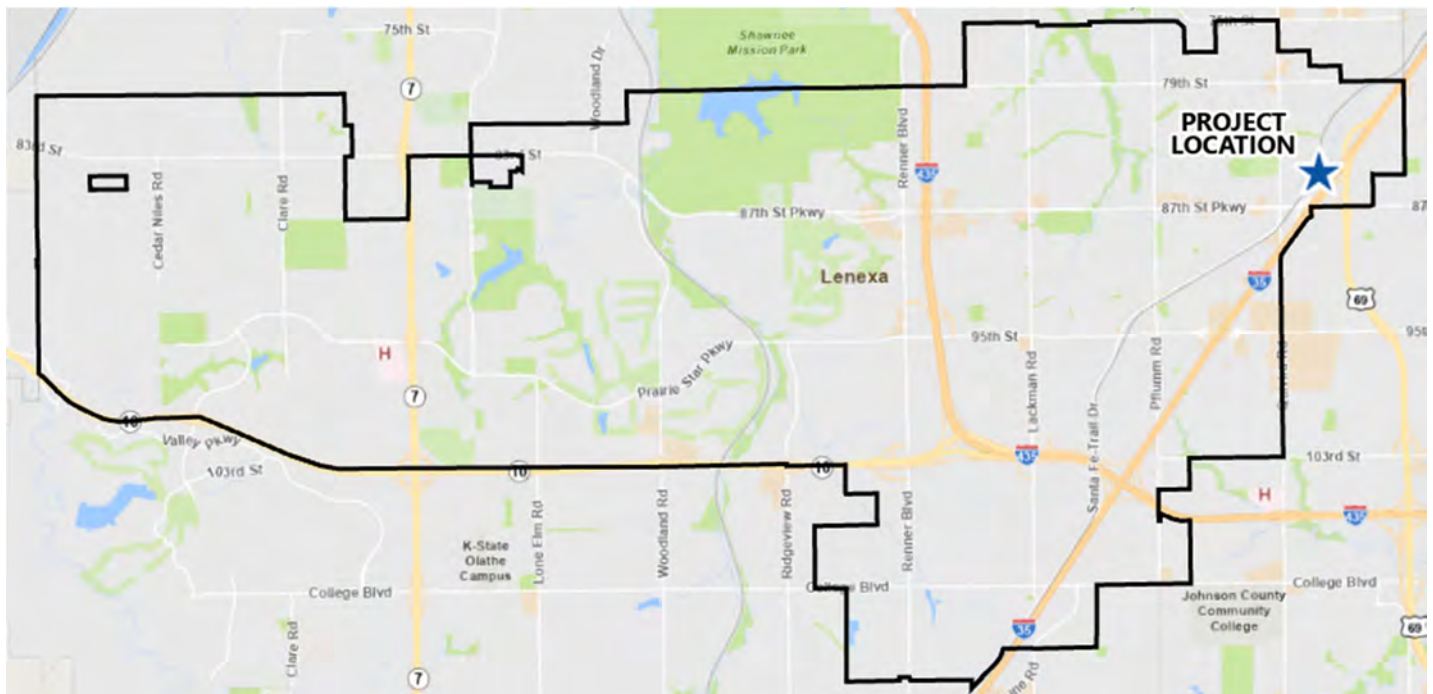
8500 Marshall Drive RZ23-05 & PL23-05P



0 100 200 300 Feet

8500 MARSHALL DRIVE

Project #:	RZ23-05 & PL23-05P	Location:	8500 Marshall Drive
Applicant:	Jeff Schroeder, Scharhag Architects	Project Type:	Rezoning & Preliminary Plan
Staff Planner:	Dave Dalecky	Proposed Use:	Retail, Office, Personal instruction, general, Wholesale and warehousing, general, and Wholesale and warehousing, limited



PROJECT SUMMARY

The applicant requests approval to rezone the property at 8500 Marshall Drive from the BP-2, Planned Manufacturing District, to the CP-4, Planned Service Commercial District, and requests preliminary plan approval for the site. The site contains two existing buildings containing 49,124 square feet and 118 parking stalls. The site has been zoned BP-2 for several decades. A final plan was approved in 1998 (PL98-10FS) for the two buildings. The two buildings were constructed in 1999.

Rezoning is requested in order to allow the retail use of a tenant space and continue to allow the existing business park uses to remain. The buildings are multi-tenant buildings. Most tenants are wholesale, warehouse, and office uses, which are all typical types of businesses for an industrial-zoned business park. One of the tenants is Bushnell, which has been at this location for several years. Bushnell is proposing to change the operation of the business to create a larger retail presence. Rezoning the site to the CP-4 District will allow for both retail and wholesale/warehouse uses. A preliminary plan is required with the rezoning request. A public hearing is required for the rezoning request.

STAFF RECOMMENDATION: APPROVAL

SITE INFORMATION

The site is located at the northwest corner of Marshall Drive and Nieman Road in the Brookhollow East business park. The site contains two one-story buildings and associated parking and loading areas. The buildings were originally built in 1999. The two buildings were constructed abutting each other along a common wall. The buildings are designed for multiple in-line tenants. The southerly building is the larger of the two.

LAND AREA (AC)	BUILDING AREA (SF)	CURRENT ZONING	COMP. PLAN
3.88	49,124	BP-2	Business Park



Exhibit 1: Aerial Image of Subject Site

LAND USE REVIEW

The proposed rezoning request will allow retail uses to locate within tenant spaces of the building while other tenant spaces remain operating as warehousing, distribution, and office uses. Per [Section 4-1-B-16](#) of the Unified Development Code, such a mix of uses are allowed only in the CP-4 District. The change in zoning is the only request by the applicant. No changes to the site of the building are proposed with this request; however, a preliminary plan is required to be included with the rezoning application. The plan submittal will serve as both preliminary and final plan. A building permit is required for interior modifications to allow for retail space.

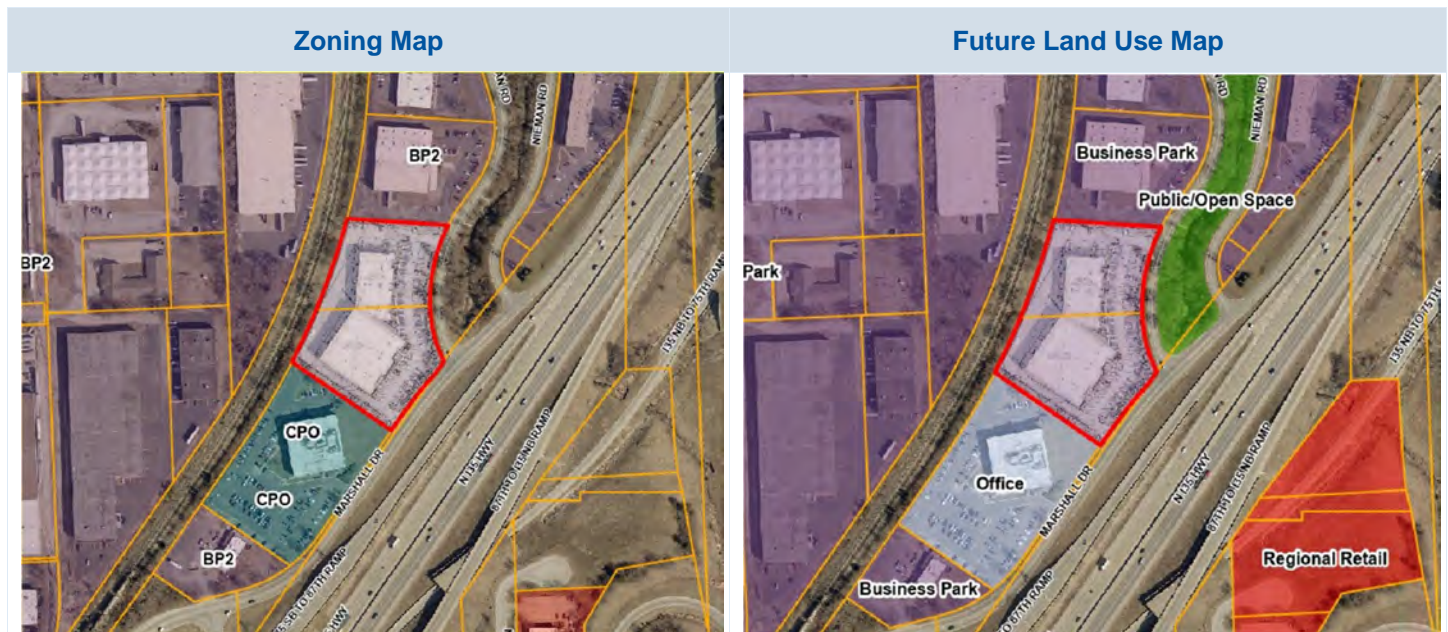
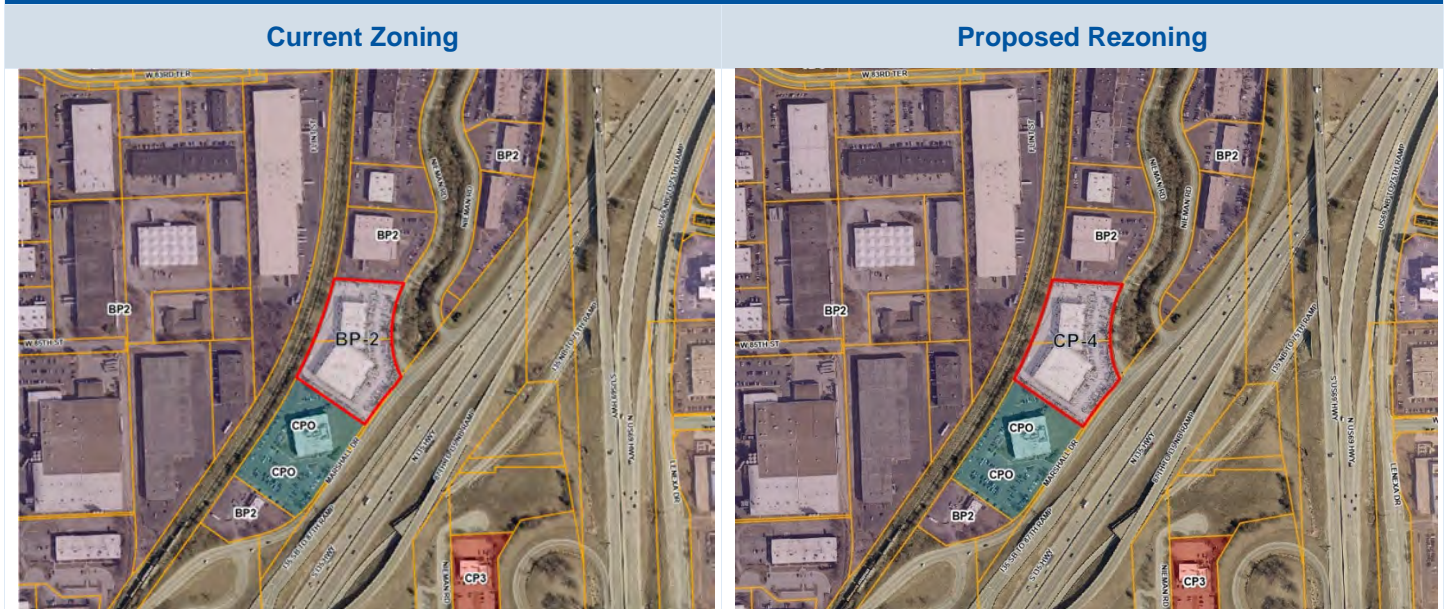


TABLE 1: COMPARISON OF SURROUNDING PROPERTIES

Vicinity	Land Use Designation	Zoning	Current Use
Subject Property	Business Park	BP-2, Planned Manufacturing District	Wholesale and warehousing, general
	Business Park	BP-2, Planned Manufacturing District	Wholesale and warehousing, general
	Office/Employment Center	CP-O, Planned General Office District	Office
	Regional Commercial Center, and Community Commercial Center	CP-3, Planned Regional Commercial District, and CP-2, Planned Community Commercial District	Office, Retail, and Medical Clinic (across I-35)
	Business Park	BP-2, Planned Manufacturing District	Business Park (across railroad ROW)

REZONING REVIEW

TABLE 2: REZONING ANALYSIS



Staff provides the following analysis for the review criteria within [Section 4-1-G-5](#) of the UDC.

1. The character of the neighborhood.

The character of the neighborhood is a business park corridor adjacent to I-35. The business park is known as Brookhollow East. The Brookhollow East region extends from 87th Street to the north, 79th Street to the south, I-35 to the east and the Burlington Northern Santa Fe railroad right-of-way to the west. The region has developed over time with a mix of various size buildings and uses ranging from buildings entirely dedicated to office uses to a mix of office and distribution uses to entirely warehousing and distribution and mechanical equipment contractor. Some sites have developed in groups while others have developed independently over the past 40 to 50 years.

2. The zoning and use of properties nearby.

The adjacent properties to the north and west are zoned for business park (industrial) uses. The property to the south is zoned office and the property to the east (across I-35 Interstate highway) is zoned for business park (light industrial) uses. The request to rezone the site to CP-4 is contextually consistent with the BP-2 zoning of the surrounding properties. The CP-4 Zoning District allows for uses commonly found in both the BP-2 and the CP-4 Zoning Districts. Retail uses may generate more vehicular trips than manufacturing or warehousing uses. It is conceivable the site may experience an increase in vehicular trips than the current activity on the site. Marshal Drive and Nieman Road are collector streets and have capacity for additional traffic.

3. The suitability of the subject property for the uses to which it has been restricted.

The property is suited for both industrial and commercial uses. The site is within a business park region with a variety of different development and types of uses. The current uses are typical industrial activities such as warehousing and distribution along with office uses, manufacturing, mechanical equipment sales and service. The request to rezone the property to CP-4 is to allow one tenant of the building to be an entirely retail use. By rezoning the property to CP-4 Zoning District, it is conceivable the entire 49,124 square feet be occupied by retail uses. Such a complete transition of this site is unlikely, but is possible. The CP-4 Zoning District is a transitional district which allows for both retail and business park uses and intended to allow for both types of development in areas where appropriate. Other sections of the code allow for the introduction of retail uses in business parks. [Section 4-1-B-23-K](#) allows retail uses in a business park provided the criteria are met. [Section 4-1-B-24-D-12](#) of the UDC allows a percentage of the floor area of the tenant space to be retail provided the criteria are met. Several tenants in the region use this provision to conduct limited retail activity in the BP-2 Zoning District.

4. The extent to which the proposed use will detrimentally affect nearby property.

The proposed use will not detrimentally affect nearby property. The requested change of zoning districts will allow for existing uses to remain and for existing tenants to convert to predominantly retail uses. Some of the tenants have had retail sales as an accessory use for several years. The request to rezone the site from BP-2 to CP-4 will now permit tenants to entirely be retail uses or for a greater percentage of the floor area to be retail uses. It is Staff's opinion the activity conducted on the site will not change to a level that creates a negative effect the adjacent development.

5. The length of time the subject property has remained vacant as zoned.

The site has been developed with the existing building and parking since 1999.

6. The relative gain to public health, safety, and welfare due to the denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

It is Staff's opinion that denial of this rezoning would have no gain to public health, safety, or welfare.

7. Recommendation of City's permanent professional staff.

See Staff's recommendation and the end of this report.

8. Conformance of the requested change to the adopted or recognized Master Plan being utilized by the City.

The Future Land Use designation for the site is Business Park. The CP-4 Zoning District permits both retail and business park uses. The zoning category is more intense than the typical "point of sale" type of retail found in most commercial shopping centers with grocery stores, clothing stores, salons, banks, and restaurants. The CP-4 Zoning District is more appropriately suited for areas with uses commonly found in a business park. It is Staff's opinion that in some instances, the Business Park Future Land Use category is a reasonable land use designation for CP-4 Zoning District. Such circumstances include the ability of the site to provide for the minimum parking standards for the retail use and access directly onto an arterial or collector street. If the site were more internal to the overall business park, the change in zoning may not be appropriate due to the mix of types of traffic to get to the site.

- 9. The availability and adequacy of required utilities and services to serve the proposed use. These utilities and services include, but are not limited to, sanitary and storm sewers, water and electrical service, police and fire protection, schools, parks and recreation facilities, etc.**

The site is in a developed region of the City. Adequate utilities and services are provided to the subject property.

- 10. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the street network influenced by the use, or present parking problems in the vicinity of the property.**

It is Staff's opinion the proposed use will not adversely impact the capacity or the safety of the street network or present a parking problem in the vicinity of the site. The site contains 118 parking stalls. The site has more than the required number of parking stalls per the minimum parking requirements of the UDC.

A tenant space that dedicates over 25% of the floor area to retail sales is a retail use and shall provide the required parking at a ratio of 1 stall for every 250 square feet of floor area of the tenant space. A space that remains either an office or warehouse use, or combination thereof, may apply the parking requirement based on the percentage of the floor area of either use.

TABLE 3: PARKING STANDARDS

Use	Standard		Required	Provided
Office	1 space per 250 square feet	8,200 square feet	33	-
Warehouse	1 space per 1,500 square feet	35,200 square feet	24	-
Retail	1 space per 250 square feet	5,724 square feet	23	-
TOTAL		49,124 square feet	<u>80</u>	118

- 11. The environmental impacts the proposed use will generate including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm.**

The site is currently a developed lot with two buildings, parking, and loading areas. No changes to the site, building or pavement are proposed with the plan.

- 12. The extent to which the proposed development would adversely affect the capacity or water quality of the stormwater system, including without limitation, natural stream assets in the vicinity of the subject property.**

The site is currently a developed lot and no site changes that effect stormwater will occur as part of this rezoning or preliminary plan.

13. The ability of the applicant to satisfy any requirements (e.g. site plan, etc.) applicable to the specific use imposed pursuant to the zoning regulations in this Chapter and other applicable ordinances.

The preliminary plan shows the building and other site features are in compliance with the minimum bulk and area requirements of the UDC.

PRELIMINARY PLAN REVIEW

The site is two lots totaling 3.88 acres and contains two buildings, parking, and loading areas. Access into the site is from a drive onto Marshall Drive and a drive onto Nieman Road. The two existing buildings are one-story and combine for a total of 49,124 square feet in area. The parking areas are double-loaded drives between the building and the street. Parking areas are along the east and north sides of the building. Circulation is provided around the entirety of the building to access the loading areas on the west side, or rear, of the building.

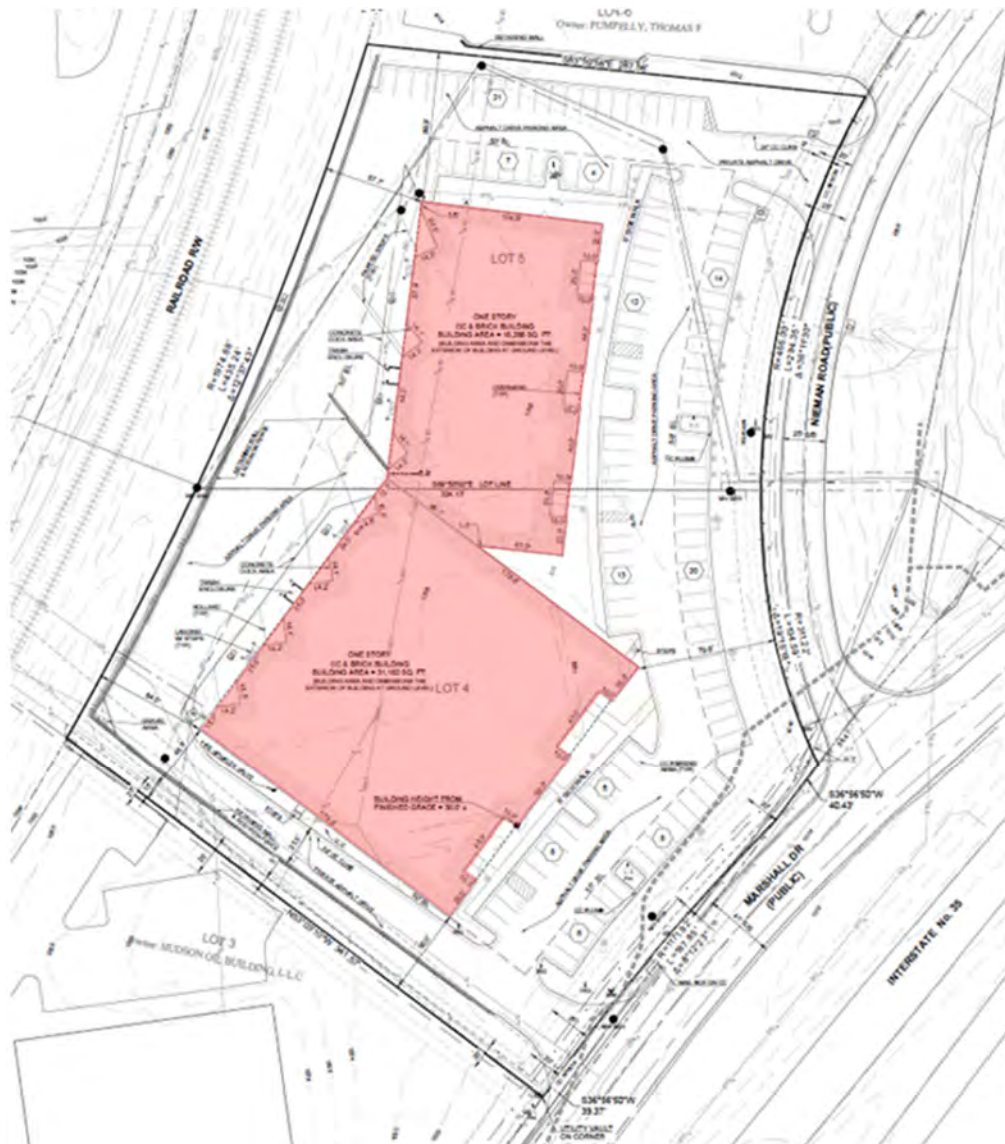


Exhibit 2: Site Plan

A lot line divides the site into two lots. This lot line crosses parts of both buildings. The property owner must replat the property to mitigate this situation where property lines cross through portions of building. A condition is included with approval of the preliminary plan to replat the property.

The preliminary plan also serves as the final plan for the purpose of satisfying the requirement of the succession of required plan approvals in order to obtain a permit per [Section 4-1-I-1](#) of the UDC.

DEVIATIONS

The site is a developed site with existing buildings, parking, and loading areas. The site is not deficient in any bulk and area code requirements for the CP-4 Zoning District. No deviations are requested with the proposed rezoning and preliminary plan.

ARCHITECTURE

The street facing facades of the buildings use brick, standing seam mansard roof sections, and storefront windows for each tenant space. The rear and sides of the buildings use precast concrete walls. The brick is a blend of red, black, and gray colors. The standing seam color is bronze, and the storefront windows use dark bronze frames and mullions. The brick material wraps the corner of the building and extends down the side several feet.



Exhibit 4: East Elevation of Southerly Building Street View



Exhibit 5: East Elevation of Northerly Building Street View

The remaining part of the sides and the rear of the buildings use precast concrete walls. The precast concrete is painted beige. The rear of the building has multiple dock doors. The west property line abuts railroad right-of-way and is substantially screened by existing landscaping along the west side of the site. Industrial uses are on the other side of the railroad right-of-way with similar dock and service conditions facing the railroad right-of-way. The rear side of the building is not visible from any street.

The applicant proposes no changes to the buildings. Some of the tenants will install new signs. The building has a sign criteria which remains applicable to all signs for the site.

LANDSCAPING

The site is a developed site with existing landscaping. A site survey has been provided which shows the number of trees installed and identifies clusters of shrubs and groupings of ornamental plantings. An analysis of the existing plantings reveals that the site is deficient of two ornamental trees along the street frontage of Marshall Drive and Nieman Road. The applicant committed to installing the two trees on the site. Due to the summer season, it is not an ideal time to install new landscaping. Staff will confirm installation of the trees within 60 days of the completion of the rezoning process. All other areas of the site meet the minimum landscape and screening requirements of the UDC.

REVIEW PROCESS

- This project requires a recommendation from the Planning Commission and approval by the City Council. Pending a recommendation from the Planning Commission, the project is tentatively scheduled for consideration from the City Council on September 5, 2023.
- If approved, as the applicant shall submit a final plat application to combine the properties into one lot.
- The applicant should inquire about additional City requirements, such as permits and development fees.

RECOMMENDATION FROM PROFESSIONAL STAFF

- ★ **Conduct a Public Hearing on the rezoning request.**
- ★ **Staff recommends approval of the proposed rezoning and preliminary plan for 8500 Marshall Drive.**
 - This application supports the following goal from Vision 2040:
 - Thriving Economy

REZONING

Staff recommends **approval** for rezoning property from BP-2 to CP-4 for **8500 Marshall Drive** located at 8500 Marshall Drive.

PRELIMINARY PLAN

Staff recommends **approval** of the preliminary plan for **8500 Marshall Drive** located 8500 Marshall Drive, for retail, office, personal instruction, and warehouse uses, with the following conditions:

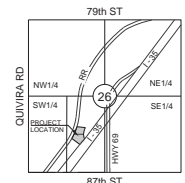
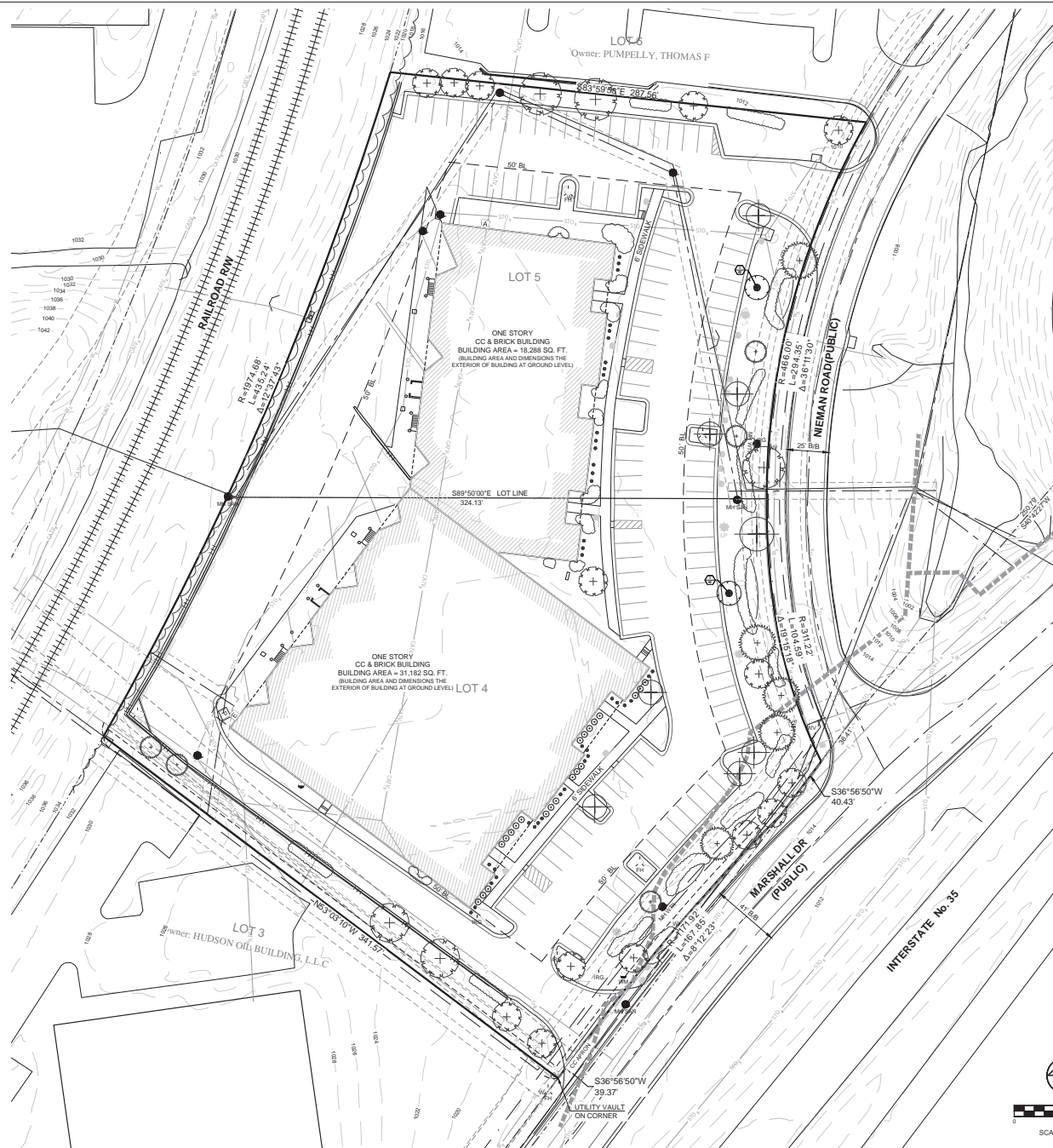
1. Prior to the issuance of any new building permits for any construction activity at the site, or within 90 days from the Governing Body's consideration/approval of the rezoning and preliminary plan, a final plat application to combine the two lots into a single lot shall be submitted for consideration by the Planning Commission and recorded by the applicant within 180 days.
2. The property owner shall install two ornamental trees along the street frontage of Marshall Drive and Nieman Road within 60 days of approval of a rezoning by the Governing Body.

BUSHNELL
PRELIMINARY DEVELOPMENT PLANS
8500 MARSHALL DR LENEXA, KS

	DRAWN BY:	REVISION DATE	DESCRIPTION
	AJC	7-17-2023	Nursing Plan Review
	CHECKED BY:		
	JMB		
	DATE REVIEWED:		
	SF 96.28		
	PICOL NUMBER		
	23-143		

SHEET

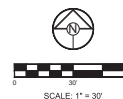
3



 **SECTION 26-12-24**
LOCATION MAP
SCALE 1" = 2000'

ORNAMENTAL TREES

- (+) - AC 2 EA. *Amelanchier canadensis* Shadblow Serviceberry 2' Cal. & 8' ht. B&B



REGULAR AGENDA

3. 8500 Marshall Drive - Consideration of a preliminary plan and rezoning from the BP-2, Planned Manufacturing District to the CP-4, Planned Service Commercial District for property located at 8500 Marshall Drive. RZ23-05 & PL23-05P

APPLICANT PRESENTATION

Patrick Reuter, Klover Architects, spoke on behalf of the applicant. The request is to rezone property at 8500 Marshall Drive from BP-2, Planned Manufacturing District to the CP-4, Planned Service Commercial District. He explained that Bushnell, an existing tenant in the building, is downsizing the wholesale portion of their business and increasing their retail presence. By downsizing their overall space, the percentage of their retail component goes beyond the amount allowed in the BP-2 Zoning District; therefore, it is necessary to rezone to the CP-4 District to accommodate the amount of retail proposed. The rest of the building will maintain its current uses and because of the similar surrounding uses, it is a good fit. They agree with all staff's conditions in the staff report.

STAFF PRESENTATION

David Dalecky presented the staff report. The application is a request to rezone from BP-2, Planned Manufacturing, to CP-4, Planned Service Commercial District. There is also a preliminary plan that will serve as a preliminary and final plan. The application will allow the one tenant, Bushnell, to exceed the 25% threshold for retail use. He displayed an aerial of the location and layout of the site. There are two separate buildings just under 50,000 square feet on approximately four acres. Parking exceeds the requirement for the types of onsite uses. He showed elevations of the existing buildings, then displayed the criteria that is used to evaluate a rezoning request. Staff is supportive of the rezoning and preliminary plan with two conditions:

1. That the site be replatted to consolidate into one parcel; and
2. The addition of two ornamental trees to meet the City's code requirement.

PUBLIC HEARING

Chairman Poss **OPENED** the Public Hearing and asked if anyone wished to speak on this item. No one from the audience came forward.

Chairman Poss entertained a motion to **CLOSE** the Public Hearing. Moved by Commissioner Horine, seconded by Commissioner Woolf, and carried by a unanimous voice vote.

PLANNING COMMISSION DISCUSSION

Commissioner Woolf asked Staff if rezoning was the best option for the applicant or if a special use permit to allow retail use in the existing building was an option. Mr. Dalecky responded that rezoning is the best way to proceed with a retail use at this location. Retail is not allowed with a special use permit in the BP-2 Zoning District.

Chairman Poss commented that he had no questions in regard to the application and he noted it was pretty straight forward.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** to rezone property from BP-2 to CP-4 for **8500 Marshall Drive** located at 8500 Marshall Drive.

Moved by Commissioner Katterhenry, seconded by Commissioner Horine, and carried by a unanimous voice vote.

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan for **8500 Marshall Drive** located 8500 Marshall Drive, for retail, office, personal instruction, and warehouse uses, with the following conditions:

1. Prior to the issuance of any new building permits for any construction activity at the site, or within 90 days from the Governing Body's consideration/approval of the rezoning and preliminary plan, a final plat application to combine the two lots into a single lot shall be submitted for consideration by the Planning Commission and recorded by the applicant within 180 days.
2. The property owner shall install two ornamental trees along the street frontage of Marshall Drive and Nieman Road within 60 days of approval of a rezoning by the Governing Body.

Moved by Commissioner Harber, seconded by Commissioner Burson, and carried by a unanimous voice vote.

RZ 23-__

ORDINANCE NO. _____

AN ORDINANCE REZONING PROPERTY LOCATED AT 8500 MARSHALL DRIVE IN LENEXA, KANSAS FROM THE BP-2, PLANNED MANUFACTURING ZONING DISTRICT TO THE CP-4, PLANNED SERVICE COMMERCIAL ZONING DISTRICT.

WHEREAS, on June 10, 2023, Jeff Schroeder, agent for City Wide Development Company of Oklahoma, Inc., owner of record, filed a request to rezone property located at 8500 Marshall Drive in Lenexa, Kansas (the "Property") from the BP-2, Planned Manufacturing Zoning District to the CP-4, Planned Service Commercial Zoning District; and

WHEREAS, on July 31, 2023, the Lenexa Planning Commission held a public hearing to hear the rezoning request. Notice for the public hearing was provided in accordance with K.S.A. 12-757, and

WHEREAS, the Lenexa Planning Commission recommended approval of said rezoning, as reflected in the minute record for said meeting; and

WHEREAS, on August 15, 2023, the Governing Body considered the rezoning request and Planning Commission recommendation, as reflected in the minute record for said meeting; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LENEXA, KANSAS:

SECTION ONE: The real estate described as:

Lots 4 and 5 of Block 1, Brookhollow East (Plat No. 1) a subdivision in the City of Lenexa, Johnson County Kansas.

now zoned BP-2, Planned Manufacturing Zoning District, is hereby rezoned to the CP-4, Planned Service Commercial Zoning District as reflected in the minute record of the August 15, 2023 Governing Body meeting.

SECTION TWO: The Community Development Director is hereby directed to amend the series of maps entitled "Official Copy Zoning District Map of the City of Lenexa" as adopted by the City via City Code Section 4-1-A-6(A) in accordance with said rezoning.

SECTION THREE: This Ordinance shall be construed as follows:

- A. Liberal Construction. This Ordinance shall be liberally construed to effectively carry out its purposes that are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience.

- B. Savings Clause. The repeal of any ordinance or code section, as provided herein, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder, or any action or proceeding commenced under or by virtue of the ordinance or code section repealed. Any ordinance or code section repealed continues in force and effect after the passage, approval, and publications of this Ordinance for the purposes of such rights, fines, penalties, forfeitures, liabilities and proceedings.
- C. Invalidity. If for any reason any chapter, article, section, subsection, sentence, portion, or part of this Ordinance, or the application thereof to any person or circumstance is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance, the Lenexa City Code, or other ordinances.

SECTION FIVE: This Ordinance shall take effect after publication of an ordinance summary in the City's official newspaper as provided by State law.

PASSED by the Governing Body August 15, 2023.

SIGNED by the Mayor August 15, 2023.

CITY OF LENEXA, KANSAS

Michael A. Boehm, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Steven Shrout, Assistant City Attorney



**CITY COUNCIL
MEMORANDUM**

ITEM 8

SUBJECT: Consideration of two resolutions for the Lenexa Old Town Activity Center Improvement Project

CONTACT: Logan Wagler, Parks & Recreation Director

DATE: August 15, 2023

ACTION NEEDED:

- a. Adopt a resolution amending the Fiscal Year (FY) 2023-2027 Capital Improvement Program (CIP) and increasing the budget amount for the Lenexa Old Town Activity Center Improvement Project ("Project") to \$12,152,000; and
- b. Adopt a resolution waiving the sealed bid process, authorizing the Mayor to execute a Construction Manager at Risk ("CMAR") Agreement with Turner Construction Company ("Turner"), and approving Guaranteed Maximum Price Amendment 1 ("GMP #1") to the CMAR Agreement with Turner for the construction of the Project.

PROJECT BACKGROUND/DESCRIPTION:

At its work session in December 2022, the City Council reviewed the history and evolution of the Project. Staff facilitated a presentation and discussion of applicable studies, operations, programming, project goals, site and facility opportunities, a vision for the planned renovations, newly discovered facility conditions that necessitate action, as well as the limitations of the original scope of work and resultant cost estimate from the 2018 Community & Senior Center Study ("2018 Study").

At the conclusion of the work session, the City Council directed staff to move forward with design development that included - in addition to the originally planned improvements - the replacement of the prefabricated metal exterior cladding around the gymnasium, the construction of a multi-purpose addition on the south side of the facility, and an exterior shade structure abutting the west side of the gym. These elements were not anticipated by the 2018 Study and were presented as options during the schematic design phase of the Project.

CIP Amendment

The 2023-2027 CIP includes funding of \$9,655,450 for the original scope of work from the 2018 Study. To meet the 2018 Study's goals and vision, the City Council's design direction, and to account for inflationary costs not originally included in the original cost estimates, staff recommends the budget for the Project be increased by \$2,496,550 to a total of \$12,152,000. This budget accounts for all design choices incorporated from the December 2022 work session, construction materials and labor, contingencies, audio-visual upgrades, as well as furniture, fixtures, and equipment.

CMAR Agreement

CMAR is an alternative to the traditional design-bid-build delivery method the City typically uses for its public infrastructure projects. Under the CMAR approach, the City holds two primary contracts for the

Project, one with an architect and one with a construction manager. The CMAR delivery method allows the project team to collaborate early in an iterative design process, leading to favorable outcomes for schedule, budget, and constructability. The construction manager then commits to delivering the project within a guaranteed maximum price (GMP). The City has used this project delivery method for several recent public facility projects, including the Civic Campus, Justice Center, and Sar-Ko-Par Aquatic Center.

As part of a competitive process, the City initiated a Request for Qualifications (RFQ) to provide pre-construction and CMAR services for the Project and received nine responses. Staff reviewed all proposals based on criteria including, but not limited to:

- Relevant experience
- Proposed Project team
- Approach to CMAR
- Approach to the Project
- Technical ability
- Anticipated Project challenges
- Quality control management
- Approach to warranty

Staff found four firms to be qualified for this type of project and were subsequently interviewed by a selection committee. The selection committee included representatives from the City Manager's Office, Community Development, and Parks & Recreation. Following the interviews, the selection committee rated Turner as the preferred construction team to build the Project. Turner was selected for its reputation for high-quality construction, cost-estimating services, and quality control.

Pursuant to a consulting agreement for pre-construction services, over the last several months, Turner has worked alongside the City and the design team to provide technical expertise and pricing estimates on the Project to inform design decisions. Since design development documents are complete and the final plan for the facility has been approved, the next step of the process is to execute a CMAR Agreement with Turner so that construction documents can be completed, construction schedules finalized, and the Project sent to bid so construction can commence.

In accordance with the terms of the CMAR Agreement, a Final GMP shall be established upon the completion of construction documents, and the CMAR Agreement will be amended to include a Final GMP at that time. The Final GMP is expected to be presented to the City Council for approval in November.

Since the City followed a competitive RFQ process and elected to use the CMAR delivery method, staff recommends the City Council waive the sealed bid process and authorize the Mayor to execute the CMAR Agreement with Turner in a form approved by the City Attorney. The CMAR Agreement is drafted from a standard form American Institute of Architects (AIA) document that is substantially similar to those the City has used for other CMAR-delivered projects. In addition to the CMAR Agreement, a preliminary GMP for a small percentage of the Project is also necessary.

GMP #1

Due to long lead times for heating, ventilation, cooling (HVAC), and electrical equipment, Turner has submitted an early procurement package proposal to be included as an initial Amendment to the CMAR Agreement, known as GMP #1. The systems necessary for the renovations include an air handling unit that is anticipated to take 45 weeks for delivery, while the lead times for an electrical primary distribution panel and switchboard are estimated at 55 weeks. These items are on a critical path to achieve occupancy

of the new building additions included in the Project by September 2024. Staff recommends approval of GMP #1 to ensure the Project is delivered on time. A detailed cost estimate for GMP #1 is attached to this memo.

Schedule

If these items are approved, Turner will immediately place an order for the long-lead items contained in GMP #1. Construction documents are anticipated to be completed in October 2023 and submitted to the City for building permit review. After approval of the Final GMP in November 2023, construction is planned to commence by January 2024 and be wrapped up by the end of 2024. While the disruption of normal events and operations due to this Project is inevitable, detailed coordination between City staff and Turner will take place to mitigate the impact on the patrons of the existing facilities and the new facility.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

Funding Source (CIP Project No. 80019)	Current Project Budget	Proposed Project Budget
American Recovery Plan Act (ARPA) funds	\$5,131,534	\$5,131,534
Capital Improvement Fund (CIF)	\$4,523,866	\$7,020,416
Total	\$9,655,450	\$12,152,000

The estimated construction cost of work is \$9,889,000. GMP #1 totals \$94,928, with a Final GMP Amendment planned to be presented to the City Council for consideration and approval in November 2023.

STAFF RECOMMENDATION:

Adoption of the resolutions.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040
Inviting Places
Vibrant Neighborhoods

Guiding Principles
Strategic Community Investment
Extraordinary Community Pride

ATTACHMENTS

- 1. Resolution - CIP Amendment
- 2. Resolution - CMAR Agreement & GMP Amendment
- 3. Price Estimate - GMP #1 located in the Appendix
- 4. Presentation located in the Appendix

RESOLUTION NO. _____

A RESOLUTION FURTHER AMENDING THE 2023-2027 CAPITAL IMPROVEMENT PROGRAM TO ADJUST THE BUDGET FOR THE LENEXA OLD TOWN ACTIVITY CENTER IMPROVEMENT PROJECT.

WHEREAS, on December 6, 2022, the City of Lenexa adopted by Resolution 2022-117, a financial planning instrument known as the 2023-2027 Capital Improvement Program which was subsequently amended on January 17, 2023 by Resolution 2023-014 (the original CIP, as amended, is referred to herein as "CIP"); and

WHEREAS, since adoption of the CIP, the City has determined the need to increase the budget for the Lenexa Old Town Activity Center Improvement Project as a result of expanding the scope of work, as directed by City Council at a City Council workshop held on December 13, 2022, and general price escalation; and

WHEREAS, City desires to amend the CIP to reflect such changes and more accurately depict the current status of the above-referenced projects and the entire program.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LENEXA, KANSAS:

SECTION ONE: The Governing Body hereby amends the City's 2023-2027 Capital Improvement Program (CIP) to increase the budget for the Lenexa Old Town Activity Center Improvement Project by \$2,496,550 to reflect a total cost of \$12,152,000 as approved at the August 15, 2023 City Council meeting. The increased project costs will be funded from allocated Capital Improvement Funds.

SECTION TWO: This resolution shall become effective upon adoption by the Governing Body.

ADOPTED by the City Council this 15th day of August 2023.

SIGNED by the Mayor this 15th day of August 2023.

CITY OF LENEXA, KANSAS

[SEAL]

Michael A. Boehm, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Steven D. Shrout, Assistant City Attorney

RESOLUTION NO. _____ - _____

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION MANAGER AT RISK CONTRACT (AIA A133-2019) BETWEEN THE CITY OF LENEXA, KANSAS AND TURNER CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE LENEXA OLD TOWN ACTIVITY CENTER IMPROVEMENT PROJECT AND WAIVING THE SEALED BID PROCESS.

WHEREAS, the City of Lenexa, Kansas (“City”) has defined a need and desire to enter into an agreement for the construction of the Lenexa Old Town Activity Center Improvement Project to renovate the existing Lenexa Community Center and the Lenexa Senior Center, including an addition and related site work (the “Project”); and

WHEREAS, pursuant to Charter Ordinance 52 and Section 1-9-B-2 of the Lenexa City Code, the City Council may waive the sealed bid process on public improvements when it is in the best interest of the public; and

WHEREAS, the City has determined the Project can be completed most efficiently if the Construction Manager at Risk (“CMAR”) method of construction is utilized and that it is, therefore, in the best interest of the City to waive the public bidding process for the Project; and

WHEREAS, the City solicited statements of qualifications from CMAR teams and short-listed four teams, which were then interviewed by City staff; and

WHEREAS, after evaluating the Project proposals and interviewing the short-listed CMAR teams, City staff recommends Turner Construction Company as the best value proposer for completion of the Project; and

WHEREAS, the construction contract utilizes the AIA133 – 2019 Agreement with General Conditions set forth in AIA201 - 2017, both as amended (the “Construction Agreement”), which is based upon a Cost of Work plus Fee with a Guaranteed Maximum Price (“GMP”); and

WHEREAS, in an effort to maximize time and efficiencies due to long lead times for heating, ventilation, and cooling and electrical equipment, Turner has submitted an early procurement package proposal to be included as the first guaranteed maximum price of \$94,928.00 (the “GMP”) and the parties have prepared an amendment to the Construction Agreement (the “Amendment No. 1”) memorializing the GMP; and

WHEREAS, in order to maximize cost efficiencies and refine the Project’s scope, the recommended Construction Agreement is limited to preconstruction services, which will allow the City, Construction Manager and Multistudio, Inc., as

the Project architect, to coordinate planning, design and budget prior to providing a final GMP for the balance of the work on the Project; and

WHEREAS, although not binding, the Construction Agreement anticipates a \$9,889,000 budget for construction of the Project and the City and Construction Manager anticipate executing an amendment to the Construction Agreement in line with this budget and upon agreement of a final GMP for the Project; and

WHEREAS, the City and Construction Manager have read, understand and agree to the terms and conditions of the Construction Agreement and the Amendment No. 1.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LENEXA, KANSAS:

SECTION ONE: The City of Lenexa, Kansas, a Kansas municipal corporation, does hereby waive the sealed bid process and authorizes staff to proceed with the Construction Manager at Risk procurement method.

SECTION TWO: The City of Lenexa, Kansas, a Kansas municipal corporation, does hereby authorize the Mayor to execute the Construction Agreement and Amendment No. 1 with Turner Construction Company on forms as approved by the City Attorney.

SECTION THREE: This resolution shall become effective upon passage.

ADOPTED by the Lenexa City Council this 15th day of August 2023.

SIGNED by the Mayor this 15th Day of August 2023.

CITY OF LENEXA, KANSAS

[SEAL]

By: _____
Michael A. Boehm, Mayor

Attest:

Jennifer Martin, City Clerk

Approved As To Form:

Steven D. Shrout, Assistant City Attorney



**CITY COUNCIL
MEMORANDUM**

ITEM 9

SUBJECT: 2023 ProX Internship Program Review
CONTACT: James Bowers, Human Resources Director
DATE: August 15, 2023

PROJECT BACKGROUND/DESCRIPTION:

Human Resources staff will present a review of the 2023 ProX Internship Program.

ATTACHMENTS

1. Presentation located in the Appendix

APPENDIX



**MINUTES OF THE
AUGUST 1, 2023
LENEXA CITY COUNCIL MEETING
COMMUNITY FORUM, 17101 W 87th STREET PARKWAY
LENEXA, KS 66219**

CALL TO ORDER

Mayor Boehm called the meeting to order at 7 PM.

ROLL CALL

Councilmembers Karlin, Eiterich, Nolte, Roh, Arroyo, Sayers, and Denny were present with Mayor Boehm presiding. Councilmember Nicks was absent.

Staff present included Beccy Yocham, City Manager; Todd Pelham, Deputy City Manager; Mike Nolan, Assistant City Manager; Scott McCullough, Community Development Director; MacKenzie Harvison, Deputy City Attorney; Jennifer Martin, City Clerk; and other City staff.

APPROVE MINUTES

Councilmember Eiterich made a motion to approve the July 18, 2023 City Council meeting draft minutes and Councilmember Sayers seconded the motion. Motion passed unanimously.

MODIFICATION OF AGENDA

There were no modifications to the agenda.

CONSENT AGENDA

1. Acceptance of the Bristol Highlands, 2nd Plat public improvements for maintenance
This project constructed public street, storm, and streetlight improvements in the Bristol Highlands, 2nd Plat subdivision. The project was funded by private development.
2. Acceptance of rights-of-way as shown on Crowder Family Dental, Final Plat
Crowder Family Dental, located at 15906 W. 87th Street Parkway, is a one-lot dental office development on one acre. Rights-of-way are being dedicated to the City as part of the final plat.
3. Approval to purchase of 6,000 tons of rock salt to be used for the 2023-2024 winter season
This purchase will replenish the City's rock salt storage for treating roads this winter. The award is through a cooperative bid for a total of \$299,400.
4. Resolution approving and authorizing the Mayor to execute the City's standard form sponsorship agreement with Williams Food, LLC as a 2023 Chili Challenge festival

Presenting Sponsor

Williams Food, LLC proposes to be a 2023 Chili Challenge festival Presenting Sponsor, which requires City Council approval.

5. Resolution authorizing the Mayor to execute a subrecipient agreement with Johnson County and an Authorized Signature Form for Community Development Block Grant Project Number 2023-12
This agreement is for the acceptance of \$182,863.36 in funds for the Community Development Block Grant street lighting project for Long Street, Rosehill Road, Gillette Street, and 89th Street. The total project cost is \$401,000.
6. Resolution authorizing the Mayor to execute an agreement with All City Management Services for school crossing guard services during the 2023-2024 school year
All City Management Services is the only provider of school crossing guards in this area and the Police Department proposes to contract with the company for the upcoming 2023-2024 school year for a total estimated cost of \$145,756.80.
7. Resolution authorizing the Mayor to execute a cooperative agreement with Johnson County, Shawnee, Olathe, and Overland Park for the distribution of funds under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program
The Lenexa Police Department will receive \$10,389 as its portion of the grant and will purchase two electric pedal-assist bicycles for the Bicycle Patrol Unit with the funds.
8. Resolution calling for a public hearing to consider establishing a community improvement district for the City Center Midas Dual Hotel Project
Midas Lenexa CC, LLC has petitioned to establish a Community Improvement District (CID). In order to establish a CID, a public hearing must be held. The resolution provides notice of a public hearing to consider the establishment of a CID over property located in the center block of 87th Street Parkway immediately west of Penrose Lane.
9. Resolution amending the Volumetric Rate Calculation form used in determining the fee paid for natural gas transported within the city in accordance with natural gas franchise ordinances
Franchise ordinances with natural gas providers allow the City to receive compensation based on the volume of natural gas transported within the city. These ordinances require the Volumetric Rate Calculation Form to be updated annually. Adoption of this resolution will allow the City to continue collecting this fee in 2024.

END OF CONSENT AGENDA

Councilmember Roh made a motion to approve items 1 through 9 on the consent agenda and Councilmember Karlin seconded the motion. Motion passed unanimously.

NEW BUSINESS

There was no new business.

COUNCILMEMBER REPORTS

Mayor Boehm wished Councilmember Nolte a happy birthday.

STAFF REPORTS

Beccy Yocham, City Manager, reminded the Governing Body that Friday is the rolling ribbon cutting for the new transit route and referred them to the email containing the event details.

10. Quarterly Financial Report

Nate Blum, Chief Financial Officer, said this report is unaudited and prepared on a cash basis, focusing on key indicators in the following five areas: revenues, expenditures, reserve policy, debt management, and investments.

Mr. Blum reported that key revenues year to date are 7% above last year's, primarily due to increased receipts of property taxes, sales taxes, and use taxes. He noted that electric franchise taxes are about 1% behind the projected 3%, but with the current heat wave this could be caught up next quarter. He said expenditures in the General Fund for operations are up slightly, although in range, largely due to increased personnel costs and inflation.

Mr. Blum talked about the reserve policy indicators and how the reserves are anticipated to be used to finance upcoming capital projects and on principal and interest payments on outstanding bonds. He said the stormwater funds are higher in anticipation of cash financing capital projects and Rec Center funds are higher in anticipation of needed maintenance in the next four to five years.

Mr. Blum said the debt management indicators reflect the issuance of a significant amount of general obligation debt and the anticipation of issuing \$14.2 million in general obligation bonds later this month.

Councilmember Karlin asked if the Rec Center fund reserves could be put in a separate fund so this fund does not appear so high. Mr. Blum said some facilities maintenance funding could go to certain projects at the Rec Center, but this has been built up to cover things that might not meet the Capital Improvement Program threshold. Councilmember Karlin said that if this is ongoing, reporting it differently could help the public understand the statement better. Mr. Blum said staff could look at special reserves.

Councilmember Nolte asked about the Tourism & Convention Fund reserves and how they can be used. Mr. Blum said the funds can be used on tourism expenditures and said there were explanations following the table. He added that the significant balance in the Tourism & Convention Fund is a result of new hotels opening in the city, causing a rapid increase in this fund. He said staff is looking at ways to use these funds on some upcoming projects.

Ms. Yocham added that the Tourism & Convention Fund is where the Lenexa Economic Development Council and the Convention and Visitors Bureau are funded as well.

Mayor Boehm talked about keeping the funds where they are for transparency, but asked staff to incorporate the explanations with the table as footnotes for clarity.

Mr. Blum said staff would find a way to make that change.

Mr. Blum said that investments are trending behind the long-term and short-term yield benchmarks due to rapid increase in interest rates over the last year.

Mayor Boehm said he was surprised to see the City doing this well given the speed of the increases over a short duration. Mr. Blum talked about the yield curve and making adjustments to investment strategy. He pointed out the \$3.8 million unrealized losses, noting this is a loss assuming the City sold all of its investments today, prior to maturity.

Mr. Blum said the only indicator in the yellow currently is single family residential building permits, but it is catching up over the year and trending to be back in the green. He said that although there have been no apartment building permit thus far this year, there are some in the pipeline so that stayed green.

Mayor Boehm asked about the \$70,000 for the video system and Ms. Yocham said that was about \$50,000 in one-time expenses for equipment and then about \$20,000 for annual fees.

Mayor Boehm said that City Hall Selfie Day is August 15th and everyone present is asked to join in a quick photo outside following the meeting that will be used in the promotion.

END OF RECORDED SESSION

BUSINESS FROM FLOOR

There was no business from the floor.

ADJOURN

Councilmember Nolte made a motion to adjourn and Councilmember Roh seconded the motion. Motion passed unanimously.

The meeting adjourned at 7:15 PM.



TO: Lenexa City Council

FROM: Mike Boehm - Mayor

DATE: August 15, 2023

RE: Appointment - Lenexa Planning Commission

I am happy to place before you, **Cara Wagner** for appointment to the Lenexa Planning Commission with a term to begin immediately upon your approval and run through February 28, 2026. This appointment will fill the current vacancy on the commission created with the resignation of Jason Leib.

Cara and her family (husband and two children) are residents of Ward 3 - literally blocks from where she grew up.

She was born in southwest Missouri and moved to Lenexa with her family when she was 4-years old and subsequently attended Shawanoe Elementary, Trailridge Middle School and Shawnee Mission Northwest High School. Cara received her Bachelors, Mechanical Engineering from the University of Kansas in 2006 and has been employed by Kiewit since graduation in a variety of roles including technical and managerial positions.

Attached is Cara's Application and Professional Curriculum Vitae for your review.

Approval is recommended

APPLY FOR A POSITION ON THE **PLANNING COMMISSION 2023-07-07 10:11 AM(CST)** was submitted by Guest on 7/7/2023 11:11:50 AM (GMT-06:00) US/Central

Name	Value
Name	Cara Wagner
Home Address	8110 Bradshaw St, Lenexa, KS 66215
Occupation/Job Title	Engineering Manager
Employer	Kiewit
Work Address	8900 Renner Boulevard, Lenexa, KS 66219
Home Phone	816-863-3507
Work Phone	913-928-7353
Cell Phone	816-863-3507
Email Address	cara.wagner@kiewit.com
Home	
Work	
Cell	Cell phone (preferred contact)
Why are you interested in serving on the Planning Commission?	I care a lot about Lenexa, as I have lived and worked here most of my life. The continued progress/growth is exciting, and I feel the need to help where I can.
Describe any training, professional associations, or special honors you have received that may make you uniquely qualified to serve on the Planning Commission.	I'm a professional mechanical engineer. I have been managing the engineering on large EPC projects or groups of engineers for the past 11 years, and in a technical role for the 6 years prior to that.
What previous experience do you have serving on a board, committee or commission?	
Specifically address if you have previously served on a board or commission in Lenexa.	None
List any volunteer experience you have	None

**which may benefit
the city.**

**List any service or
civic organization of
which you have
been a member.** None

**What cities have you
lived in, other than
Lenexa?** Springfield, MO; Lawrence, KS; Welland, Ontario

**How long have you
lived in Lenexa?** 35 years

**Have you ever been
involved with an
application
considered by the
Planning
Commission or
Board of Zoning
Appeals, as an
applicant, neighbor
or concerned
citizen? Please note
yes or no. If yes,
describe the
situation.** No



CARA WAGNER, PE

ENGINEERING MANAGER

EDUCATION

Bachelors, Engineering
Mechanical
Engineering, University of
Kansas - 2006

YEARS OF EXPERIENCE

Total Years in Industry: 17

Year Started at Company: 2005

LICENSES/REGISTRATIONS

Professional Engineer – KS

OTHER SPECIALIZED EXPERIENCE/TRAINING

OSHA 10

PROFESSIONAL EXPERIENCE

Cara began her career at Kiewit as a Mechanical Engineering Intern in 2005 and now serves as an Engineering Manager at Kiewit Engineering Group. Previously she held roles as the Mechanical Engineering Department Manager, Mechanical Engineer (including Process, Mechanical and Piping scopes), Resident Engineer, Lead Mechanical Engineer and Engineering Manager on various EPC projects.

Cara's experience leading complex projects in FEED, EPC and estimating phases is extensive and her focus on people builds cohesive, high powered project teams who yield successful projects.

CAREER SUMMARY		
ROLE	LOCATION	YEARS
Engineering Manager	KS	2017-Present
Discipline Manager	KS	2021-2022
Department Manager	KS	2017-2021
Lead Mechanical Engineer	KS	2014-2017
Mechanical Team Engineering Lead	KS	2012-2014
Mechanical Engineer	KS, CA	2006-2009
Mechanical Engineer Intern	KS	2005

SELECT KIEWIT & AFFILIATES PROJECT EXPERIENCE

Engineering Project Manager, Tennessee Lithium FEED, Piedmont Lithium, Etowah, TN (2022-Present)

Managing the engineering team on a large front end engineering design for a 30,000 tpy lithium hydroxide facility. The work includes advising the client on site selection in addition to progressing the design for a level 3 EPCC schedule and estimate. The industrial facility includes lithium hydroxide production from spodumene ore, material handling for storage and loading of the ore, product, and tailings. Balance of plant integration includes a new substation and rail spur, water treatment, reagent handling, steam generation and other common utilities.

Discipline Manager, Olive Creek 2 FEED, Monolith Materials, Hallam, NE (2021-2022)

Performed the follow-on front end engineering design for a 196,000 tpy carbon black and 930 MT ammonia facility. Deliverables included a process design basis, process flow diagrams, discipline design criteria, piping and instrumentation diagrams, plot plans, process hazard analysis, value engineering activities, ammonia technology oversight and integration, and a lump sum EPCC price, level 3 EPCC schedule and execution plan. The industrial facility includes ammonia production, storage, loading and balance of plant integration of an air separation unit, steam, electrical generation and other

common utilities.

Department Manager, Mechanical Engineering, Lenexa KS (2017-2021)

Cara was responsible for managing the Mechanical Engineering Department at KPE. This includes recruiting, training, mentoring and performance management for all mechanical engineers within KPE. She coordinated initiatives and resources across multiple engineering districts, and oversaw the execution of mechanical engineering work across all KPE production projects and FEED studies

Lead Mechanical Engineer, Lackawanna Energy Center, Invenergy LLC, Jessup, PA (2015-2017)

Contracted to engineer, procure, and construct a 1,485 MW natural gas-fired combined-cycle electric generation facility. The plant is comprised of three power islands consisting of a single-shaft combined-cycle configuration. Each power island is equipped with one GE 7HA.02 gas turbine and a heat recovery steam generator. All three islands share the same cooling, air and auxiliary steam systems to complete the facility's operations.

Lead Mechanical Engineer, Elk Station Unit 1, Golden Spread Electric Cooperative, Abernathy, TX (2014-2015)

Engineering, procurement and construction of the 190-MW simple-cycle plant project driven by load growth in the area. Installed equipment included GE 7F.05 technology and a 345-kV switchyard.

Mechanical Team Engineering Lead, Cherokee Combined-Cycle Plant, Xcel Energy, Inc., Denver, CO (2012-2014)

Contracted to engineer, procure and construct a 569 MW 2x1 combined-cycle power plant. Equipment installed included two GE 7FA.05 combustion turbine generators, a GE D-11 steam turbine generator and two Nooter/Eriksen heat recovery steam generators.

Mechanical Engineer, Chouteau Power Plant Unit 2, Associated Electric Cooperative Inc., Chouteau, OK (2009-2009)

Contract awarded for the engineering, procurement, construction, and start-up contract for the 540 MW natural gas-fired, combined-cycle power plant. The project included two Siemens V84.3A2 combustion turbine generators, two Vogt NEM heat recovery steam generators, and a Siemens KN condensing steam turbine.

Mechanical Engineer, Thorold Cogeneration Station, Thorold Cogen LP, Thorold, ON (2007-2009)

Provided detailed design, construction, start-up, commissioning and performance testing for a 265 MW combined-cycle cogeneration facility. The scope of work included design and installation of a new 230kV four-circuit-breaker, radial-bus substation consisting of two generator positions, one plant auxiliary transformer position and one transmission-line position. Installed equipment included a GE 7FA gas turbine, a Siemens SST-700/900 steam turbine, an Alstom heat recovery steam generator and two Foster Wheeler auxiliary boilers.

Mechanical Engineer, Bartow Repowering Project, Progress Energy, St. Petersburg, FL (2006-2007)

Responsible for the engineering, procurement, and construction of the 1,200 MW 4x1 natural gas-fired combined-cycle power plant on Florida's west coast. The project included four Siemens 501 FD combustion turbine generators, four Vogt triple-pressure heat recovery system generators, and a Mitsubishi steam turbine generator.

Mechanical Engineer Intern, St. Clair Energy Center, Invenergy LLC, Sarnia, ON (2005-2005)

In 2005, the Kiewit team began work on the engineering services contract for a natural gas-fired combined cycle generating facility. The new plant includes two GE 7FA combustion turbine generators, two GE A10 axial exhaust condensing steam turbine generators and two Foster Wheeler three-pressure reheat heat recovery steam generators.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ACQUISITION OF LANDS OR INTERESTS THEREIN BY CONDEMNATION FOR THE CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS ASSOCIATED WITH CONSTRUCTION OF THE SANTA FE TRAIL DRIVE STREET AND TRAIL IMPROVEMENTS PROJECT IN LENEXA, JOHNSON COUNTY, KANSAS.

WHEREAS, the Governing Body of the City of Lenexa, Kansas did by Resolution No. _____, declare the necessity for, and authorize a survey and description of lands or interests therein to be acquired by the City for the following:

Construction of the Santa Fe Trail Drive Street and Trail Improvements Project

The project includes easements and property acquisition for locating, building, constructing, and maintaining street, sidewalk and trail improvements, including asphalt reconstruction, underdrain installation, construction of curbs, gutters, sidewalks, trails, street lighting, and necessary appurtenances; together with the rights of ingress and egress for the purpose of construction, maintenance, and repairs of said facilities, together with utility location and relocation, environmental review and mitigation, landscaping, as well as easement and condemnation costs; preliminary and final engineering; survey, staking, grading, and erosion control; appraisal fees; construction supervision/inspection; testing; and other related improvements to be constructed with the main improvement; City administrative costs; legal fees; and costs associated with the bond and interest expense associated with financing the improvement and other necessary appurtenances.; and

WHEREAS, said survey and description was prepared and is maintained at the Lenexa City Hall.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LENEXA, KANSAS:

SECTION ONE: It is hereby authorized and provided that the lands or interests therein, hereafter described, be acquired for the following improvement:

Construction of the Santa Fe Trail Drive Street and Trail Improvements Project

The project includes easements and property acquisition for locating, building, constructing, and maintaining street, sidewalk and trail improvements, including asphalt reconstruction, underdrain installation, construction of curbs, gutters, sidewalks, trails, street lighting, and necessary appurtenances; together with the rights of ingress and egress for the purpose of construction, maintenance, and repairs of said facilities, together with utility location and relocation, environmental review and mitigation, landscaping, as well as easement and condemnation costs; preliminary and final engineering; survey, staking, grading, and erosion control; appraisal fees; construction

supervision/inspection; testing; and other related improvements to be constructed with the main improvement; City administrative costs; legal fees; and costs associated with the bond and interest expense associated with financing the improvement and other necessary appurtenances.

TRACT 4 – BNSF RAILWAY COMPANY:

CONDEMNEE: BNSF Railway Company

SITUS In the vicinity south of and adjacent to Santa Fe Trail
ADDRESS: Drive, between Pflumm Road and Park Street.

Parcel ID: IC241233-0418

MAILING BNSF Railway Company
ADDRESS: PO BOX 961089
Fort Worth, TX 76131

Sidewalk Easement

A Tract of land for the purpose of a sidewalk easement in the Southeast Quarter of Section 33, Township 12 South, Range 24 East of the Sixth Principal Meridian, in the City of Lenexa, Johnson County, Kansas, said Tract being more particularly described by William C. Anderson, PLS 1527 of BHC, KS CLS175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East Line of the Southeast Quarter of Section 33, Township 12 South, Range 24 East of the Sixth Principal Meridian having a bearing of North 02° 19' 35" West as determined by Global Positioning System observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Southeast Corner of the Southeast Quarter of said Section 33, monumented by a 1 1/2 inch reinforcing rod in a monument box;

Thence North 02° 19' 35" West, 1292.87 feet, on the East line of said Southeast Quarter;

Thence South 87° 40' 25" West, 30.00 feet, perpendicular to the last described course, to a point on the West Right-of-Way line of Pflumm Road, and the POINT OF BEGINNING of said Tract herein described;

Thence South 59° 07' 33" West, 156.77 feet;

Thence South 61° 08' 26" West, 50.04 feet;

Thence South 57° 42' 04" West, 394.76 feet, to the beginning of a non-tangent curve, concave to the Southeast, having a radius of 2022.35 feet;

Thence Northeasterly on said curve to the right, an arc length of 211.14 feet, said curve having a chord bearing of North 54° 50' 46" East, and a chord distance of 211.04 feet, to a point on the Southeasterly Right-of-Way line of Santa Fe Trail Drive;

Thence North 57° 50' 13" East, 400.14 feet, on said Southeasterly Right-of-Way line, to its intersection with said West Right-of-Way line of Pflumm Road;

Thence South 02° 19' 35" East, 19.00 feet, on said West Right-of-Way line, to the POINT OF BEGINNING, said Tract containing 6,350 square feet or 0.1458 acres.

Temporary Construction Easement

A Tract of land for the purpose of a temporary construction easement in the Southeast Quarter of Section 33, Township 12 South, Range 24 East of the Sixth Principal Meridian, in the City of Lenexa, Johnson County, Kansas, said Tract being more particularly described by William C. Anderson, PLS 1527 of BHC, KS CLS175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East Line of the Southeast Quarter of Section 33, Township 12 South, Range 24 East of the Sixth Principal Meridian having a bearing of North 02° 19' 35" West as determined by Global Positioning System observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Southeast Corner of the Southeast Quarter of said Section 33, monumented by a 1 1/2 inch reinforcing rod in a monument box;

Thence North 02° 19' 35" West, 1292.87 feet, on the East line of said Southeast Quarter;

Thence South 87° 40' 25" West, 30.00 feet, perpendicular to the last described course, to a point on the West Right-of-Way line of Pflumm Road, and the POINT OF BEGINNING of said Tract herein described;

Thence South 02° 19' 35" East, 1.14 feet, on said West Right-of-Way line;

Thence South 57° 48' 13" West, 283.25 feet;

Thence South 57° 58' 55" West, 366.35 feet, to the beginning of a non-tangent curve, concave to the Southeast, having a radius of 2022.35 feet;

Thence Northeasterly on said curve to the right, an arc length of 49.06 feet, said curve having a chord bearing of North 51° 09' 37" East, and a chord distance of 49.05 feet;

Thence North 57° 42' 04" East, 394.76 feet;

Thence North 61° 08' 26" East, 50.04 feet;

Thence North 59° 07' 33" East, 156.77 feet, to its intersection with the West Right-of-Way line of Pflumm Road, and the POINT OF BEGINNING, said Tract containing 3,561 square feet or 0.0817 acres.

TRACT 8 – GLENN E. AND CATHY G. ZUMBEHL:

CONDEMNEE: Glenn E. and Cathy G. Zumbahl

SITUS In the vicinity northwest of and adjacent to Santa Fe Trail Drive
ADDRESS: between 13900 Santa Fe Trail Drive and 13976 Santa Fe Trail Drive.

Parcel ID: IP248500000-0002

MAILING Glenn E. and Cathy G. Zumbahl
ADDRESS: 11609 Norwood St.
Leawood, KS 66211

Temporary Construction Easement

A Tract of land for the purpose of a temporary construction easement being a part of Lot 2, GREEN MEADOW AT THE TRAIL, a subdivision recorded January 16, 2008 as Document Number 20080116-0004014, in the City of Lenexa, Johnson County, Kansas, said Tract being more particularly described by William C. Anderson, PLS 1527, with BHC, KS CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the South line of Lot 2, GREEN MEADOW AT THE TRAIL, having a bearing of North 61° 38' 06" West as determined by Global Positioning System observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Northeast corner of Lot 2, GREEN MEADOW AT THE TRAIL;

Thence North 56° 04' 54" West, 10.00 feet, on the North line of said Lot 2, to the POINT OF BEGINNING of said Tract herein described;

Thence Southerly on a curve to the left, having a radius of 2110.08 feet, and an arc length of 204.75 feet, said curve having a chord bearing of South 31° 05' 51" West, and a chord distance of 204.67 feet, parallel with and 10.00 feet Northwest of the East line of said Lot 2, to the South line of said Lot 2;

Thence North 61° 38' 06" West, 69.44 feet, on said South line;

Thence North 28° 44' 44" East, 32.90 feet;

Thence South 61° 33' 29" East, 64.45 feet, to the beginning of a non-tangent curve concave to the Southeast, having a radius of 2115.08 feet;

Thence Northeasterly on said curve to the right, an arc length of 172.42 feet, said curve having a chord bearing of North 31° 32' 31" East, and a chord distance of 172.37, parallel with and 15.00 feet Northwest of the East line of said Lot 2, to the North line of said Lot 2;

Thence South 56° 04' 54" East, 5.00 feet, on said North line, to the POINT OF BEGINNING, said Tract containing 3,141 square feet or 0.0721 acres.

TRACT 9 – BRYCHI, L.L.C.:

CONDEMNEE: Brychi, L.L.C.

SITUS

ADDRESS: 13900 Santa Fe Trail Drive, Lenexa, KS 66215

Parcel ID: IP24850000-0001

MAILING Brychi, L.L.C.
ADDRESS: 13900 Santa Fe Trail Drive
 Lenexa, KS 66215

Temporary Construction Easement

A Tract of land for the purpose of a temporary construction easement being a part of Lot 1, GREEN MEADOW AT THE TRAIL, a subdivision recorded January 16, 2008 as Document Number 20080116-0004014, in the City of Lenexa, Johnson County, Kansas, said Tract being more particularly described by William C. Anderson, PLS 1527, with BHC, KS CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the Southwesterly line of Lot 1, GREEN MEADOW AT THE TRAIL, having a bearing of North

56° 04' 54" West as determined by Global Positioning System observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Southern most corner of Lot 1, GREEN MEADOW AT THE TRAIL;

Thence North 56° 04' 54" West, 10.00 feet, on the Southwesterly line of said Lot 1, to the POINT OF BEGINNING of said Tract herein described;

Thence continuing North 56° 04' 54" West, 5.00 feet, on said Southwesterly line, to the beginning of a non-tangent curve, concave to the Southeast, having a radius of 2115.08 feet

Thence Northeasterly on said curve to the right, an arc length of 251.53 feet, said curve having a chord bearing of North 37° 17' 03" East, and a chord distance of 251.38;

Thence North 31° 36' 56" West, 38.14 feet;

Thence North 58° 23' 04" East, 10.00 feet, to said Northeast line;

Thence South 31° 36' 56" East, 30.87 feet, on said Northeast line, to the beginning of a tangent curve, concave to the West, having a radius of 27.20 feet;

Thence Southeast on said curve, an arc length of 10.17 feet, said curve having a chord bearing of South 20° 53' 56" East, and a chord distance of 10.12 feet, on said Northeast line, to the beginning of a non-tangent curve concave to the Southeast, having a radius of 2110.08 feet;

Thence Southwest on said curve, to the left, an arc length of 257.87 feet, said curve having a chord bearing of South 37° 22' 42" West, and a chord distance of 257.71 feet, to the POINT OF BEGINNING, said Tract containing 1,665 square feet or 0.0382 square feet.

TRACT 10 – GREEN PRAIRIE OFFICE CENTER, L.C.,

CONDEMNEE: Green Prairie Office Center, L.C.

SITUS 13830 Santa Fe Trail Dr.
ADDRESS: Lenexa, KS 66215

Parcel ID: IP25000000-0181A

MAILING Green Prairie Office Center, L.C.
ADDRESS: 13830 Santa Fe Trail Drive, Suite 101
Lenexa, KS 66215

Temporary Construction Easement

A Tract of land for the purpose of a temporary construction easement being a part of Lot 181, GREEN PRAIRIE, a subdivision recorded July 27, 1954 in Book 17, Page 48, in the City of Lenexa, Johnson County, Kansas, said Tract being more particularly described by William C. Anderson, PLS 1527, with BHC, KS CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on Global Positioning System observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Southeast corner of said Lot 181;

Thence Southerly on the Southerly line of said Lot 181, on a curve to the left, having a radius of 2100.08 feet, an arc length of 196.85 feet, said curve having a chord bearing South 50° 47' 13" West, and a chord distance of 196.78 feet, to the Southeast corner of a parcel described in Kansas General Warranty Deed recorded in Book 5347 at Page 346, and the POINT OF BEGINNING of said Tract herein described;

Thence continuing on said Southerly line and on said curve, having a radius of 2100.08 feet, an arc length of 62.36 feet, said curve having a chord bearing South 47° 15' 04" West, and a chord distance of 62.35 feet;

Thence, departing said Southerly line, North 16° 54' 05" West, 11.19 feet, to the beginning of a non-tangent curve, concave Southeasterly, having a radius of 2110.08 feet;

Thence Northerly on said curve to the right, an arc length of 62.35 feet, said curve having a chord bearing North 47° 23' 00" East, and a chord distance of 62.35 feet, parallel and 10.00 feet Northerly of the Southerly line of said Lot 181, to the East line of said Warranty Deed;

Thence South 16° 36' 56" East, 11.05 feet, on said East line, to the POINT OF BEGINNING, said Tract containing 624 square feet or 0.0143 acres.

TRACT 11 – GOSPEL OUTREACH CENTER INC.

CONDEMNEE: Gospel Outreach Center Inc.

SITUS 13800 Santa Fe Trail Drive
ADDRESS: Lenexa, KS 66215.

Parcel ID: IP25000000-0181B

MAILING Gospel Outreach Center Inc.
ADDRESS: 13800 Santa Fe Trail Drive
 Lenexa, KS 66215

Temporary Construction Easement

A Tract of land for the purpose of a temporary construction easement being a part of Lot 181, GREEN PRAIRIE, a subdivision recorded July 27, 1954 in Book 17, Page 48, in the City of Lenexa, Johnson County, Kansas, said Tract being more particularly described by William C. Anderson, PLS 1527, with BHC, KS CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East line of Lot 181 and a Parcel described in Warranty Deed, Book 201402, Page 003054, Lot 181, GREEN PRAIRIE, having a bearing of South 02° 15' 22" East as determined by Global Positioning System observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Southeast corner of said Lot 181, GREEN PRAIRIE;

Thence Southerly on a curve, concave Southeasterly, an arc length of 196.82 feet, said curve having chord bearing of South 50° 47' 15" West, and a chord distance of 196.74 feet, on the Southerly line of Lot 181, to the Southwest corner of a parcel described in a Warranty Deed recorded in Book 201402, Page 003054;

Thence North 16° 36' 56" West, 11.05 feet, on the West line of said Book 201402, Page 003054, to the beginning of a non-tangent curve, concave to the Southeast, having a radius of 2110.08 feet;

Thence Northeasterly on said curve to the right, an arc length of 123.07 feet, said curve having a chord bearing of North 49° 54' 06" East, and a chord distance of 123.05 feet, parallel with and 10.00 feet Northerly of the Southerly line of said Lot 181;

Thence North 38° 51' 37" West, 13.00 feet, to the beginning of a non-tangent curve, concave to the Southeast having a radius of 2123.08 feet;

Thence Northeasterly on said curve to the right, an arc length of 55.03 feet, said curve having a chord bearing of North 52° 18' 45" East, and a chord distance of 55.03 feet, parallel with and 23.00 feet Northerly of the Southerly line of said Lot 181;

Thence South 37° 22' 38" East, 13.00 feet, to the beginning of a non-tangent curve, concave to the Southeast, having a radius of 2110.08 feet;

Thence Northeasterly on said curve to the right, an arc length of 22.07 feet, said curve

having a chord bearing of North 53° 21' 27" East, and a chord distance of 22.07, parallel with and 10.00 feet Northerly of the Southerly line of said Lot 181, to the East line of said Lot 81;

Thence South 02° 15' 22" East, 12.09 feet, on said East line, to the POINT OF BEGINNING, said Tract containing 2,697 square feet or 0.0619 acres.

TRACT 12 – JOSHUA M. BROWN

CONDEMNEE: Joshua M. and Kelly L. Brown

SITUS 9326 Park Street
ADDRESS: Lenexa, KS 66215.

Parcel ID: IP32500000-0040

MAILING Joshua M. and Kelly L. Brown
ADDRESS: 9326 Park Street
Lenexa, KS 66215

Temporary Construction Easement

A Tract of land for the purpose of a temporary construction easement being a part of Lot 41, HILL CREST, a subdivision recorded January 1, 1907 in Book 3, Page 35, in the City of Lenexa, Johnson County, Kansas, said Tract being more particularly described by William C. Anderson, PLS 1527, with BHC, KS CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East line of Lots 35 through 41, HILL CREST, having a bearing of South 02° 15' 22" East as determined by Global Positioning System observations and referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Northeast corner of said Lot 41, HILL CREST;

Thence South 02° 15' 22" East, 45.32 feet, on the East line of said Lot 41, to the POINT OF BEGINNING of said Tract herein described;

Thence South 02° 15' 22" East, 11.54 feet, continuing on said East line, to its intersection with the North Right-of-Way line of Santa Fe Trail Drive;

Thence South 57° 46' 05" West, 14.14 feet, on said North Right-of-Way line, to the beginning of a tangent curve, concave to the Southeast, having a radius of 2100.08 feet;

Thence Southerly on said curve to the left, an arc length of 157.46 feet, said curve having a chord bearing South 55° 37' 13" West, and a chord distance of 157.42 feet, continuing on said North Right-of-Way line, to its intersection with the West line of said Lot 41;

Thence North 02° 15' 22" West, 12.09 feet, on said West line, to the beginning of a non-tangent curve, concave to the Southeast, having a radius of 2110.08 feet;

Thence Northeasterly on said curve to the right, an arc length of 151.40 feet, said curve having a chord bearing North 55° 42' 45" East, and a chord distance of 151.37 feet, parallel with and 10.00 feet Northerly of said North Right-of-Way line of Santa Fe Trail Drive;

Thence North 57° 46' 05" East, 19.91 feet, parallel with and 10.00 feet Northerly of said North Right-of-Way line, to the POINT OF BEGINNING, said Tract containing 1,715 square feet or 0.0394 acres.

SECTION TWO: It is further authorized and provided that, as soon as practicable after the passage of this ordinance, action be initiated to exercise the power of eminent domain in accordance with K.S.A. 26-501, *et seq.*, the Eminent Domain Procedure Act, to condemn all lands and interests therein hereinbefore described.

SECTION THREE: This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the City Council this 15th day of August, 2023.

SIGNED by the Mayor this 15th day of August, 2023.

CITY OF LENEXA, KANSAS

[SEAL]

Michael A. Boehm, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Steven D. Shrout, Assistant City Attorney



Turner Construction
1220 Washington St., Suite 100
Kansas City, Missouri 64105
816.283.0555

July 27, 2023

Mr. Ben Clark
Project Manager
City of Lenexa
170101 W. 87th Street
Lenexa, Ks 66219

Dear Ben:

Attached is our Early Procurement Package proposal for the purchase of long lead time equipment and materials; specifically, MEP equipment and main distribution panels for the Lenexa Old Town Activity Center. As you know, developing this proposal is the result of much planning and preparation through meetings, project document reviews, multiple estimates and special studies reviewed by the team of Turner, multistudio, Henderson Engineers, and the City of Lenexa. We believe the following proposal value to be a true and accurate representation of the equipment and bid packages included in this package.

We look forward to sitting down and reviewing the document with you and the team. As always if you have any questions please do not hesitate to ask.

Thank you for the opportunity to be a part of this great project!

A handwritten signature in black ink that reads "Jennifer Liston".

Jennifer Liston – Turner Construction

**Lenexa Old Town Activity Center
PRE-GMP - Early Mechanical Bid Package (6.30.23)**

TABLE OF CONTENTS

- 1. Exhibit A - Cost Summary**
- 2. Exhibit B - Equipment List**
- 3. Exhibit C - Assumptions and Clarifications**
- 4. Exhibit D - Contract Document List**

Lenexa Old Town Activity Center
 PRE-GMP - Early Mechanical Bid Package (6.30.23)

DATE: 7/28/2023
 GSF: 24,246

EXHIBIT A - COST SUMMARY			
BID PACKAGE NAME		Gross SF =	24,246
		Cost	Cost / SF
00.02	Equipment Procurement - HVAC RTU-3 (TRANE)	\$30,859	\$1.27
00.03	Equipment Procurement - MS and MSB Panels (Siemens)	\$45,995	\$1.90
SUBTOTAL		\$76,854	\$3.17
INSURANCE AND BONDING		\$3,458	\$0.14
	SUBCONTRACT DEFAULT INSURANCE 1.25%	\$961	\$0.04
	CCIP (GENERAL LIABILITY & WORKMAN'S COMP INSURANCE) 2.15%	\$1,652	\$0.07
	BUILDER'S RISK INSURANCE 0.25%	\$192	\$0.01
	PAYMENT AND PERFORMANCE BOND 0.85%	\$653	\$0.03
	BID BOND (IF REQUIRED)	NIC	\$0.00
SUBTOTAL - DIRECT COSTS		\$80,312	\$3.31
CM SERVICES		\$14,616	\$0.60
	CONSTRUCTION STAFF & REIMBURSABLES	\$12,800	\$0.53
	CM FEE 1.95%	\$1,816	\$0.07
PROJECT CONSTRUCTION GMP SUBTOTAL		\$94,928	\$3.92
			0
PROJECT Pre-GMP SUBTOTAL		\$94,928	\$3.92

EXHIBIT B - EQUIPMENT LIST			
	Item	Manufacturer	Approximate Lead Time*
	AHU-3	TRANE	45 Weeks
	MS Switchboard and MSB Switchboard	Siemens	55 Weeks

*Lead times noted are approximate and are after receipt of a contract, issuance of a purchase order, and approval of submittals.

Lenexa Old Town Activity Center

EARLY PROCUREMENT PACKAGE

July 27, 2023

EXHIBIT C – ASSUMPTIONS AND CLARIFICATIONS

These Assumptions and Clarifications (A's and C's) form the basis of our understanding of the Project scope to provide a complete and functioning facility and are specific to this scope of work. These assumptions and clarifications are provided to allow the entire team to understand the complete scope of the Project and what scope is included in this Early Procurement Package. These assumptions should be the basis for which the Architect and/or "Design Team" completes the documents and for which the Owner accepts the facility.

General:

- 1.) This Early Procurement Package includes the new AHU-3 and MS switchboard and MSB switchboard per the contract documents dated 06/30/2023.
- 3.) The materials and equipment purchased in this Early Procurement Package is based on the Contract Documents List (Exhibit D), and these Assumptions and Clarifications.
- 4.) The Early Procurement Cost Summary sheet (Exhibit A) has been included in this document for information only. Totals are not intended to be stand alone or line item guarantees.
- 5.) NO INSTALLATION OR CONSTRUCTION LABOR RELATED TO THE ELECTRICAL AND MECHANICAL EQUIPMENT IS INCLUDED IN THIS EARLY PROCUREMENT PACKAGE.
- 6.) No offsite storage or marshalling costs are included in this Early Procurement Package.
- 7.) Construction Manager reserves the right to selectively negotiate or re-bid trade packages as necessary to develop and maintain the final GMP.
- 8.) The Early Procurement Cost summary includes lump sum General Conditions of \$12,800 to begin engineering and management services in advance of the approval of the final GMP and Construction mobilization.
- 9.) This Early Procurement Package proposal is valid until August 25th, 2023.
- 10.) This Early Procurement Package, and draft completion schedule do not provide for the effects of the incidence of disease or other illness that reaches outbreak, epidemic, endemic and/or pandemic proportions or otherwise affects the area in which the Project is located and/or our labor or supply chain. Notwithstanding the above, or anything herein to the contrary, the Construction Manager shall not be liable for default or delay because of labor shortages due to voluntary quarantine, any public health order, or illness of personnel, interruptions in the supply chain for materials, or otherwise, such delays being a force majeure, which shall excuse Construction Manager's strict compliance with any completion schedule requirements and application of Owner's contractual remedies by way of liquidated damages or supplementation of Construction Manager's Work, or as otherwise provided in the Contract Documents. The Construction Manager shall notify Owner in writing as soon as

Lenexa Old Town Activity Center

EARLY PROCUREMENT PACKAGE

July 27, 2023

EXHIBIT C – ASSUMPTIONS AND CLARIFICATIONS

reasonably possible after the commencement of any excusable delay, including force majeure, setting forth the particulars in connection therewith.

Due to the recent outbreak of COVID-19 and the unpredictable nature of pricing and performing in the current state of this pandemic, this package does not include schedule or cost impacts caused by events outside of its control including without limitation delays and cost escalation arising from pandemics, financial shocks, supply chain and/or travel disruptions caused by the COVID-19 outbreak.

- 11.) This Proposal is contingent upon receiving a Notice To Proceed of the this Early Procurement Package on or before August 25th, 2023. Due to volatility in the construction market and its supply chain, Turner reserves its right to amend this Proposal prior to receiving the Notice to Proceed for impacts beyond Turner's control. We assume that material prices will remain stable from the date of this Proposal to the execution of the applicable Subcontracts. Turner has identified certain trade-specific restrictions related to material escalation and supply chain impact within the CSI trade categories in Exhibit B. To the extent material prices or supply chain impacts are inconsistent with the assumptions in this Proposal, Turner will receive an equitable adjustment of the GMP and the Contract Time. We recommend that the Owner maintain an allowance or Owner-held contingency to mitigate these risks.
- 12.) This Proposal assumes the Owner and Architect will expeditiously review submittals so as to release materials for order and fabrication. Due to current supply chain disruptions, Owner and Architect will cooperate with Turner and its Subcontractors in revising specifications for material and equipment experiencing significant shortages or delays so as to maintain the Contract Time.
- 13.) This Early Procurement Package excludes all taxes.

END OF ASSUMPTIONS AND CLARIFICATIONS

EXHIBIT D - CONTRACT DOCUMENT LIST

Drawings

ELECTRICAL

<u>SHEET</u>	<u>TITLE</u>	<u>DATE</u>
E500	ONELINE	6/30/2023

MECHANICAL

<u>SHEET</u>	<u>TITLE</u>	<u>DATE</u>
M400	MECHANICAL SCHEDULES	6/30/2023
M601	MECHANICAL CONTROLS	6/30/2023

SPECIFICATIONS

DIVISION 23-- HEATING VENTILATING AND AIR CONDITIONING (HVAC)

<u>SECTION</u>	<u>TITLE</u>	<u>DATE</u>
230529	HANGERS AND SUPPORTS FOR HVAC PIPING AND EQUIPMENT	6/30/2023
237313	CENTRAL STATION AIR HANDLING UNITS	6/30/2023

DIVISION 26 -- ELECTRICAL

<u>SECTION</u>	<u>TITLE</u>	<u>DATE</u>
264313	SURGE PROTECTIVE DEVICES	6/30/2023
260573	OVERCURRENT PROTECTIVE DEVICE COORDINATION STUDY	6/30/2023
262413	SWITCHBOARDS	6/30/2023

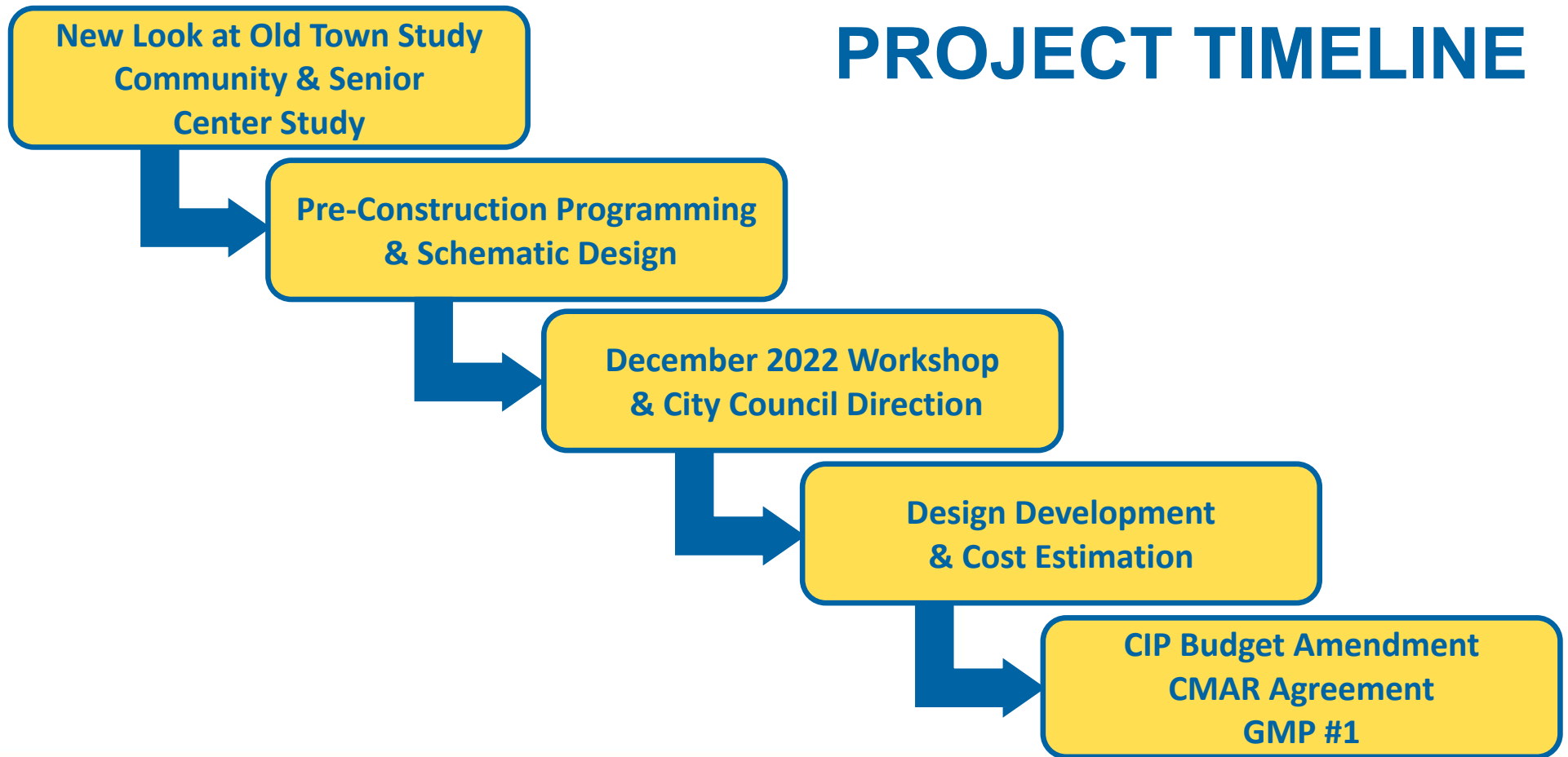
OLD TOWN ACTIVITY CENTER

AUGUST 15, 2023

WHAT WE WILL COVER

- ★ Project History / Timeline
- ★ Project Goals
- ★ Items for Approval
 - Capital Improvement Plan (CIP) Budget Amendment
 - Construction Manager at Risk (CMAR) Agreement
 - Guaranteed Maximum Price Amendment 1 (GMP #1)
- ★ Mural Process Update
- ★ Design Development Update
- ★ Construction Schedule

PROJECT TIMELINE



PROJECT GOALS

- ★ Weave together Old Town
- ★ Enhance Old Town visibility
- ★ Connect to adjoining neighborhoods
- ★ Build and uplift the senior community
- ★ Improve operations and maximize recreational opportunities

ITEM 8A: CIP BUDGET AMENDMENT

★ Current budget: \$9,655,450

★ Proposed budget: **\$12,152,000**

→ Includes:

- ✓ Replacement of exterior cladding and insulation on the gym
- ✓ Youth / Flex room addition
- ✓ Shade structure / canopy

ITEM 8B: CMAR AGREEMENT

- ★ Turner Construction selected
 - Competitive RFQ process
 - Pre-construction services and cost estimation
 - Waive the sealed bid process for construction of the Project
- ★ City has successfully used this delivery method on three major public facility projects in the recent past:
 - Civic Campus, Justice Center, Sar-Ko-Par Aquatic Center

ITEM 8B: GMP #1 – LONG-LEAD ITEMS

★ Approve GMP #1 for total of: **\$94,928**

★ Package Includes:

→ HVAC Equipment

✓ Air Handling Unit (45 weeks)

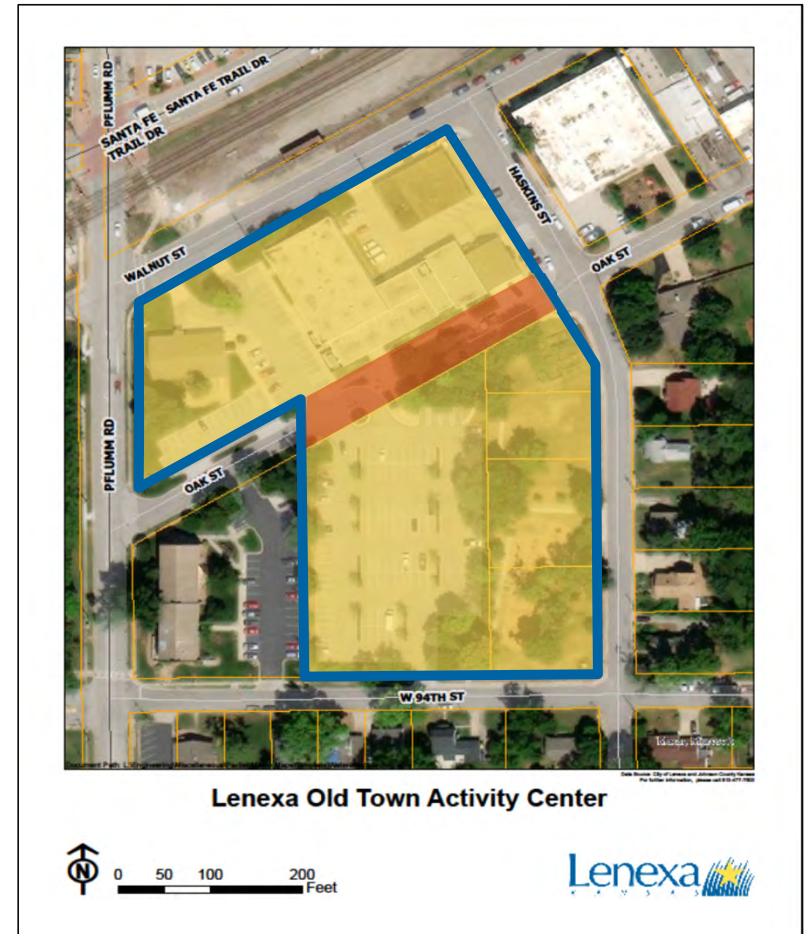
→ Electrical Equipment

✓ Primary Distribution Panel (55 weeks)

✓ Switchboard (55 weeks)

PLATTING / ROW

- ★ Oak Street ROW to be vacated
- ★ Combines City property into a single parcel of land
- ★ Plat to the City Council this fall



MURAL PROCESS

★ Phase 1: **COMPLETED**

→ Identified motif/theme, appropriate location(s), and possible artists

★ Phase 2: **ONGOING**

→ Committee works with shortlisted artists to develop concepts, seeks community engagement, then recommends an artist(s) to install the mural

****Final recommendations will be brought to the City Council for approval****

MURAL PROECSS

- | | |
|------------------------------------|--------------------------|
| ★ RFP to shortlisted artists | Aug. 28 |
| ★ Proposals / Concepts due to City | Oct. 9 |
| ★ Community feedback period | Oct. 13 - Dec. 31 |
| ★ Committee recommendation to GB | Feb. 2024 |
| ★ Mural installation | Fall 2024 |

DESIGN DEVELOPMENT UPDATES

- ★ Site
- ★ Exterior
- ★ Interior

- LEGEND**
- A. PICKLEBALL COURTS
 - B. SHUFFLE BOARD
 - C. RAIN GARDEN
 - D. BIKE RACKS
 - E. SEAT WALL
 - F. RELOCATED GARDEN PLANTERS
 - G. LANDSCAPE BERM
 - H. SEATING AREA/ FLEX SPACE
 - I. WARM-UP AREA (PING PONG)
 - J. SYNTHETIC TURF LAWN
 - K. MAINTENANCE PATH



Landscape Site Plan



Birdseye view looking SE



Pedestrian view looking S

inspired rural pallet

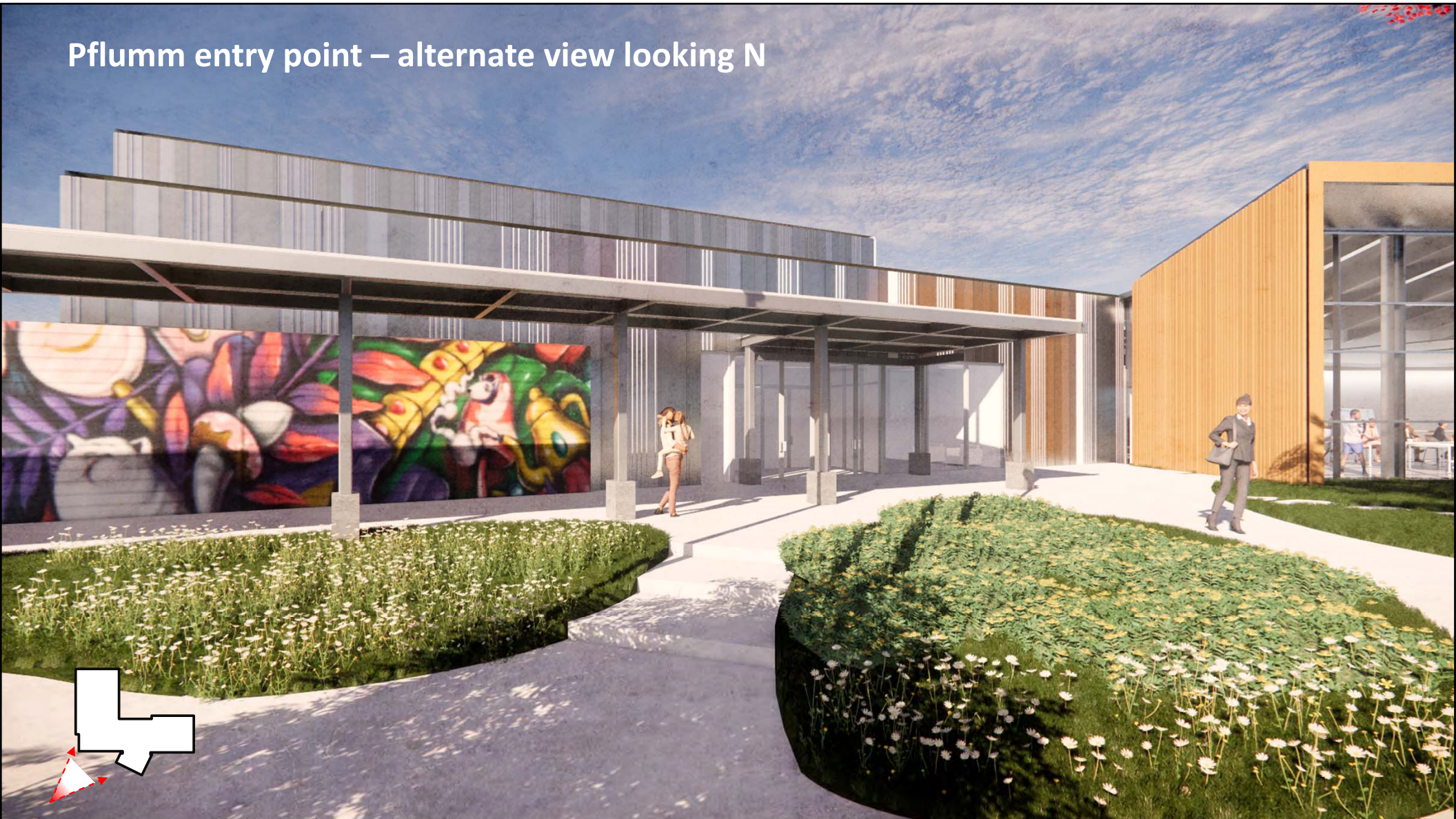
Drawing from Lenexa's
agrarian past and Old Town's
thriving businesses, LOTAC
celebrates **authenticity in**
industrious materials



Pflumm entry point – view looking NE



Pflumm entry point – alternate view looking N



Haskins entry point – view looking NW



Walnut façade – view looking SE



Western gym/outdoor connection – view looking S





Floor Plan

HBN Product Guidance

At-a-glance decision making for healthier building materials

11 Product Categories Available!

healthybuilding.net



Related Resources

HomeFree Flooring Specifications

Drop-in specification language to help project teams incorporate HomeFree's healthier material recommendations into projects. This editable Word document is organized according to MasterFormat standard divisions and includes example products that meet the specifications. It also includes educational context to provide both the "what" and "why" of healthier materials.

Manufacturer Information

Request Email Template - Carpet

An email template for use when working directly with the manufacturer or with your local product representative to find carpet products that meet HomeFree content transparency and healthier material recommendations.

A Cheat Sheet for Decoding Vinyl Product Literature

A "cheat sheet" to help connect the dots between the HomeFree guidance on vinyl flooring and the technical literature produced by manufacturers. Have this sheet handy when a vinyl floor is necessary on your next project to help you make a better product choice.

Flooring Products Hazard Spectrum¹

Here is some general guidance to use when choosing flooring materials:

- ✓ Prefer non-vinyl flooring.
- ✓ Avoid fluorinated stain repellents.
- ✓ Check the type and source of recycled content.
- ✓ Avoid products with high hazard antimicrobial additives or products that are marketed as having a health benefit.
- ✓ Prefer products with a CDPH emission certification, but don't rely on this information alone.
- ✓ Prefer products with full disclosure of content through Health Product Declarations (HPDs).

[Read more...](#)

Linoleum

Solid Wood Floors (pre-finished)

Ceramic Tiles (made in the USA/lead-free with no CRT content)

PVC-free Resilient Flooring

Engineered Wood Floors (pre-finished)

Solid Wood Floors (site-finished)

Rubber or Rubber/Cork Floors (made without crumb rubber)

Laminate

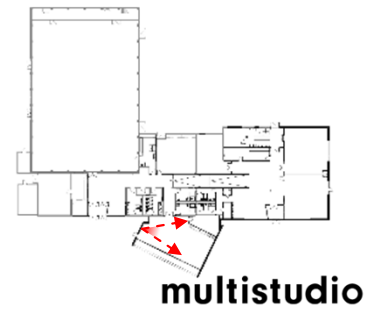
Commitment to Sustainability

- Red-List Free (prefer non-vinyl flooring)
- Avoid fluorinated (PFAS-based) stain or oil repellents.
- Check the type and source of recycled content.
- Prefer products with full disclosure of content through Health Product Declarations (HPDs).

Healthy Building Materials



Pflumm Lobby



Flex / Youth Addition

24

Lenexa Old Town Activity Center

Haskins Lobby



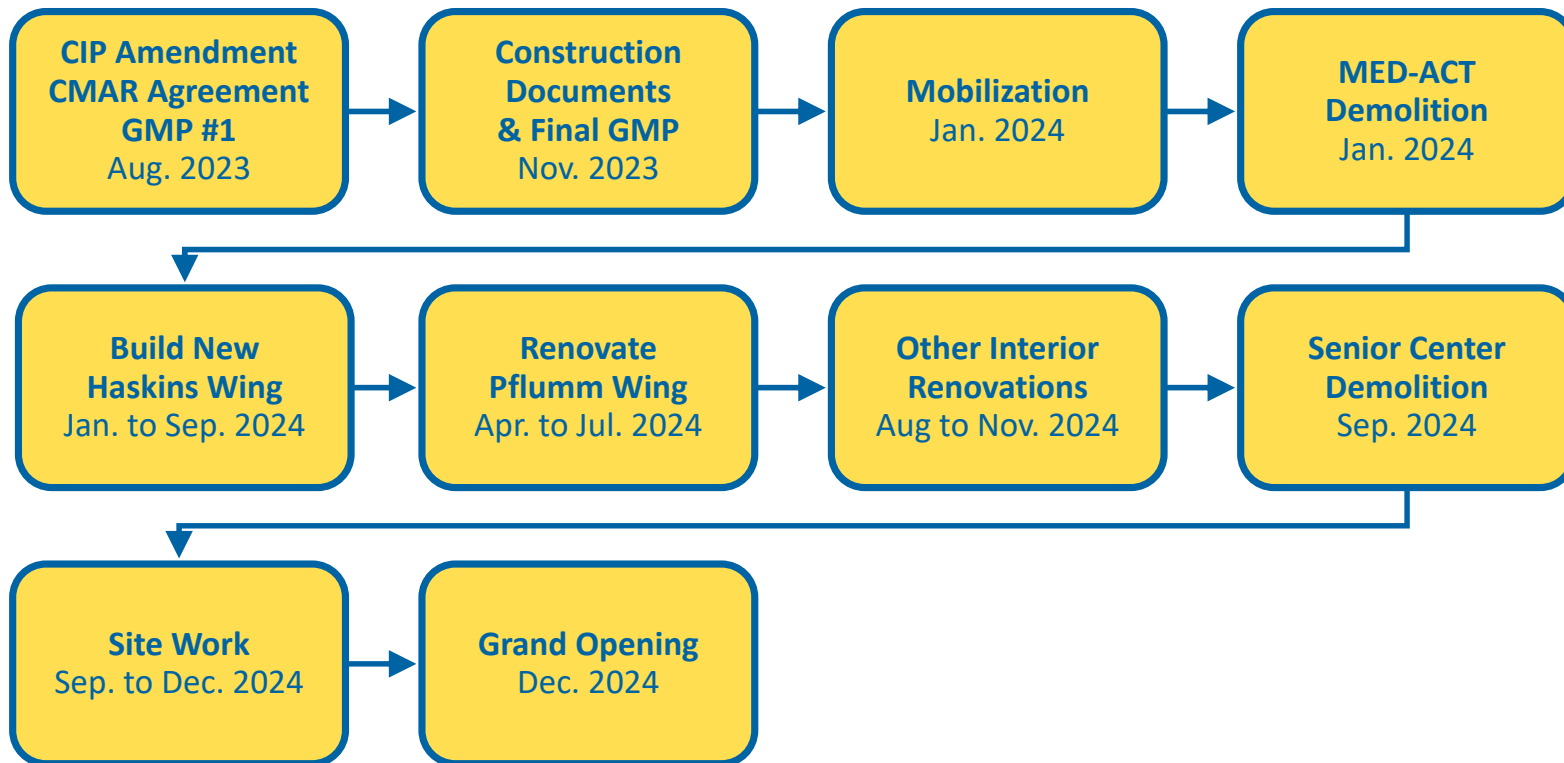
FINAL GMP – REMAINING WORK

- ★ Price set after completion of Construction Documents
- ★ \$9,889,000 estimated construction Cost of Work
- ★ Construction trades to submit bids Sep.-Nov.
- ★ City Council approval planned for November 2023

CONSTRUCTION SCHEDULE

- ★ Trades to bid between 9/25-11/17
- ★ Final GMP to the City Council in November
- ★ Construction Mobilization → January 2024
- ★ Construction Completion → December 2024
- ★ Detailed Coordination with City Staff to minimize impact to City event schedule

PROJECT MILESTONES



OLD TOWN ACTIVITY CENTER

- ★ Staff Recommends Approval of:
 - A. CIP Budget Amendment – **\$12,152,000**
 - B. CMAR Agreement – **Turner Construction**
 - C. GMP #1 – **Long-Lead Items totaling \$94,928**

QUESTIONS?

ProX Internship

2023

PROGRAM OVERVIEW + FEEDBACK

Bree Rhodes, HR Specialist
Jim Bowers, HR Director

What is ProX?

"ProX is a real-world learning initiative providing summer professional experiences for high school students."

Students showcase their projects and summer experiences at the end of the internship for a chance to win a cash prize.



25
hours

a week for 5 weeks
from June to July.
Students work for a
total of 125 hours

21
hours

a week are spent on
professional
experiences for
students via internship

4
hours

a week are spent with the
ProX program team and
coaches facilitating
professional development

1
hour

of academic credit is
awarded to students,
along with a \$1,250
stipend, paid for by ProX



March Hiring Event

EVENT DETAILS

- City attended the ProX on-the-spot hiring event
- 600 high school students hired by local employers
- 123 companies participated



HIRING OUR INTERNS

- Hired 5 interns and had a waitlist of interested students
- On the first day one of our interns had to drop out



Meet our Interns

Pictured from left to right:

Kavya Patel - Freshman, Blue Valley High School

Mack Fuhr - Sophomore, Blue Springs South High School

Issiah Walker - Junior, Park Hill South High School

Ashley Broils - Senior, Shawnee Mission North High School



Program Details

Duration

5-week program designed as a rotational experience

Participation

9 City departments hosted the interns

Goal

To expose high school students to the many facets of local city government

Rotational Schedule

1

Introduction with HR and Deputy City Manager
Fire Department

2

City Hall Rotation
Exec
Legal / Courts
Human Resources/Finance
Communications
City Council Agenda Review

3

Community Development
Engineering / Traffic
Construction Inspection
Stormwater
Licensing + Permitting
Planning
Community Standards

4

Parks + Recreation

5

Municipal Services
Police Department
Feedback and Farewell Celebration

Interns at Work



First Day



Checking out Goats on the Go



Sharing at the Farewell Party



Repelling with the Fire Dept.

Feedback from Intern Surveys

SURVEY

- All 4 students were surveyed based on their experience

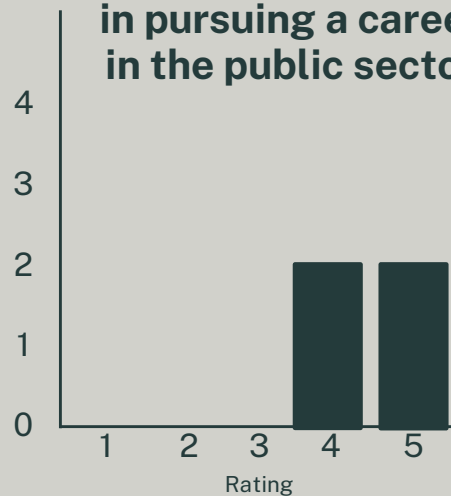
RATINGS

- 1 = strongly disagree
- 5 = strongly agree

I learned valuable information during my internship experience



I would be interested in pursuing a career in the public sector



The employees I engaged with were professional and knowledgeable



What did you like most about this internship?

The rotational experience amongst City departments

Police, Fire and Parks & Rec

Helped me decide what classes to take in high school

Learning about other jobs

What did you like least about this internship?

Some meetings
were too long

Not enough time
in some
departments

Didn't like
having to do the
presentation

*(this is a ProX program
requirement)*

Having only 30-
minute lunch
breaks

**Was the
amount of time
with each
department
adequate?**

Wanted More Time With...

Police Department
Municipal Services (x2)
Fire Department

Didn't Need as Much Time With...

Community Development (1)
Community Development agrees

**Would you
recommend this
internship to
other students?**

**4/4 would
recommend**

We were able to see and experience more than one thing while working with City employees.

I have told multiple of my friends about my experience & recommended doing this internship.

This was very active, the community was exceptional, everyone was very kind.

This is an experience that will help you decide what you are most interested in.

Suggestions for the future & additional feedback:

- Have more hands-on activities and not so many meetings
- Dedicate more time to working on our program project
- Maybe add a quiz or game at the end of our time with each department

— “

You all did amazing at accepting us, hearing about our different backgrounds, telling us about yourselves and informing us of all that you do. With that being said, I thank you and I am truly grateful and will cherish this opportunity.

” —

— “

I loved the Fire Department. It made me realize that I want to go into that field.

” —

— “

I would just like to say thank you for making our time here valuable and fun. It has been so much fun learning about each department of the City. Thank you so much for giving me the opportunity to do this internship!

” —

Feedback from Manager Surveys

What went well during
the internship
program?

**They seemed to enjoy the fleet building and the
pipe inspection**

They were great kids and asked good questions

**The interns were polite and respectful and
appeared interested in learning about public
service in Lenexa**

The interns got to experience interesting activities

They seemed eager to learn

**The interns were attentive and seemed to enjoy
learning about the various activities within
Community Development**

What could we have done differently?



It went well!

Interact with
elected and
appointed
officials

Not sure about
the project

1st session
with the
City Manager's
Office

Did you have an adequate amount of time with the interns?

Most departments had adequate time and/or struggled to fill time

Overall, departments learned that next year we can fill time by adding more hands-on experiences in lieu of presentations

**The allotted time for each department varied. Some departments had an entire week while others had as few as 3 hours.*

Would you host ProX Interns again in the future?

7/8 would
host again

"I lean towards no. I talked about trade school and working outside a bit, and that didn't really seem to overly interest them. They also appeared a bit young to take too much interest in the activities that we do on a typical day."

"Yes. I think it is valuable to expose young people to our professions and local government in general."

"Yes. It is a good experience for young people to get some hands-on experience with Police, to disprove the false narrative they learn about and see in the media."

"Yes. I'm not sure if the City gained future employees or not, but I'm confident that they have a better understanding of public service and the exceptional services provided by the City of Lenexa."

"Yes. I think it is important exposure for the City and all different roles."

"We believe it is good to get students involved in our disciplines early, as we need more engineers/planners/inspectors."

Lessons Learned

STRATEGIC PLANNING FOR DEPARTMENTS

- Consider staff availability / attendance (summer PTO)
- Department capacity

PREPARE FOR AGE GROUP (14-18)

- Interns were timid, shy and quiet

MORE HANDS-ON ACTIVITIES

- Fewer meetings

DETERMINE PROX PROJECT PRIOR TO START

- Assign project to interns instead of letting them choose
- Be more involved in project instead of leaving it up to ProX Coach

MAKE THE PROGRAM MORE OF A TRUE "INTERNSHIP"

- Less of a job shadowing experience

Thank you

to Mayor Boehm for introducing us to this program,
and to all the participating departments for helping
us live our values. We Care!

We appreciate the time and resources utilized to
introduce these students to the City of Lenexa



Questions?