



Agenda

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

**DECEMBER 19, 2023
7:00 PM
COMMUNITY FORUM**

CALL TO ORDER Pledge of Allegiance

ROLL CALL

APPROVE MINUTES December 5, 2023 City Council meeting draft minutes
(located in the Appendix)

**MODIFICATION OF
AGENDA**

APPOINTMENTS

Bill Nicks, Council President - January 1, 2024 through
June 30, 2024

Milton Jeffrey, Police Community Advisory Board - term
expiring December 31, 2026

Alice Batista, Police Community Advisory Board - term
expiring December 31, 2026

PRESENTATIONS Citizen Survey Results - Ryan Murray, ETC Institute

CONSENT AGENDA

Item Numbers 1 through 3

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. Purchase of an asphalt milling machine for \$295,825 for the Municipal Services Department

To increase asphalt pavement patching and maintenance capabilities, the Municipal Services Department proposes to purchase a Wirtgen W 60 Ri

Milling Machine with a companion 4-foot stub conveyor at a price of \$295,825 and to trade in an Asphalt Zipper AZ 500, valued at \$20,000, for a net cost of \$275,825.

2. Resolution authorizing the Mayor to execute an interlocal agreement with the City of Shawnee for the Nieman Road Public Improvement Project

Shawnee's Nieman Road Public Improvement Project ("Project") was selected for a grant through the County Assistance Road System (CARS) program. Since a small portion of this Project crosses into Lenexa, staff intends to fund Lenexa's portion of the Project through the Pavement Management Program. Lenexa's portion is \$107,398. Since Shawnee is administering the Project, Shawnee will invoice Lenexa for \$59,883 and the County in the amount of \$59,883 for Lenexa's share of the CARS-eligible funding.

3. Resolution approving and authorizing the Mayor to execute an agreement with Forms+Surfaces for the purchase of outdoor furniture for the Lenexa Old Town Activity Center

Outdoor furniture for the public gathering spaces has been selected for the Lenexa Old Town Activity Center Project. The total agreement amount is \$115,709.

END OF CONSENT AGENDA

BOARD RECOMMENDATIONS

4. Ordinance approving a five-year special use permit for a medical clinic use known as Raw Health Company located at 12760 W. 87th Street Parkway, Suite 110, in the NP-O, Planned Neighborhood Office District

The applicant proposes to operate a medical (chiropractic) clinic within the NP-O District, which requires a special use permit.

5. Preliminary plan for Express Oil Change & Tire Engineers for an auto service, limited use at 8610 Pflumm Road in the CP-2, Planned Community Commercial District

The applicant proposes a one-story, 5,747 square foot building for an auto service, limited use known as Express Oil Change & Tire Engineers on property located at 8610 Pflumm Road.

6. Consideration of a rezoning and preliminary plan known as The Residences on Woodsonia for a multifamily residential development located near the

northeast and southeast corners of future 86th Street & Woodsonia Drive

- a. Ordinance rezoning property from the AG, Agricultural District to the RP-4, Planned Residential (High-Density) and RP-2, Planned Residential (Intermediate-Density) Districts
- b. Approval of a companion preliminary plan for The Residences on Woodsonia

The applicant requests approval of a preliminary plan for a 320-unit apartment and 62-unit townhome residential development at the north and southeast corners of 86th Street and Woodsonia Drive. The apartments are on the northerly part of the site and the townhomes are on the southerly part. The two components are separated by a new public street that will connect Woodsonia Drive to Monticello Road.

7. Preliminary plan for Cedar Canyon West Commercial for retail, restaurant, office, and service station uses located near the northeast corner of K-10 Highway & Canyon Creek Boulevard in the CP-2, Planned Community Commercial District

The applicant proposes a 12.5-acre commercial development featuring retail, restaurants, office, and service station uses located near the northeast corner of K-10 Highway & Canyon Creek Boulevard. The preliminary plan/plat includes deviations related to setbacks and perimeter landscape areas.

PUBLIC HEARINGS

8. Consideration of a resolution to amend the fiscal year 2023 budget
 - a. Public Hearing to consider amending the fiscal year 2023 budget
 - b. Resolution amending the fiscal year 2023 budget

In Kansas, state law requires cities to establish maximum expenditure amounts by fund when adopting the annual budget. If cities expect to exceed the maximum expenditure amount by fund, state law requires completion of a formal process to increase the budget. This process includes publishing a notice of public hearing and conducting a public hearing before considering increases to budgeted expenditure amounts.

NEW BUSINESS

None

**COUNCILMEMBER
REPORTS**

STAFF REPORTS

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

9. December 5, 2023 City Council meeting draft minutes
10. Community Advisory Board Appointments Memo
11. ETC Institute Presentation
12. Item 2 – Shawnee Interlocal Agreement
13. Item 6 -- Powder Creek Exhibit

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

ASSISTIVE LISTENING DEVICES ARE AVAILABLE FOR USE IN THE COMMUNITY FORUM BY REQUEST.



**CITY COUNCIL
MEMORANDUM**

ITEM 1

SUBJECT: Purchase of an asphalt milling machine for \$295,825 for the Municipal Services Department
CONTACT: Nick Arena, Director of Municipal Services
DATE: December 19, 2023

ACTION NEEDED:

Approve the purchase of an asphalt milling machine for \$295,825 for the Municipal Services Department.

PROJECT BACKGROUND/DESCRIPTION:

The Municipal Services Department currently utilizes a combination of contracted work paid through the Pavement Management Program (PMP) and City staff to complete asphalt milling and patching needs on city streets. In 2023, the City spent nearly \$450,000 on asphalt pavement patching through its PMP contractor, and in 2024, staff estimates spending an additional \$450,000 on contracted pavement patching.

When City staff patches streets and roadways, skid-steers with 24-inch-wide mini-mill attachments are used to complete the needed milling and patching. The skid-steers with mini-mill attachments are not equipped with the power, self-leveling, water-cooling mill head system, and loading conveyor capabilities that larger milling machines include as standard equipment. The lack of these features leads to a rough and dusty milling experience, resulting in skid-steer and mini-mill attachment breakdowns and more strenuous, labor-intensive, and time-consuming work for staff.

Staff estimates the City's pavement patching capabilities will double by using the proposed milling machine and that nearly 100% of all asphalt pavement patching on residential and collector streets will be completed internally. Doing so will result in approximately \$450,000 in annual funding that can be directed elsewhere in the PMP for additional maintenance work that cannot be completed by staff. Additionally, the purchase of a milling machine will necessitate replacing only two of the four skid-steer mini-mill attachments the department currently uses to make street repairs, resulting in future savings in equipment replacement costs.

The purchase will be made through the Sourcewell cooperative purchasing program. The City has purchased through Sourcewell before, and staff believes they provide the lowest bid price and best value currently available for this piece of equipment.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The purchase price for the Wirtgen W 60 Ri Milling Machine and companion 4-foot stub conveyor is \$295,825. Additionally, staff plans to trade in the Department's Asphalt Zipper AZ 500 machine, which is past its useful life, for \$20,000, which will bring the net cost for this purchase to \$275,825.

This purchase will be funded with a combination of the remaining 2023 Municipal Services Street Budget and 2023 PMP Budget. The remaining funds in the Municipal Services Street Budget were not expended

this year due to patching work that street crews were unable to complete since they were called to duty for an extended duration for tree debris removal from the storms over the summer. The remaining budget for the 2023 PMP is due to favorable bids for this year's program.

Item	Amount
Wirtgen W 60 Ri Milling Machine	\$295,825
Asphalt Zipper AZ 500	(\$20,000)
Net Cost	\$275,825

STAFF RECOMMENDATION:

Approval of the purchase.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Integrated Infrastructure & Transportation

Guiding Principles

Superior Quality Services
Prudent Financial Management

ATTACHMENTS

1. Exhibit

W 60 Ri



The configured machine may differ from the machine illustrated.

Powerful rear-loading machine for professional milling operations

- ▶ The powerful half-meter cold milling machine convinces with its efficient operating concept at a working width of 23.6 in. (0.60 m).
- ▶ The easy-to-use additional and automatic functions increase its performance potential for carrying out construction jobs at a fast pace.
- ▶ The leveling system LEVEL PRO PLUS integrated in the machine control system provides precise milling results.
- ▶ A variety of various milling drums enable high levels of flexibility and machine performance.
- ▶ To optimize the material loading process, the powerful rear-loading system can be flexibly adjusted.

The most important data

Milling width:	2 ft / 600 mm
Milling depth:	0 - 8 / 0 - 210 mm
Engine power:	105 KW / 141 HP / 143 PS (2,300 min ⁻¹)
Exhaust emission category:	EU Stage 5 / US EPA Tier 4f
Operating weight (CE):	16,424 lbs / 7,450 kg

* Weight of machine with half-full water tank, half-full fuel tank, driver (75 kg) and tools.



**CITY COUNCIL
MEMORANDUM**

ITEM 2

SUBJECT: Resolution authorizing the Mayor to execute an interlocal agreement with the City of Shawnee for the Nieman Road Public Improvement Project

CONTACT: Nick Arena, Director of Municipal Services
Tim Green, Deputy Community Development Director

DATE: December 19, 2023

ACTION NEEDED:

Adopt a resolution authorizing the Mayor to execute an interlocal agreement with the City of Shawnee for the Nieman Road Public Improvement Project.

PROJECT BACKGROUND/DESCRIPTION:

Each year, the City applies for County Assistance Road System (CARS) funding, which provides financial assistance for projects up to 50% of the total project cost. The City of Shawnee applied for CARS funding for its Nieman Road Public Improvement Project from Shawnee Mission Parkway to 79th Street ("Project") and asked Lenexa to share in the costs for the improvements within Lenexa's city limits. The overall project consisted of:

- A 2-inch asphalt mill and overlay;
- Repair of deteriorated curbs and gutters;
- Upgraded sidewalks and replacement of ADA ramps;
- New sidewalks and retaining walls;
- Repair and upgrade of the stormwater system, where needed;
- Traffic signal improvements;
- Street lighting improvements; and
- Pavement markings and traffic signs.

Shawnee initially approved the CARS agreement in October 2022. Lenexa's portion of the Project has since been completed. However, Lenexa's approval of the CARS funding agreement and the interlocal agreement was delayed so that staff could clarify Lenexa's total share of the Project costs and determine how Lenexa's portion of CARS funding was to be paid. The City Council approved the CARS agreement at its November 7, 2023 meeting, which states that the City of Shawnee will be reimbursed directly by the County for 50% of Lenexa's total cost of improvements. This interlocal agreement with the City of Shawnee outlines the remaining 50% share of Lenexa's Project costs.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The estimated total cost of the Project is \$4,985,000. Lenexa's portion is \$107,398. The expected reimbursement from the CARS program for Lenexa's portion will be \$59,883, and payment will be made directly to the City of Shawnee. Pursuant to the agreement, the remaining 50% share of Lenexa's funding not paid by the CARS program will be paid from the Pavement Management Program.

STAFF RECOMMENDATION:

Adoption of the resolution.

VISION / GUIDING PRINCIPLES ALIGNMENT:**Vision 2040**

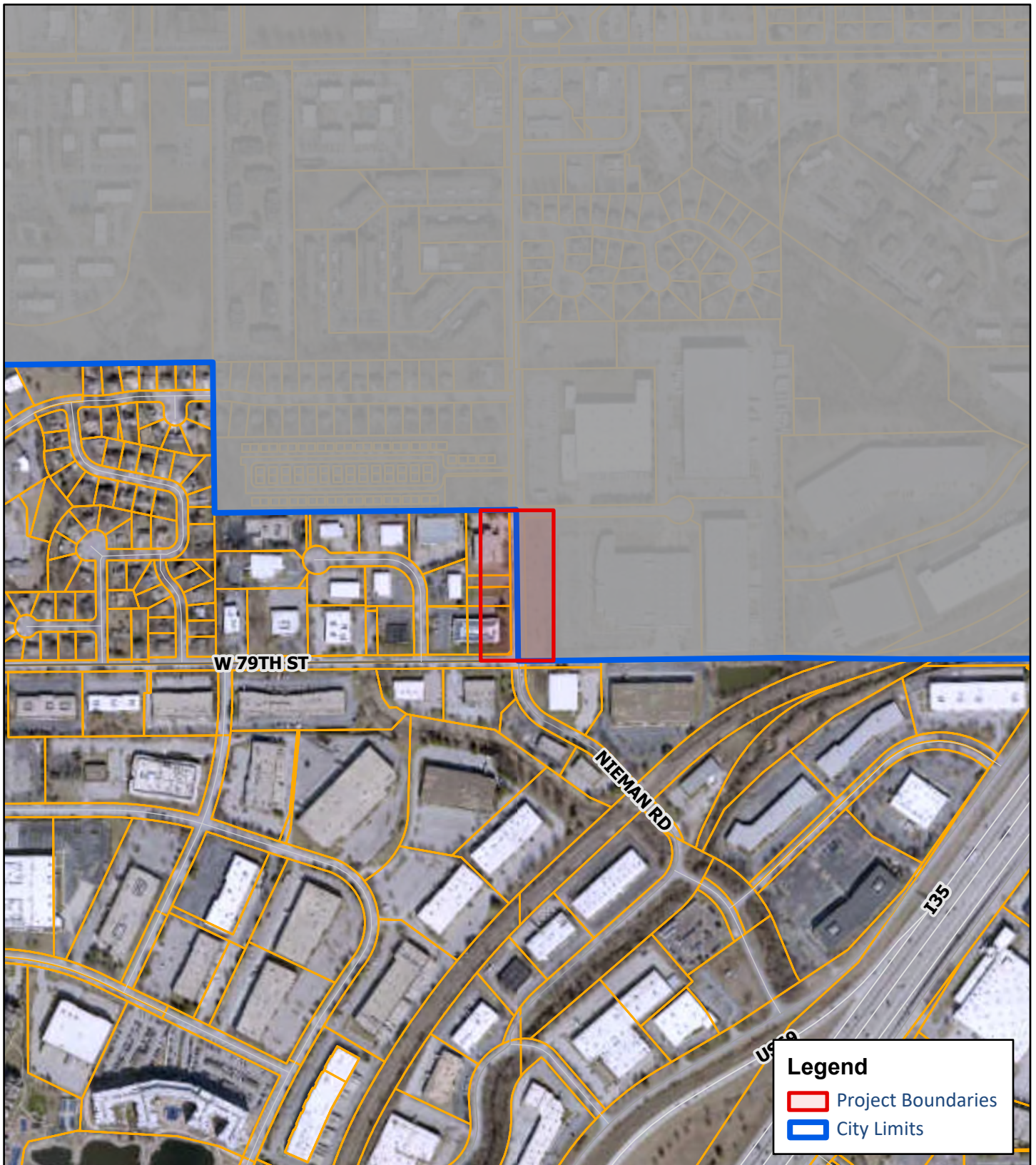
Integrated Infrastructure & Transportation

Guiding Principles

Strategic Community Investment

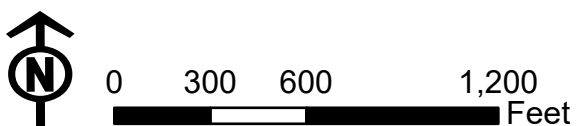
ATTACHMENTS

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



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

Nieman Road Project **79th Street to North City Limits**



RESOLUTION NO. _____

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF SHAWNEE, KANSAS, REGARDING THE PUBLIC IMPROVEMENT OF NIEMAN ROAD FROM SHAWNEE MISSION PARKWAY TO SOUTH CITY LIMITS.

WHEREAS, City of Lenexa (“Lenexa”) and the City of Shawnee (“Shawnee”) agree that it is in the public’s best interest to make public improvements to Nieman Road from Shawnee Mission Parkway to South City Limits (“Project”); and

WHEREAS, Lenexa and Shawnee desire to enter into an agreement to outline their respective rights and responsibilities regarding the Project; and

WHEREAS, the Lenexa and Shawnee have read and understand the terms and conditions of the Agreement attached hereto as Exhibit “A” and made a part hereof by reference.

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 Agreement in substantially the same form as attached hereto as Exhibit “A”, and made a part hereof by reference.

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

ADOPTED by the City Council this 19th day of December, 2023.

SIGNED by the Mayor this 19th day of December, 2023.

CITY OF LENEXA, KANSAS

[SEAL]

Julie Sayers, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Spencer L. Throssell, Assistant City Attorney



**CITY COUNCIL
MEMORANDUM**

ITEM 3

SUBJECT: Resolution approving and authorizing the Mayor to execute an agreement with Forms+Surfaces for the purchase of outdoor furniture for the Lenexa Old Town Activity Center

CONTACT: Logan Wagler, Parks & Recreation Director

DATE: December 19, 2023

ACTION NEEDED:

Adopt a resolution approving and authorizing the Mayor to execute an agreement with Forms+Surfaces for the purchase of outdoor furniture for the Lenexa Old Town Activity Center (LOTAC).

PROJECT BACKGROUND/DESCRIPTION:

Outdoor furniture has been selected for the LOTAC. When determining the needs of the facility, staff worked closely with the design team, paying careful attention to how each space would be used and how the various users of the LOTAC would interact with the space.

This purchase includes bike racks, trash and recycling receptacles, tables, and chairs for the site. Purchasing these items at this time locks in pricing and availability while also allowing the City to hold delivery until the furniture and fixtures are needed closer to the completion of the project.

The City is able to contract with Forms+Surfaces through the Omnia Partners cooperative purchasing agreement. The agreement locks in pricing for outdoor furniture and fixtures for facility operators, municipalities, and other organizations throughout the United States.

The proposed agreement uses the City's standard vendor purchase agreement and is available for review in the City Clerk's office.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The total agreement amount is \$115,709. The total cost of the outdoor furniture and fixtures is within the LOTAC Capital Improvement Program budget (Project No. 80019).

STAFF RECOMMENDATION:

Adoption of the resolution.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040
Inviting Places
Vibrant Neighborhoods

Guiding Principles
Strategic Community Investment
Extraordinary Community Pride

ATTACHMENTS

1. Resolution

RESOLUTION NO. 2023-_____

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LENEXA (“CITY”) AND FORMS + SURFACES FOR PURCHASE AND INSTALLATION OF FURNITURE AT THE LENEXA OLD TOWN ACTIVITY CENTER IMPROVEMENT PROJECT.

WHEREAS, the City of Lenexa, Kansas (“City”) has defined a need for the construction of the Lenexa Old Town Activity Center Improvement Project (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, in order to ensure the furniture product chosen meets the specific needs and quality requirements of the Project, the City has determined that it is in the best interest of the City to waive the public bidding process for the Project allowing the City to select only vendors who can meet those needs; and

WHEREAS, the City is using a cooperative bid from Omnia Partners to secure competitive pricing with Forms + Surfaces (“Vendor”); and

WHEREAS, the City and Vendor have read, understand and agree to the terms and conditions of the furniture agreement.

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 Lenexa Justice Center Furniture Vendor Agreement.

SECTION TWO: The City of Lenexa, Kansas, a Kansas municipal corporation, does hereby authorize the Mayor to execute the Lenexa Old Town Activity Center Furniture Vendor Agreement with Forms + Surfaces in substantially the same form as attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION THREE: This resolution shall become effective upon passage.

ADOPTED by the Lenexa City Council this 19th day of December, 2023.

SIGNED by the Mayor this 19th day of December, 2023.

CITY OF LENEXA, KANSAS

[SEAL]

By: _____
Julie Sayers, Mayor

Attest:

Jennifer Martin, City Clerk

Approved As To Form:

Sean McLaughlin, City Attorney



**CITY COUNCIL
MEMORANDUM**

ITEM 4

SUBJECT: Ordinance approving a five-year special use permit for a medical clinic use known as Raw Health Company located at 12760 W. 87th Street Parkway, Suite 110, in the NP-O, Planned Neighborhood Office District

CONTACT: Stephanie Kisler, Planning Manager

DATE: December 19, 2023

ACTION NEEDED:

Pass an ordinance approving a five-year special use permit (SUP) for a medical clinic use known as Raw Health Company located at 12760 W. 87th Street Parkway, Suite 110, in the NP-O, Planned Neighborhood Office District.

APPLICANT:

Suzanne Adams, D.C., Raw Health Company

OWNER:

Pavillions, LLC

PROPERTY LOCATION/ADDRESS:

12760 W. 87th Street Parkway, Suite 110

PROJECT BACKGROUND/DESCRIPTION:

The applicant requests a five-year SUP to operate a medical clinic in the NPO, Planned Neighborhood Office District. Raw Health Company is a medical practice that specializes in perinatal and pediatric adjustments, care for young athletes, and whole family chiropractic care. The clinic proposes to occupy a 700 square foot space and will be open for appointments between 8 AM to 7 PM, Monday through Saturday. Visits are scheduled by appointment only. The clinic is located at 12760 W. 87th Street Parkway, Suite 110. Consideration of this SUP is only for Suite 110, not the entire building.

STAFF RECOMMENDATION:

Passage of the ordinance.

PLANNING COMMISSION ACTION:

This item was considered as Regular Agenda Item 12 at the November 6, 2023 Planning Commission meeting. A public hearing was held and no one from the public spoke. The Commission had no further discussion.

Chairman Poss entertained a motion to recommend **APPROVAL** for an SUP for Raw Health Company to operate a medical clinic use on property located at 12760 W. 87th Street Parkway, Suite 110, in the NP-O Zoning District. Moved by Commissioner Harber, seconded by Commissioner Macke, and carried by a unanimous voice vote.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040
Healthy People

Guiding Principles
Responsible Economic Development

ATTACHMENTS

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



Document Path: C:\Users\cdlogan\OneDrive - City of Lenexa\Documents\ArcGIS\Projects\Vicinity Map\Vicinity Map.aprx

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

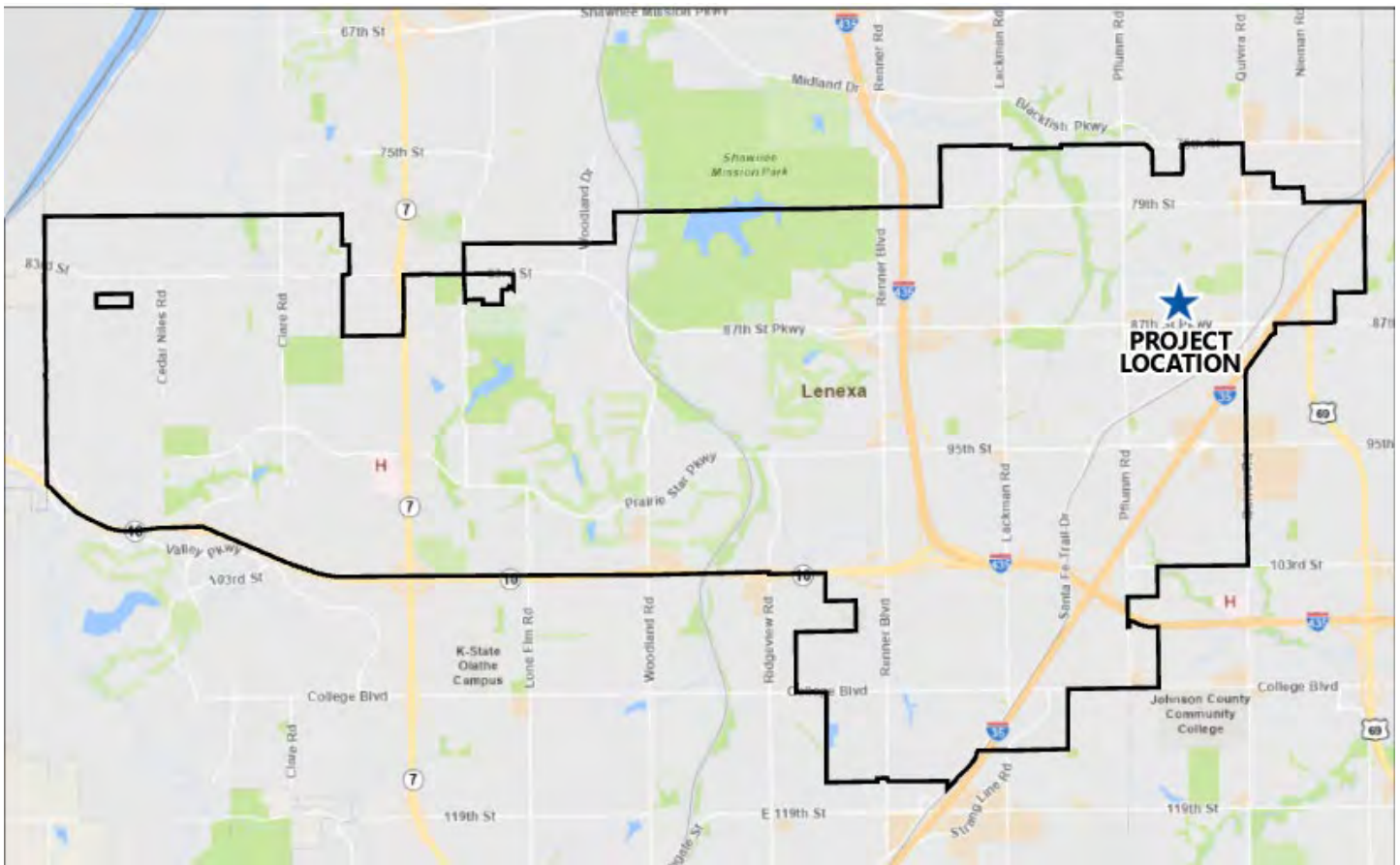
Raw Health Company SU23-11



0 50 100 200 Feet

RAW HEALTH COMPANY

Project #:	SU23-11	Location:	12760 W. 87 th Street Parkway, Suite 110
Applicant:	Suzanne Adams, Business Owner	Project Type:	Special Use Permit
Staff Planner:	Logan Strasburger	Proposed Use:	Medical Clinic, Chiropractor



PROJECT SUMMARY

The applicant, Suzanne Adams, is requesting approval of a special use permit (SUP) to operate a medical clinic known as Raw Health Company located at 12760 W. 87th Street Parkway, Suite 110, within the NP-O (Planned Neighborhood Office) District. Per Unified Development Code (UDC) [Section 4-1-B-11](#), a SUP is required to operate a medical clinic within the NP-O Zoning District. Raw Health Company is a medical practice that specializes in perinatal and pediatric adjustments, care for young athletes, and whole family chiropractic care. The clinic proposes to occupy a 700 square-foot space and will be open for appointments between 8:00 AM to 7:00 PM, Monday through Saturday. Visits are scheduled by appointment only. This request requires a public hearing at the Planning Commission meeting and consideration by the Governing Body.

STAFF RECOMMENDATION: APPROVAL FOR FIVE YEARS

SITE INFORMATION

The property at 12760 W. 87th Street Parkway hosts one primary structure that was constructed in 1985. The property was initially zoned CP-1 (Planned Neighborhood Commercial) District and was later rezoned to NP-O. The structure is one level with eight total units that are occupied by a variety of businesses for general office and nonconforming medical clinic uses.

LAND AREA (AC)	BUILDING AREA (SF)	CURRENT ZONING	COMP. PLAN
1.54	Total: 10,032 Raw Health: 700	NP-O	Office/Employment Center



Exhibit 1: Aerial Image of Subject Site



Exhibit 2: Front Entrance of Subject Site



Exhibit 3: Parking Lot Directly Serving Subject Site

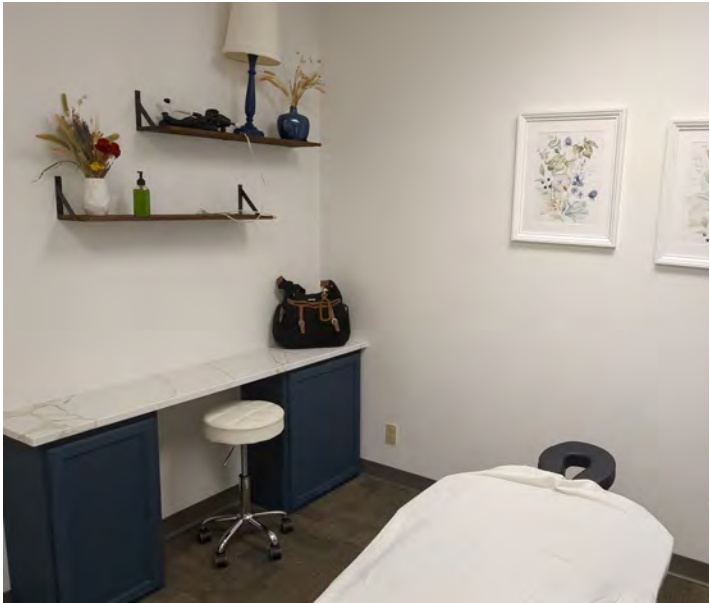


Exhibit 4: Treatment Room 1



Exhibit 5: Treatment Room 2

LAND USE REVIEW

The subject property is in a Neighborhood Planned Office District. A *medical or dental clinic*, which includes chiropractic, requires a special use permit in this zoning district. Per UDC [Section 4-3-C-3](#), a *medical or dental clinic* is defined as:

“an establishment where patients, who are not lodged overnight except for observation or emergency treatment, are admitted for examination and treatment by a person or group of persons practicing any form of healing or health-building services, whether such persons be medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, dentists or any such profession, the practice of which is lawful in the State, and also includes establishments which provide massage therapy subject to the licensing provisions in this City Code.”

Raw Health Company provides chiropractic services. The business will be open for appointments between 8:00 AM and 7:00 PM, Monday through Saturday. The applicant stated that they will be in the office a minimum of 13 hours weekly within that time frame. Appointments are made on an as-needed basis, as is typical with medical clinics. Appointments for chiropractic care are generally 15 to 30 minutes.

If this special use permit application is approved, Raw Health Company plans to expand their business to include massage therapy services, which is permitted within the *medical or dental clinic* use definition. Appointments for massage therapy range from 60-90 minutes, depending upon the modality of treatment requested by the client.

With the expansion of Raw Health Company's business, it is anticipated that the maximum number of patients that could be seen at once is four, and an additional three to five patients could be in the waiting area. There would be a maximum of nine patients in the office at any one time. Raw Health Company anticipates working with independent contractors to provide chiropractic or massage therapy services, which means there would be a maximum of four independent contractors working in the office at one time. The anticipated client to practitioner ratio is 1:1.

The tenant space is within Building D of Greystone Plaza, which has a total of eight suites. Suite 110 is a 700 square-foot space comprised of four treatment rooms and one waiting room. Types of businesses that occupy other suites within Building D include immigration examination services, mental health services, law offices, an insurance broker, and a telecommunications service provider. Staff believes this is an appropriate location for a medical office. The future land use map supports office and neighborhood businesses.

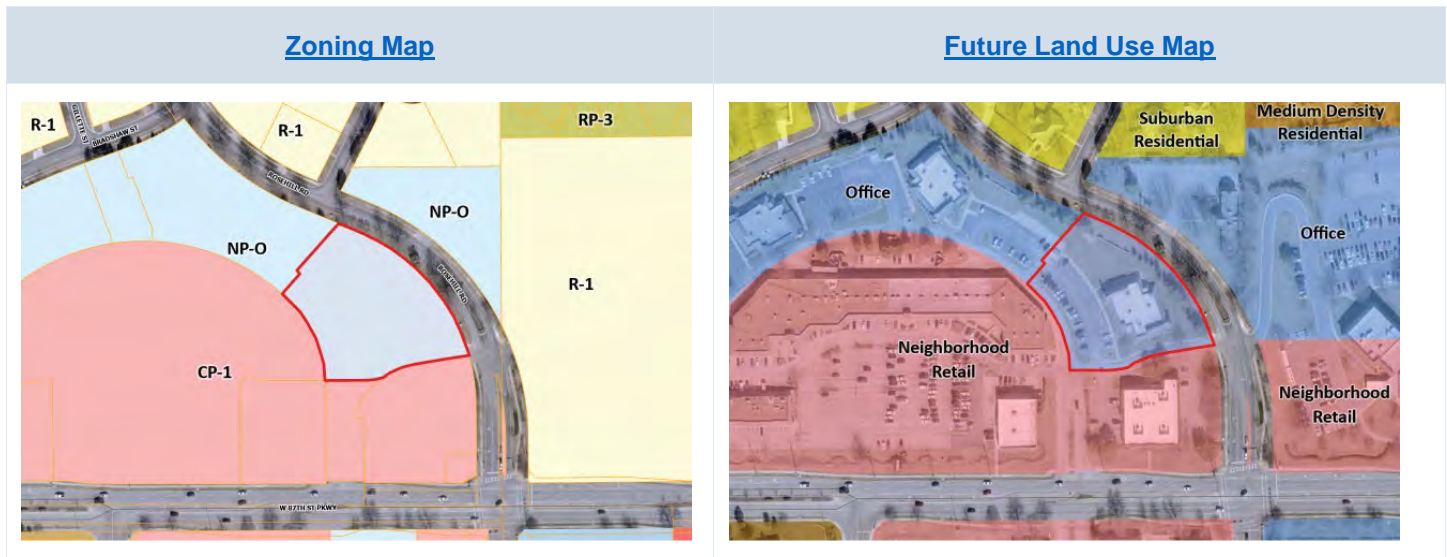


TABLE 1: COMPARISON OF SURROUNDING PROPERTIES

Vicinity	Land Use Designation	Zoning	Current Use
Subject Property	Neighborhood Office	NP-O, Neighborhood Planned Office	Neighborhood Office – General Office, Medical Clinic
	Suburban Residential, Medium-Density Residential	R-1, Residential Single-Family District, R-3, Residential Planned (Medium-High Density) District	Residential – Single-Family Detached, Single-Family Attached; Commercial – Dental Clinic
	Neighborhood Retail, Neighborhood Office, Community Retail, High-Density Residential	CP-1, Planned Neighborhood Commercial District, CP-O, Planned General Office District, NP-O, Neighborhood Planned Office, RP-4, Residential Planned (High-Density) District	Neighborhood Commercial - Personal Instruction; Commercial – Retail, Restaurants, Bank; Residential – Multifamily
	Medium Density Residential, Office, Neighborhood Retail, Community Retail	CP-2, Planned Community Commercial District CP-O, Planned General Office District, R-1, Residential Single-Family District, R-3, Residential Planned (Medium-High Density) District	Residential – Single-family detached, single-family attached, Church
	Neighborhood Retail, Neighborhood Office, Suburban Residential	NP-O, Neighborhood Planned Office, CP-1, Planned Neighborhood Commercial District	Office, Commercial - Retail, Restaurants

SPECIAL USE PERMIT REVIEW

The applicant requests approval of a special use permit for a medical clinic (chiropractic) use at 12760 W. 87th Street Parkway in the NP-O Zoning District. Staff provides the follow analysis to the review criteria within [Section 4-1-G-5](#) of the UDC.

1. The character of the neighborhood.

The subject site includes other nonconforming medical uses such as behavioral health services, out-patient psychiatric treatment, and a medical examination clinic. Conforming uses within the site include lawyers, insurance agents, and a telecommunications service provider. Directly to the north of the subject site are single-family residential homes. East adjacent is the Central Church of the Nazarene, a nonconforming dentist office, medium density two-family residential homes, and the City of Lenexa Municipal Complex. Directly to the south is a liquor store, retail, restaurants, community office spaces, and multifamily apartment homes. West adjacent is the remainder of the Greystone South Plaza development that features Tanner's Bar and Grill, AutoZone, Hermes Landscaping Office, and other general low volume retail or restaurants. The request is well-suited to the character of the neighborhood.

It should be noted that the City's review processes have been enhanced over the years and new nonconforming uses are less likely to be established in the future. Staff will work to bring the site into compliance over time as new tenants seek certificates of occupancy for the nonconforming suites.

2. The zoning and use of properties nearby.

Surrounding zoning and uses are described in [Table 1](#). The uses associated with the subject property include various types of office and nonconforming medical or dental clinic uses. The NP-O District allows medical or dental clinics as a special use. Raw Health Company is a small but growing medical clinic. Staff does not anticipate negative externalities such as noise or traffic to be a concern. It is Staff's opinion the proposed special use is compatible with the surrounding zoning and uses.

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

The subject site has hosted many nonconforming medical offices and clinics since inception. There are no existing special use permits for the site. However, in 2019, a special use permit application was submitted by an individual that sought to grant a special use permit for medical clinic use to the entirety of the building. The sale of the building to a medical group was contingent on the approval of the special use permit. The applicant withdrew their application before it made it to the Planning Commission, as the sale fell through. The site is suitable for the uses to which it is restricted as well as to the requested SUP for medical use.

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

Staff does not believe there is a potential for the medical clinic to be detrimental to nearby property. The site features adequate on-site parking. There is also a legal covenant and restrictions document that stipulates cross-parking/access agreements with prior, existing, and future owners of property within Greystone South Plaza.

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

The property has no vacancy. However, tenant spaces become available from time to time.

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.

Staff does not believe that the denial of the application would be a relative gain in public health, safety, or welfare to the community. Staff believes that the presence of a medical clinic within close proximity to residential neighborhoods would increase the public health and welfare of the community. Staff believes that if the application were denied, the hardships imposed on the applicant would be greater than any negative externalities the use may impose. Staff does not believe there are impacts that need to be mitigated by the applicant.

7. Recommendation of City's permanent professional staff.

Please see Staff's recommendation at the end of this report.

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

The proposed chiropractic clinic will not change the primary land use of the subject property. The land use is in conformity with the Future Land Use Map designation of Office/Employment Center.

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 subject property is an established development. The property is adequately served by required utilities and services.

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.

See the parking standards table below. The subject property has 40 of 41 required parking spaces that immediately serve the building. The Greystone Plaza development has a shared parking agreement between all lots. The remaining required parking space is located within the parking lot to the northwest. The parking requirements of the UDC are fulfilled between the available on-site parking and nearby shared parking.

TABLE 2: PARKING STANDARDS			
Use	Parking Formula	Required Parking	Provided Parking
Medical Clinic	1 space per 200 SF	41	40
Office	1 space per 250 SF		

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

The proposed use will not generate negative environmental impacts.

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.

There are no proposed modifications to the stormwater system or increases to the overall number of impervious surfaces. The proposed SUP would not adversely affect the capacity or quality of water of the stormwater system. No natural streams are within the vicinity of the subject property.

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.

Staff conducted a site visit as part of the review for the SUP application. Staff did not observe any zoning or code compliance issues on site.

DEVIATIONS

The applicant is not requesting any deviations.

REVIEW PROCESS

- *This special use permit requires a recommendation from the Planning Commission and final approval by the City Council. Pending a recommendation from the Planning Commission, the special use permit is tentatively scheduled for consideration from the City Council on November 21, 2023.*

RECOMMENDATION FROM PROFESSIONAL STAFF

★ **Conduct a Public Hearing.**

★ **Staff recommends approval of the proposed special use permit for Raw Health Company.**

- The use, “Medical or Dental Clinic”, is appropriate at the subject property for a period of five years, at which time the use can be reviewed to ensure compliance with the criteria for review.
- The project is consistent with Lenexa's goals through **Strategic Community Investment** to create **Healthy People** and **Vibrant Neighborhoods**.

SPECIAL USE PERMIT

Staff recommends **approval** of SU23-11 - a special use permit for a medical clinic known as Raw Health Company at 12760 W. 87th Street, Suite 110, for a period of five years.

12. **Raw Health Company - Consideration of a special use permit for a medical clinic use located at 12760 W 87th Street Parkway, Suite 110 within the NP-O, Planned Neighborhood Office District. SU23-11 (Public Hearing)**

APPLICANT PRESENTATION

The applicant was not in attendance.

STAFF PRESENTATION

Stephanie Kisler presented the Staff Report. She displayed an aerial view of the applicant's building location and presented the Zoning Map and Future Land Use Map stating that the current zoning and medical clinic use are compatible with the Comprehensive Plan. She showed several street view angles of the subject site. She noted the criteria for review of the special use permit and reminded the commissioners the criteria were discussed in detail on the Staff Report. Staff recommends approval of the medical clinic use within the NP-O, Planned Neighborhood Office District for a period of five years.

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

Chairman Poss asked Staff if it was permissible for the commissioners to deliberate and go forward without the applicant being present. Stephanie Kisler asked Spencer Throssell, Assistant City Attorney, to confirm whether the Commission could advance the special use permit without the applicant present. Mr. Throssell responded that under Section 1 of the City code, it was up to the Planning Commission's discretion to proceed without the applicant's presence.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of a special use permit for a medical clinic known as Raw Health Company at 12760 W. 87th Street, Suite 110, for a period of five years.

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

SU 23-__

ORDINANCE NO. _____

AN ORDINANCE GRANTING A FIVE-YEAR SPECIAL USE PERMIT ON PROPERTY LOCATED AT 12760 W. 87TH STREET PARKWAY, SUITE 110, LENEXA, KANSAS.

WHEREAS, on September 10, 2023, Suzanne Adams, D.C., agent for Pavilions LLC, owner of record, filed a request for a five-year special use permit to allow “Medical Clinic” on property located at 12760 W. 87th Street Parkway, Suite 110, Lenexa, KS (the “Property”), in the NP-O, Planned Neighborhood Office Zoning District; and

WHEREAS, on November 6, 2023, the Lenexa Planning Commission held a public hearing to hear the request for said special use permit. Notice for the public hearing was provided in accordance with K.S.A. 12-757, and

WHEREAS, the Lenexa Planning Commission recommended approval of a five-year special use permit to allow “Medical Clinic” on the Property, in the NP-O, Planned Neighborhood Office Zoning District, as reflected in the minute record for said meeting; and

WHEREAS, on December 19, 2023, the Governing Body considered the request and Planning Commission recommendation, as reflected in the minute record for said meeting;

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

SECTION ONE: The Governing Body hereby approves the issuance of a five-year special use permit to allow “Medical Clinic” in the Planned Neighborhood Office Zoning District, for the real estate described as:

LOT 5, GREYSTONE SOUTH PLAZA, A SUBDIVISION IN THE CITY OF
LENEXA, JOHNSON COUNTY, KANSAS

More commonly known as 12760 W. 87th Street Parkway, Suite 110,
Lenexa, Kansas.

Hereinafter referred to as (the “Property”).

SECTION TWO: The Clerk of the City of Lenexa, Kansas, is hereby authorized and directed to record the issuance of this permanent Special Use Permit in accordance with the above and foregoing change including notation upon the City's official land use map.

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 FOUR: 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 December 19, 2023.

SIGNED by the Mayor December 19, 2023.

CITY OF LENEXA, KANSAS

Julie Sayers, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Steven D. Shrout, Assistant City Attorney



**CITY COUNCIL
MEMORANDUM**

ITEM 5

SUBJECT: Preliminary plan for Express Oil Change & Tire Engineers for an auto service, limited use at 8610 Pflumm Road in the CP-2, Planned Community Commercial District

CONTACT: Stephanie Kisler, Planning Manager

DATE: December 19, 2023

ACTION NEEDED:

Approve a preliminary plan for Express Oil Change & Tire Engineers for an auto service, limited use at 8610 Pflumm Road in the CP-2, Planned Community Commercial District.

APPLICANT:

Ryan Kubert, Olsson

OWNER:

Marlene Leinmiller

PROPERTY LOCATION/ ADDRESS:

8610 Pflumm Road

PROPOSED TENANT:

Express Oil Change & Tire Engineers

PROJECT BACKGROUND/DESCRIPTION:

The applicant proposes to construct a new commercial building for an auto service, limited use at 8610 Pflumm Road. The proposed structure is one story with a floor area of 5,747 square feet. The structure includes six service bays which face north/south with garage doors. The services provided by Express Oil Change & Tire Engineers include oil changes, battery replacement, alignments, tire rotation, and other minor automotive services. Services are limited to short-term appointments and walk-ins and do not typically include keeping vehicles overnight. The anticipated volume of cars is 46 per day. All services are to be provided within the fully enclosed bays. The proposed hours of operation are Monday through Saturday from 8 AM to 6 PM.

The site is located along the west side of Pflumm Road, approximately 350 feet north of 87th Street Parkway. The site fronts private drives to the north and south and the south drive provides access to the site.

STAFF RECOMMENDATION:

Approval of the preliminary plan.

PLANNING COMMISSION ACTION:

This item was considered as Regular Agenda Item 5 at the December 4, 2023 Planning Commission meeting. This item did not include a public hearing and no one from the public spoke.

Commissioners commented on the landscaping around the trash enclosure and asked whether vehicles would be kept overnight, to which the applicant replied that vehicles are not typically kept overnight, but if

they are, they are secured within the building for security reasons.

Chairman Poss entertained a motion to recommend **APPROVAL** for the preliminary plan for PL23-10P, Express Oil Change & Tire Engineers located at 8610 Pflumm Road in the CP-2, Planned Community Commercial District. Moved by Commissioner Burson, seconded by Commissioner Handley, and carried by a unanimous voice vote.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

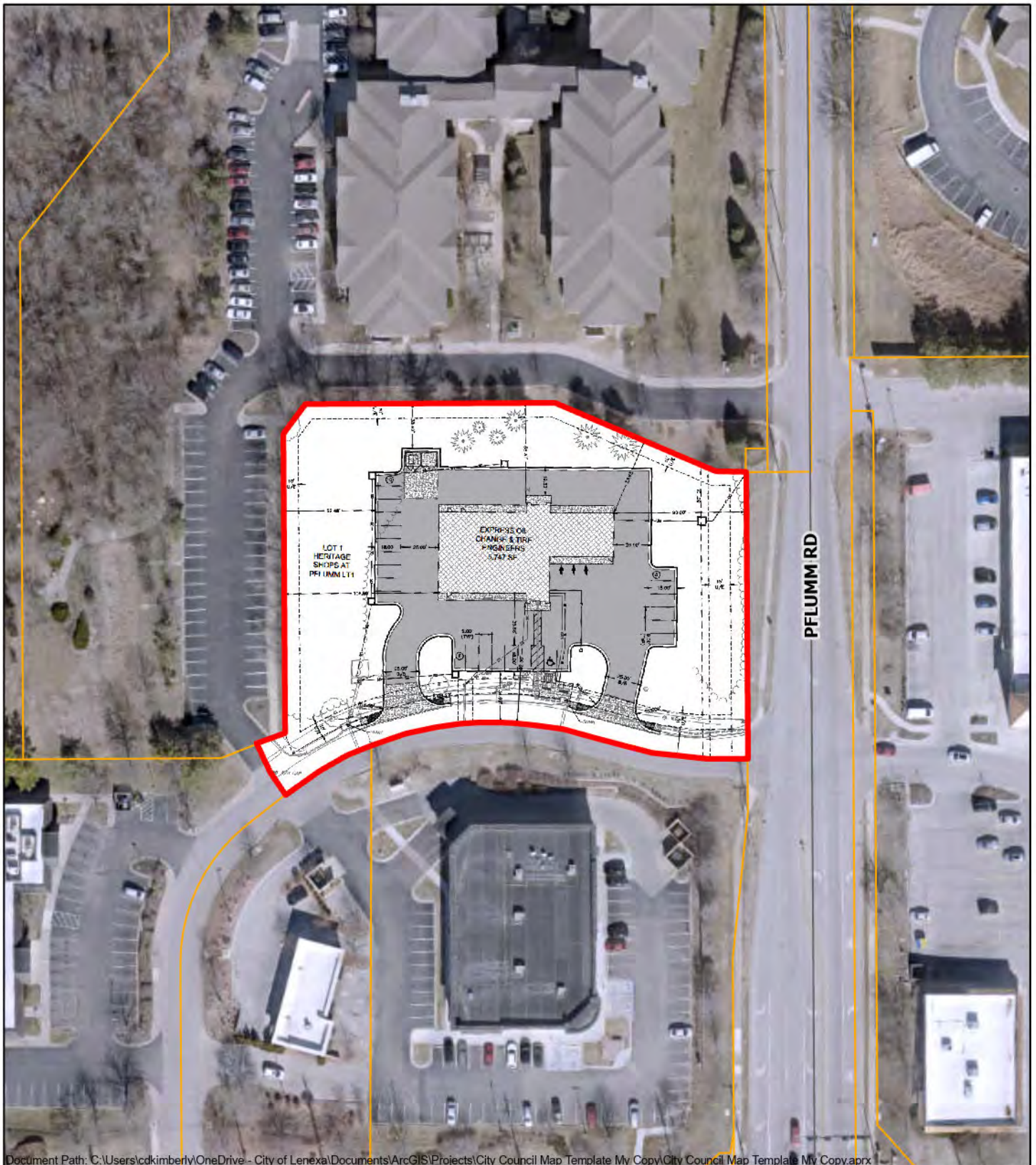
Thriving Economy

Guiding Principles

Responsible Economic Development

ATTACHMENTS

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



Document Path: C:\Users\cdkimberly\OneDrive - City of Lenexa\Documents\ArcGIS\Projects\City Council Map Template My Copy\City Council Map Template My Copy.aprx

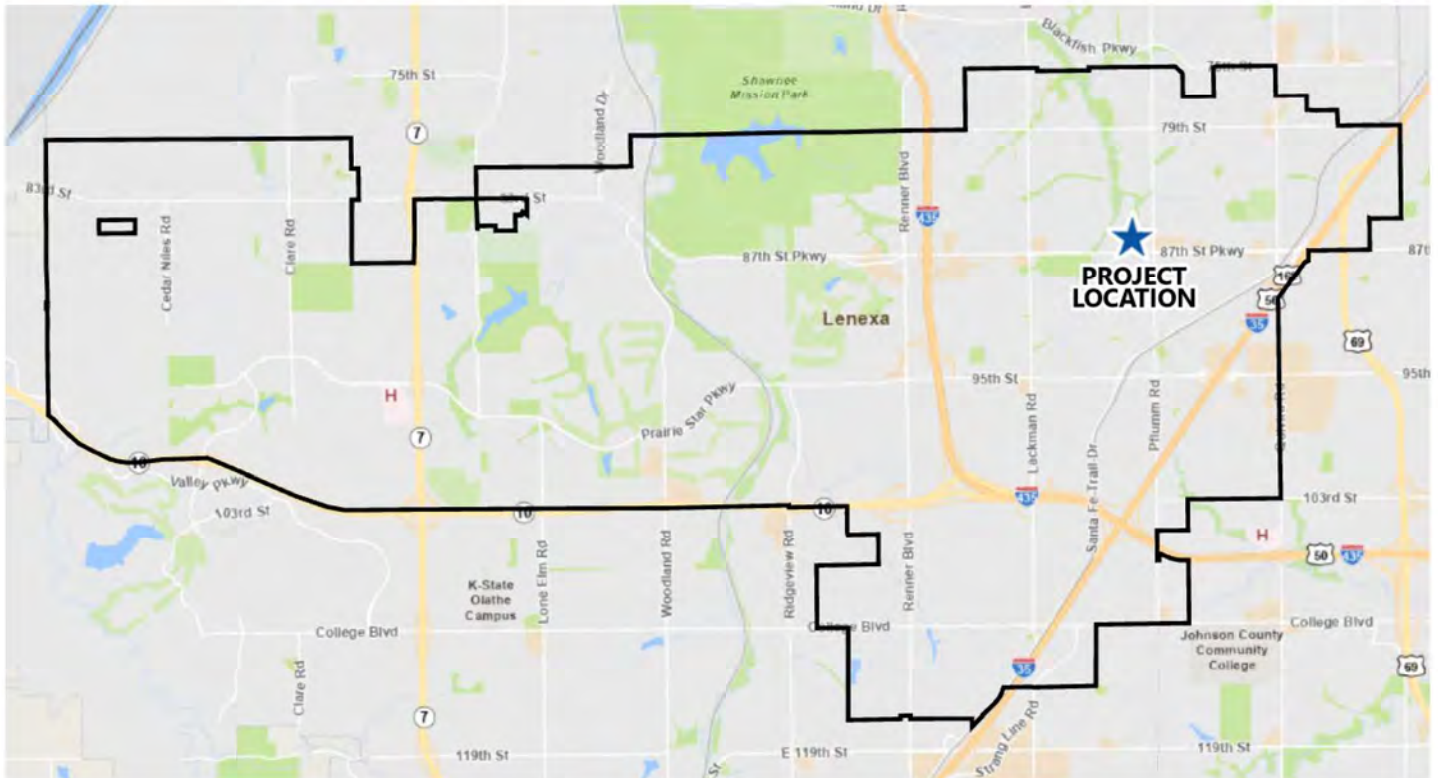
Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

Express Oil Change & Tire Engineers PL23-10P



EXPRESS OIL CHANGE & TIRE ENGINEERS

Project #:	PL23-10P	Location:	8610 Pflumm Road
Applicant:	Ryan Kubert, Olsson	Project Type:	Preliminary Plan
Staff Planner:	Kimberly Portillo, AICP	Proposed Use:	Auto Service, Limited



PROJECT SUMMARY

The applicant proposes to construct a new commercial building for an auto service, limited use at 8610 Pflumm Road. The proposed structure is one-story with a floor area of 5,747 square feet. The site is an infill lot and does not require construction of new public streets or infrastructure improvements. The applicant requests approval of a preliminary plan for the development. This project does not require a Public Hearing.

STAFF RECOMMENDATION: APPROVAL

SITE INFORMATION

The subject site is an infill lot that was previously occupied by a restaurant use. A Sonic restaurant was located on the site from 1995 until 2019 when it was demolished. The site has remained vacant since.

LAND AREA (AC)	BUILDING AREA (SF)	CURRENT ZONING	COMP. PLAN
1.63	5,747 SF	CP-2	Planned Community Commercial



Exhibit 1: Aerial Image of Subject Site.



Exhibit 2: Google Street View of Site from southwest corner looking north.

LAND USE REVIEW

The proposed land use is classified as auto service, limited for a business known as Express Oil Change & Tire Engineers. The services provided include oil changes, battery replacement, alignments, tire rotation, and other minor auto services. Services are limited to short-term appointments and walk-ins and do not include keeping vehicles overnight. The anticipated volume of cars is 46 per day. All services are to be provided within the fully enclosed bays. The proposed hours of operation are Monday through Saturday from 8:00 AM to 6:00 PM.

The proposed use of auto service, limited is allowed by-right in the CP-2, Planned Community Commercial Zoning District. Surrounding uses include retailers such as Hy-Vee to the east and CVS Pharmacy to the south. Properties to the north and west of the subject site are zoned and developed as high-density residential. To the west of the site is a parking lot for the multifamily residential buildings located north of the site across a private drive. Due to the proximity of the multifamily residential development, Staff required the proposed development to include additional mitigation measures for visual impact, light, and noise to ensure compatible development.

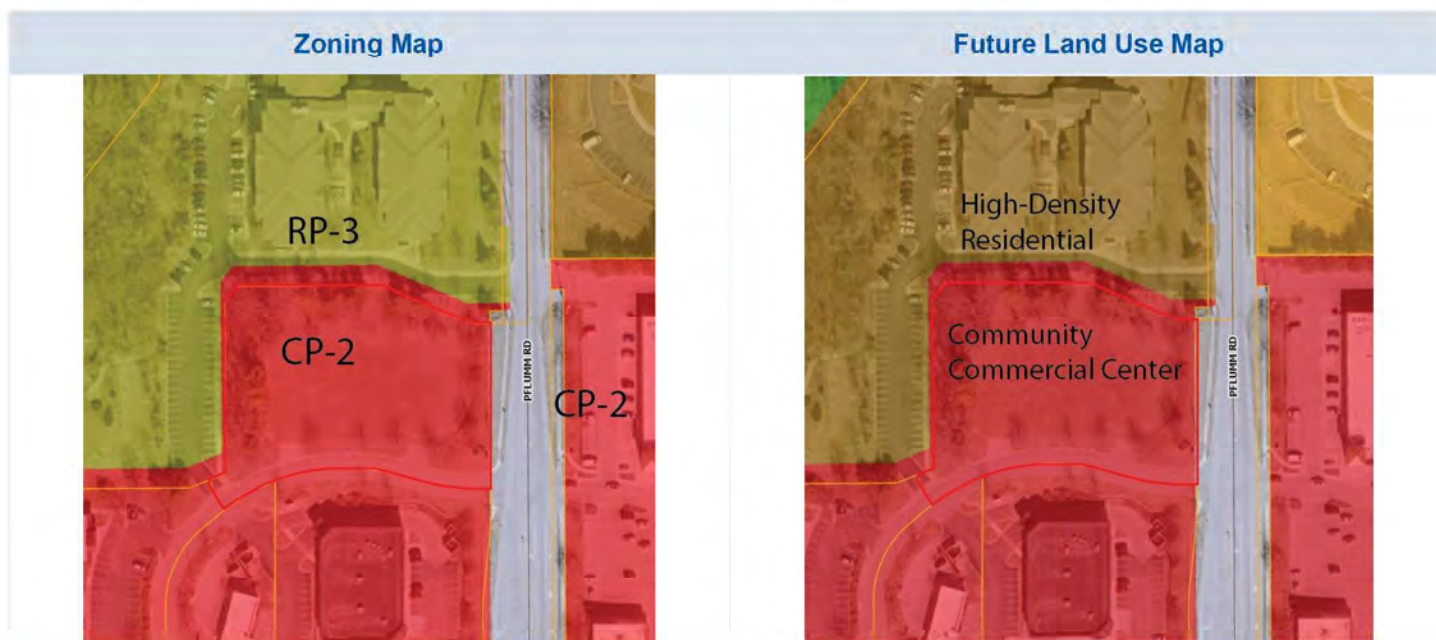


TABLE 1: COMPARISON OF SURROUNDING PROPERTIES

Vicinity	Land Use Designation	Zoning	Current Use
Subject Property	Community Commercial Center	BP-2, Planned Manufacturing District	Vacant
North	High-Density Residential	RP-3, Residential Planned (Medium High-Density) District	High-Density Residential
South	Community Commercial Center	CP-2, Planned Community Commercial	Retail
East	Community Commercial Center	CP-2, Planned Community Commercial	Retail
West	Community Commercial Center	CP-2, Planned Community Commercial	High-Density Residential (Parking)

PRELIMINARY PLAN REVIEW

The preliminary plan is for development of a new commercial building that will be used as a light automotive shop known as Express Oil Change & Tire Engineers.

The site is located along the west side of Pflumm Road approximately 350 feet north of W. 87th Street Parkway, with frontage along two private drives to the north and south.

The site is platted as Lot 1 of Heritage Shops and has a 10' utility easement along the perimeter of the property, a 25' landscape easement along Pflumm Road, and a 30' build line along Pflumm Road.

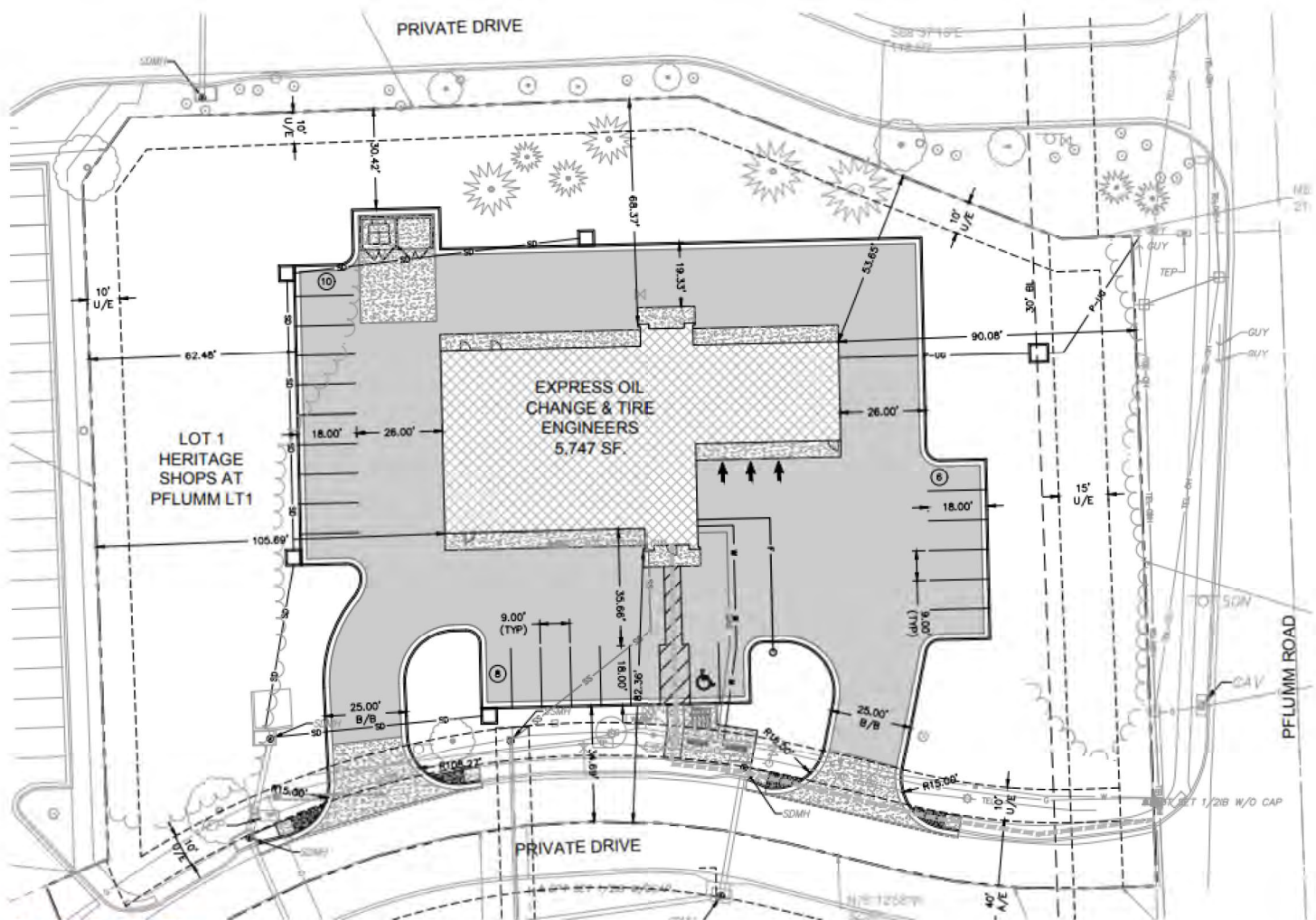


Exhibit 3: Site Plan.

DIMENSIONAL STANDARDS

The proposed development is compliant with the dimensional standards and property development regulations of the CP-2 Zoning District as outlined in Table 2.

TABLE 2: CP-2 PROPERTY DEVELOPMENT REGULATIONS		
Yard	Regulation	Proposed
Minimum Setback from Streets	30 feet	90 feet
Minimum Setback from Other	30 feet	>30 feet
Maximum Height	45 feet	35 feet
Minimum Open Space	25% of lot area	50% of lot area

PUBLIC IMPROVEMENTS

No public improvements are proposed with this project.

ACCESS, TRAFFIC, AND PARKING

The site is located between two private drives to the north and south with two access points along the southern private drive. The southern private drive connects from Pflumm Road to W. 87th Street Parkway and also provides access to CVS Pharmacy, Jiffy Lube, and a multi-tenant retail strip building. The project site has frontage along Pflumm Road along the east property line, but no access is allowed directly to Pflumm Road, an arterial street.

There is a sidewalk along Pflumm Road and along the private drive to the south. The internal sidewalk network will connect to the private drive and provide access to the main entrance of the building.

Vehicle and bicycle parking are provided to meet or exceed code requirements as shown in Table 3.

TABLE 3: PARKING ANALYSIS				
Requirement	Parking Formula	Required Parking	Proposed Parking	Difference
Vehicle Parking: Auto Service	2 spaces per service bay	18	24	+ 6
Bicycle Parking	1 space per 10,000 SF	1	1	0

STORMWATER

Staff notes that with the use requested (oil change/tire store) this site will be considered a water quality “hot-spot” which requires additional water quality measures. The applicant is proposing these additional measures be in the form of water quality inserts into all of the site’s curb inlets, which will appropriately address the hot-spot requirements.

FIRE PREVENTION

The Fire Department reviewed the plans based on the current adopted fire codes and local amendments. All general planning review comments have been acknowledged or satisfied and there are no outstanding Fire Department planning review items that need to be addressed for this project to move forward. A more detailed fire code review will be conducted based on the adopted codes at the time of the building permit documentation submittal.

LIGHTING

Lighting will be reviewed for full compliance at the time of final plan submittal.

LANDSCAPING

Pedestrian scale public space is required to be provided for commercial developments. The proposed site layout includes a 250 square foot pedestrian area with benches and landscaping adjacent to the south sidewalk to meet this requirement.

The site has a 25-foot landscape easement along Pflumm Road with existing vegetation to remain.

Perimeter buffer requirements are met, with additional landscaping required to buffer the north property line where bay doors must be screened from view of the adjacent multi-family residential use. In this area, a combination of additional trees, existing berming, and additional separation by the intervening drive will be used to buffer light, noise, and visual impacts.



Exhibit 4: Landscape Plan.

ARCHITECTURE

The proposed structure is a 5,747 SF, one-story building with a maximum height of 35 feet. Materials include clay-faced masonry with brick and stone appearance in a tan color palette and a grey standing seam roof. Features of design enhancement include double rowlock accent banding along facades and faux window design on the east façade. With the final plan, Staff would also like to see the faux window improvements on the west façade, in keeping with Lenexa’s standards for four-sided architecture. The trash enclosure uses the same material palette as the building. Mechanical equipment will be located on the ground at the northwest corner of the building and will be screened by a masonry wall matching the building.

EXTERIOR FINISH MATERIAL LEGEND

								
CLAY FACED MASONRY Accent Color: Sandstone Dark Manuf: Endicott Clay Products Keynotes: 17, 19 & 50	CLAY FACED MASONRY Field Color: Copper Sands Manuf: Endicott Clay Products Keynote: 18	PAINTED LOUVERS Color: TSO Manuf: Sherwin Williams	DOOR Color: Charcoal Manuf: Bertrige Keynotes: 9 & 13	WINDOW Color: 7669 Summit Gray Manuf: Sherwin Williams	STOREFRONT DOORS Color: Clear Anodized Aluminum Manuf: YKK	SECTIONAL DOORS Color: White Manuf: Raynor Doors	TINTED GLAZING Color: Solarban 90 Optigray Manuf: Vitro Glass	SPANDEL GLAZING Color: Solarban 90 Optigray with Opal-coat, 300 Charcoal Manuf: Vitro Glass

Exhibit 5: Material Legend.



Exhibit 6: Architectural Rendering South.



Exhibit 7: Architectural Rendering North.



Exhibit 8: Trash Enclosure.

DEVIATIONS

The applicant is not requesting any deviations.

REVIEW PROCESS

- This project requires a recommendation from the Planning Commission and final approval by the City Council. Pending a recommendation from the Planning Commission, the project is tentatively scheduled for consideration from the City Council on December 19, 2023.
- The applicant should inquire about additional City requirements, such as permits and development fees.

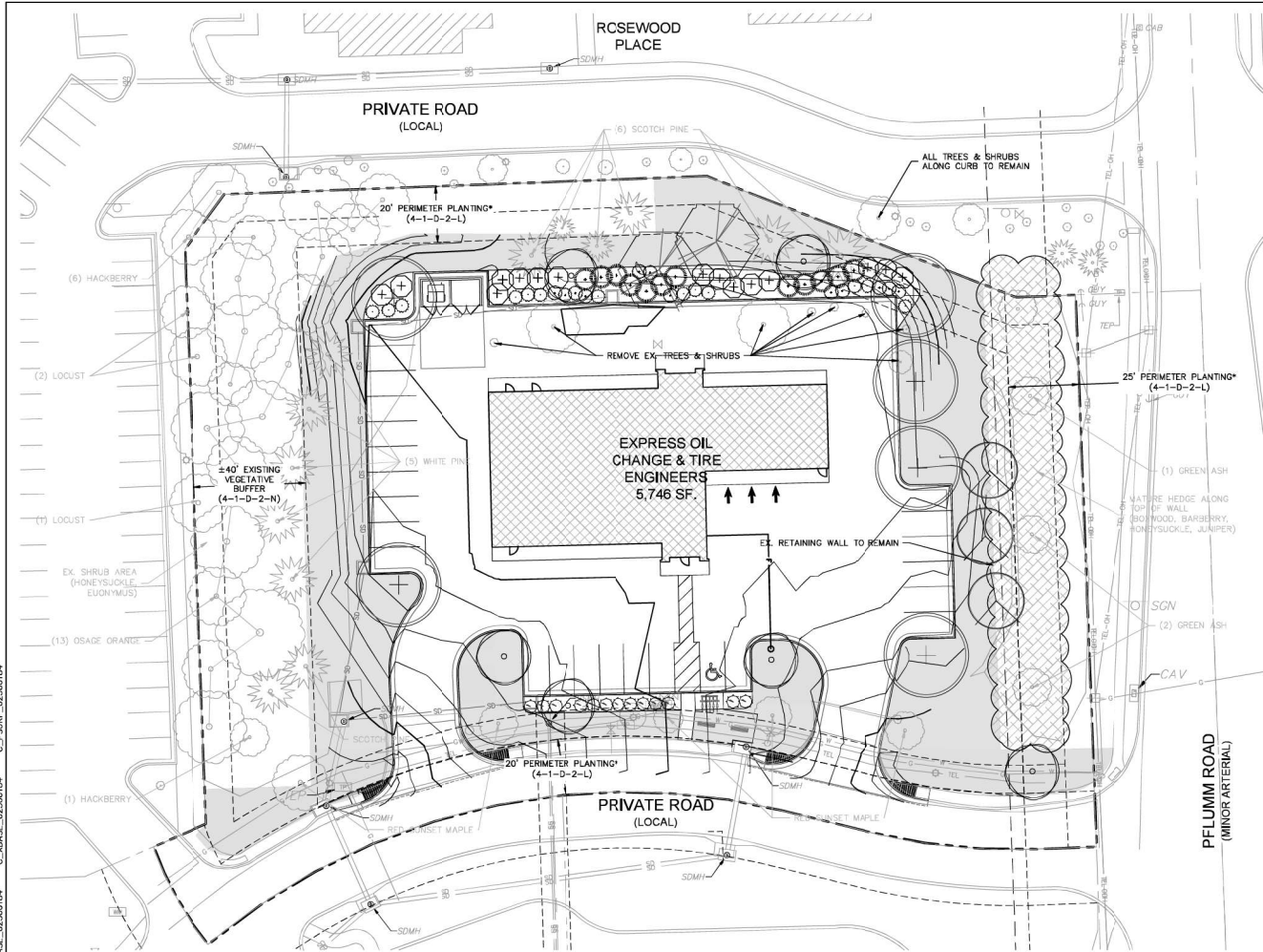
RECOMMENDATION FROM PROFESSIONAL STAFF

- ★ **Staff recommends approval of the proposed preliminary plan for Express Oil Change & Tire Engineers.**
 - This is a preliminary plan for construction of a new building with an auto service, limited use.
 - The project is consistent with Lenexa's goals through **Responsible Economic Development** to create a **Thriving Economy**.

PRELIMINARY PLAN

Staff recommends **approval** of the preliminary plan for PL23-10P – **Express Oil Change & Tire Engineers** at 8610 Pflumm Road, for an auto service, limited use.

USER: rubert
DATE: 11/23/2023 09:00:00
PROJECT: 2023-08-184-Vic-Design-AutoCAD-Primary-Plan-Development-Plan-C-LS001-202308184.dwg
C:\Users\rubert\OneDrive\Documents\Projects\2023-08-184-Vic-Design-AutoCAD-Primary-Plan-Development-Plan-C-LS001-202308184.dwg



TREE SCHEDULE				
DECIDUOUS TREES	QTY	BOTANICAL / COMMON NAME	SIZE	CAL.
	6	Acer truncatum x plananoides 'JFS-KW202' CRIMSON SUNSET MAPLE	B&B	2.5"
	3	Betula nigra 'Quily' HERITAGE RIVER BIRCH	B&B	2"
	2	Celtis occidentalis HACKBERRY	B&B	2"
	6	Quercus coccinea SCARLET OAK	B&B	2"

PLANT SCHEDULE				
EVERGREEN SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	HEIGHT (MIN.)
	13	Buxus x 'Green Velvet' GREEN VELVET BOXWOOD	5 GAL	24-30"
	12	Juniperus chinensis 'Mint Julep' MINT JULEP JUNIPER	5 GAL	24-30"
	13	Juniperus virginiana 'Grey Owl' GREY OWL JUNIPER	5 GAL	24-30"
DECIDUOUS SHRUBS		BOTANICAL / COMMON NAME		
	12	Foraythia x intermedia 'Spring Glory' SPRING GLORY FORSYTHIA	5 GAL	30-36"
	15	Viburnum burkwoodii 'Mohawk' MOHAWK VIBURNUM	5 GAL	30-36"

SEEDING / SOD / PLUGS		
SOD/SEED	BOTANICAL / COMMON NAME	TYPE
	FESCUE TURF	SOD

PERIMETER PLANTING (4-1-D-2-L)							
LOCATION		DEPTH (MIN.)	BUFFER LENGTH	PLANT REQUIREMENTS (PER 100 LF)			
				SHADE TREES (2)	ORNAMENTAL TREES (0)	SHRUBS (12)	
NORTH	PRIVATE ROAD (RESIDENTIAL)	20 FEET	312 FEET	REQUIRED	7	0	38
				EXISTING	6	0	38*
				PROVIDED	4	0	0
WEST	PRIVATE ROAD (RESIDENTIAL)	20 FEET (40' PROVIDED)	290 FEET	REQUIRED	6	0	35
				EXISTING	32	0	35*
				PROVIDED	0	0	0
SOUTH	PRIVATE ROAD (COMMERCIAL)	20 FEET	332 FEET	REQUIRED	7	0	40
				EXISTING	5*	0	0
				PROVIDED	2	0	40
				SHADE TREES (2)	ORNAMENTAL TREES (1)	SHRUBS (12)	
EAST	PFLUM ROAD	25 FEET	197 FEET	REQUIRED	4	2	24
				EXISTING	4	0	24
				PROVIDED	0	3	0

INTERNAL LANDSCAPING REQUIREMENTS- PARKING LOT

1 Tree/300 S.F. of Overall Landscape Area
Overall Landscape Area = 1843 S.F.
7 Trees Required
12 Trees Provided
7.5% of Parking Lot Area must be Landscaped
23,245 S.F. x .075 = 1744 S.F.
1744 S.F. Required
1843 S.F. Provided

* EXISTING VEGETATION TO REMAIN TO EXTENT POSSIBLE TO MEET REQUIRED PLANTINGS. IF EXISTING VEGETATION IS REMOVED DURING GRADING OR CONSTRUCTION OPERATIONS, VEGETATION SHALL BE REPLACED WITH LIKE MATERIALS.

olsson

7301 West 134th Street, Suite 200
Overland Park, KS 66213-4752
TEL 813.381.1170 www.olsson.com

BY: [Signature]
DATE: [Blank]
REV: [Blank]

LANDSCAPE PLAN
PRELIMINARY DEVELOPMENT PLAN

EXPRESS OIL CHANGE & TIRE ENGINEERS
8610 PLUM ROAD

LENEXA, KS

drawn by: [Blank]
checked by: [Blank]
approved by: [Blank]
QA/QC by: [Blank]
project no.: 2023-08-184
drawing title: 2023-08-184.dwg
date: 2023.11.20

SHEET
L1

Exterior Keynotes	
Tag	Text
9	Pre-finished standing seam metal roof system
10	Pre-finished metal gutter system
11	Pre-finished metal awning. See details on Sheet A303.
12	Pre-finished metal downspout and downspout boot. Pipe to Storm, see Civil.
13	Pre-finished hip and ridge cap. Color to match roof.
15	1x pressure treated painted fascia board continuous
17	Double brick rowlock accent over 8" cmu. Provide 8" grout filled "u" block bond beam at locations of overhead doors. See Structural.
18	Clay faced field brick over 8" cmu.
19	Clay faced accent brick over 8" cmu.
20	Painted concrete-filled steel bollard
22	Signage by others. Provide blocking as required. See Electrical for power.
23	Wall sconce by others. See electrical for power. Provide blocking as required.
24	Lightbar by others. See electrical for power. Provide blocking as required.
25	Control joint. For control joints in concrete floor slabs, coordinate location with equipment layout by others. Max. distance between control joints in slabs not to exceed 12'-0". Control joints in walls shall be 4'-0" from wall intersection or corner
26	Key box (Locate as directed by the Local Fire Marshal or AHJ)

Exterior Keynotes	
Tag	Text
27	Pre-finished metal coping
35	Foundation sump lift station. Verify location with Civil and tie into Civil storm drain system. Model: Zoeller M98.
37	Lightbar by others. See electrical for power. Provide blocking as required.
44	Concrete apron. Coordinate with Civil.
47	Provide address identification as directed by the Local Fire Marshal or AHJ)
50	Double clay faced brick rowlock accent band over cmu.
52	Sign to be centered on wall horizontally. Align top of sign vertically where wall begins to pitch unless otherwise indicated. Junction box for sign shall be located in the center of the sign. Verify with sign company prior to rough-in
53	Conduit to be centered horizontally for lights in awning. Verify with sign company prior to rough-in.
54	Locate junction box for sconces 5'-3" a.f.f. vertically and 4" from center horizontally (Typical). Verify with sign company prior to rough-in
56	Metal louver or vent, see Mechanical. Paint to match adjacent surface.
66	1x pressure treated painted frieze board.

Note: Align top of exterior wall packs with bottom of banding at 12'-0" a.f.f. Do not locate exterior wall packs on side of building that contains illuminated lightbars or sconces by others, unless at exit doors as indicated on the Electrical Drawings.



1 01- False Front Elevation (North)
3/16" = 1'-0"

EXTERIOR FINISH MATERIAL LEGEND



CLAY FACED MASONRY
Accent Color: Sandstone Dark
Manuf: Endicott Clay Products
Keynotes: 11, 15 & 18



CLAY FACED MASONRY
Field Color: Copper Sands
Manuf: Endicott Clay Products
Keynotes: 18



PAINTED LOUVERS
Color: TBD
Manuf: Sherwin Williams



ROOF
Color: Charcoal
Manuf: Berridge
Keynotes: 9 & 13



TRIM DOORS
Color: 7669 Summit Gray
Manuf: Sherwin Williams



STOREFRONT DOORS
Color: Clear Anodized Aluminum
Manuf: YKK



SECTIONAL DOORS
Color: White
Manuf: Raynor Doors



TINTED GLAZING
Color: Solartan 90 Optigray
Manuf: Vitro Glass



SPANDREL GLAZING
Color: Solartan 90 Optigray
with Opacicoat-300 Charcoal
Manuf: Vitro Glass



NOT FOR
CONSTRUCTION

Express Oil Change & Tire Engineers
Single Building - Right Hand Oil Change / Rear Entry with Side Tire Storage
Lenexa, Kansas

CONCEPTUAL

No.	Description	Date

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Exterior Elevation -
False Front (North)

Project number 23053
Date 11/20/2023
Drawn by ARC
Checked by TAA

A200

Scale As indicated

Tag	Text
9	Pre-finished standing seam metal roof system
10	Pre-finished metal gutter system
11	Pre-finished metal awning. See details on Sheet A303.
12	Pre-finished metal downspout and downspout boot. Pipe to Storm, see Civil.
13	Pre-finished hip and ridge cap. Color to match roof.
15	1x pressure treated painted fascia board continuous
17	Double brick rowlock accent over 8" cmu. Provide 8" grout filled "u" block bond beam at locations of overhead doors. See Structural.
18	Clay faced field brick over 8" cmu.
19	Clay faced accent brick over 8" cmu.
20	Painted concrete-filled steel bollard
22	Signage by others. Provide blocking as required. See Electrical for power.
23	Wall sconce by others. See electrical for power. Provide blocking as required.
24	Lightbar by others. See electrical for power. Provide blocking as required.
25	Control joint. For control joints in concrete floor slabs, coordinate location with equipment layout by others. Max. distance between control joints in slabs not to exceed 12'-0". Control joints in walls shall be 4'-0" from wall intersection or corner
26	Key box (Locate as directed by the Local Fire Marshal or AHJ)

Tag	Text
27	Pre-finished metal coping
35	Foundation sump lift station. Verify location with Civil and tie into Civil storm drain system. Model: Zoeller M98
37	Lightbar by others. See electrical for power. Provide blocking as required.
44	Concrete apron. Coordinate with Civil.
47	Provide address identification as directed by the Local Fire Marshal or AHJ
50	Double clay faced brick rowlock accent band over cmu.
52	Sign to be centered on wall horizontally. Align top of sign vertically where wall begins to pitch unless otherwise indicated. Junction box for sign shall be located in the center of the sign. Verify with sign company prior to rough-in
53	Conduit to be centered horizontally for lights in awning. Verify with sign company prior to rough-in.
54	Locate junction box for sconces 5'-0" a.f.f. vertically and 4" from center horizontally (Typical). Verify with sign company prior to rough-in.
56	Metal louver or vent, see Mechanical. Paint to match adjacent surface.
66	1x pressure treated painted frieze board.

Note: Align top of exterior wall packs with bottom of banding at 12'-0" a.f.f. Do not locate exterior wall packs on side of building that contains illuminated lightbars or sconces by others, unless at exit doors as indicated on the Electrical Drawings.



EXTERIOR FINISH MATERIAL LEGEND



CLAY FACED MASONRY

Accent Color: Sandstone Dark
Manuf: Endicott Clay Products
Keynotes: 17, 19 & 20



CLAY FACED MASONRY

Field Color: Copper Sands
Manuf: Endicott Clay Products
Keynote: 18



PAINTED LOUVERS

Color: TBD
Manuf: Sherwin Williams



ROOF

Color: Charcoal
Manuf: Rompage
Keynotes: 9 & 13



HM DOORS

Color: 7668 Summit Gray
Manuf: Sherwin Williams



STOREFRONT DOORS

Color: Clear Anodized Aluminum
Manuf: YKK



SECTIONAL DOORS

Color: White
Manuf: Roylco Doors



TINTED GLAZING

Color: Solartan 90 Optigray
Manuf: Vitro Glass



SPANDREL GLAZING

Color: Solartan 90 Optigray
with Opac-coat-300 Charcoal
Manuf: Vitro Glass



NOT FOR
CONSTRUCTION

00/00/0000

Express Oil Change & Tire Engineers
Single Building - Right Hand Oil Change / Rear Entry with Side Tire
Storage
Lenexa, Kansas

CONCEPTUAL

No.	Description	Date

2023
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Exterior Elevation - Rear Entry (South)

Project number 23053
Date 11/20/2023
Drawn by ARC
Checked by TAA

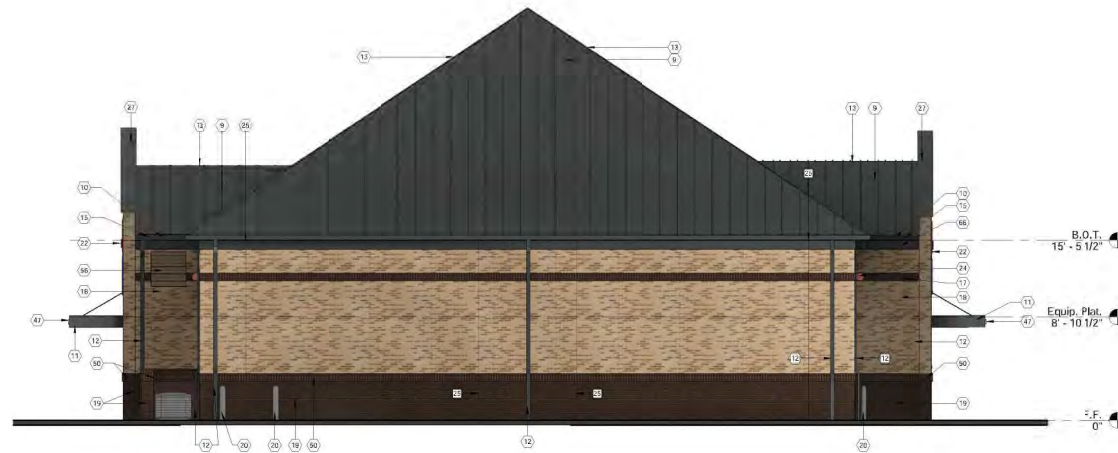
A201

Scale As indicated

Exterior Keynotes	
Tag	Text
9	Pre-finished standing seam metal roof system
10	Prefinished metal gutter system
11	Prefinished metal awning. See details on Sheet A303.
12	Prefinished metal downspout and downspout boot. Pipe to Storm, see Civil.
13	Pre-finished hip and ridge cap. Color to match roof.
15	1x pressure treated painted fascia board continuous
17	Double brick rowlock accent over 8" cmu. Provide 8" grout filled "u" block bond beam at locations of overhead doors. See Structural.
18	Clay faced field brick over 8" cmu.
19	Clay faced accent brick over 8" cmu
20	Painted concrete-filled steel bollard
22	Signage by others. Provide blocking as required. See Electrical for power.
23	Wall sconce by others. See electrical for power. Provide blocking as required.
24	Lightbar by others. See electrical for power. Provide blocking as required.
25	Control joint. For control joints in concrete floor slabs, coordinate location with equipment layout by others. Max. distance between control joints in slabs not to exceed 12'-0". Control joints in walls shall be 4'-0" from wall intersection or corner
26	Key box (Locate as directed by the Local Fire Marshal or AHJ)

Exterior Keynotes	
Tag	Text
27	Prefinished metal coping
35	Foundation sump lift station. Verify location with Civil and tie into Civil storm drain system. Model: Zoeller M98
37	Lightbar by others. See electrical for power. Provide blocking as required.
44	Concrete apron. Coordinate with Civil.
47	Provide address identification as directed by the Local Fire Marshal or AHJ)
50	Double clay faced brick rowlock accent band over cmu.
52	Sign to be centered on wall horizontally. Align top of sign vertically where wall begins to pitch unless otherwise indicated. Junction box for sign shall be located in the center of the sign. Verify with sign company prior to rough-in
53	Conduit to be centered horizontally for lights in awning. Verify with sign company prior to rough-in.
54	Locate junction box for sconces 5'-0" a.f.f. vertically and 4" from center horizontally (Typical). Verify with sign company prior to rough-in.
56	Metal louver or vent, see Mechanical. Paint to match adjacent surface.
66	1x pressure treated painted frieze board.

Note: Align top of exterior wall packs with bottom of banding at 12'-0" a.f.f. Do not locate exterior wall packs on side of building that contains illuminated lightbars or sconces by others, unless at ext doors as indicated on the Electrical Drawings.



① 04- Left Elevation (West)
3/16" = 1'-0"

EXTERIOR FINISH MATERIAL LEGEND



CLAY FACED MASONRY
Accent Color: Sandstone Dark
Manuf: Endicott Clay Products
Keynotes: 17, 18 & 50



CLAY FACED MASONRY
Field Color: Copper Sands
Manuf: Endicott Clay Products
Keynote: 18



PAINTED LOUVERS
Color: TBD
Manuf: Sherwin Williams



BOOLE
Color: Charcoal
Manuf: Berkshire
Keynotes: 9 & 13



HM DOORS
Color: 1669 Summit Gray
Manuf: Sherwin Williams



STOREFRONT DOORS
Color: Clear Anodized Aluminum
Manuf: YKK



SECTIONAL DOORS
Color: White
Manuf: Raynor Doors



TINTED GLAZING
Color: Solarban 90 Optigray
Manuf: Vitro Glass



SPANDREL GLAZING
Color: Solarban 90 Optigray
with Opac-Rain-300 Chemical
Manuf: Vitro Glass



**NOT FOR
CONSTRUCTION**

00/00/0000

Express Oil Change & Tire Engineers
Single Building - Right Hand Oil Change / Rear Entry with Side Tire Storage
Lenexa, Kansas

CONCEPTUAL

No.	Description	Date

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**Exterior Elevation -
Left (West)**

Project number: 23053
Date: 11/20/2023
Drawn by: ARC
Checked by: TAA

A202

Scale: As indicated

Exterior Keynotes	
Tag	Text
9	Pre-finished standing seam metal roof system
10	Pre-finished metal gutter system
11	Pre-finished metal awning. See details on Sheet A303.
12	Pre-finished metal downspout and downspout boot. Pipe to Storm, see Civil.
13	Pre-finished hip and ridge cap. Color to match roof.
15	1x pressure treated painted fascia board continuous
17	Double brick rowlock accent over 8" cmu. Provide 8" grout filled "u" block bond beam at locations of overhead doors. See Structural.
18	Clay faced field brick over 8" cmu.
19	Clay faced accent brick over 8" cmu
20	Painted concrete-filled steel bollard
22	Signage by others. Provide blocking as required. See Electrical for power.
23	Wall sconce by others. See electrical for power. Provide blocking as required.
24	Lightbar by others. See electrical for power. Provide blocking as required.
25	Control joint. For control joints in concrete floor slabs, coordinate location with equipment layout by others. Max. distance between control joints in slabs not to exceed 12'-0". Control joints in walls shall be 4'-0" from wall intersection or corner
26	Key box (Locate as directed by the Local Fire Marshal or AHJ)

Exterior Keynotes	
Tag	Text
27	Pre-finished metal coping
35	Foundation sump lift station. Verify location with Civil and tie into Civil storm drain system. Model: Zoeller M98.
37	Lightbar by others. See electrical for power. Provide blocking as required.
44	Concrete apron. Coordinate with Civil.
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53	Conduit to be centered horizontally for lights in awning. Verify with sign company prior to rough-in.
54	Locate junction box for sconces 5'-0" a.f.f. vertically and 4" from center horizontally (Typical). Verify with sign company prior to rough-in.
56	Metal louver or vent, see Mechanical. Paint to match adjacent surface.
66	1x pressure treated painted frieze board.

Note: Align top of exterior wall packs with bottom of banding at 12'-0" a.f.f. Do not locate exterior wall packs on side of building that contains illuminated lightbars or sconces by others, unless at exit doors as indicated on the Electrical Drawings.



1-03- Right Elevation (East)
3/16" = 1'-0"

EXTERIOR FINISH MATERIAL LEGEND



CLAY FACED MASONRY
Accent Color: Sandstone Dark
Manuf.: Lonsdale Clay Products
Keynotes: 17, 19 & 50



CLAY FACED MASONRY
Field Color: Copper Sands
Manuf.: Lonsdale Clay Products
Keynote: 18



PAINTED LOUVERS
Color: TBD
Manuf.: Sherwin Williams



ROOF
Color: Charcoal
Manuf.: Benetton
Keynotes: 9 & 13



TRIM DOORS
Color: 7659 Summit Gray
Manuf.: Sherwin Williams



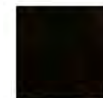
STOREFRONT DOORS
Color: Clear Anodized Aluminum
Manuf.: YKK



SECTIONAL DOORS
Color: White
Manuf.: Raynor Doors



UNIT GLAZING
Color: Solarban 90 Optigray
Manuf.: Vitro Glass



SPANDELL GLAZING
Color: Solarban 90 Optigray
with Opac-coat-300 Charcoal
Manuf.: Vitro Glass



NOT FOR
CONSTRUCTION

00/00/0000

Express Oil Change & Tire Engineers
Single Building - Right Hand Oil Change / Rear Entry with Side Tire
Storage
Lenexa, Kansas

CONCEPTUAL

No.	Description	Date

2023
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Exterior Elevation -
Right (East)

Project number 23053
Date 11/20/2023
Drawn by ARC
Checked by TAA

A203

Scale As indicated

5. Express Oil Change & Tire Engineers - Consideration of a preliminary plan for a new auto service center located at 8610 Pflumm Road within the CP-2, Planned Community Commercial District. PL23-10P

APPLICANT PRESENTATION

Ashley Bernatski, Express Oil Change & Tire Engineers, represented the applicant. Ms. Bernatski gave some history and background of the company. She explained the company is a quick oil change service and provides drive-thru service within an average appointment time of twelve minutes. They service about 46 cars per day at their highest average store. The company does not do any major automotive repair or autobody work and only focuses on tires, brakes, and oil changes. Proposed business hours are 8:00 am – 6:00 pm, Monday through Saturday. They do not typically store cars overnight, but if they do, they pull them into the bay and lock them up. This will be the sixth Express Oil Change built in the Kansas City metropolitan area. There are about 486 stores nationwide and they partner with Brakes Plus. They revised their elevations to match the brick color of the area to make it more aesthetically compatible with the structures in the vicinity.

STAFF PRESENTATION

Kim Portillo presented the Staff Report. Ms. Portillo explained the application is for an auto service, limited use providing light automotive work such as tire rotation and oil changes and does not include heavy mechanical work. It is a previously platted lot within the Heritage Shops subdivision. She provided the location of the site and displayed the Future Land Use and Zoning Map and stated that the use fits within its CP-2, Planned Community Commercial Zoning District. She showed the site plan and said it meets the dimensions and requirements of the zoning district; therefore, there are no deviation requests. It has approximately 50% open space. The site is an infill site and was previously a Sonic drive-up restaurant but the site is currently undeveloped land because the Sonic structure was demolished. She described the intended flow of traffic around the site. She showed the design of the building and said it will match the surrounding buildings. The proposed landscape plan meets or exceeds the requirements and features some tree preservation. She noted that because there is an apartment building to the north of the site, Staff has made a request for the applicant to enhance the landscaping on the north side of the site. There is some existing berming and additional landscaping is planned to mitigate concerns from the nearby residents of the apartments.

PLANNING COMMISSION DISCUSSION

Commissioner Horine asked if Express Oil Change & Tire Engineers tries to locate next to other similar automotive businesses. Ashley Bernatski replied that their company partners with Auto Zone. Commissioner Horine commented on their company locating so close to a competitor – Jiffy Lube.

Commissioner Harber said he is pleased to see this infill development and appreciates the applicant being considerate of the neighbors. Ms. Bernatski said they wanted to be considerate of the residents in the apartment complex.

Commissioner Katterhenry said the landscape plan showed a gap around the trash enclose and he encourages them to increase the plantings around the masonry walls. Ms. Bernatski said they will add additional screening if needed.

Chris Poss asked about some of the technical wording in the Stormwater Report. Tim Collins explained there would be hot spot treatment required due to the automotive nature of the business. Staff recommends approval of the preliminary plan.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan for PL23-10P – **Express Oil Change & Tire Engineers** at 8610 Pflumm Road, for an auto service, limited use.

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

DRAFT



**CITY COUNCIL
MEMORANDUM**

ITEM 6

SUBJECT: Consideration of a rezoning and preliminary plan known as The Residences on Woodsonia for a multifamily residential development located near the northeast and southeast corners of future 86th Street & Woodsonia Drive

CONTACT: Stephanie Kisler, Planning Manager

DATE: December 19, 2023

ACTION NEEDED:

- a. Pass an ordinance rezoning property located at the northeast and southeast corners of future 86th Street and Woodsonia Drive from the AG, Agricultural District to the RP-2, Planned Residential (Intermediate-Density) and RP-4, Planned Residential (High-Density) Districts; and
- b. Approve the companion preliminary plan for The Residences on Woodsonia.

APPLICANT:
Brian Hill, MKEC

OWNER:
Sunflower Development Group, Jason Swords

PROPERTY LOCATION/ADDRESS:
Northeast and southeast corners of future 86th Street and Woodsonia Drive

PROJECT BACKGROUND/DESCRIPTION:

The applicant requests approval to rezone the property located at the northeast and southeast corners of future 86th Street and Woodsonia Drive from the AG, Agricultural District to the RP-2, Planned Residential (Intermediate-Density) and RP-4, Planned Residential (High-Density) Districts to allow a multifamily residential development. The 38-acre development proposes an apartment component with 240 dwelling units (zoned RP-4) to the north of future 86th Street and a townhome component with 62 dwelling units (zoned RP-2) to the south of future 86th Street. The companion preliminary plan shows 10 apartment buildings on the north area of the site and 11 townhome buildings on the south area of the site. A new public street (86th Street) will connect Woodsonia Drive to Monticello Road. The new street will separate the two residential components of the development. The existing gap in Woodsonia Drive adjacent to the property is required to be constructed prior to the completion of the first phase of the development.

The property is classified as Medium Density Residential on the Future Land Use Map within the Comprehensive Plan. The Medium Density Residential land use allows up to 8.0 dwelling units per acre (du/ac). The proposed plans provide an overall density of 7.95 du/ac, which aligns with the Future Land Use Map's classification. The north area's density is 14.96 du/ac and the south area's density is 2.83 du/ac. The plan shifts density to the north area so that the south area can be developed with a housing type and density more compatible with the adjacent single-family housing development known as Watercrest Landing located to the south of the subject property. The expectation is that the cumulative density of the north and south areas, as approved with the preliminary development plan, does not exceed

8.0 du/ac. The preliminary development plan is the controlling factor in limiting the entire development to no more than 8.0 du/ac.

The applicant is requesting one deviation from the regulations within the Unified Development Code (UDC) related to maximum building height. The proposed deviation would allow the apartment buildings to be 38 feet tall, which exceeds the 35-foot maximum building height allowed in the RP-4 District by 3 feet. A deviation to increase building height may be granted per Section 4-1-B-27-G-d of the UDC. The applicant is not requesting any other deviations for this development. Staff and the Planning Commission recommended approval of the deviation.

The City's Trail Alignment Study shows a planned trail crossing this site along an overhead power line easement. The applicant shows a conceptual alignment of the trail near the east property line. Staff recommends this trail alignment be adjusted so that the trail is more internally located on the site and not as close to Monticello Road.

STAFF RECOMMENDATION:

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

PLANNING COMMISSION ACTION:

This item was considered as Regular Agenda Item 6 at the December 4, 2023 Planning Commission meeting. Two members of the public spoke at the public hearing. One speaker was a resident of Watercrest Landing subdivision and stated that he did not object to the project. The second speaker was a representative of the Powder Creek shooting range and stated that he wanted the developer to disclose that Powder Creek is an active recreational shooting range that has been in operation for over 75 years and that the future residents will hear gun fire from this facility. The developer stated that he agreed to do this.

Planning Commissioners questioned how the development would be phased, whether additional designated parking areas could be provided to reduce parking along the drive aisles, if additional parking can be provided at the clubhouse, and if additional sidewalks can be provided for pedestrian access to the amenity areas. The applicant responded that the apartment component would be the first phase and the townhomes would follow and that other elements of the site would be further developed with the final plan.

Generally, the Commission supported the project. Chairman Poss voiced a concern over the viability of the lower density townhome component of the project. He believed the townhome component was misleading, and that in the future the higher density apartments would be built and then the owner of the south portion would request higher densities to develop that area. Staff advised that while there is a risk of a future owner requesting more density in the south portion of the project, since the RP-2 District allows 8 dwelling units per acre, townhome developments in the RP-2 District have been viable in the City and the accompanying plan will reflect the expectation that the entire development - apartments and townhomes - meets the Comprehensive Plan classification of 8 dwelling units per acre.

Chairman Poss entertained a motion to recommend **APPROVAL** to rezone property from AG to RP-2 and RP-4 for a multifamily development located at the north and southeast corners of 86th Street and Woodsonia Drive. Moved by Commissioner Horine, seconded by Commissioner Handley, and carried by a vote of 8 to 1 with Chairman Poss dissenting.

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan for The

Residences on Woodsonia, for multifamily use. Moved by Commissioner Woolf, seconded by Commissioner Wagner, and carried by a vote of 8 to 1 with Chairman Poss dissenting.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Vibrant Neighborhoods

Guiding Principles

Responsible Economic Development

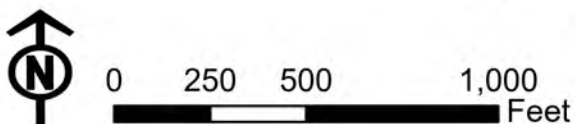
ATTACHMENTS

1. Map
2. PC Staff Report and Exhibits
3. Powder Creek Correspondence
4. PC Draft Minutes Excerpt
5. Ordinance
6. Powder Creek Exhibit located in the Appendix



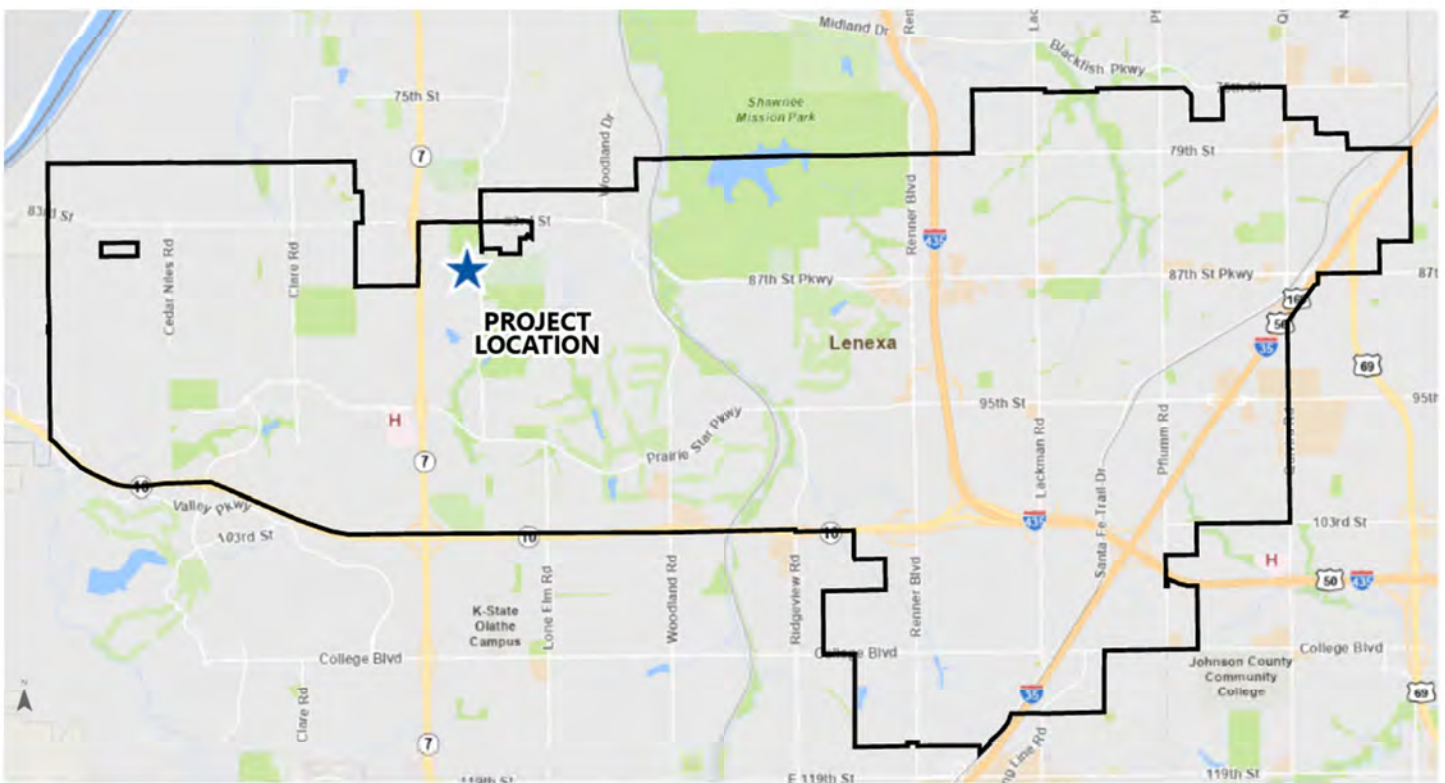
Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

The Residences on Woodsonia RZ23-08 & PL23-11P



THE RESIDENCES ON WOODSONIA (FKA K7 & 83RD STREET MULTIFAMILY DEVELOPMENT)

Project #:	RZ23-08 & PL23-11P	Location:	Northeast corner of 86 th Street (future) and Woodsonia Drive
Applicant:	Brian Hill, MKEC	Project Type:	Rezoning & Preliminary Plan
Staff Planner:	Dave Dalecky	Proposed Use:	Multifamily Residential



PROJECT SUMMARY

The applicant requests approval to rezone the property at the northeast corner of 86th Street (future street) and Woodsonia Drive from the AG, Agricultural District to the RP-2, Planned (Intermediate-Density) District and RP-4, Planned (High-Density) District to develop multifamily residences. The companion preliminary plan shows an apartment component on the northerly part of the site and a townhome component on the southerly part of the site. The north and south components are separated by a new public street that will connect Woodsonia Drive to Monticello Road on the east. A public hearing is required for the rezoning request.

STAFF RECOMMENDATION: APPROVAL

SITE INFORMATION

This site is a 37.97-acre undeveloped tract of land located south of Freedom Fields Park between Woodsonia Drive on the west and Monticello Road on the east. The project will have two components: an apartment building component on the northerly side and a townhome component on the southerly side. A new public street will be constructed between the two components to connect Woodsonia Drive to Monticello Road. All drive entrances into both the apartments and townhomes will connect to the new street. The two components are proposed to be zoned two different residential zoning districts (RP-4 and RP-2) reflective of the type of residential development.

LAND AREA (AC)	DWELLING UNITS (UPA)	CURRENT ZONING	COMP. PLAN
37.97	7.95	AG	Medium Density Residential

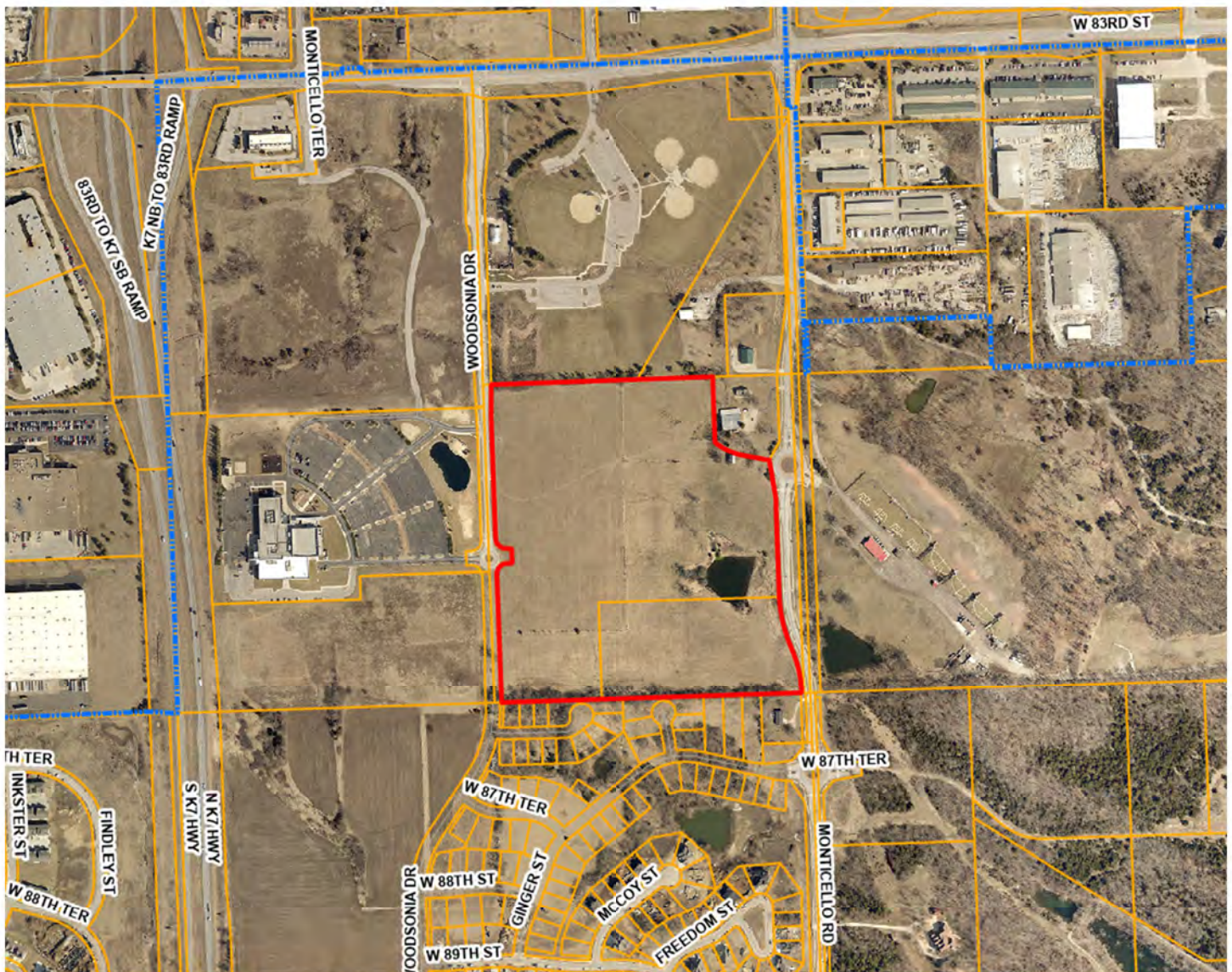


Exhibit 1: Aerial Image of Subject Site.

LAND USE REVIEW

The proposed use is multifamily residential containing apartments and townhome dwellings. The applicant is requesting RP-4 and RP-2 zoning which will result in an average density of 7.95 dwelling units per acre. The Future Land Use Map designation for the site is Medium Density Residential. This land use category description is: *Moderate density dwellings, including attached dwellings, not exceeding a gross density of 8 dwellings per acre.* The proposed development of the site is consistent with the Future Land Use Map designation.

Zoning Map



Future Land Use Map



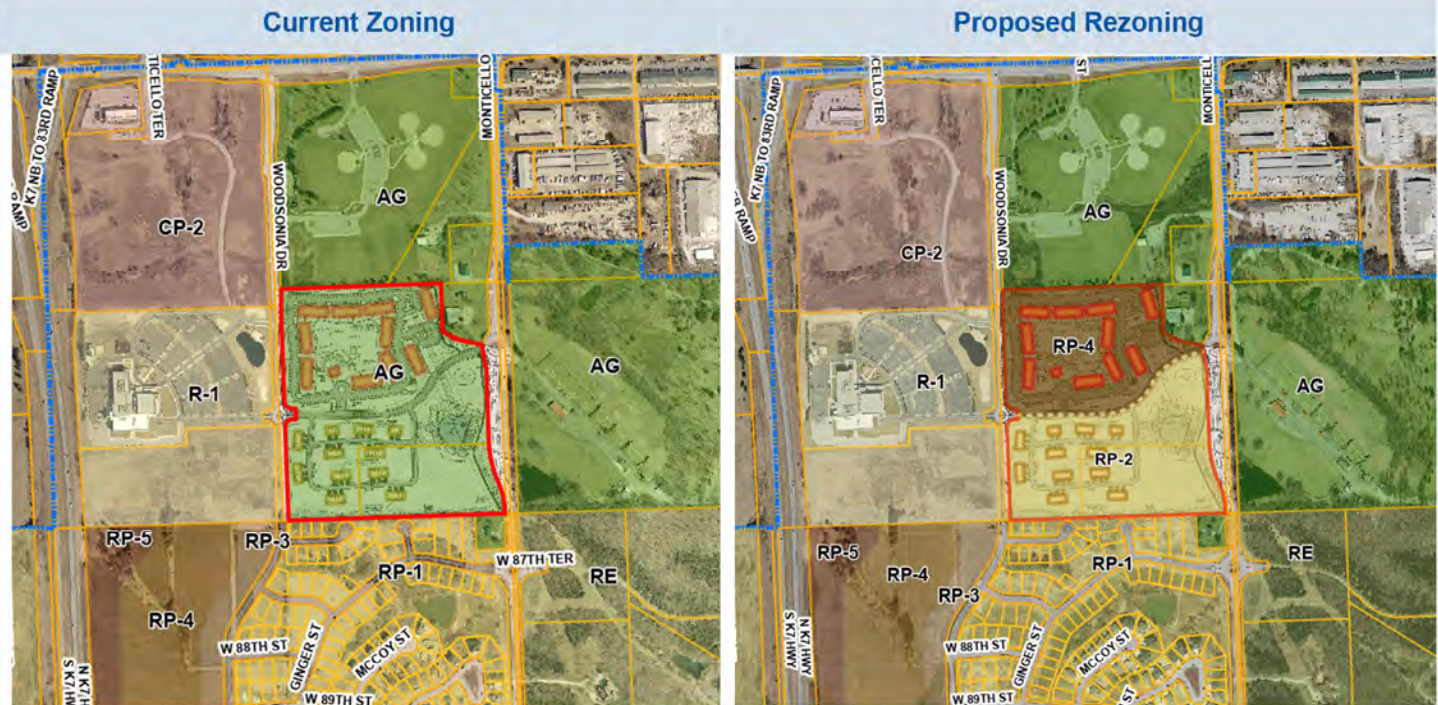
TABLE 1: COMPARISON OF SURROUNDING PROPERTIES

Vicinity	Land Use Designation	Zoning	Current Use	
Subject Property	Medium Density Residential	AG, Agricultural District	Undeveloped land	
	North	Public/Open Space	AG, Agricultural District	Public park
	South	Medium Density Residential	RP-1, Planned Residential Single-Family (Low-Density) District	Single-family residential
	East	Low Density Residential	AG, Agricultural District	Entertainment, outdoor
	West	Public/Open Space	R-1, Residential Single-Family (Low-Density) District	Church or place of worship

REZONING REVIEW

The applicant proposes to rezone the subject site from the AG (Agricultural) District to the RP-2, Planned (Intermediate-Density) and RP-4, Planned (High-Density) Districts.

TABLE 2: REZONING ANALYSIS



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

1. The character of the neighborhood.

The character of the neighborhood is a region that contains different uses of lessening intensities progressing southeasterly from the K-7 Highway and 83rd Street intersection. The site at the immediate southeast corner of the K-7 Highway and 83rd Street intersection is a 35-acre tract zoned for a Community Commercial size center. A multi-tenant retail building exists within this commercial center. The site is approved for a several more retail buildings including a mid-size box store consistent with the scale of a grocery store. This site was zoned for commercial development in 1999 (RZ99-07). Freedom Fields City Park is immediately north of the subject site. Westside Family Church is to the west along the west side of Woodsonia Drive. Powder Creek, a recreational firing range for target and skeet shooting, exists to the east on the east side of Monticello Road. The Watercrest Landing single-family residential subdivision is south of the subject site. Undeveloped land zoned for multifamily development is nearby to the southwest, and another City park, Blackhoof Park, is located to the southeast.

2. The zoning and use of properties nearby.

The zoning and uses of the adjacent properties vary. The zoning and land use of adjacent properties is noted in Table 1.

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

The property is suited for Medium Density Residential development as reflected on the Future Land Use Map within the Comprehensive Plan. Medium Density Residential land use is described as the type of development that contains up to eight dwelling units per acre. The proposed development will have an average density of 7.95 units per acre. Though the RP-4 Zoning District is typically not associated with the medium-density land use classification, shifting density to the north, through the use of the RP-4 Zoning District, allows the south RP-2 Zoning District to be developed with a housing type and density more compatible with the single-family housing to the south of the property. The expectation is that the cumulative density of the two components do not exceed eight units per acre regardless of whichever part develops first or if another developer acquires the site or half the site and desires to increase the density of the south RP-2 zoned area.

TABLE 3: DENSITY ANALYSIS

Zoning	Units	Acres (gross land area)	Density
RP-4 (apartments)	240	16.08	14.96
RP-2 (townhomes)	62	21.89	2.83
TOTAL	302	37.97	7.95 (average)



Exhibit 2: Density Distribution.

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

The proposed use will not detrimentally affect nearby property. The proposed use is compatible with the uses of adjacent properties. The two different residential types, apartments on the north and townhomes on the south, provides a transition from commercial development to the northeast to the suburban subdivision to the south.

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

The property is undeveloped agricultural land and has been zoned AG since being annexed into the City in 1986.

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 Medium Density Residential Use. Per the companion description of Medium Density Residential Use, sites that are designated this land use are not to exceed a gross density of eight dwelling units per acre. The proposed zoning districts, when considered with the preliminary plan that concentrates density to the north, are consistent with the Comprehensive Plan limit of eight dwelling units per acre.

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 transitioning area of the City. Several nearby properties are either developed or developing and several properties remain undeveloped. Adequate utilities and services are provided to the subject property. The site is subject to the City's stormwater management requirements applicable to all development in the City. The site is within the Olathe School District.

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 abuts Woodsonia Drive, a collector street, to the west, and Monticello Road, a minor arterial street, to the east. Staff notes that one of the requirements for this project is that if it does not already exist at the time this project commences, Woodsonia Drive must be constructed along the entirety of the west property line from its current cul-de-sac termination south to the existing southern stub (roughly 600 to 700 feet south; see Exhibit 3).



Exhibit 3: Required Construction of Woodsonia Drive.

A new local public street will be constructed between Woodsonia Drive and Monticello Road. The primary access into the apartment component is from the new local street. A secondary entrance is provided on Woodsonia Drive, across from a drive entrance into Westside Family Church.

The townhome component will have two drive connections onto the new local street. The site will have adequate access for ingress and egress and the points of access are adequately spaced for distribution of vehicles during peak times of circulation.

Off-street parking requirements are met per Table 4.

TABLE 4: PARKING ANALYSIS

Use	Requirement	Required	Provided
Multifamily (apartments)	1 space per efficiency unit, 1.5 spaces per 1-bedroom unit, 1.75 spaces per 2-bedroom unit, 2 spaces per 3+-bedroom units and 0.25 spaces per unit for visitor parking if parking spaces are located in common parking area	480	481
Multifamily (townhomes)	1 space per efficiency unit, 1.5 spaces per 1-bedroom unit, 1.75 spaces per 2-bedroom unit, 2 spaces per 3+-bedroom units and 0.25 spaces per unit for visitor parking if parking spaces are located in common parking area	140	140
TOTAL		620	621

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

The proposed multifamily residential development is not anticipated to generate any excessive impacts exceeding the requirements of the UDC.

- 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 subject to the UDC requirements for stormwater management and is required to meet the same standards as any new development.

- 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 is in compliance with the zoning requirements of the RP-2 and RP-4 Zoning Districts. The applicant is requesting a building height deviation. [Section 4-1-B-27-G-4-d](#) of the UDC allows for a building height deviation of up to 35 percent. The applicant is requesting a maximum building height of 38 feet, which is 3 feet taller than the 35-foot maximum building height in [Section 4-1-B-9-F](#) of the UDC. A deviation request may be considered using the criteria listed in [Section 4-1-B-27-G-4](#) of the UDC. The deviation request is discussed in more detail within the Deviations section of this report.

PRELIMINARY PLAN REVIEW

The site is located south of 83rd Street between Woodsonia Drive on the west and Monticello Road on the east. A new public street will divide the site into a northerly component for a traditional apartment development and southerly component for in-line townhomes. Primary access into the sites is from the new public street. A secondary access point for the apartments is provided at the northwest corner of the site along Woodsonia Drive. Two access drives are provided off of the new public street for the townhomes. One of the requirements for this project is that if it does not already exist at the time this project commences, Woodsonia Drive construction from its current cul-de-sac termination south to the existing southern stub (roughly 600 to 700 feet south) must be completed (see Exhibit 3).

The applicant submitted a preliminary stormwater management study indicating the intent to meet Lenexa's stormwater management requirements. This is proposed to be done via both above-ground and below-ground detention facilities.



Exhibit 4: Site Plan.

The apartment component contains ten apartment buildings and a clubhouse. The buildings are located on the site to encompass an internal court type of space which includes the clubhouse and pool amenity, sport courts, and large lawn space. The parking and drives for circulation through the site establish an external “ring” around the buildings. This configuration is intentional to provide convenient access to the amenities for most of the

residents without crossing parking areas. Two of the apartment buildings are outside of the ring of parking and drives, which will require a longer walk to the amenities. While not as convenient as the closer buildings, the amenities are still accessible by a network of sidewalks from each building.

The townhome component contains eleven buildings of either four- or six-units per building. Access through the townhomes is configured in a simple grid design of two east-west and two north-south drives. Each townhome will have one garage space and one space for a vehicle to park in the driveway. Three additional parking areas along the private drives provide 16 visitor parking spaces.

A public recreation trail link crosses the site along the eastern side. The trail is shown on the Lenexa Trails Alignment Analysis study. The trail is in the vicinity of a utility easement containing overhead power lines. The applicant shows a conceptual alignment of a future trail. The alignment is along the property line at the northeast corner of the site then veers easterly away from the utility easement closer to Monticello Road. Staff prefers the alignment follow the utility easement as close as possible taking an alternate alignment than what is conceptually shown on the plan. The following Exhibit 5 shows Staff's suggestion in the solid green line and the proposed alignment in the yellow dashed line.

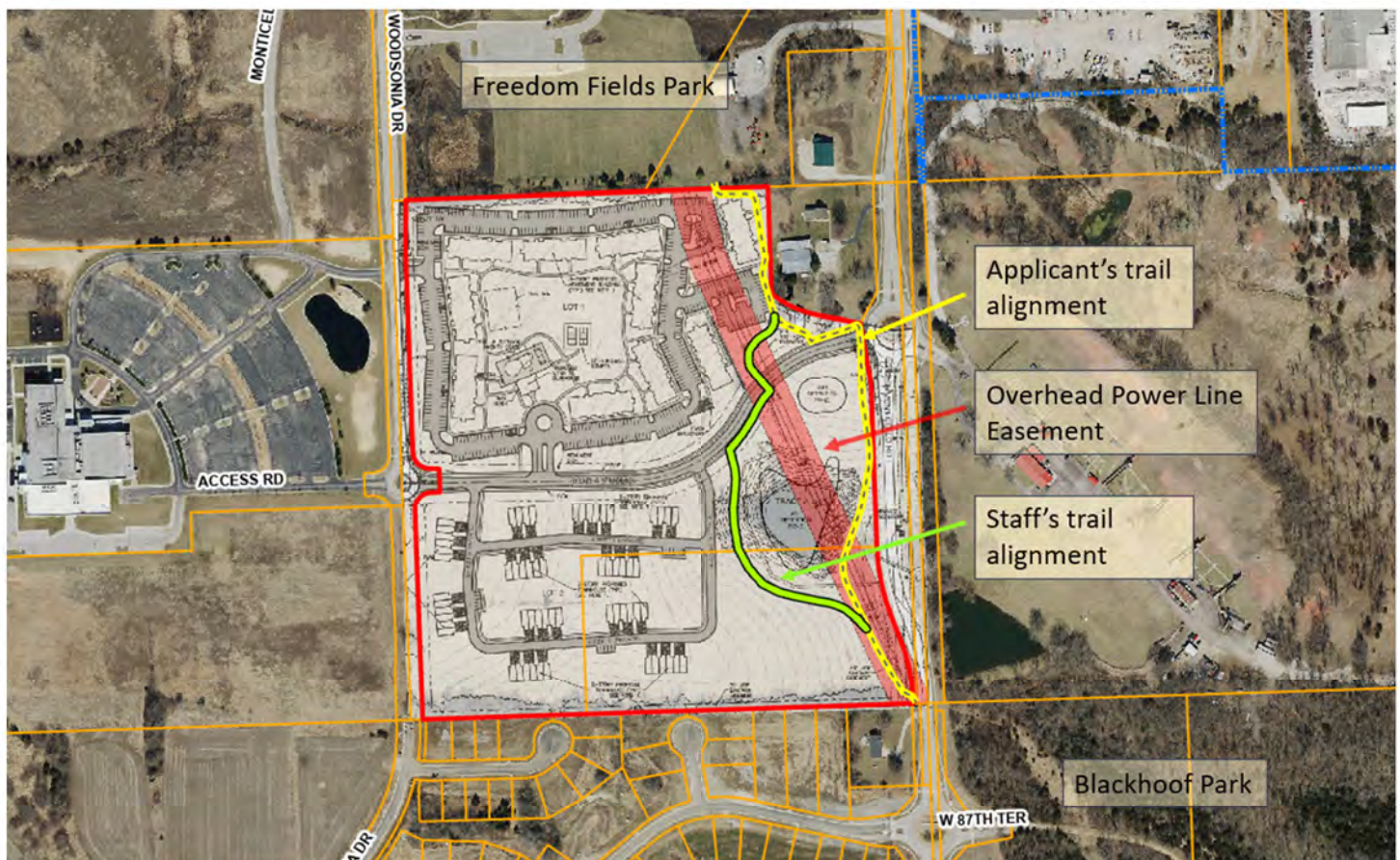


Exhibit 5: Trail Route.

The applicant's proposed trail alignment closely follows Monticello Road. Staff's suggested alternative alignment will move the trail further from the street. This alternative will require appropriate grading around the detention facility to accommodate the trail. This alignment is closer to the townhomes and can be easily accessed from internal sidewalks by the residents. Staff will continue to coordinate the trail alignment with the applicant prior to defining a trail easement on a preliminary plat. An easement providing for public access/use on the trail will need to be dedicated with the plat for this property.

DEVIATIONS

The applicant requests a building height deviation for the apartment buildings. The apartment buildings are three-story buildings with a gable style pitched roof. The buildings are 38 feet tall, which is three feet taller than the building height requirement per [Section 4-1-B-9-F](#) of the UDC. Per [Section 4-1-B-27-G-d](#) of the UDC, a request for a building height deviation may be made for up to 35% of the height of the building. The applicant requests a three-foot increase to the building height, which is an 8% increase to the building height. The height of a building with a pitched roof is measured at the midpoint of the ridge of the building and the eave line. This request is for all ten apartment buildings.

TABLE 4: BUILDING HEIGHT DEVIATION			
Deviation	Requirement	Proposed	Difference
Building Height	35 feet	38 feet	3 feet (+8%)

The UDC has different standards for consideration of requests for deviations, depending on what the deviation is for. [Section 4-1-B-27-G](#) of the UDC lists criteria for specific code sections. The criteria are written to protect the rights of adjacent property owners and to not be construed as a privilege awarded to the applicant. It is Staff's opinion the buildings are more proportionally designed and are more aesthetically pleasing with the roof form as proposed. Lowering the overall roofline will result in a building design that appears disproportional and as if the buildings were compressed. The increase of three additional feet of building height will allow for nine-foot-tall floor levels of the top floor of the buildings which is a preferred design for the customer. The requested deviation is the minimum needed to achieve the desired floor height and results in an 8% increase in height where the UDC allows a request of up to 35% of a building height increase. Staff supports the deviation request to allow a three-foot increase in the maximum building height.

ARCHITECTURE

The buildings, both apartments and townhomes, use a traditional architectural design. The exterior finish materials for the apartments are stone, lap siding, board and batten siding, shake shingle siding and asphalt shingles. The buildings include a projecting beam detail at the gable ends of the roof. Several windows incorporate a sill and lintel detail, and others include shutters. The windows are double-hung style widows with mullion patterns. The inclusion of details adds to the character of the buildings. Staff expects these details to carry through with subsequent plan approvals for the development.



Exhibit 5: Apartment elevation.

The townhome buildings are a similar style to the apartments and use the same palette of materials, which creates continuity between the development. The townhomes add standing seam to the roof sections over doorways. The townhomes are expected to have variations in the design from building to building. The variations are to include application of the exterior finish materials and material colors. This detail will be reviewed with final plans for the buildings.



Exhibit 6: Townhome elevations (6-plex and 4-plex).

LANDSCAPING

The landscape plan shows the required number of trees and shrubs required for the site perimeter boundaries, street frontages, and the parking lot. The south property line of the townhome component of the site is adjacent to Watercrest Landing, a single-family subdivision. The townhome component of the development has a density of 2.83 units per acre. This is an equivalent density to the Watercrest Landing subdivision; therefore, does not technically require a Land Use Intensity (LUI) buffer per [Section 4-1-D-2-N](#) of the UDC.

Two six-unit townhome buildings are along the south side of the site. The two townhome buildings are set back 91 feet for one building and 102 feet for the other. The south property line is appropriately landscaped to provide screening between the two neighboring developments.

The landscape plan does not show landscaping around either the apartment or townhome buildings. Landscaping around the buildings is referred to as foundation plantings. The foundation planting design will be provided with the final plan submittal.

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 December 19, 2023.
- The applicant should inquire about additional City requirements, such as permits and development fees.

RECOMMENDATION FROM PROFESSIONAL STAFF

- ★ **Conduct a Public Hearing for the rezoning request.**
- ★ **Staff recommends approval of the proposed rezoning and preliminary plan for The Residences on Woodsonia.**
 - The project is consistent with Lenexa's goals through *Responsible Economic Development* to create *Vibrant Neighborhoods* and a *Thriving Economy*.

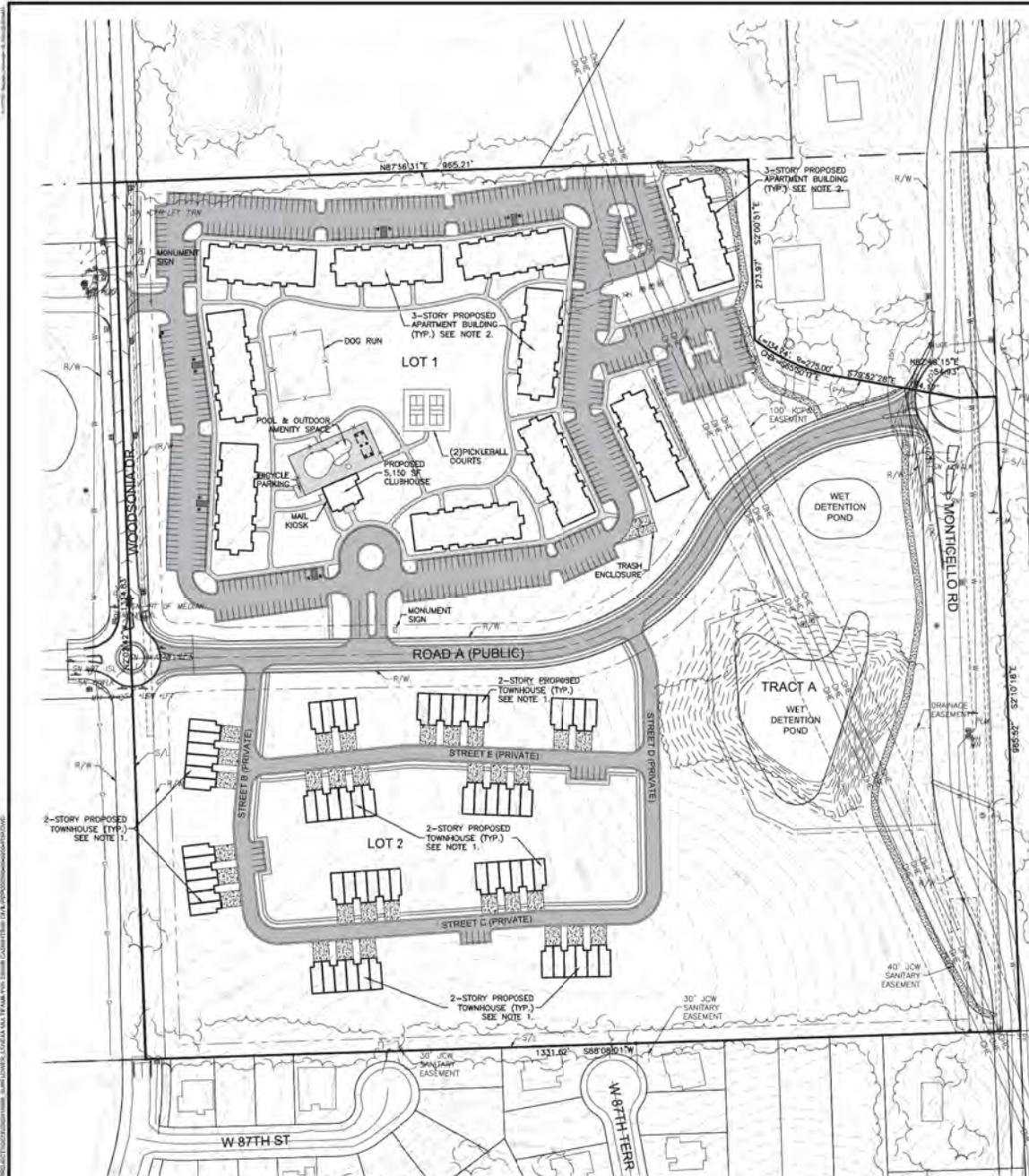
REZONING

Staff recommends **approval** for rezoning property from AG to RP-4 and RP-2 for **The Residences on Woodsonia** located at the northeast corner of 86th Street (future) and Woodsonia Drive.

PRELIMINARY PLAN

Staff recommends **approval** of the preliminary plan for **The Residences on Woodsonia** located at the northeast corner of 86th Street (future) and Woodsonia Drive, for multifamily uses, with a deviation from the UDC as listed in the Staff Report.

REZONING & PRELIMINARY DEVELOPMENT PLANS FOR
THE RESIDENCES ON WOODSONIA
 LENEXA, KANSAS 66227



City of Lenexa Mobility Planning Requirements			
Lot 1			
Unit Type	Unit Count	Mult Factor	Total Units
1BR/1BA	60	1.5	90
2BR/2BA	120	1.75	210
3BR/3BA	60	2	120
Motor Parking	240	0.25	60
Total Units Required			480
Total Units Provided			480
Lot 2			
Unit Type	Unit Count	Mult Factor	Total Units
Townhomes	62	2	124
Motor Parking	62	0.25	16
Total Units Required			140
Total Units Provided			140

* EACH TOWNHOME HAS 1 GARAGE SPACE & 1 DRIVEWAY SPACE, FOR A TOTAL OF 2 PARKING SPACES PER TOWNHOME. AN ADDITIONAL 16 VISITOR PARKING SPACES ARE PROVIDED THROUGHOUT LOT 2 FOR A TOTAL OF 140 PARKING SPACES PROVIDED ON LOT 2.

Lot Summary		Building Summary				
Lot Number	Lot Area*	Buildings	Unit/Proposed Zoning	Stories	Total Units	Units Per Acre (UPA)
Lot 1	16.08 Ac	1	APARTMENT/RFP-4	3 Story	240	14.96
Lot 2	16.26 Ac	2	TOWNHOME/RFP-2	2 Story	62	3.80
Tract A	5.61 Ac		STORMWATER/IMP MAINTENANCE TRACT			
Total	37.97 Ac					
				Total Units	302	
				Total Density	7.96 UPA	

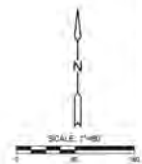
* GROSS LAND AREA TO CENTERLINE OF ROAD, RIGHT OF WAY

NOTES:

1. EACH INDIVIDUAL PROPOSED TOWNHOUSE WILL BE A 2-STORY, 1,521 SF UNIT. THE TOWNHOUSES WILL BE COMPOSED OF 4-FLUX AND 4-FLUX BUILDINGS. SEE ARCHITECTURAL PLANS FOR TOWNHOUSE ELEVATIONS AND ADDITIONAL SQUARE FOOTAGE INFORMATION.
2. ALL APARTMENT BUILDINGS WILL BE 3-STORY 76,520 SF BUILDINGS. SEE ARCHITECTURAL PLANS FOR BUILDING ELEVATIONS.

PAVING LEGEND

	CONCRETE SIDEWALK
	CONCRETE SECTION
	ASPHALT SECTION



These plans were prepared by MKEC, Inc. for the project described herein. The plans are not to be used for any other project without the written consent of MKEC, Inc. The plans are the property of MKEC, Inc. and shall remain the property of MKEC, Inc. after completion of the project.

OVERALL SITE PLAN

PROJECT NO.	2302010596
DATE	10.30.2023
SCALE	1"=80'
DESIGNED BY	CHEN
CHECKED BY	JLB
DATE	10.30.2023
NO.	001
SHEET NO.	C101

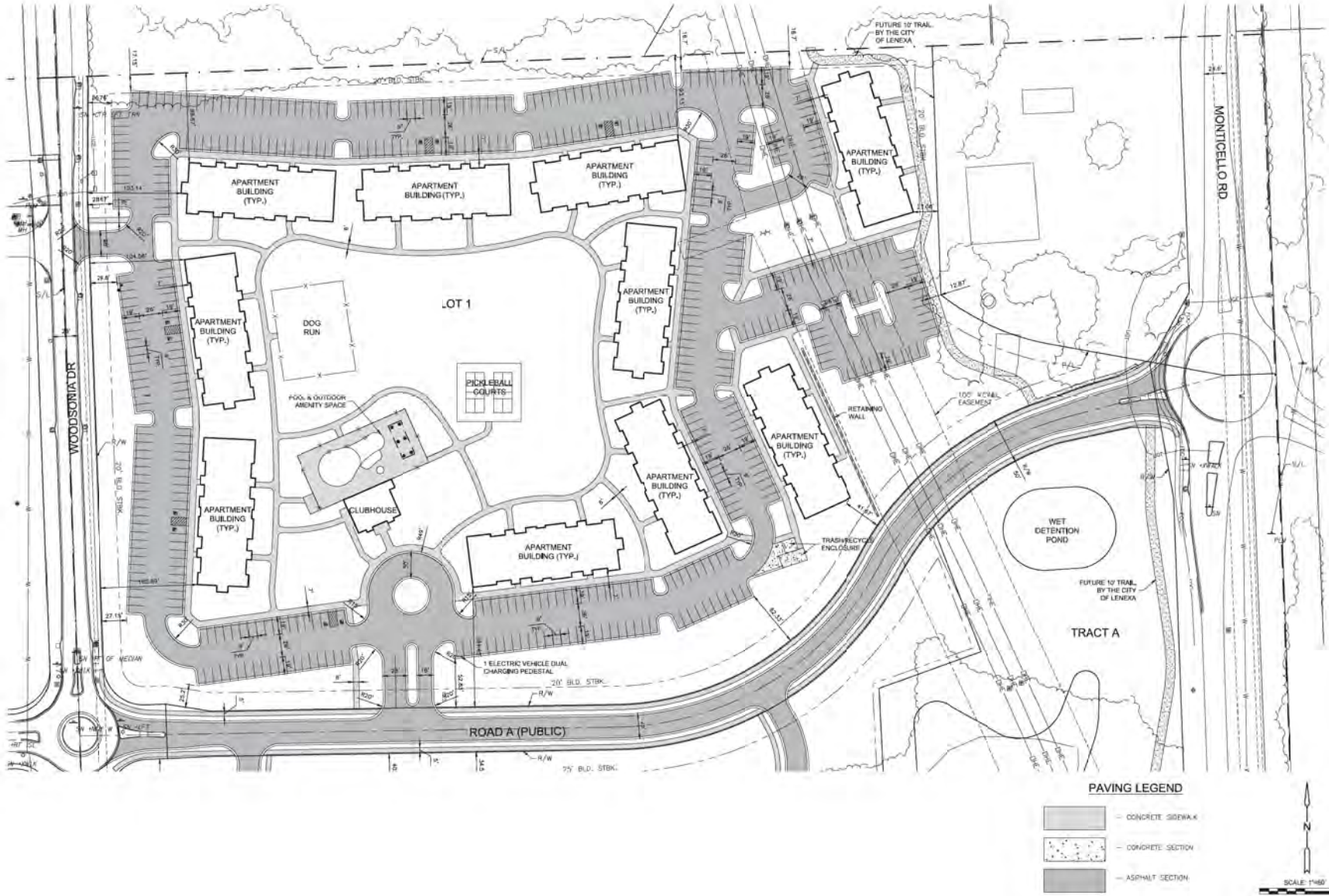
REZONING & PRELIMINARY DEVELOPMENT PLANS FOR
THE RESIDENCES ON WOODSONIA
 LENEXA, KANSAS 66227

These plans were prepared by MKEC, Inc. for the project described above. The plans are to be used for the project described above and for no other purpose. The plans are not to be used for any other project or for any other purpose. The plans are not to be used for any other project or for any other purpose.

PAVING PLAN 1

PROJECT NO.	2302010596
DATE	10.30.2023
SCALE	1"=50'
DESIGNED BY	CHERRY
CHECKED BY	CHERRY
BLT	JLB BLT
DATE	11.14.23
NO.	REVISION
SHEET NO.	010

C104





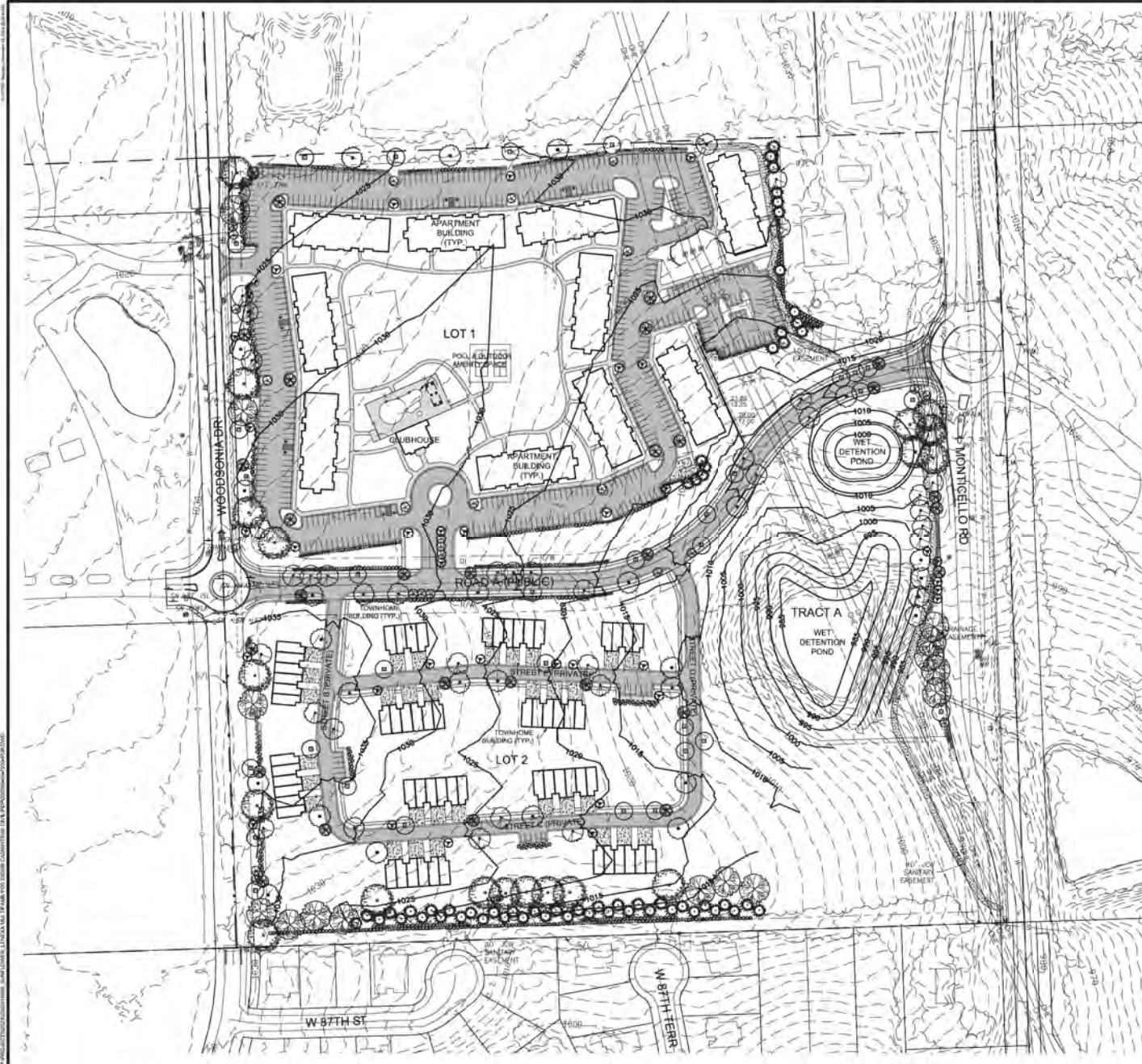
PROJECT NO.	2302010596	
DATE	10.30.2023	
SCALE	1"=50'	
DESIGNED	DRAWN	CHECKED
BLT	AB	BLT
COMMENTS		11-11-23
REVISION		DATE

REZONING & PRELIMINARY DEVELOPMENT PLANS FOR
THE RESIDENCES ON WOODSONIA
 LENEXA, KANSAS 66227

Project: THE RESIDENCES ON WOODSONIA
 Location: 10000 WOODSONIA DR, LENEXA, MO 66227
 Owner: MKEC
 Designer: MKEC
 Date: 10.30.2023

OVERALL LANDSCAPE PLAN

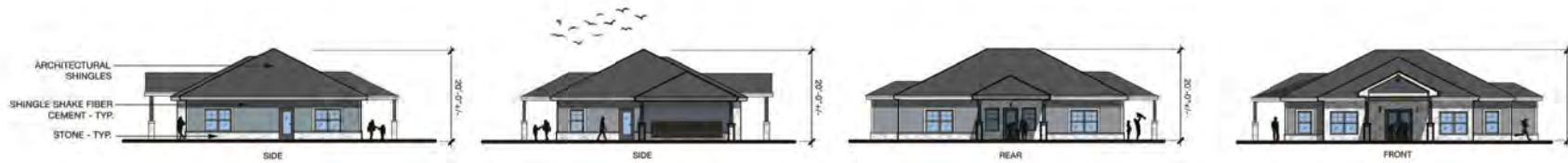
PROJECT NO.	2302010596
DATE	10.30.2023
SCALE	1"=80'
DESIGNED: CHANN	CHECKED: BLT
BLT	JLB
DATE	11.13.23
NO.	010
SHEET NO.	L100



PLANT LEGEND

- SWAMP WHITE OAK (QUE)
- GREEN VASE ZELKOVA
- CADDIS MAPLE
- SHADEMASTER HONEYLOCUS
- GREENSPICE LITTLE LEAF SHUBB
- ALTAMA SERVICEBERRY
- EASTERN REDBUD
- PRARIFIRE CRABAPPLE
- BLACK HILLS SPRUCE
- SEA GREEN JUNCUS
- DIODEFORMIS VIB
- MEYER LILAC
- TRIEY EYE SUMAC
- SNOWGLOBE SPINDA





CLUBHOUSE ELEVATIONS (C1)
SCALE: 1"=12'-0"



TOWNHOME ELEVATIONS (B1)
SCALE: 1"=12'-0"



3-STORY WALK-UP SIDE ELEVATION (A2)
SCALE: 1"=12'-0"



3-STORY WALK-UP FRONT/REAR ELEVATION (A1)
SCALE: 1"=12'-0"

PRINTED: 04/20/2021
10/20/2021 PRELIMINARY PLAN
REVISED:

rosemann & associates PC
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INTERIOR DESIGN
ENGINEERING
PLANNING
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DENVER • KANSAS CITY • ST. LOUIS • ATLANTA

THE RESIDENCES ON WOODSONIA
PRELIMINARY PLAN
K-7 & 83rd STREET
Lenexa, MO

SHEET TITLE:
BUILDING ELEVATIONS

PROJECT NUMBER:
SHEET NUMBER:

A-200

From: Jason@powdercreek.com <Jason@powdercreek.com>

Sent: Wednesday, November 15, 2023 11:51 AM

To: Gloria Lambert <glambert@lenexa.com>

Cc: Dave Newell <newell0012@aol.com>; Joshua Bartel <joshua.bartel@gmail.com>; 'austinw' <austinw@powdercreek.com>

Subject: Lenexa Planning Commission Meeting December 4th, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Gloria,

My name is Jason Spengel and I am the General Manager of Powder Creek Shooting Park. I am emailing you in regards to the notice that Powder Creek received in the mail Monday about the possible rezoning and plan for multifamily buildings in the "8500 block between Woodsonia Drive and Monticello Road." Being that Powder Creek Shooting Park resides due east and directly adjacent from this planned community project, we would like to be a part of your meeting on December 4th, 2023, at 7:00pm, either with oral or written comments or both (whatever the meeting agenda will allow for). Powder Creek would simply like to make the planning commission aware that the shotgun shooting range has been in place for 74 years, that we provide a service to the community for both recreational and fundraising events, and that we hope our business will not be affected by the dwellings being built.

It is Powder Creek's concern that if this project is implemented, multi-family homes are built, and tenants move in but are not warned that they're moving in across the street from a gun range: Powder Creek's good relationship with the community of Lenexa could be adversely effected. Therefore, Powder Creek would like to voice at your meeting that there be some form of written notice from all landlords, realtors, building managers, etc., to all tenants occupying dwellings within close vicinity to the Shooting Park, warning that Powder Creek exists close by and that they are signing off and "acknowledging the fact that they are willing to live with gun range noise pollution in their everyday lives" and hopefully will not call us, the City of Lenexa, or Lenexa Police every time Powder Creek is simply trying to conduct their daily business.

Powder Creek just simply wants to exist as it always has. This is our primary concern and hopefully it warrants time for acknowledgement and oration at your meeting on the 4th. Thank you so much for your time, and if you have any questions or comments, please feel free to reach out to me or Powder Creek before your meeting. We look forward to hearing from you.

Jason Spengel
General Manager
Powder Creek Shooting Park
8601 Monticello Rd
Lenexa, KS 66227
913-422-5063
913-609-7843 (call or text)

6. **The Residences on Woodsonia - Consideration of rezoning and a preliminary plan for a multifamily residential development on property located near future 86th Street between Woodsonia Drive & Monticello Road. PL23-11P, RZ23-08 (Public Hearing)**
 - a. **Consideration of a rezoning from the AG, Agricultural District to the RP-2, Planned (Intermediate-Density) District and the RP-4, Planned Residential (High Density) District. RZ23-08**
 - b. **Consideration of a preliminary plan for a multifamily residential development. PL23-11P**

APPLICANT PRESENTATION

Jason Swords, Sunflower Development, explained that it is a two-phase project that includes townhomes and apartments. He displayed the site plan and said the project consisted of 240 apartments and 481 parking spaces. The dwelling units include 60 one-bedroom units, 120 two-bedroom units and 60 three-bedroom units. They will be adding a new public street going through the site and separating the townhomes from the apartments. There will be a park-like setting on the interior of the apartment homes. Amenities will be provided for both townhomes and apartments. They are aware that Woodsonia Drive needs to be completed along the west property line before they are granted a building permit for the residential developments. More detailed landscaping plans will be provided at final plan stage, but they plan to heavily landscape the site. He talked about the building height and noted they are not proposing to construct the taller buildings next to the single-family homes. He spoke further about the materials and architecture.

STAFF PRESENTATION

Dave Dalecky presented the Staff Report and provided the location of the property and showed the context in relation to the surrounding properties. Mr. Dalecky showed the City's Criteria for Review to rezone properties. He displayed the Future Land Use and Zoning Map and said the requested density is within the FLU designation of units per acre. He showed the site plan and described it as having a ring design. The construction of Woodsonia Drive along the west property line to complete the gap between approximately 86th and the west side of Watercrest Landing is required and will be completed by the applicant or by another developer of a neighboring development. The completion of this section of Woodsonia Drive is a public improvement required for whichever project moves forward first. The landscape plan submitted by the applicant with the preliminary plan shows the number of trees and shrubs that satisfy code requirements. The City Park trail that crosses the site is shown on the Park Trail Master Plan is intended to follow the utility easement and is highlighted on the conceptual plan. It is Staff's recommendation that the trail alignment is pulled away from Monticello Road and moved further to the interior of the site. He discussed the architecture and building design and displayed images of the building elevations. The proposed height of the apartments is 38-feet tall and because regulations the RP-4, Planned Residential (High-Density) District limit the maximum height to 35-feet tall, the applicant is requesting a 3-foot deviation. Staff is supportive of the deviation and recommends approval of the rezoning and preliminary plan.

PUBLIC HEARING

Chairman Poss **OPENED** the Public Hearing and asked if anyone wished to speak on this item.

Paul Griesemer, resident of Watercrest Landing, stated that Sunflower Development met with the Watercrest Landing Homeowners Association (HOA) and the consensus of those that attended the meeting were very supportive of the development. Mr. Griesemer said the HOA appreciated the developer's efforts to be a good neighbor to their subdivision.

Jason Spengel, general manager of Powder Creek Shooting Park, said their property is the 84-acres east of the proposed project. He presented a folder with information about their business and Stephanie Kisler offered to scan the information he provided and email it to the Commissioners the next day. He stated that he was not taking a stance for or against the proposed project. He said Powder Creek has been at that location for 75 years and feels their business is a wonderful recreational concept. They are members of the Chamber of Commerce and want to continue business as usual. They have spoken to Sunflower Development. They would like for Sunflower Development to proactively make potential residents aware of their nearby gun range and the likelihood of hearing gunfire while living at the development.

Chairman Poss informed Jason Spengel that from a legal perspective the developer is not required to disclose that information, it is incumbent upon the perspective resident to do their homework. Jason Swords said it would be bad business practice if they did not let their future tenants know that the range has been there for 75 years. Mr. Swords supports Powder Creek and noted they were aware of their business prior to entering the contract to purchase the land for the residential development.

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

PLANNING COMMISSION DISCUSSION

Commissioner Woolf asked about the sequence of construction in relation to density of townhomes to the apartments. Scott McCullough replied that he is aware of the risk that comes with land use and property concerning future plans and revisions, but Staff is building a solid record of intent with an attempt to lock in the overall design.

Commissioner Burson asked if anyone knew who owned the existing farmhouse located in the northwest corner of the development. Jason Swords replied that a letter was mailed to the homeowner but did not get a response. Commissioner Burson stated it would be appropriate to buffer the apartments for the adjacent property with the farmhouse.

Commissioner Katterhenry said he was glad to see them buffer between the apartments and the single-family development. He said that if there were a change to the townhomes, he encouraged that it would not be at a higher density than what is proposed on this application.

Commissioner Handley asked about whether residents would park at the west side of the main access drive to pick up mail at the clubhouse. Mr. Swords responded that they have not finalized the parking design for the clubhouse yet. Residents will be assigned parking spaces. The clubhouse and pool will likely increase in size and additional parking will be provided in that area. Commissioner Handley asked about the shared amenities and Mr. Swords confirmed that the townhomes and apartment residents will share the amenities.

Commissioner Harber said he appreciates the applicant partnering with Powder Creek and Watercrest Landing residents. Commissioner Harber talked asked if additional parking can be provided for the townhomes so residents and visitors do not parallel park along the drives. Cars parked along the drives detract from the aesthetics of the development.

Commissioner Wagner asked if there was anything within the design of the windows that would add a sound barrier from the gunfire for the residents. Mr. Swords said they have not gotten that far with the plans but will inform future residents of the existing shooting range.

Commissioner Horine and Mr. Swords discussed the access for townhome residents to get to the amenity center. Mr. Swords said there will be crosswalks that are designed for safe pedestrian crossing of the new public street.

Chairman Poss said he is struggling with the application for several reasons. He has concerns with the layout of the 62 townhomes. He talked about the density proposed for the development and the uncertain future of the property. Mr. Swords said the apartment owner will be different from the townhome owner and there will be two different financing packages. They are doing their best to meet requirements for height and parking. Chairman Poss talked about the density of the development. He said the south portion of the project does not seem to be far enough along to be a part of the current layout and plan. Although he approves of the applicant's product, he is not in support of the proposed plans because he feels the density of the north and south should be distributed more evenly. He is concerned with the viability of the plan for the RP-2, Planned Residential (Low Density) District area to the south.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of rezoning property from AG to RP-4 and RP-2 for **The Residences on Woodsonia** located at the northeast corner of 86th Street (future) and Woodsonia Drive.

Moved by Commissioner Horine, seconded by Commissioner Handley, and carried by a voice vote of 8 to 1 with Chairman Poss dissenting.

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan for **The Residences on Woodsonia** located at the northeast corner of 86th Street (future) and Woodsonia Drive, for multifamily uses, with a deviation from the UDC as listed in the Staff Report.

Moved by Commissioner Burson, seconded by Commissioner Wagner, and carried by a voice vote of 8 to 1 with Chairman Poss dissenting.

RZ 23-__

ORDINANCE NO. _____

AN ORDINANCE REZONING PROPERTY LOCATED AT THE NORTH AND SOUTHEAST CORNERS OF 86TH STREET AND WOODSONIA DRIVE IN LENEXA, KANSAS FROM THE AG, AGRICULTURAL ZONING DISTRICT TO THE RP-2, PLANNED RESIDENTIAL (INTERMEDIATE-DENSITY) ZONING DISTRICT AND RP-4, PLANNED RESIDENTIAL (HIGH-DENSITY) ZONING DISTRICT.

WHEREAS, on October 30, 2023, Brian Hill, agent for Sunflower Development Group, owner of record, filed a request to rezone property located at the north and southeast corners of 86th Street and Woodsonia Drive in Lenexa, Kansas (the "Property") from the AG, Agricultural Zoning District to the RP-2, Planned Residential (Intermediate-Density) Zoning District and the RP-4, Planned Residential (High-Density) Zoning District; and

WHEREAS, on December 4, 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 December 19, 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 hereinafter described, now zoned AG, Agricultural Zoning District, is hereby rezoned to RP-2, Planned Residential (Intermediate-Density) and RP-4, Planned Residential (High-Density) Zoning Districts as reflected in the minute record of the December 19, 2023, Governing Body meeting, to wit:

The following property is rezoned to RP-2, Planned Residential (Intermediate Density)

All that part of the Southwest Quarter of Section 27, Township 12S, Range 23E of the 6th Principal Meridian in the City of Lenexa, Johnson County, Kansas described as follows:

Beginning at the Southeast corner of said Southwest Quarter; thence on the South line thereof S88°08'01"W a distance of 1331.62' to the Southwest corner of

the Southeast Quarter of said Southwest Quarter section; thence on the West line thereof N02°02'42"W a distance of 609.77'; thence N89°03'12"E a distance of 592.11'; thence on a curve having a radius of 333.00' and a chord bearing of N58°32'36"E an arc length of 354.64'; thence on a curve having a radius of 333.00' and a chord bearing of N51°40'24"E an arc length of 274.79'; thence N75°18'47"E a distance of 177.03'; thence N87°49'15"E a distance of 54.93' to a point on the East line of the Southwest Quarter of said Section 27; thence on said East line S02°10'18"E a distance of 965.52' to the Point of Beginning, containing 21.89 acres, more or less, subject to the rights of way of Monticello Road and Woodsonia Drive, respectively, and subject to easements of record.

The following property is rezoned to RP-4, Planned Residential (High-Density)

All that part of the southwest quarter of Section 27, Township 12S, Range 23E of the 6th Principal Meridian in the City of Lenexa, Johnson County, Kansas described as follows:

Commencing at the Southeast corner of said Southwest Quarter; thence on the South line thereof S88°08'01"W a distance of 1331.62' to the Southwest corner of the Southeast Quarter of said Southwest Quarter section; thence on the West line thereof N02°02'42"W a distance of 609.77' to the Point of Beginning; continuing on said west line N02°02'42"W a distance of 725.06' to the Northwest corner of said Quarter-Quarter section; thence on the North line thereof N87°56'31"E a distance of 965.21'; thence departing said North line S02°00'51"E a distance of 273.97'; thence on a non tangent curve to the left having a radius of 275.00' and a chord bearing of S65°50'17"E an arc length of 134.74'; thence S79°52'28"E a distance of 194.17'; thence S75°18'47"W a distance of 177.03'; thence on a curve having a radius of 333.00' and a chord bearing of S51°40'24"W an arc length of 274.79'; thence on a curve having a radius of 333.00' and a chord bearing of S58°32'36"W an arc length of 354.64'; thence S89°03'12"W a distance of 592.11' to the Point of Beginning, containing 16.08 acres, more or less, subject to the rights of way of Monticello Road and Woodsonia Drive, respectively, and subject to easements of record.

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 December 19, 2023.

SIGNED by the Mayor December 19, 2023.

CITY OF LENEXA, KANSAS

Julie Sayers, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Steven Shrout, Assistant City Attorney



**CITY COUNCIL
MEMORANDUM**

ITEM 7

SUBJECT: Preliminary plan for Cedar Canyon West Commercial for retail, restaurant, office, and service station uses located near the northeast corner of K-10 Highway & Canyon Creek Boulevard in the CP-2, Planned Community Commercial District

CONTACT: Stephanie Kisler, Planning Manager

DATE: December 19, 2023

ACTION NEEDED:

Approve a preliminary plan/plat for a commercial development featuring retail, restaurants, office, and service station uses known as Cedar Canyon West, located at approximately the northeast corner of K-10 Highway & Canyon Creek Boulevard within the CP-2, Planned Community Commercial District.

APPLICANT:

Dan Foster, Schlagel & Associates

OWNER:

Speedway II, LLC

PROPERTY LOCATION/ADDRESS:

Near the northeast corner of K-10 Highway & Canyon Creek Boulevard

PROJECT BACKGROUND/DESCRIPTION:

The applicant proposes a commercial development located near the northeast corner of K-10 Highway & Canyon Creek Boulevard, specifically east of the intersection of future 100th Street & Canyon Creek Boulevard. The plan includes one tract and six lots with one single-story commercial building per lot. The total building area is 40,440 square feet. The buildings include a service station (gasoline sales with a convenience store), two retail/restaurant buildings with drive-thrus, and three retail/office buildings and associated parking lots.

Access to the site will be from the new public street, 100th Street, which has been designed concurrently with this plan and will be constructed with the Canyon Creek Apartments development, which is located east of the subject project within the Cedar Canyon West development.

Four deviations from the regulations within the Unified Development Code (UDC) were requested as noted in Table 1. Staff and the Planning Commission support the proposed deviations. The deviations were deemed reasonable based on the context of the site, including that the property is relatively narrow for commercial development, and that the site is adjacent to the off-ramp for K-10 Highway, which pushes the project back from the main highway lanes and the noise associated with highway traffic. At this time, it is not anticipated that the Kansas Department of Transportation (KDOT) would need to acquire additional rights-of-way in this area.

TABLE 1: DEVIATIONS ANALYSIS

	Required Minimum Setback	Proposed Setback	Difference
Freeway Setback	100'	29' to 16'	-71' to - 84'
Perimeter Landscape Buffer (Freeway)	100'	16' at closest point	- 84'
Perimeter Landscape Buffer (Interior Lot Line)	10'	9'	-1'
Gas Pump Island Queue	50'	30'	-20'

STAFF RECOMMENDATION:

Approval of the preliminary plan/plat.

PLANNING COMMISSION ACTION:

This item was considered as Regular Agenda Item 4 at the December 4, 2023 Planning Commission meeting.

Planning Commissioners discussed several aspects of the site with staff and the applicant, including justification for the deviations, vehicular circulation within the site, improvements to perimeter streets and building architecture.

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan/plat and deviations for Cedar Canyon West Commercial, located approximately at the northeast corner of K-10 Highway & Canyon Creek Boulevard, for multi-tenant commercial uses. Moved by Commissioner Handley, seconded by Commissioner Burson, and carried by a unanimous voice vote.

VISION / GUIDING PRINCIPLES ALIGNMENT:**Vision 2040**

Thriving Economy

Guiding Principles

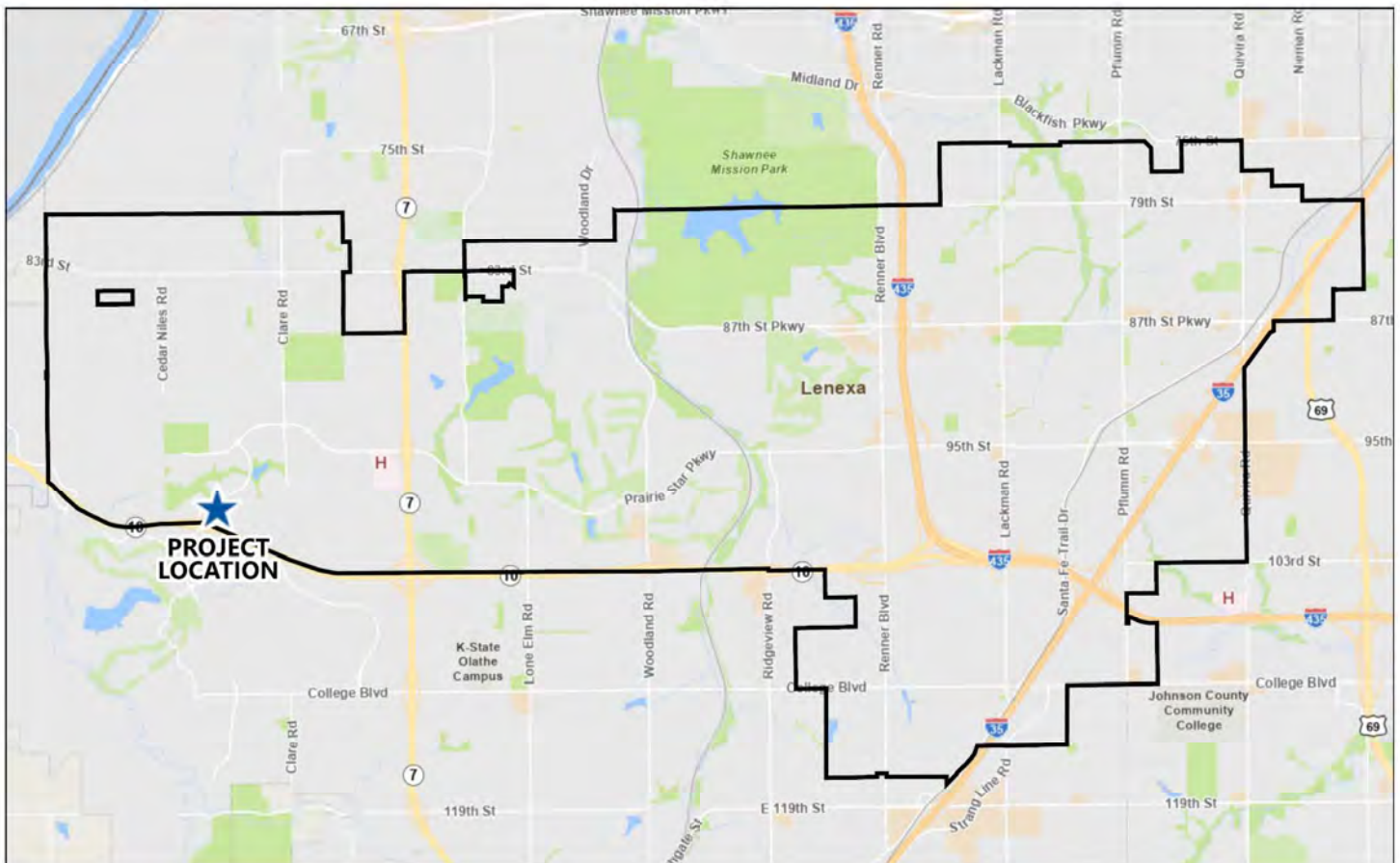
Responsible Economic Development

ATTACHMENTS

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

CEDAR CANYON WEST COMMERCIAL

Project #:	PL23-08P	Location:	Near the northeast corner of Canyon Creek Blvd & K-10 Highway
Applicant:	Dan Foster, Schlagel & Associates	Project Type:	Preliminary Plan/Plat
Staff Planner:	Logan Strasburger	Proposed Use:	Commercial



PROJECT SUMMARY

The applicant seeks approval of a preliminary plan/plat for Cedar Canyon West Commercial, a commercial development located near the northeast corner of Canyon Creek Boulevard and K-10 Highway, specifically east of the intersection of future 100th Street and Canyon Creek Boulevard. The plan includes plans for six lots with one single-story commercial building per lot and one tract. The total building area is 40,550 square-feet. The six proposed buildings include a convenience store with a fueling station, two retail/restaurant buildings with drive-thrus, and three retail/office buildings. The proposed preliminary plan/plat is consistent with the approved concept plan for Cedar Canyon West tracts one and two, which was approved by the Governing Body in February 2023. The applicant requests four deviations from the Unified Development Code (UDC) related to setback and landscape requirements. This project does not require a Public Hearing.

STAFF RECOMMENDATION: APPROVAL

SITE INFORMATION

The subject site is 12.82 acres of undeveloped land located near the northeast corner of Canyon Creek Boulevard and K-10 Highway within the CP-2 Zoning District. Relevant planning approvals include:

- February 7, 2023: Governing Body approves a concept plan and rezoning of a 112-acre mixed-use development known as Cedar Canyon West (PL22-04CP and RZ22-09). The subject area, which includes Tract 1 and Tract 2 from the approved concept plan, was rezoned from AG, Agricultural District and CP-2, Planned Community Commercial District to CP-2, Planned Community Commercial District. See Exhibit 2 and 3.
- September 19, 2023: Governing Body approves a preliminary and final plat for a public street (100th Street) connecting Canyon Creek Boulevard and West 99th Street (PT23-04P & PT23-18F).

LAND AREA (AC)	BUILDING AREA (SF)	CURRENT ZONING	COMP. PLAN
12.82	40,550	CP-2	Community Commercial Center & Office, Research & Development

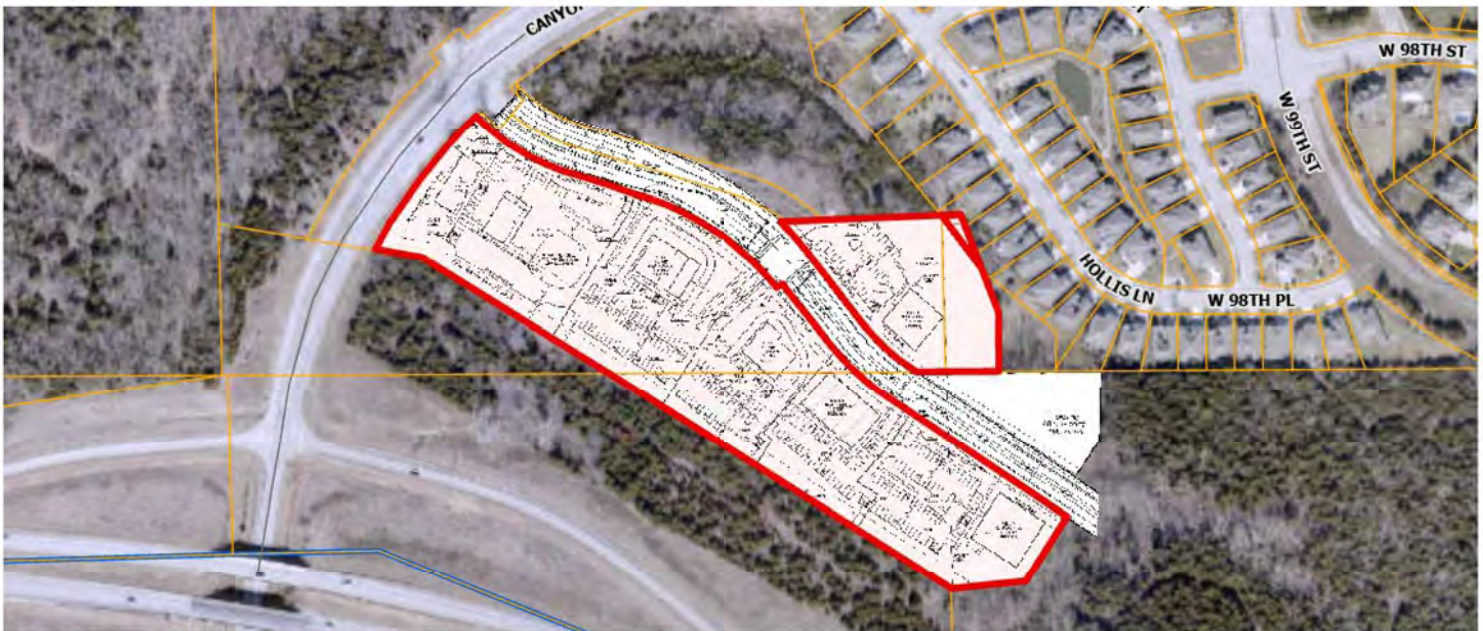


Exhibit 1: Aerial Image of Subject Site

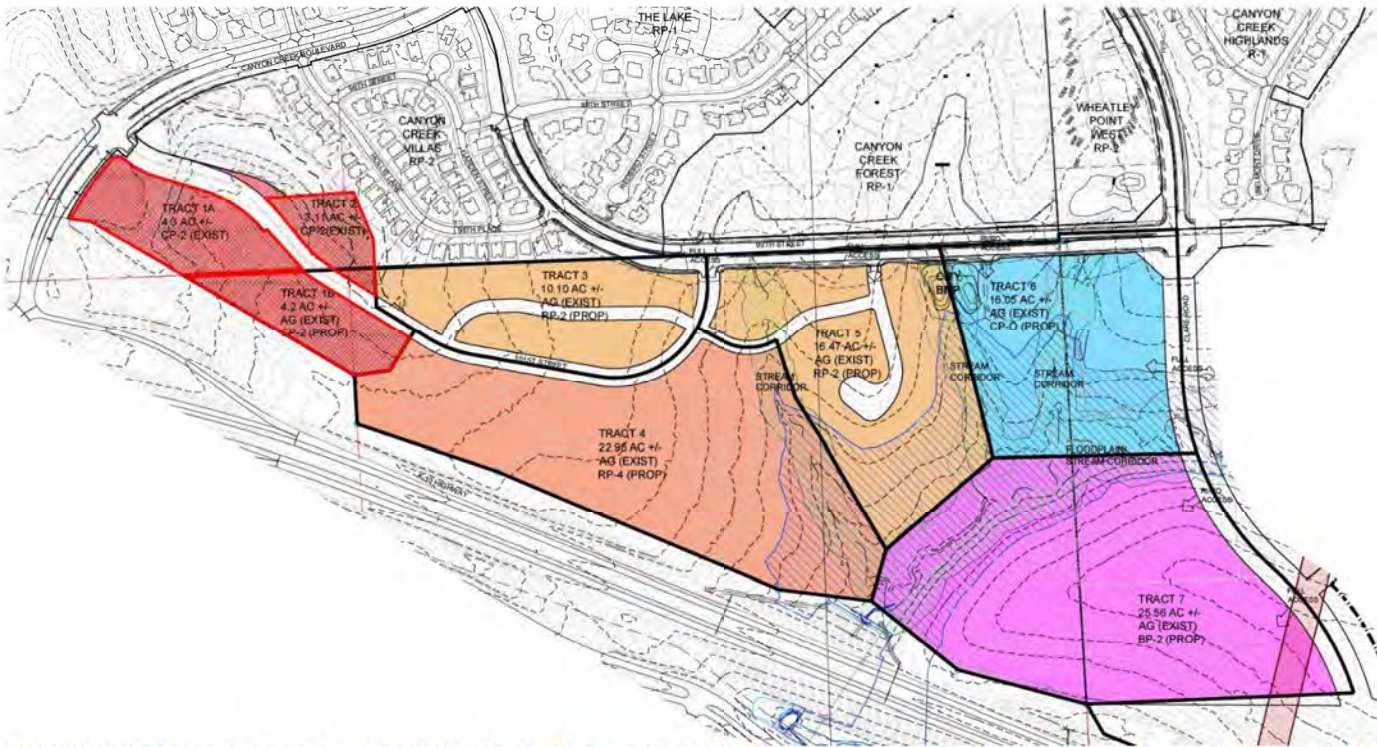


Exhibit 2: Approved map of tracts within Cedar Canyon West, a 112-acre mixed-use development. The subject area is hatched and outlined in red. (Tract 1a, Tract 1b, and Tract 2).

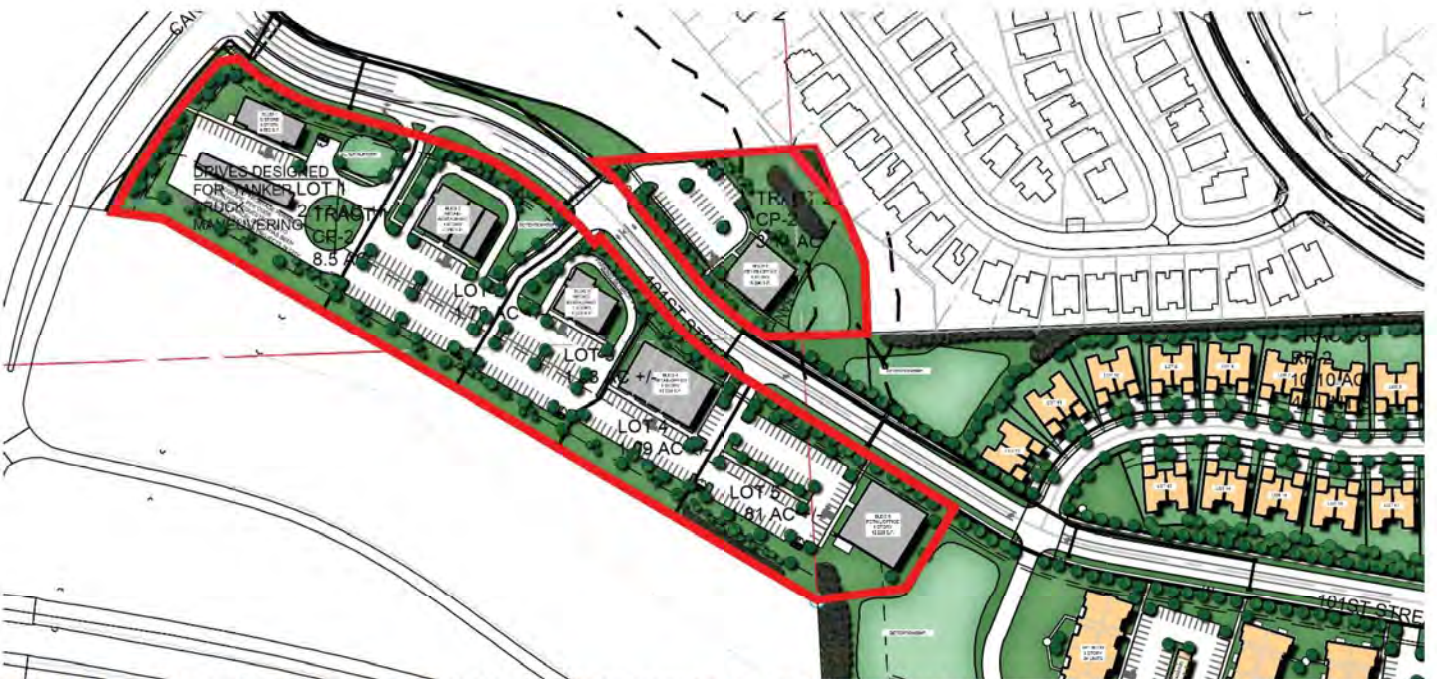


Exhibit 3: Approved Cedar Canyon West Concept Plan from February 2023. Subject site outlined in red.

LAND USE REVIEW

The proposed development includes commercial uses such as service station, retail, office, and restaurant uses. The proposed land use was approved as a larger concept plan known as Cedar Canyon West. The Governing Body affirmed the rezoning based on Staff determination that the proposed uses and surrounding uses would be compatible. The current Comprehensive Plan calls for office uses at this location; however, given that the Governing Body recently approved the rezoning and concept plan for Cedar Canyon West, Staff is recommending to the consultant working on the Comprehensive Plan that the Future Land Use designation be updated to align with the approval of Cedar Canyon West, which would change the designation from office to commercial in this area. The new Comprehensive Plan is slated to be completed in early 2024.

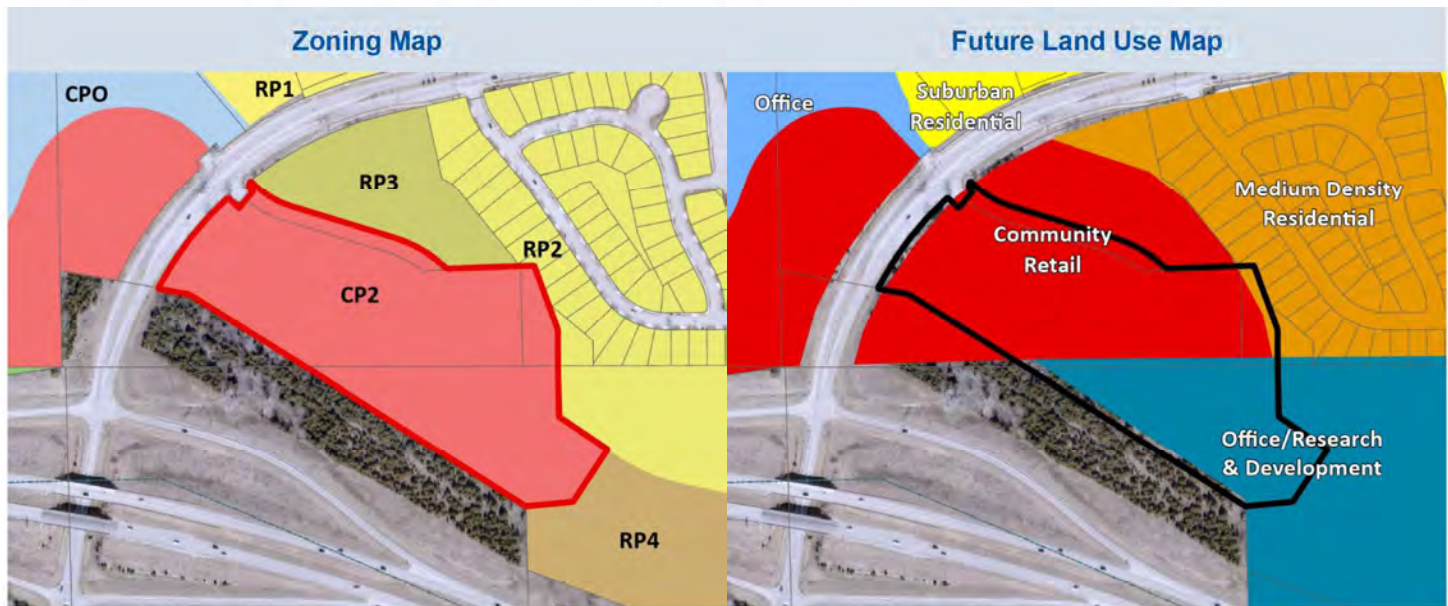


TABLE 1: COMPARISON OF SURROUNDING PROPERTIES

Vicinity	Land Use Designation	Zoning	Current Use
Subject Property	Community Retail; Office, Research & Development; Medium-Density Residential	CP-2, Planned Community Commercial District	Undeveloped
North	Medium Density Residential	RP-3, Residential District, Residential Planned (Medium-High Density) District; RP-2, Residential District, Residential Planned (Intermediate-Density) District	Residential, Undeveloped
South	K-10 Highway Right-of-Way	K-10 Highway Right-of-Way	K-10 Highway Right-of-Way
East	Office, Research & Development; Medium-Density Residential	RP-4, Planned Residential (High-Density) District, RP-2, Planned Residential (Intermediate-Density) District	Residential, Undeveloped
West	Community Retail; Office	CP-O, Planned General Office District; CP-2, Planned Community Commercial District	Undeveloped

PRELIMINARY PLAN REVIEW

The plan features six lots, all with one single-story building per lot. The buildings range in size from 4,500 to 10,000 square-feet. The proposed layout is consistent with the approved concept plan and rezoning (PL22-04CP & RZ22-09) for Tract 1 and Tract 2 of Cedar Canyon West. The proposed uses complement existing single-family and future multifamily residential development while transitioning development southerly toward K-10 Highway.

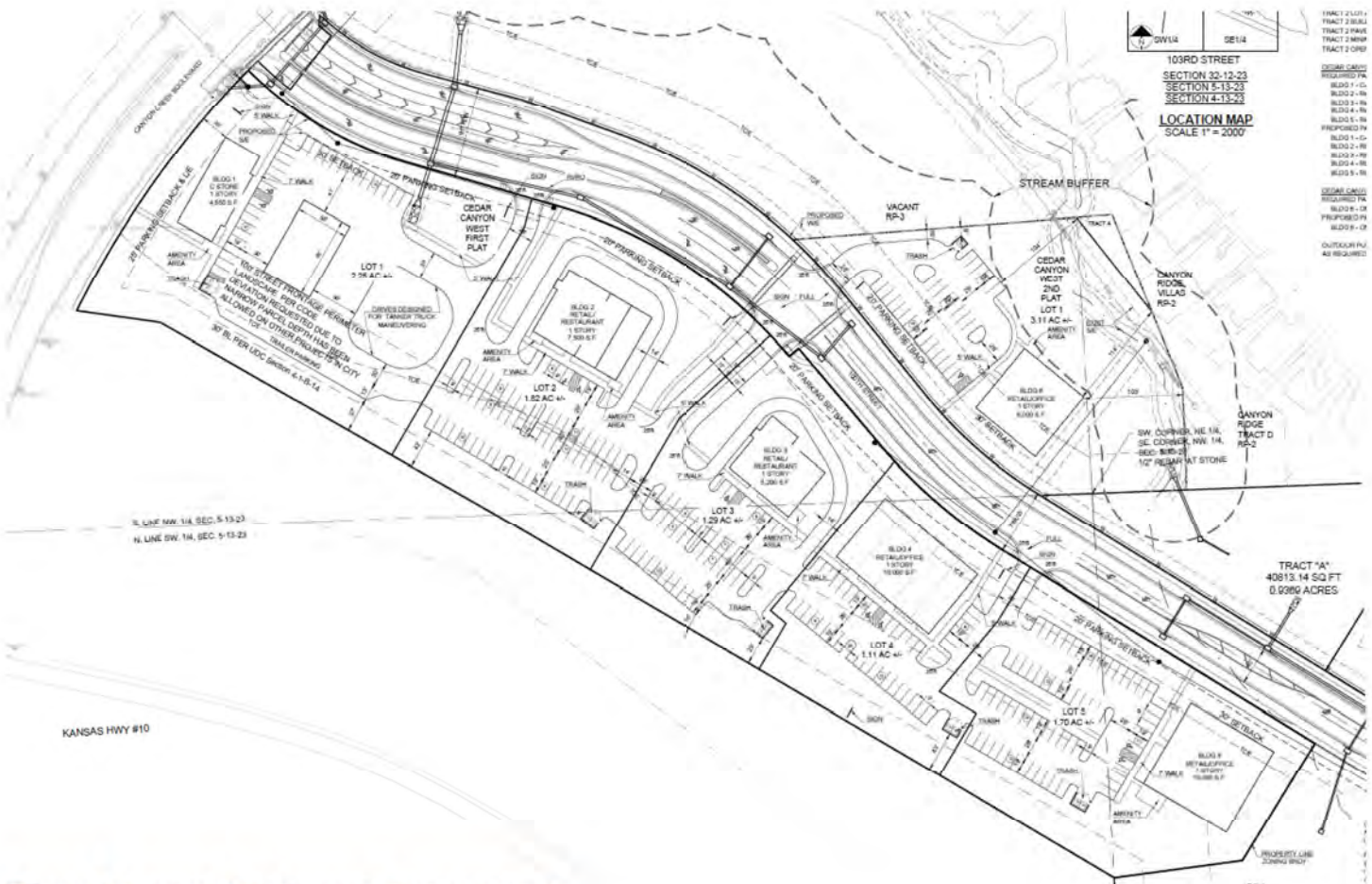


Exhibit 4: Excerpt of the Proposed Preliminary Plan.

The preliminary plan is contingent on the platting for 100th Street, which is the access point for the lots. The site contains a stream and stream buffer area. A portion of the stream buffer lies within proposed Tract B, Lot 1 and Tract C which shares property lines with adjacent residential properties. The site meets open space requirements as each lot has dedicated amenity spaces. Landscape requirements are met and further landscaping details are required for all future final plans for each lot.

DIMENSIONAL STANDARDS

The plans comply with dimensional standards other than the requested deviations related to setbacks for the gas island pump, perimeter plantings, and freeway setback. The approved concept plan contemplated a deviation for the freeway setback requirement. The deviation requests are discussed in greater detail within the *Deviations* section of this Staff Report.

PUBLIC IMPROVEMENTS

The project includes the construction of W. 100th Street. The street will include associated infrastructure such as sidewalks and lighting. These public improvements will be completed by the developer. W. 100th Street must be substantially complete prior to issuance of commercial building site permits and accepted for maintenance prior to occupancy.

TRAFFIC, ACCESS, AND PARKING

This site will be accessed from future W. 100th Street that connects Canyon Creek Boulevard to W. 99th Street. There will be two full access entrances from W. 100th Street, one of which will serve Tract B, Lot 1 on the north side of 100th Street. There will also be one right-in, right-out access point from eastbound 100th Street that provides access closest to the service station and connects to the remainder of the shopping center.

Sidewalks are planned along W. 100th Street and along Canyon Creek Boulevard. An internal sidewalk will be provided between Canyon Creek Boulevard and Tract A, Lot 1 (service station). The public sidewalk network along 100th Street will connect to internal sidewalks with direct connections to all buildings, parking areas, and amenity spaces.

Bicycle parking is required for final plan applications for each lot. A traffic study may be required in the future for final plan applications for each lot depending on the proposed use.

A cross-access and shared parking agreement is required at time of final plat approval.

Parking will be reviewed in greater detail at the time when final plans are submitted for each lot. The preliminary plan contemplates service station, retail, restaurant, and office uses. Table 2 provides calculations for parking based on anticipated uses and square footages on the preliminary plan.

TABLE 2: PARKING ANALYSIS

Requirement	Parking Formula	Required Parking	Proposed Parking	Difference
Shopping Center (Tract A, Lots 1-5)	1 space per 250 SF	189	252	+ 63
Retail/Office (Tract B, Lot 1)	1 space per 250 SF	24	24	0

STORMWATER

The applicant submitted a preliminary stormwater management plan/study for the proposed development indicating the intent to meet the City's stormwater standards and requirements. Generally, the site will provide various best management practices (BMPs) such as detention basins, underground detention, and native vegetation to meet stormwater detention requirements as well as water quality requirements.

The north and northeastern portion of the site, most specifically within Tract B, Lot 1, is generally identified as stream buffer. The applicant set the site's general infrastructure (parking lots, buildings, etc.) outside of the floodplain and adjacent stream buffer.

Tract C lies completely within the floodplain and streamway buffer and is not to be improved or built upon.

FIRE PREVENTION

The Fire Department reviewed the plans based on the current adopted fire codes and local amendments. All general planning review comments have been acknowledged or satisfied and there are no outstanding Fire Department planning review items that need to be addressed for this project to move forward. A more detailed fire code review will be conducted based on the adopted codes at the time of the building permit documentation submittal.

LIGHTING

A preliminary photometric plan has not been submitted. Details for lighting shall be reviewed at final plan stage.

LANDSCAPING

Section 4-1-D-2 of the UDC requires development to establish trees, landscaping, and buffering to enhance the site for existing and future residents. The intention of landscape requirements is to enhance the value and appearance of the development and to provide a natural buffer between different land uses, and in this case, a buffer between the highway and the subject site and a buffer between the subject site and northerly adjacent residential development.

The applicant intends to preserve as many trees as possible. The applicant proposed additional evergreen trees in lieu of shrubs throughout the site. Additional review of the landscape plan will be conducted during the final plan/plat application.

SIGNAGE

The applicant provided preliminary information related to proposed signage. Staff and the applicant will discuss signage in more detail at final plan stage.

ARCHITECTURE

All six proposed buildings are one-story at ground level and of similar architectural style. Accessory structures, such as the gas canopy, also share similar architectural elements. External architectural materials include grey split face block, brown brick, brown brick veneer, and dark grey stucco. Architectural materials are used in varying degrees on all buildings. Brick and block are used heavily along the base of all buildings and other materials, such as the grey stucco, are used to a lesser degree on the upper portion of the structures. A dark grey accent band is utilized in various ways on all buildings to transition from brick or block to stucco. All windows are aluminum. The gas canopy structure features steel columns with brown brick veneer and the roof trim consists of prefinished grey metal. Rooftop units on all buildings will be screened. Other required functional equipment that is to be placed at ground level, such as utility meters and piping, will be screened from view.

Additional review of proposed architecture will be discussed at time of final plan submission. As required, the applicant provided preliminary architectural elevations and details. The following elevations are more conceptual and therefore, will undergo additional revisions once a final plan is submitted.



GREY SPLIT FACE BLOCK



BROWN BRICK



DARK GREY STUCCO

Exhibit 5: Proposed material palette.



Exhibit 6: Convenience store front elevation.



Exhibit 7: Convenience store rear elevation.

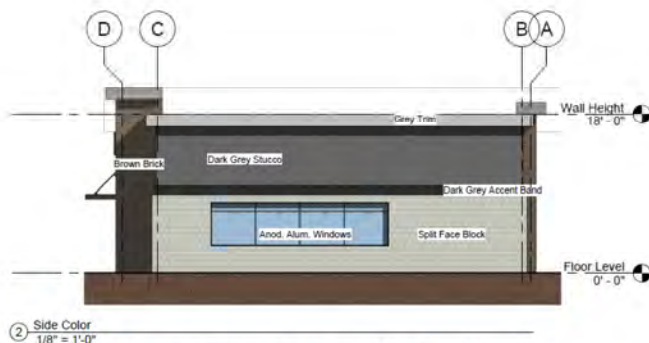


Exhibit 8: Convenience store north side elevation.

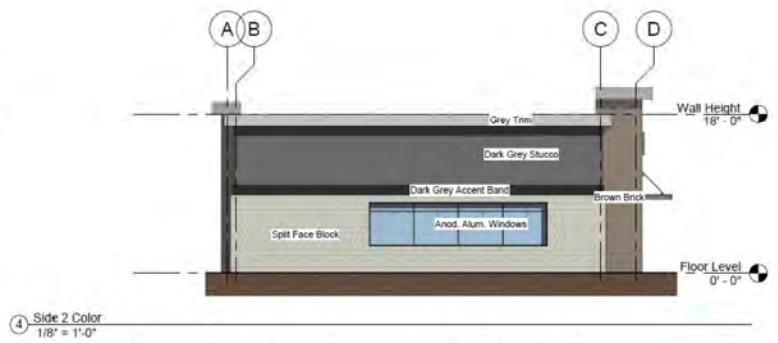


Exhibit 9: Convenience store south side elevation.

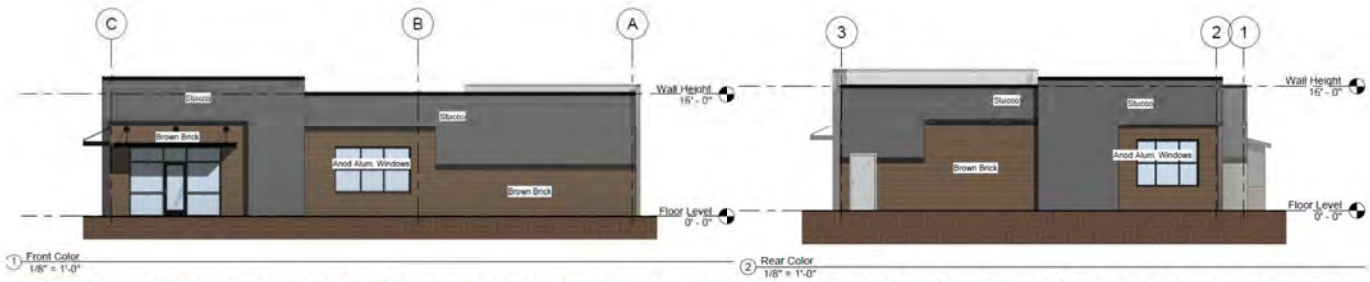


Exhibit 10: Left: Restaurant/retail with drive-thru front (main entrance) elevation. Right: Restaurant/retail with drive-thru rear elevation.



Exhibit 11: Restaurant/retail with drive-thru side elevation.

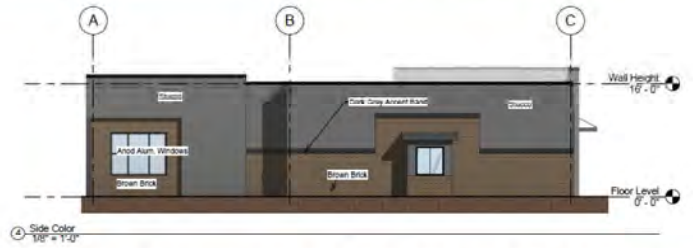


Exhibit 12: Restaurant/retail with drive-thru side elevation.

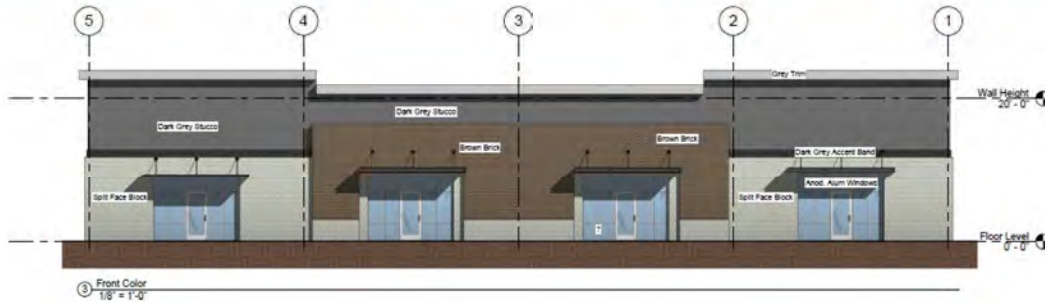


Exhibit 13: Multitenant retail/office building front (main entrances) elevation.

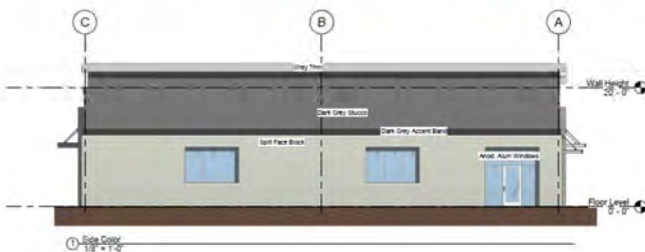


Exhibit 14: Multitenant retail/office building side elevation.

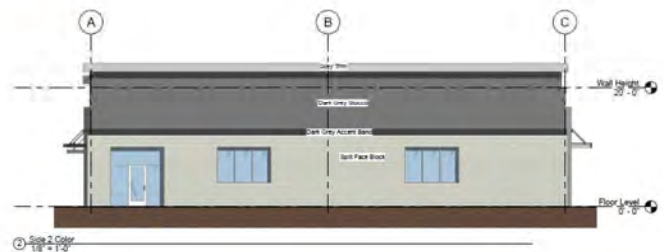


Exhibit 15: Multitenant retail/office building side elevation.

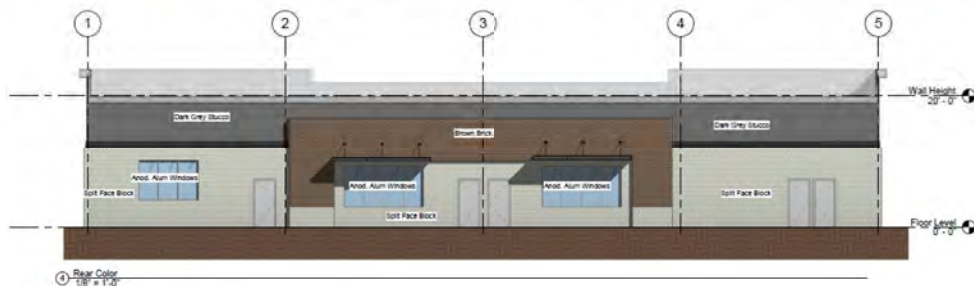


Exhibit 16: Multitenant retail/office building rear elevation.

PRELIMINARY PLAT REVIEW

The preliminary plan is intended to serve as the preliminary plat. This application is for 12.52 acres in the CP-2 Zoning District. The plat contains three tracts (Tract A, B, and C), which will later be platted into six lots and one tract along with portions of required right-of-way. The applicant intends to plat Tract A first (five lots), then Tract B and Tract C together as a second plat (one lot, one tract). Tract C falls within a flood zone and streamway buffer setback.

The preliminary plat identifies that the second plat will include Lot 1 and Tract A (currently shown as Tract C). Staff notes that the second plat should continue the lot numbering from the first plat, so the lot would be named Lot 6 instead of Lot 1. Staff will review the final labeling of lots and tracts at final plat stage.

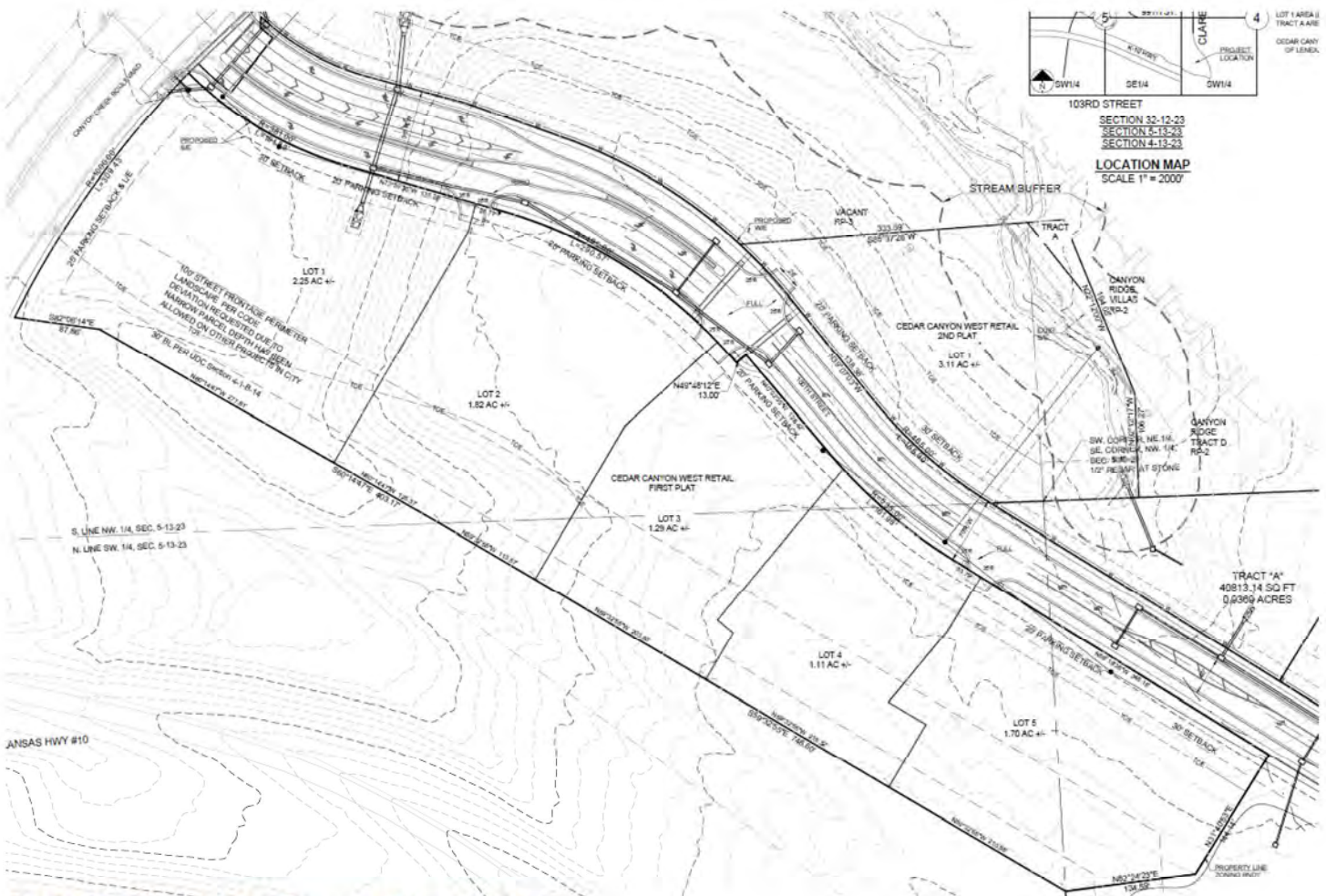


Exhibit 17: Excerpt of the Proposed Preliminary Plat.

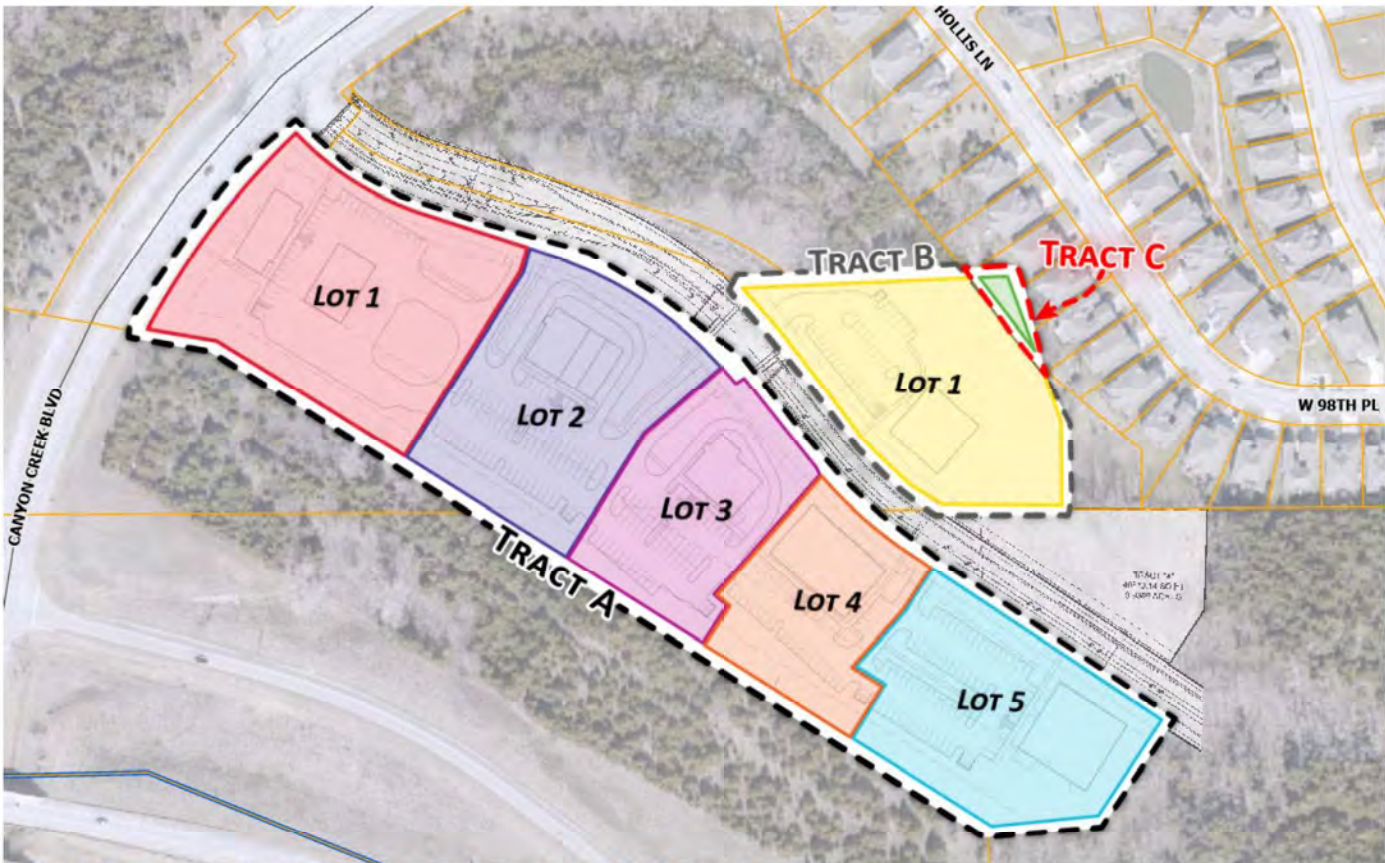
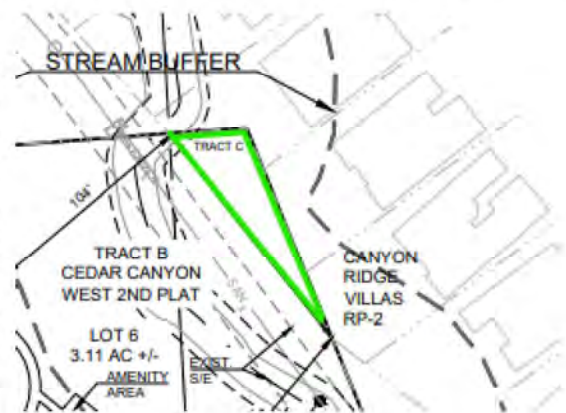


Exhibit 18: Graphic illustrating tracts, lots, and future 100th Street.

Notable elements of the plat:

- Tract A, Lots 1 through 5 will have two full access points to 100th Street and one right-in right-out access onto eastbound 100th Street.
- Tract B, Lot 1 will have one full access point to 100th Street.
- Tract C is located within the stream buffer area and is not developable. The developer of the subdivision to the north did not acquire the property in Tract C which resulted in smaller, shallow back yards for a few single-family lots in the subdivision (see graphic at right). Tract C is being created to provide the property owner with an opportunity to more easily convey this land to the property owners to the north to provide deeper, squared-off back yards. The City is not requiring the transfer of Tract C and any future real estate transfers will be a private transaction between the property owners.



Dedications and easements on the final plat include:

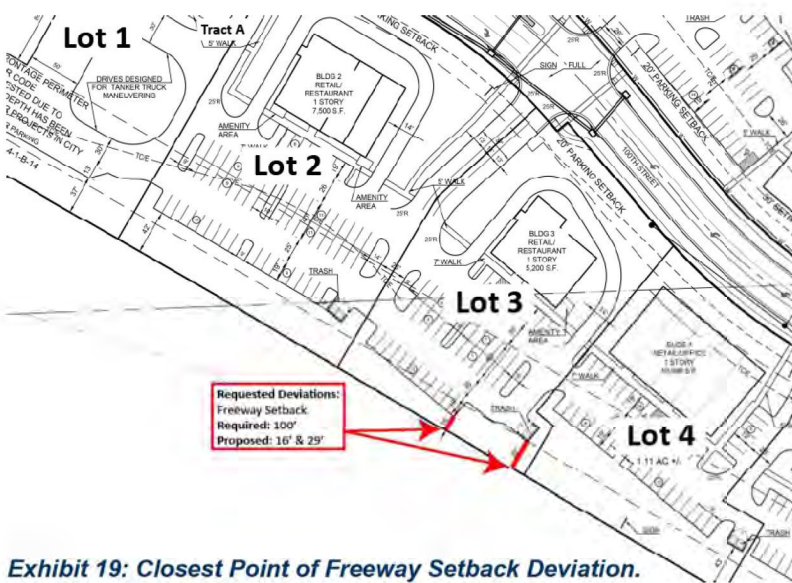
- A utility easement shall be dedicated to the City of Lenexa.
- A drainage easement shall be dedicated to the City of Lenexa.
- A sanitary sewer easement shall be dedicated to Johnson County Wastewater.
- A water easement shall be dedicated to WaterOne.
- A stormwater BMP easement shall be dedicated to the City of Lenexa.

DEVIATIONS

The applicant requests four deviations related to setback and landscape requirements.

FREEWAY SETBACK – TRACT A, LOTS 1-5

Section 4-1-B-26-C-1 of the UDC requires a 100' setback from the right-of-way line adjacent to a freeway. The applicant requests a deviation to allow parking and trash enclosures within the required 100' freeway setback along Tract A, Lots 1-5. Specifically, the parking lot pavement and trash enclosures will encroach up to 84' into the required 100' setback at the closest point. The closest trash enclosure is 29' from the south property line and the closest portion of parking lot pavement is 16' from the south property line.



No buildings are proposed within the setback, including the gas canopy. At the time of rezoning and concept plan, it was noted that the applicant for this commercial development would pursue this deviation with a preliminary plan. The proposed deviation is necessary due to constrained site conditions, such as existing topography and existing environmental features. Additionally, Staff requested that the applicant reposition several proposed buildings, including the convenience store, which required the applicant to reconfigure parking and resulted in a greater encroachment within the freeway setback than initially proposed. Staff's request to reposition the buildings resulted in a better overall site layout. To mitigate the requested deviation, the applicant is adding trees along the south property line to provide buffering and

Exhibit 19: Closest Point of Freeway Setback Deviation.

sound barriers for the commercial development. The proposed deviation is consistent with a similar deviation granted to a nearby multifamily residential development (Canyon Creek Apartment Homes, PL23-20F) within Cedar Canyon West.

According to the applicant, the developer communicated with Kansas Department of Transportation (KDOT) regarding development of this site. KDOT communicated that there are no plans to expand this section of K-10 Highway. There is a significant distance, roughly 308' at its closest point and 378' at its farthest point, from the subject site's property line and the nearest curb and through lane of K-10.

Staff supports the requested deviation from the 100' freeway setback requirement.

TABLE 3: FREEWAY SETBACK ANALYSIS			
Buffer	Required Minimum Setback	Proposed Setback	Difference
K-10 (Freeway)	100'	16' at the closest point of the parking lot	- 84'
		29' at the closest point of a trash enclosure	- 71'

FREEWAY PERIMETER LANDSCAPE BUFFER DEPTH – TRACT A, LOTS 1-5

Section 4-1-D-2-L of the UDC requires a landscape buffer of a minimum of 100' depth from the property line when located adjacent to a freeway. The applicant requests to encroach a maximum of 84' into the 100' required freeway perimeter landscape buffer along Tract A, Lots 1-5. The proposed plans depict the landscape buffer as narrow as 16' at the closest point to the south property line; however, the buffer provided is generally at least 40' wide.

The applicant is mitigating the requested deviation by preserving existing trees and adding trees exceeding the requirements for quantity of trees. Staff supports the requested deviation from the required freeway perimeter landscape buffer depth.



Exhibit 20: Graphic depicting required 100' freeway perimeter landscape depth with proposed depth (16') and the requested encroachment (84').

TABLE 4: FREEWAY PERIMETER LANDSCAPE BUFFER ANALYSIS			
Buffer	Required Minimum Depth	Proposed Depth	Difference
Freeway Perimeter	100'	16' at closest point	- 84'

GAS PUMP ISLAND SETBACK – TRACT A, LOT 1

Section 4-1-D-1-N-1 of the UDC requires a 50' setback from each end of the pump island to accommodate anticipated queue space and circulation around gasoline pumps. On Tract A, Lot 1, the applicant requests to encroach a maximum of 20' into the required 50' setback on the west side of the gas canopy, which provides a minimum 30' setback between the adjacent parking spaces and the gas canopy. Additionally, the applicant requests to encroach a maximum of 9' into the setback on the north side of the gas canopy, which results in a 41' setback between the adjacent parking spaces and the gas canopy. The setback is met on the east and south sides of the gas canopy. Staff is aware of other gas stations in Lenexa that do not conform to the 50' setback requirement and encroach similar distances into the required setback. The site provides additional room for circulation on the east and south sides of the canopy, so Staff believes all gas pump queuing will remain on-site and not interfere with traffic on 100th Street. Staff supports the requested deviation from the 50' setback from each end of the pump island.

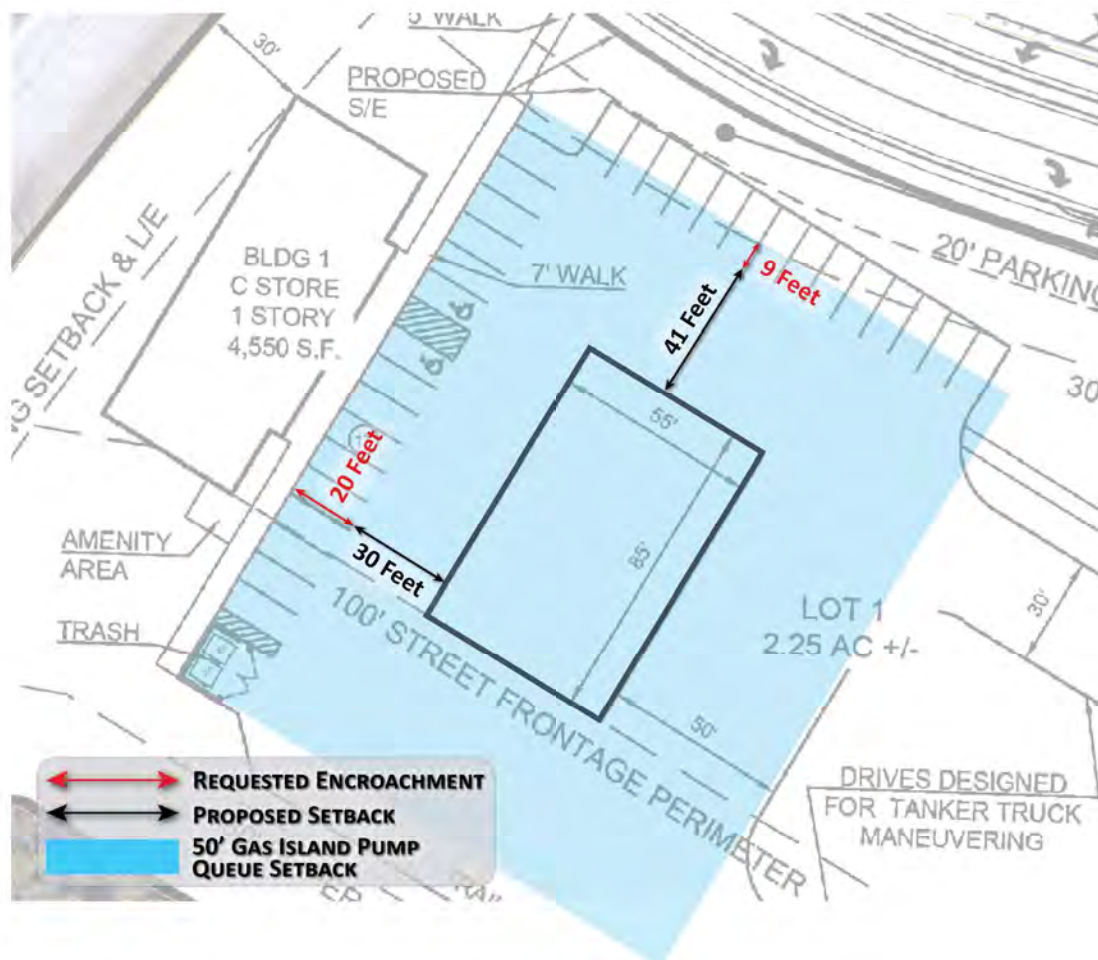


Exhibit 21: Graphic illustrating requested deviation from the 50' gas pump queue line setback.

TABLE 5: GAS PUMP ISLAND SETBACK ANALYSIS			
	Required Minimum Setback	Proposed Setback	Difference
Gas Pump Island Queue Space	50'	30'	- 20'

PERIMETER LANDSCAPE AREA – TRACT B, LOT 1

Section 4-1-D-2-L of the UDC requires a minimum depth of 10' for perimeter landscape areas along interior lot lines. The applicant requests to encroach 1' into the required 10' perimeter landscape area along the north property line of Tract B, Lot 1 where the trash enclosure is located. The remainder of the northern perimeter landscape buffer will meet or exceed the 10' minimum depth. There is limited buildable area of this lot due to the streamway setback. This area will be landscaped with the required quantity of plantings. Staff supports the requested deviation from the required perimeter landscape area.

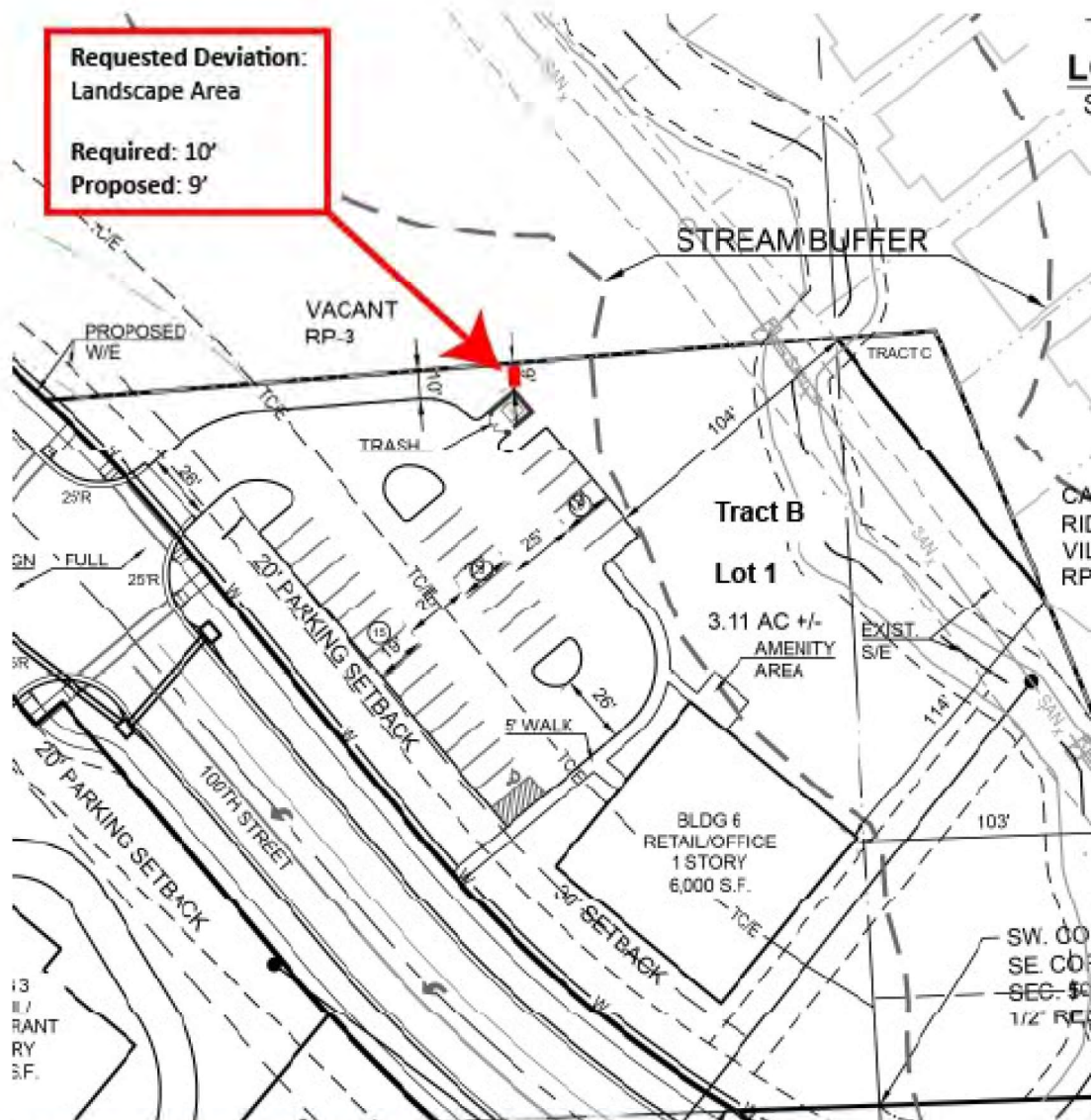


Exhibit 22: Graphic showing requested perimeter landscape area setback.

TABLE 6: PERIMETER LANDSCAPE AREA ANALYSIS

Perimeter Landscape Area	Required Minimum Depth	Proposed Depth	Difference
Interior Lot Line	10'	9'	-1'

REVIEW PROCESS

- This project requires a recommendation from the Planning Commission and final approval by the City Council. Pending a recommendation from the Planning Commission, the project is tentatively scheduled for consideration from the City Council on December 19, 2023.
- The applicant should inquire about additional City requirements, such as permits and development fees.

RECOMMENDATION FROM PROFESSIONAL STAFF

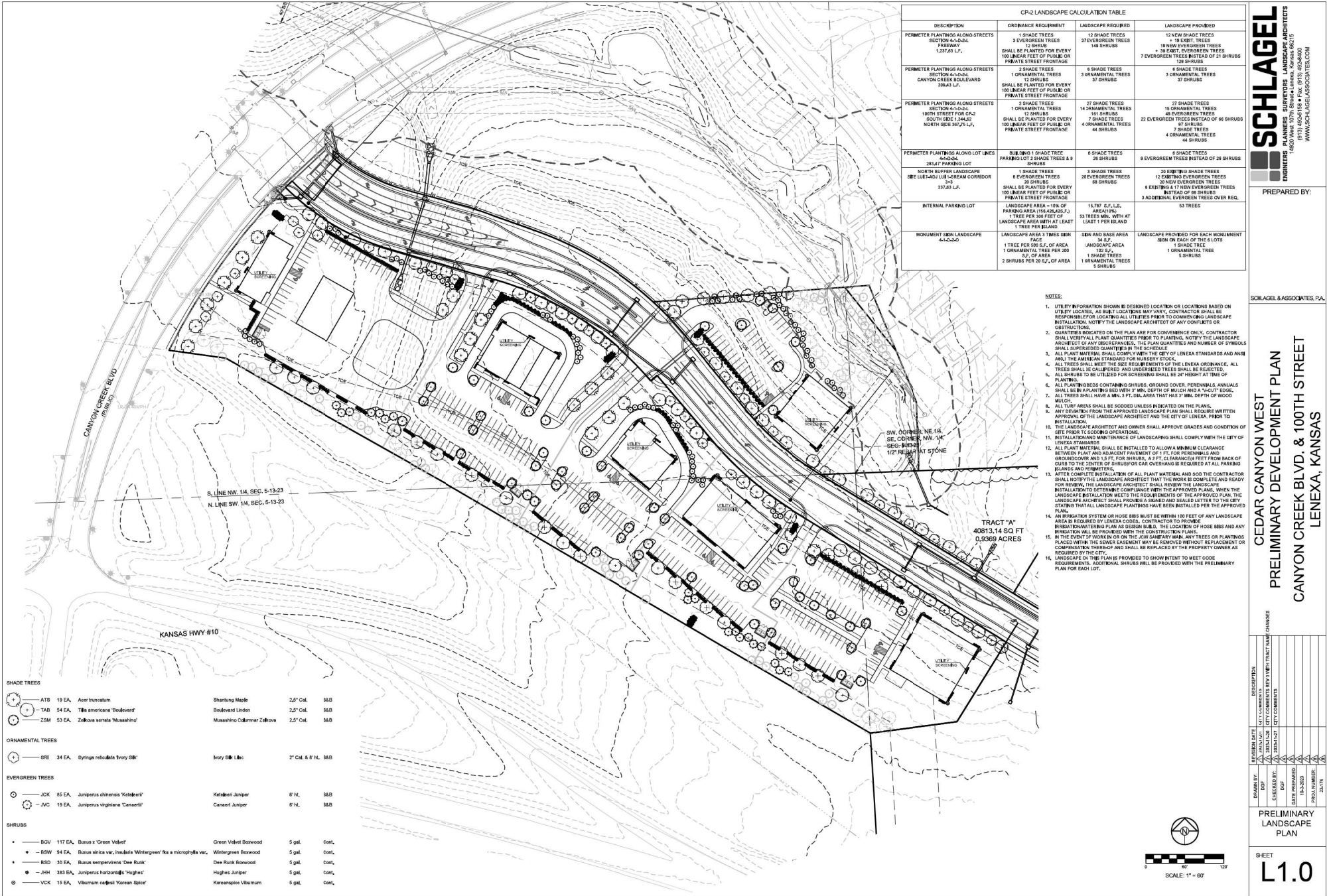
★ **Staff recommends approval of the proposed preliminary plan/plat for Cedar Canyon West Commercial.**

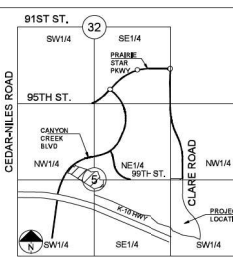
- This is a preliminary plan, also serving as a preliminary plat, for a multitenant commercial development, including deviations related to setbacks, landscape buffers, and signs.
- The project is consistent with Lenexa's goals through **Responsible Economic Development** and **Strategic Community Investment** to create a **Thriving Economy** and **Inviting Places**.

PRELIMINARY PLAN/PLAT

Staff recommends **APPROVAL** of the preliminary plan/plat for PL23-08P – **Cedar Canyon West Commercial** located near the northeast corner of K-10 Highway and Canyon Creek Boulevard for a multitenant commercial development with deviations as outlined in the Staff Report.

PROJECT: 7302025-1 PRELIMINARY LANDSCAPE PLAN, 11/20/2025 4:42 PM, 1.1





GENERAL NOTES:

1. FLOOD NOTE: There is no FEMA identified floodplain to be located at the proposed project per Flood Insurance Rate Map Panel No. 10001, 001200346 G and 0001200347 G dated August 2000.
2. Boundary and easement data is from a survey prepared by Schlegel & Associates, P.C.
3. Topography and adjacent lot and improvements from JCCO AIMS.
4. The proposed site is located on a lot that is not an extent beyond based upon field locations by utility companies and information provided to the engineer.
5. All proposed engineering information is based upon JCCO AIMS and information provided to the engineer.
6. All parking lot lighting shall comply with the city codes and ordinances.
7. All new outside wiring and cable shall be placed underground per city codes and ordinances.
8. All above ground electrical and/or telephone cables shall be placed within the interior of the building and surface runs shall be placed in a trench with official approval. The placement of the cables in the foot or curb area shall be limited to 18" maximum.
9. All wall and monument signs will require a sign permit through the codes division.
10. All signs shall be in accordance with the City of Geneva design standards.
11. All improvements must be built by the City of Geneva design staff, standards and codes.
12. Retaining wall but covered Big Block Concrete or wall or custom Keystone modular concrete block or stone or split face concrete.
13. Approval of this project does not result in generating a building permit. A separate building permit approval process must be completed.
14. Approval of this project does not result in a complete code review of the project for compliance with the City building codes. A full code analysis shall be submitted with the building permit. Reviews may be required to make the project building code compliant.
15. Approval of this project does not result in a complete fire code review of the project for compliance with the ADA regulations. The project shall comply with all applicable regulations of the ADA.
16. Approval of this project does not constitute compliance with the Fire Code. Complete fire sprinkler and the alarm plans are required to obtain a building permit.
17. Approval of this project does not constitute compliance with the City of Geneva Building Code. A building permit is required prior to obtaining a building permit.
18. All parking spaces shall be 9' x 19'. Drive aisles shall be a minimum of 25'. Drive aisles shall be 20' from the building accessible to 20'.
19. All sidewalks shall be a minimum of 4' wide.
20. The architectural style will be determined by the developer of each parcel and will be consistent with the preliminary architectural design.
21. The project will follow the applicable permit requirements when permit plans are submitted.
22. Fire flow requirements for the project shall be established in accordance with Appendix of the 2018 International Fire Code.
23. The proposed 30' lot shall have proximity to building. At least one of the required aerial apparatus fire line of 26' feet in width shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to the building.
24. The proposed building. Fire department access roads are in compliance with the City of Geneva and the IFPC.
25. Denotation and BMPF signs and locations indicated on the plan are conceptual. All City of Geneva permit requirements will need to be met at the time of permit application for the project including all stream buffer requirements. A stormwater management report shall be provided with the preliminary development plan.
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[illegible]

SCHLAGEL
ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS
14920 West 107th Street • Lenexa, Kansas 66215
(913) 452-6150 • Fax: (913) 492-8400
WWW.SCHLAGELASSOCIATES.COM



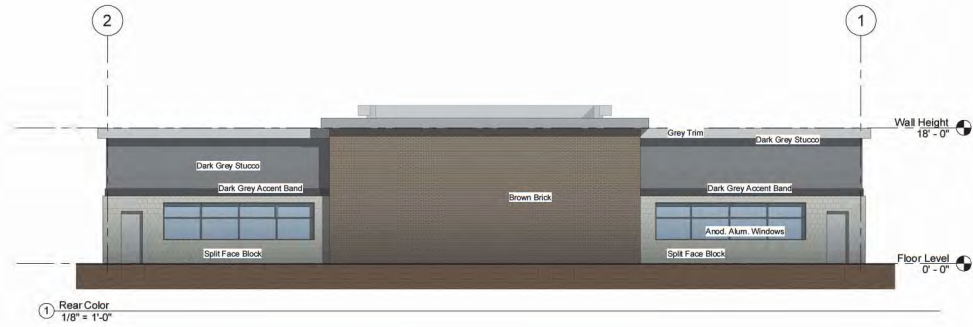
GREY SPLIT FACE BLOCK



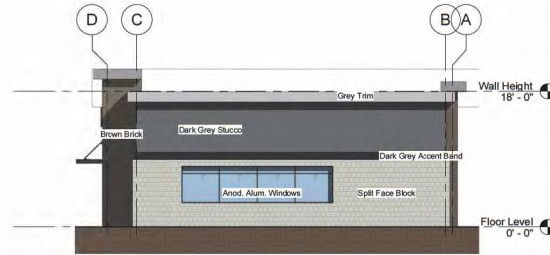
BROWN BRICK



DARK GREY STUCCO



① Rear Color
1/8" = 1'-0"



② Side Color
1/8" = 1'-0"



④ Side 2 Color
1/8" = 1'-0"



③ Front Color
1/8" = 1'-0"

ALL ROOFTOP UNITS WILL BE SCREENED BY PARAPET WALLS

scharhag
HEINWA SCHARHAG COMPANY, ARCHITECTS

5836 Central Kansas City, Mo 64113
Phone: 816-914-5165 Scharhagarch@gmail.com

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C Store Prototype

Cedar Canyon West Retail

Speedway 11 Parcel, Lenexa, KS

Jeffrey Schneider, P.E., License 2015
Heintz A. Scharhag Co. Architects, Inc. of Authority A-9

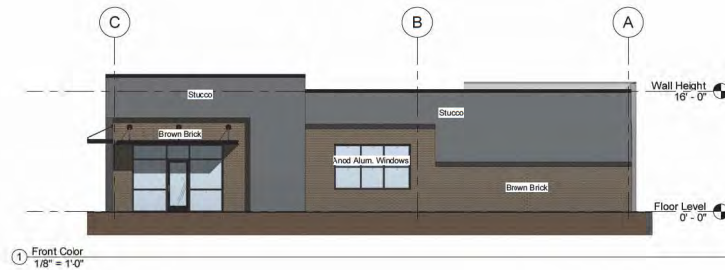
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Revision Schedule		

Colored
Elevations

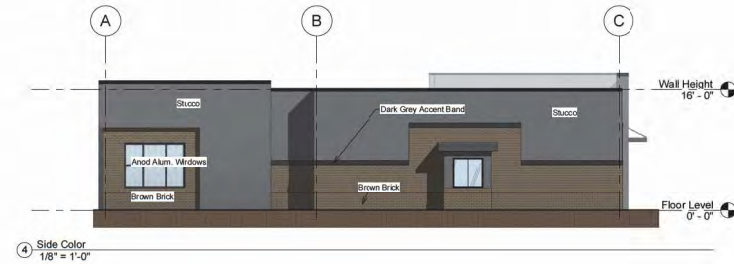
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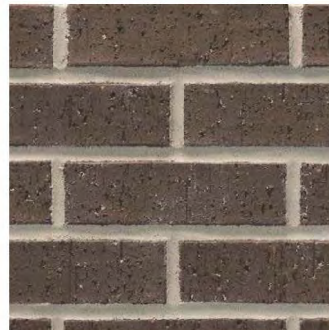
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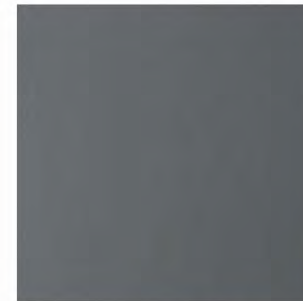
ALL ROOFTOP UNITS WILL BE SCREENED BY PARAPET WALLS



GREY SPLIT FACE BLOCK



BROWN BRICK



DARK GREY STUCCO

scharhag
HEMNIA SCHARHAG COMPANY, ARCHITECTS

6247 Brookside Blvd, #204 Kansas City, Mo 64113
Phone: 816-666-5055 Scharhagarch@gmail.com

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Fast Food Prototype for

Cedar Canyon West Retail

Speedway 11 Parcel, Lenexa, KS

Jeffrey Schneider ©, Lenexa 2017
Hemnia Scharhag Co., Architects, Co., of Authority A-9

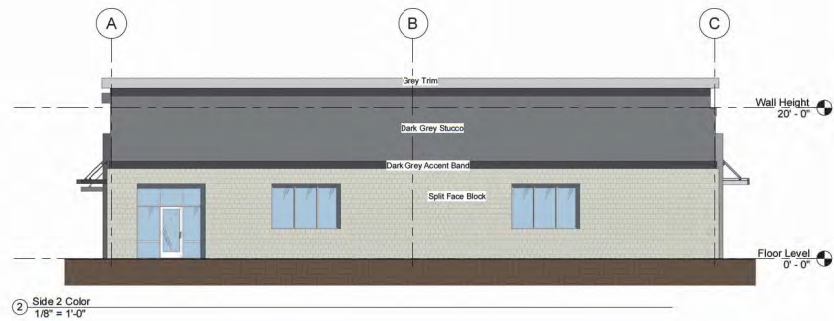
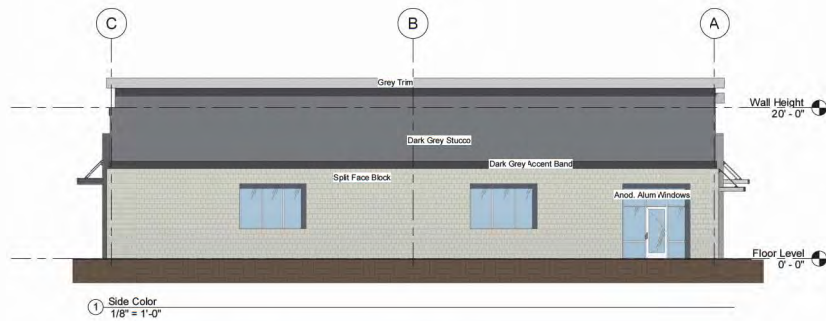
No.	Description	Date
Revision Schedule		

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Elevations

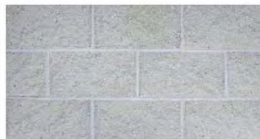
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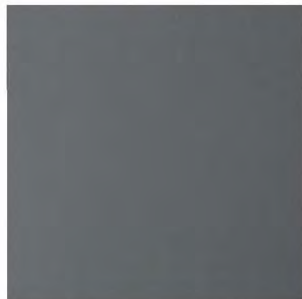
Scale	As Indicated
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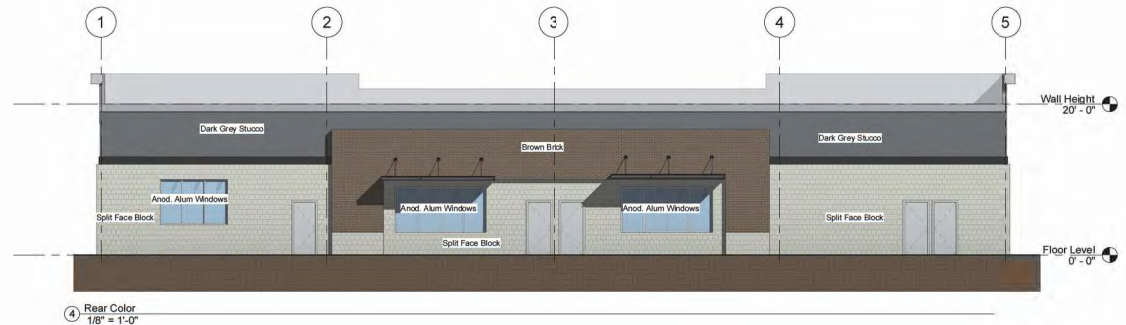
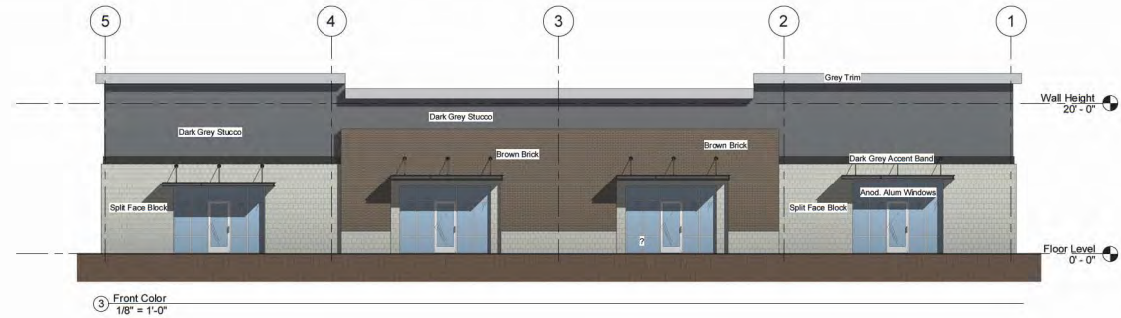
BROWN BRICK



GREY SPLIT FACE BLOCK



DARK GREY STUCCO



ALL ROOFTOP UNITS WILL BE SCREENED BY PARAPET WALLS

scharhag
HEINMAN SCHARHAG COMPANY, ARCHITECTS

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Multi Tenant Prototype for

Cedar Canyon West Retail

Speedway 11 Parcel, Lenexa, KS

J. Jeffrey Schneider ©, Lenexa 2015
Heinman Scharhag Co., Architects, Co., of Authority A-9

No.	Description	Date
Revision Schedule		

Colored
Elevations

Project number 2555
Date 11.27.2023

A202

Scale As Indicated

4. Cedar Canyon West Commercial - Consideration of a preliminary plan/plat for a multibuilding commercial development located near the southeast corner of future 100th Street & Canyon Creek Boulevard within the CP-2, Planned Community Commercial District. PL23-08P

APPLICANT PRESENTATION

Dan Foster, Schlagel Associates, explained the application was part of the master plan for the overall Cedar Canyon West project that was previously approved. Mr. Foster gave the history and background on the existing condition of the property. He said the first thing they will need to do is clean up the area so it will appeal to prospective developers. Their plan is to get the preliminary plan approved, clean up the area by doing some minor grading on the site. The proposed plan has a few minor changes after working with Staff to reorientate the convenient store so the building will face the east. The code requires 50-feet around the perimeter of fuel canopy for stacking and circulation and the plans propose a 30-foot setback, which aligns with other fuel canopies in Lenexa. The plans updated the orientation of two other buildings to angle towards K-10 Highway. All the buildings are at least 100-feet from the right-of-way of K-10 Highway and are still one-story buildings. To address possible drainage concerns from adjacent residents the plans include constructing a detention basin during construction of 100th Street to prevent drainage issues. He showed architecture and displayed conceptual elevations.

STAFF PRESENTATION

Logan Strasburger presented the Staff Report. Ms. Strasburger gave the site location and spoke about the previously approved plan and provided some background and history of the project. She showed the Future Land Use and Zoning Map and said the property has been previously rezoned from AG, Agricultural to CP-2, Planned Community Commercial District. She highlighted the 12.52-acre portion of Cedar Canyon West concept plan that was previously approved and noted the changes. She showed a rendering and stated that 100th Street will need to be built before construction of the commercial development can begin. She discussed the preliminary plat, pointing out the layout of the lots and tracts. She noted that Tract C is within a stream buffer and therefore cannot be built upon. There are three full points of access to 100th Street, two on 100th Street and one right-in and right-out onto 100th Street. She explained that parking requirements have been met. She showed the landscape plan and said the applicant has made efforts to preserve several trees along the south property line adjacent to K-10 Highway, as well as within other areas. She displayed images of the architecture and said the design of the buildings may change at final plan stage. She pointed out the applicant's four deviation requests and mentioned the fuel canopy, stating the applicant is requesting a 30-foot setback instead of the 50-foot required setback around the perimeter of the canopy. She said there are several gas stations that have been approved with the same setback and the site has adequate circulation in this context, so Staff is supportive. Staff recommends approval of the preliminary plan and deviations as requested.

PLANNING COMMISSION DISCUSSION

Commissioner Horine asked why the code requires a 50-foot setback for the fuel canopy. He mentioned it may make more sense to have a 30-foot setback. Scott McCullough said it is on list of code requirements to review in the future. He discussed the circulation around gas pumps. Commissioner Horine said he did not have any issues with the deviations and liked how that site looked but he felt the elevations looked alike, although there should be continuity in style and color. Mr. Foster said there will be continuity, but the buildings will not be identical.

Chairman Poss asked about the right-in and right-out and questioned the route for fuel customers to get back to the highway. Mr. Foster pointed out the route the traffic would need to take and said that it was not ideal, but it is similar to other intersections. Chairman Poss asked if there will ever be a traffic signal

at the intersection of 100th and Canyon Creek Boulevard. Tim Collins said potentially, depending on development west of Canyon Creek Boulevard. Mr. Foster said that is why they provided the turn lanes at the two full intersections. Chairman Poss asked how the fuel canopy setback is 50-foot is measured. Mr. McCullough replied it is intended to be space for circulation and queuing for the gas pumps.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan/plat for PL23-08P – **Cedar Canyon West Commercial** located near the northeast corner of K-10 Highway and Canyon Creek Boulevard for a multitenant commercial development with deviations as outlined in the Staff Report.

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

DRAFT



**CITY COUNCIL
MEMORANDUM**

ITEM 8

SUBJECT: Consideration of a resolution to amend the fiscal year 2023 budget

CONTACT: Nate Blum, Chief Financial Officer

DATE: December 19, 2023

ACTION NEEDED:

- a. Conduct a public hearing; and
- b. Adopt a resolution amending the fiscal year (FY) 2023 budget.

PROJECT BACKGROUND/DESCRIPTION:

In Kansas, state law requires cities to establish maximum expenditure amounts by fund when adopting the annual budget. If cities expect to exceed the maximum expenditure amount by fund, state law requires completion of a formal process to increase the budget. This process includes publishing a notice of public hearing and conducting a public hearing before considering increases to budgeted expenditure amounts.

Staff is proposing budget increases for three funds included in the City's FY 2023 budget. The explanation for each increase is listed below.

Community Improvement Districts (CID) are established to encourage and promote economic development, tourism, and community investment within a defined CID area. A CID project should provide public benefits such as strengthening economic development and employment opportunities; reducing blight; enhancing tourism; upgrading older real estate through redevelopment or rehabilitation; or promoting sustainability. Public financing is achieved by levying and collecting special assessments and/or a CID sales tax on property in the district.

Candlewood Suites CID Fund

The Candlewood Suites CID Fund accounts for the special 1% sales and use tax levied in the project area. The actual FY 2023 collections are anticipated to exceed the amount originally budgeted for the fiscal year. As required by the Development Agreement, the City uses these revenues to reimburse the developer for eligible costs incurred to complete the project. In order to reimburse the developer with all of the revenue expected for FY 2023, staff proposes to increase the budget amount from \$32,981 to \$50,000 (an increase of \$17,019).

Sonoma Plaza CID Fund

The Sonoma Plaza CID Fund accounts for the special 1% sales and use tax levied in the project area. The actual FY 2023 collections are anticipated to exceed the amount originally budgeted for the fiscal year. As required by the Development Agreement, the City uses these revenues to reimburse the developer for eligible costs incurred to complete the project. In order to reimburse the developer with all of the revenue expected for FY 2023, staff proposes to increase the budget amount from \$458,496 to \$500,000 (an increase of \$41,504).

Lenexa City Center Area E CID Fund

The Lenexa City Center Area E CID Fund accounts for the special 1% sales and use tax levied in the project area. The actual FY 2023 collections are anticipated to exceed the amount originally budgeted for the fiscal year. As required by the Development Agreement, the City uses these revenues to reimburse the developer for eligible costs incurred to complete the project. In order to reimburse the developer with all of the revenue expected for FY 2023, staff proposes to increase the budget amount from \$57,205 to \$70,000 (an increase of \$12,795).

Staff published the public hearing notice in The Kansas City Star on December 6, 2023. The Governing Body adopted a resolution to consider amending the fiscal year 2023 budget and setting the public hearing date for December 5, 2023. However, due to a publication error the public hearing was continued from the December 5, 2023 Council meeting to the December 19, 2023 Council meeting.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The proposed budget amendments will increase the authorized expenditure amounts for the three funds described above and ensure the City complies with state law and existing development agreements.

STAFF RECOMMENDATION:

Adoption of the resolution.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

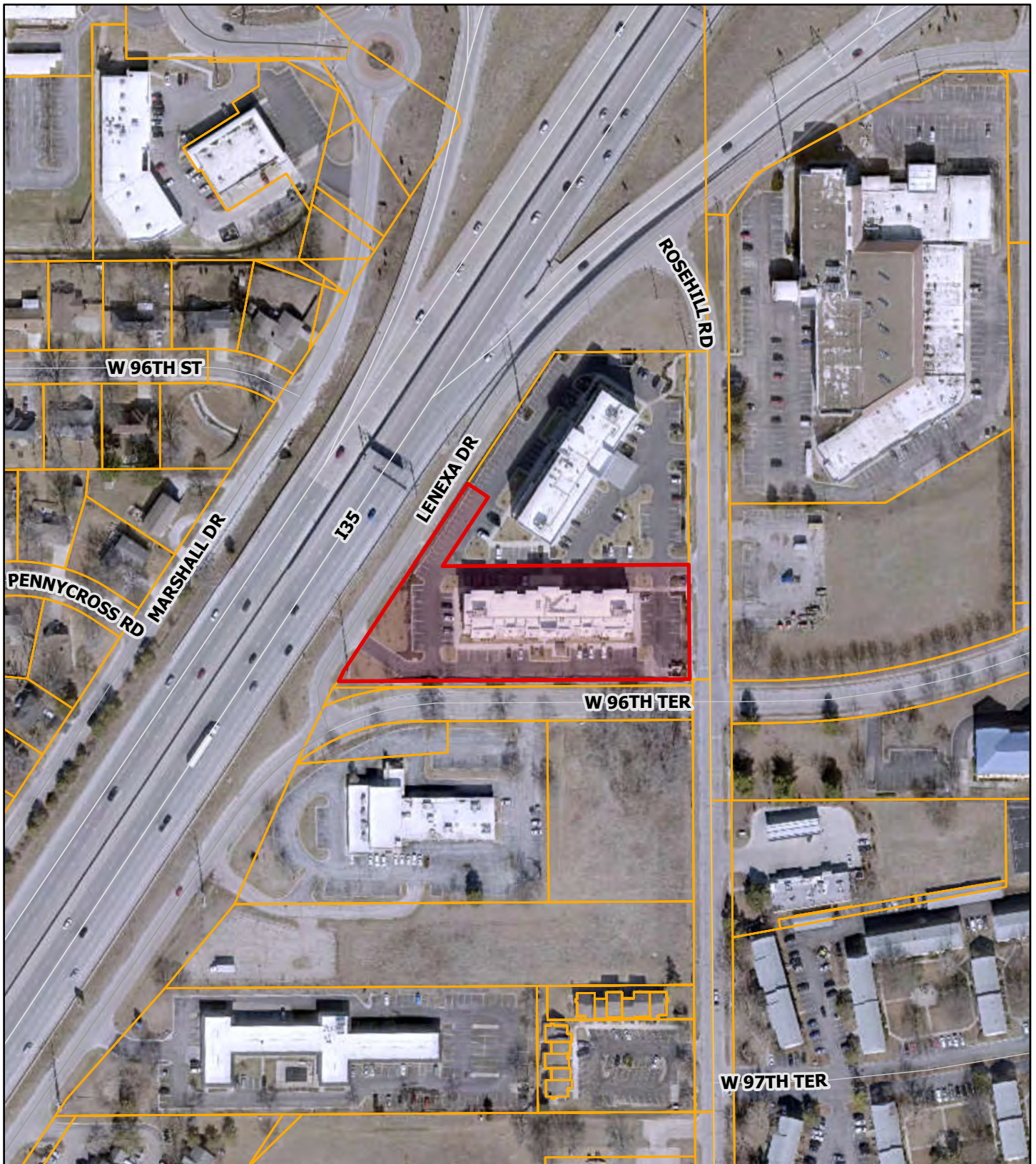
Thriving Economy

Guiding Principles

Prudent Financial Management
Responsible Economic Development

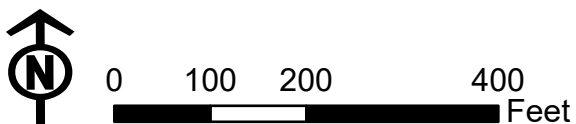
ATTACHMENTS

1. Map - Candlewood Suites
2. Map - Sonoma Plaza
3. Map - Lenexa City Area E
4. Resolution



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

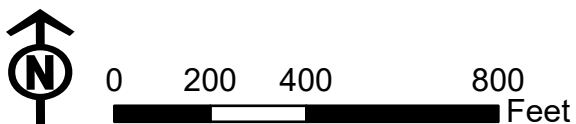
Candlewood Suites Community Improvement District

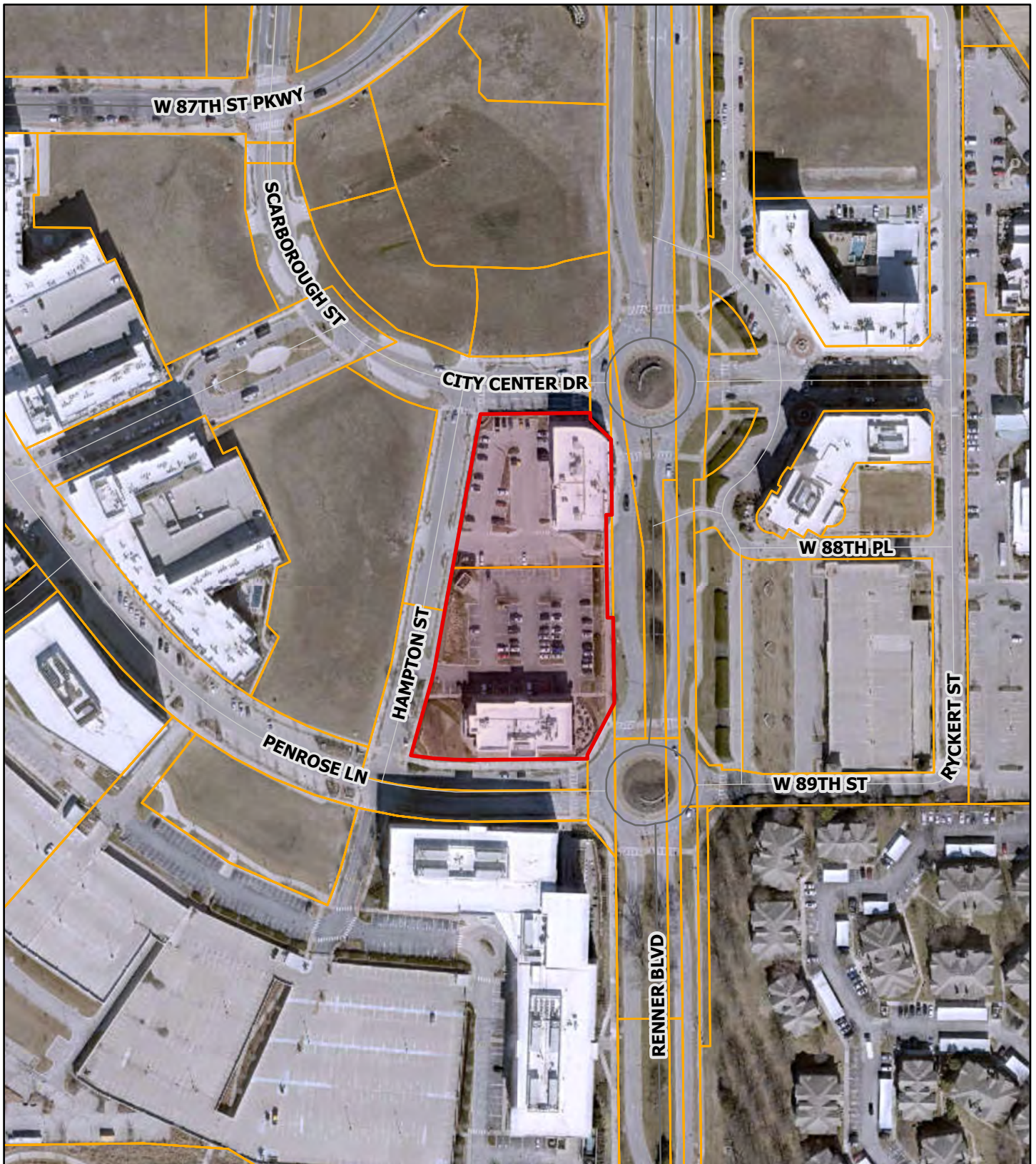




Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

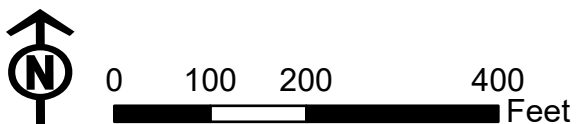
Sonoma Plaza Community Improvement District





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

Lenexa City Center Area E Community Improvement District



RESOLUTION NO. _____

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2023 ANNUAL BUDGET FOR THE CITY OF LENEXA, KANSAS.

WHEREAS, the Governing Body desires to make an amendment to the adopted Fiscal Year 2023 Annual Budget to increase the budget amounts in the Candlewood Suites Community Improvement District Fund, the Sonoma Plaza CID Fund, and the Lenexa City Center Area E CID Fund; and

WHEREAS, the Governing Body discussed such an amendment to the Fiscal Year 2023 Annual Budget at its meeting on December 19, 2023; and

WHEREAS, a public hearing was conducted at the December 19, 2023 City Council meeting to consider such proposed amendment to the Fiscal Year 2023 Annual Budget for the City of Lenexa, Kansas pursuant to K.S.A. § 79-2929a; and

WHEREAS, notice of publication of the proposed amendment and public hearing was made as provided by law; and

WHEREAS, the Governing Body believes it is in the best interest of the City of Lenexa to adopt the Fiscal Year 2023 Annual Budget amendment as presented.

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 adopt the proposed Amendment to the Fiscal Year 2023 Annual Budget as presented at its December 19, 2023 City Council meeting and as reflected in Attachment "A".

SECTION TWO: A copy of the adopted amended Fiscal Year 2023 Annual Budget shall be filed with the County Clerk and with the Director of Accounts and Reports.

SECTION THREE: This Resolution shall become effective upon adoption by the Governing Body.

ADOPTED by the City Council this 19th day of December, 2023.

SIGNED by the Mayor this 19th day of December, 2023.

CITY OF LENEXA, KANSAS

[SEAL]

Julie Sayers, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Sean McLaughlin, City Attorney

APPENDIX



**MINUTES OF THE
DECEMBER 5, 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 7:03 PM.

SWEARING IN CEREMONY

Jennifer Martin, City Clerk, performed the swearing in of Courtney Eiterich, Ward 1; Mark Charlton, Ward, 2; Chelsea Williamson, Ward 3; Chris Herron, Ward 4; and Julie Sayers, Mayor.

ROLL CALL

Councilmembers Karlin, Eiterich, Charlton, Nicks, Arroyo, Williamson, and Herron were present with Mayor Sayers presiding. Councilmember Denny was absent.

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

APPROVE MINUTES

Councilmember Karlin made a motion to approve the November 21, 2023 City Council meeting draft minutes and Councilmember Nicks seconded the motion. Motion passed unanimously.

MODIFICATION OF AGENDA

There were no modifications to the agenda.

PRESENTATIONS

Erica Garcia Reyes presented the United Community Services of Johnson County (UCS) annual reports for the Alcohol Tax Fund and the Human Service Fund.

CONSENT AGENDA

1. Approval of 32 Cereal Malt Beverage license renewals for 2024
Licenses to sell Cereal Malt Beverages (CMB) in the city must be renewed annually. This is the annual license renewal request for 32 locations licensed to sell CMB.
2. Change order to the contract with Infrastructure Solutions for the 79th Street west of Quivira Road, 98th Terrace & Walker Street, and 95th Street & Alden Lane Stormwater Improvement Projects

Change order to the Infrastructure Solutions contract to repair an emergency pipe failure affecting a traffic turn on Pflumm Road, north of 87th Street Parkway. The total repair cost is \$102,000.

3. Resolution approving the serving of complimentary alcoholic liquor or cereal malt beverages at certain events promoting the arts
Governing Body approval is required for non-profit organizations to serve complimentary alcoholic liquor or cereal malt beverages at events promoting the arts. The proposed resolution will approve the serving of complimentary alcoholic liquor or cereal malt beverages at the Lenexa artists' receptions in 2024.
4. Resolution authorizing the Mayor to execute an agreement with Custom Lighting Service, LLC, dba Black & McDonald for 2024-2026 Streetlight Maintenance
The City uses a third party contractor to supplement in-house staff with maintaining the City-owned streetlights. Black & McDonald has been selected and the total cost for 2024 is \$323,720.70.
5. Consideration of resolutions adopting the fiscal year (FY) 2024 Alcohol Tax Fund, Opioid Settlement Fund, and Human Service Fund distributions
 - a. Resolution authorizing the Mayor to execute an agreement with United Community Services of Johnson County ("UCS") for the administration of Alcohol Tax Funds and Opioid Settlement Funds for FY 2024
 - b. Resolution authorizing the City Manager to execute an agreement with UCS for the administration of funds appropriated to the Human Service Fund for FY 2024
The City budgets and appropriates funds to support drug abuse and alcoholism prevention programs and human service programs through United Community Services of Johnson County's (UCS) Drug and Alcoholism Council and Human Service Fund. The amounts the City allocated for FY 2023 are \$135,000 and \$22,350, respectively.

END OF CONSENT AGENDA

Councilmember Eiterich made a motion to approve items 1 through 5 on the consent agenda and Councilmember Arroyo seconded the motion. Motion passed unanimously.

PUBLIC HEARINGS

6. Consideration of a resolution to amend the fiscal year 2023 budget - **CONTINUED TO DECEMBER 19, 2023 CITY COUNCIL MEETING**
 - a. Public Hearing to consider amending the fiscal year 2023 budget
 - b. Resolution amending the fiscal year 2023 budget
The public hearing for the fiscal year 2023 Budget Amendment was moved to December 19th due to a publication error.

This item was continued to the December 19, 2023 City Council meeting.

NEW BUSINESS

7. Resolution approving Amendment No. 1 to the construction contract with Turner Construction for the Lenexa Old Town Activity Center Project
Turner Construction ("Turner") proposes to amend the Construction Agreement for the Lenexa Old Town Activity Center for Guaranteed Maximum Price #2 (GMP #2), the final GMP. Turner has submitted the GMP #2 consisting of the originally planned improvements, as well as the replacement of the prefabricated metal exterior cladding around the gymnasium, the construction of a multipurpose addition on the south side of the facility, and an exterior shade structure abutting the west side of the gym totaling \$9,806,673.

Logan Wagler, Parks and Recreation Director, reviewed the project timeline and history, outlined the project goals, and talked about the recently approved Capital Improvement Program (CIP) budget amendment. He explained how the Construction Manager at Risk (CMAR) Agreement works and said that the City has used CMAR for several other projects with success. He added that the Guaranteed Maximum Price (GMP) packages allow the project to progress in phases, saying that GMP #1 was to start ordering materials that would have long lead times to obtain and that GMP #2, being considered tonight, is for the remainder of the project and approximately \$9.8 million.

The property has an easement running through it that needs to be incorporated, according to Mr. Wagler. He said the final plat of the property is in process and will come to the City Council for approval soon.

Mr. Wagler talked about the public art component of the project and provided an update on the mural.

Matt Evett, Confluence, presented the landscape site plan and talked about how the project ties Scouting Park into the site, as well as how the other exterior amenities come together to make the building part of the design and flow. He presented various views of the exterior of the building and site.

Councilmember Nicks asked if the grassy areas would be artificial and Mr. Evett said that the change to artificial turf has been made. Councilmember Nicks asked if the path through the landscaping would be for public use and access and Mr. Evett said that would not be ADA compliant, so it would only be for maintenance access.

Sean Zaudke, Multistudio, reviewed the color and materials saying they have been intentionally chosen to weave together and connect the area as a whole. He added that the use of awnings and canopies is to extend the building toward the neighborhood. He noted that the mural is also an integral part of connecting with the site and the community. He talked about the building being designed to have visual connectivity, explaining how the new exterior panels will update the look of the building and give it a facelift using a variety of colors and textures while improving the of the climate control in the building.

The windows along west side will help connect the activity in the gym to the outdoor activity, according to Mr. Zaudke. He reviewed the building's floor plan, pointing out the ramp connecting the interior, and said that the materials and paint selected liven up the area. He also noted that the customer service area is being relocated to be more open and welcome.

Councilmember Eiterich asked about a door in the multi-use room and Mr. Zaudke said that has been added since the last time this plan was presented.

Councilmember Nicks asked if the plan no longer included garage doors on the west wall that could open to the pickleball area. Mr. Zaudke explained that has been changed to windows which will be easier for maintenance and climate control.

Mayor Sayers asked about site wayfinding and room naming. Mr. Wagler said they intended to name rooms using closest streets and would work on signage to match.

Jennifer Liston, Turner Construction, went over the construction schedule saying the entire project would be constructed in two phases. The first would begin in January with the demolition of the MedAct building on the eastern portion of the site and building of the new addition, as well as the renovation of the eastern portion of the building. Phase 1 should be complete in August. Phase 2 would demolish the existing senior center on the western portion of the site and construct the outdoor courts and amenities. She said the grand opening would be in December 2024.

Councilmember Nicks asked when the building's exterior would be changed and Ms. Liston said that would be ongoing throughout Phase 1 of the project, removing sections and completing them as they move around the building.

Councilmember Charlton commented that having garage doors on the west side would allow more people to move into and out of the building and asked if that could be reconsidered. Mr. Wagler said that the garage doors would be difficult to manage, but an extra set of double doors should increase access in a different way.

Mayor Sayers asked about the parking logistics throughout the project and Ms. Liston said that there is a plan for that, which she can provide. Mayor Sayers asked how this will impact the Chili Challenge and Mr. Wagler said staff will make it work and he is confident the plans and alternative solutions will be successful while minimizing disruptions.

Councilmember Eiterich made a motion to approve Item 7 and Councilmember Nicks seconded the motion. Motion passed unanimously.

STUDENT INTRODUCTIONS

Leaf Wells, Shawnee Mission West High School student, attended the meeting for American Government.

COUNCILMEMBER REPORTS

Councilmember Eiterich said she volunteered at the senior banquet and that it was a lot of fun, and the event is a well-oiled machine.

STAFF REPORTS

Beccy Yocham, City Manager, said there would be no Committee of the Whole meeting next week, but there would still be orientation for the new councilmembers. She also invited the Governing Body to attend the Employee Holiday Lunch on Thursday, December 14th at the Community Center.

END OF RECORDED SESSION


BUSINESS FROM FLOOR

There was no business from the floor.

ADJOURN

Councilmember Eiterich made a motion to adjourn and Councilmember Williamson seconded the motion. Motion passed unanimously.

The meeting adjourned at 8:15 PM.

TO: Lenexa City Council
FROM: Julie Sayers 
DATE: December 19, 2023
RE: Police Community Advisory Board Appointments

It is my pleasure to recommend the following reappointments on the Police Community Advisory Board (CAB). The resolution passed by City Council on December 7, 2021 to establish the Lenexa Community Advisory Board set staggered terms for current members. As a result, the listed members' terms were set to expire on December 31, 2023. Both members have been engaged and have expressed a desire for continued service on the CAB.

1. Milton Jeffrey
2. Alice Batista

The Lenexa Police Department has long been known as a progressive law enforcement agency, proactive in its operations, and guided by the City's vision, mission and values. The Department is constantly looking for ways to maintain and build partnerships within the community in an effort to reduce crime and enhance the quality of life for all who live, work and visit our city. The Community Advisory Board (CAB) operates as a resource to provide certain counsel for the Department on contemporary issues such as biased-based policing, use of force, mental health response, and homelessness.

The seven Board members serve three-year terms, and function in an advisory capacity to the Chief of Police. If the recommendation is approved for reappointment the composition of the Board will reflect the following terms:

1. Vanessa Vaughn West - Term ending December 31, 2024
2. Eric Arner - Term ending December 31, 2024
3. Rachel Lauren-Park Mulvihill - Term ending December 31, 2024
4. Jeff Boone - Term ending December 31, 2025
5. Geoff Garcia - Term ending December 31, 2025
6. Milton Jeffrey - Term ending December 31, 2026
7. Alice Batista - Term ending December 31, 2026

These individuals devote countless hours to the City of Lenexa in their respective roles and are an integral part of our success. I recommend approval of these appointments with much gratitude for their service.

Lenexa Citizen Survey Results

K A N S A S

PRESENTED BY ETC INSTITUTE

**Since 2006,
ETC Institute
Has,
In More Than
1,000 Cities
&
49 States,
Surveyed
More Than
3,000,000
Persons.**

**ETC Institute is a National Leader
in Market Research for Local
Governmental Organizations**

*For more than 40 years, our mission has
been to help municipal governments
gather and use survey data to enhance
organizational performance.*

Purpose of a Statistically Valid Survey

To gather objective feedback from residents on the delivery of City services as part of the City's ongoing strategic planning process

To compare the City's performance to nationwide and regional averages

To measure trends from previous surveys

To help determine priorities for the City using Importance-Satisfaction Analysis

Methodology

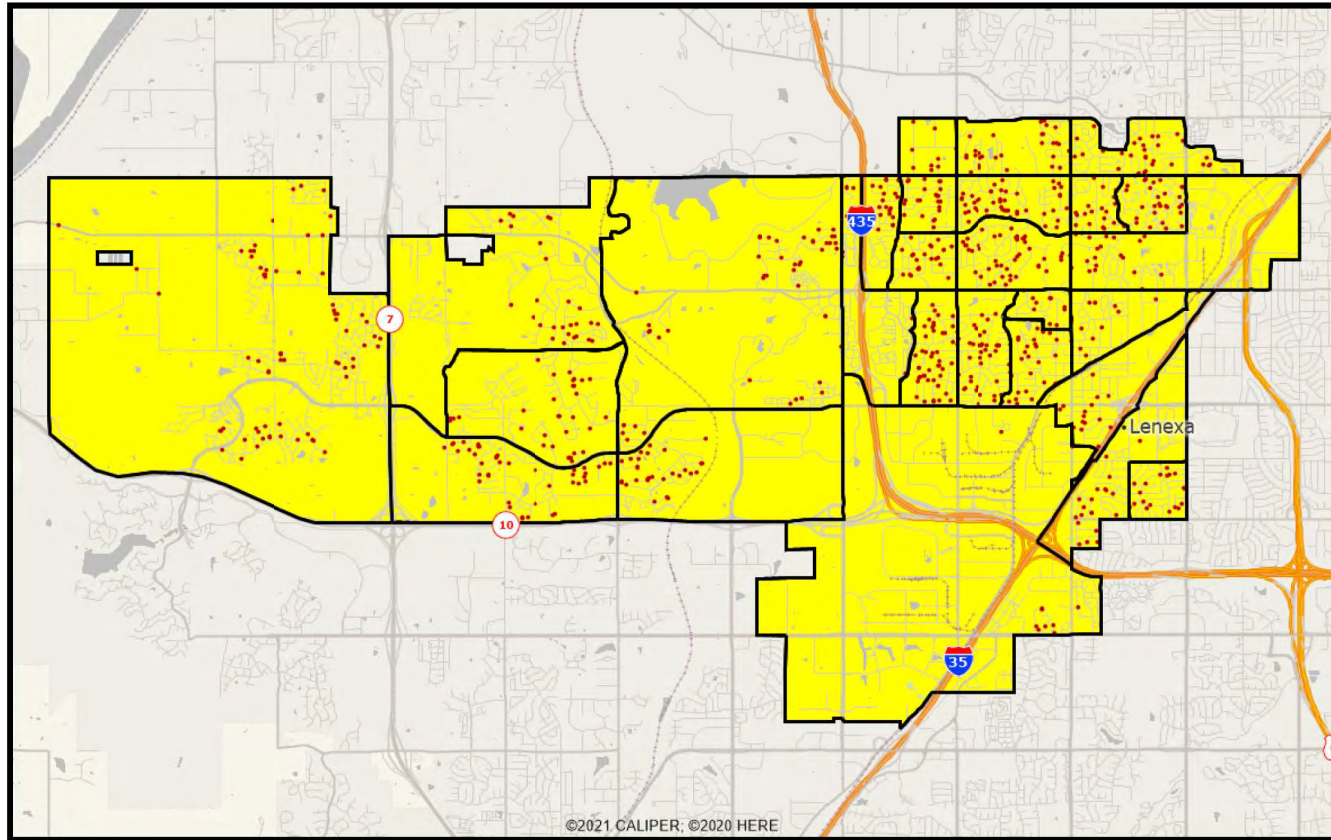
Survey Description	Method of Administration	Sample Size	Margin of Error
<ul style="list-style-type: none">• 7-page survey• Included many of the same questions from prior years• 12th Citizen Survey administered for the City by ETC Institute	<ul style="list-style-type: none">• By mail and online to a random sample of households in the City• Each survey took approximately 15-20 minutes to complete	<ul style="list-style-type: none">• Goal: 600 completed surveys• Actual: 763 completed surveys collected from randomly selected households	<ul style="list-style-type: none">• Expected margin of error was: +/- 4.0% at the 95% level of confidence• Actual margin of error is: +/- 3.5% at the 95% level of confidence

Location of Survey Respondents

Good representation of responses throughout the City

Home address of all respondents are geocoded to the block level to ensure anonymity

In addition to geographic representation, ETC Institute also achieved a demographic composition that closely mirrors that of the Census



City of Lenexa Citizen Survey Results

Who Responded?

ETC Institute wants to ensure that your results are aligned with the Census statistics available for the City.

This helps ensure that the final results for your survey are accurately portraying the opinions, perceptions, and understandings of the whole community.

Overall, there was good representation within the final sample.

Q34. Are you of Hispanic, Spanish, or Latino/a/x ancestry?	Survey	Census
Yes	8.0%	8.3%
Q35. Which of the following best describes your race/ethnicity?	Survey	Census
Asian or Asian Indian	4.5%	4.5%
Black or African American	5.9%	6.3%
American Indian or Alaska Native	0.5%	0.4%
White or Caucasian	82.0%	81.6%
Native Hawaiian or other Pacific Islander	0.1%	0.0%

Bottom Line Up Front

Residents have a very positive perception of the City

- 96% of respondents indicated they are either “very satisfied” or “satisfied” with the overall quality of life in the City
- 98% of respondents rated the *city as a place to live* as “excellent” or “good” and 97% gave “excellent” or “good” ratings when asked to rate the city *as a place to raise children*

Satisfaction with City services is much higher in Lenexa than other communities

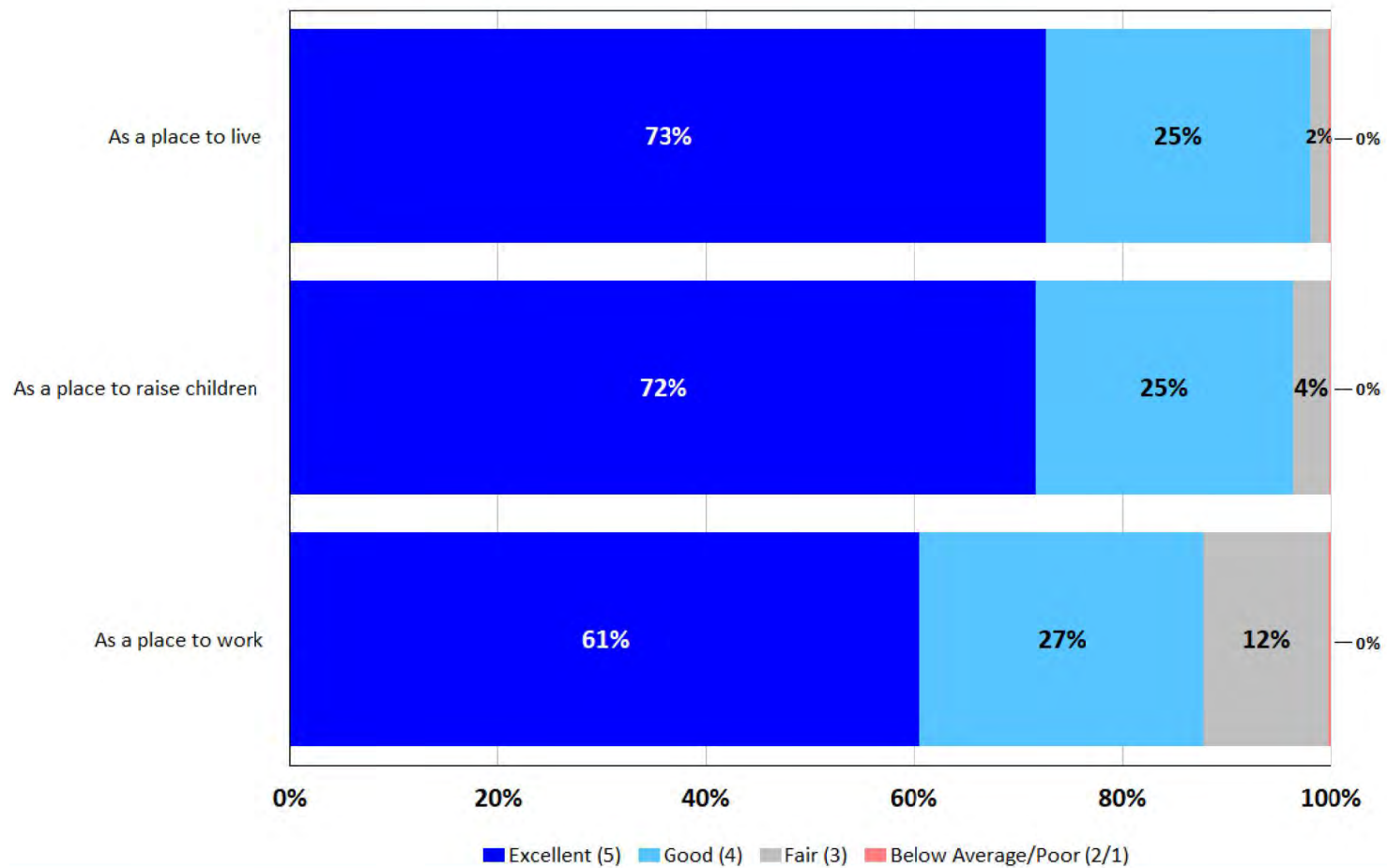
- The City rated *significantly* above the U.S. Average in ALL 43 areas assessed, and significantly above the Kansas-Missouri average 50 of the 51 areas assessed

Perceptions

RESIDENTS HAVE A VERY POSITIVE PERCEPTION OF THE CITY

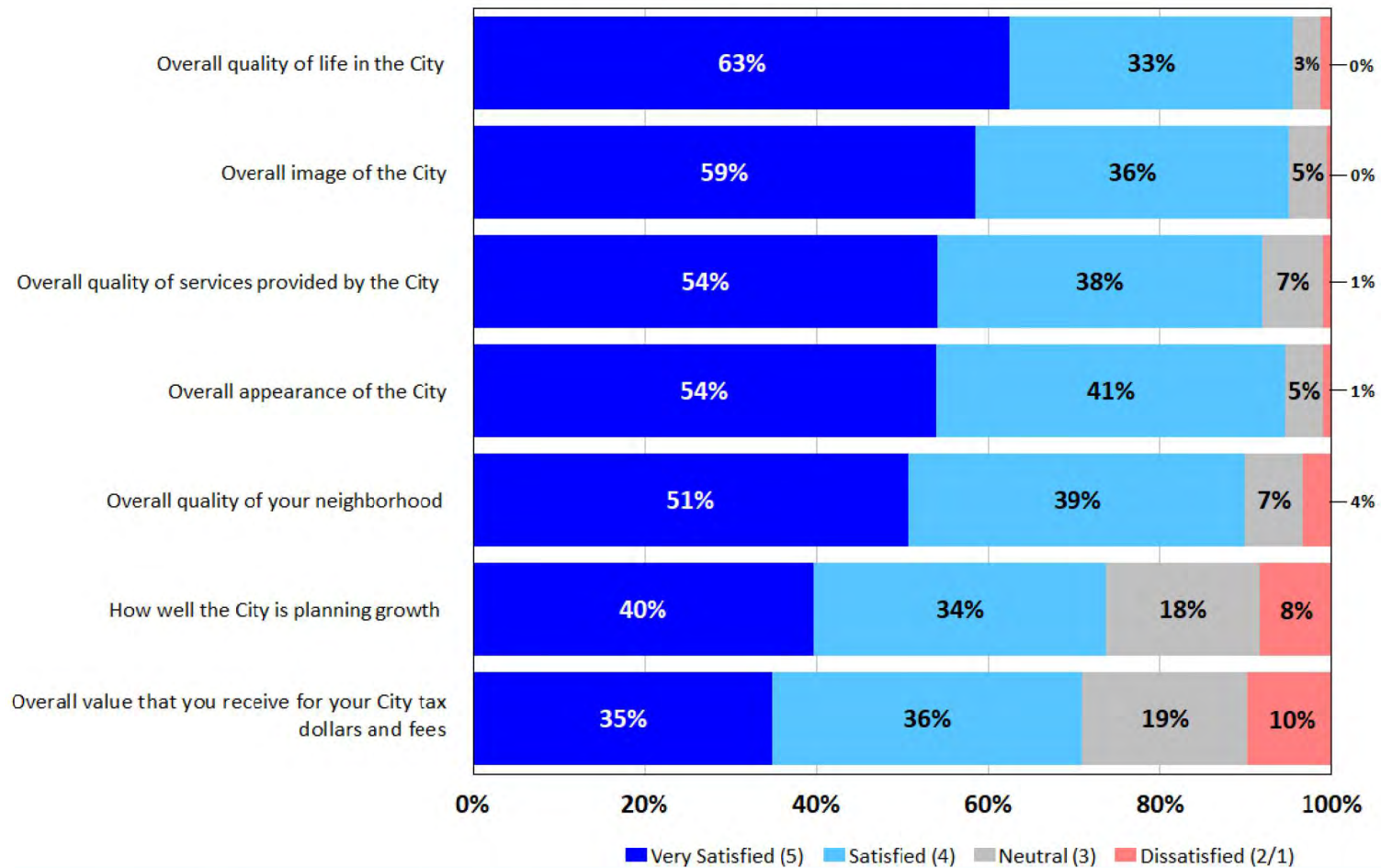
Q4. Overall Ratings of Lenexa

by percentage of respondents (excluding don't knows)



Q3. Satisfaction With Perceptions of Lenexa

by percentage of respondents (excluding don't knows)



Perception ratings remain high despite national declines in these key areas

Benchmarks

THE CITY RATES MUCH HIGHER THAN OTHER COMMUNITIES

Benchmarks

The City's 2023 Community-Wide survey contained 43 questions that were directly comparable to ETC Institute's benchmarking database

The U.S. Average is based on a national survey administered during the summer of 2023 to a random sample of more than 10,000 U.S. residents

The Kansas-Missouri average is based on surveys administered over the past two years by ETC Institute to residents living in 34 communities in Kansas and Missouri

- *These communities regularly conduct surveys with ETC Institute to assess their performance in these key areas*

Significant differences are differences of 4 percentage points or more

Benchmarking Summary

U.S. Average Comparisons:

- Lenexa rated significantly above the U.S. Average in **ALL** 43 areas assessed

Regional Kansas-Missouri Comparisons:

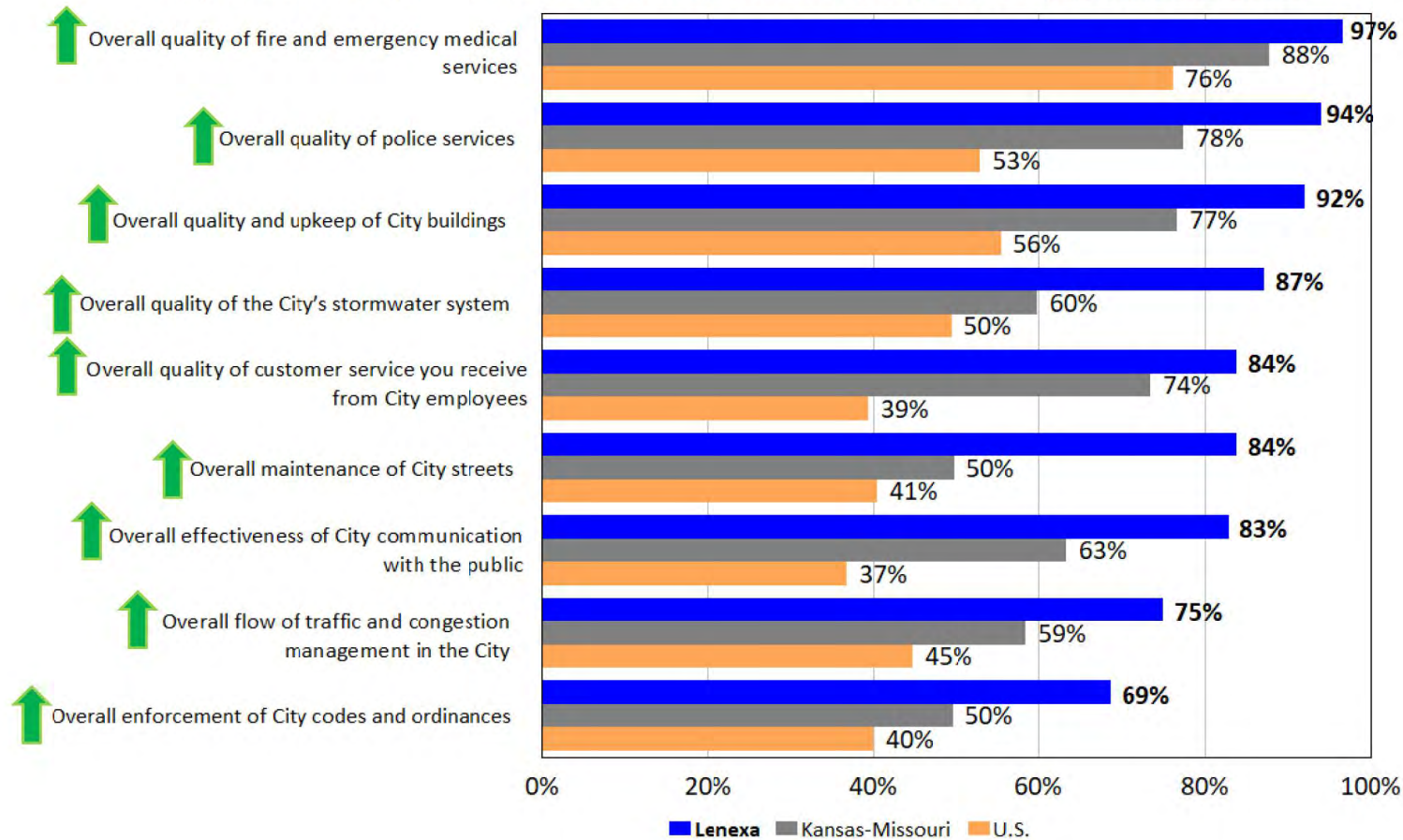
- Lenexa rated significantly above the Kansas-Missouri Average in 50 of the 51 areas assessed

The regional Kansas-Missouri Average is among the most competitive performance measures ETC Institute can provide

Q1. Overall Services

Lenexa vs. Kansas-Missouri vs. U.S. Average

by percentage of respondents who rated the item as a 4 or 5 on a 5-point scale (excluding don't knows)

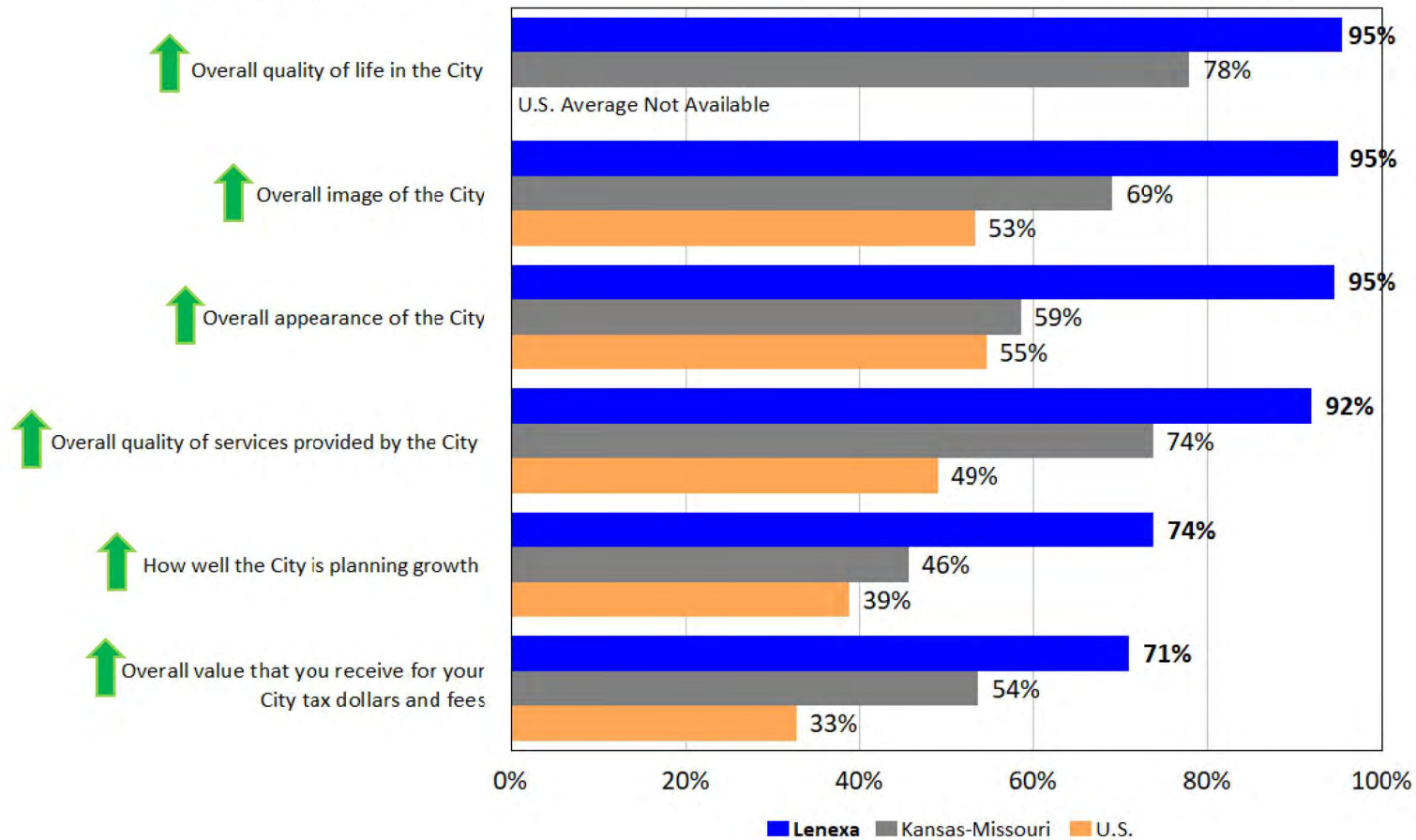


Significantly Higher Than Average: ↑

Q3. Perceptions of Lenexa

Lenexa vs. Kansas-Missouri vs. U.S. Average

by percentage of respondents who rated the item as a 4 or 5 on a 5-point scale (excluding don't knows)



Significantly Higher Than Average: ↑

Trends

HOW PERFORMANCE HAS CHANGED OVER TIME (2023, 2021, 2005)

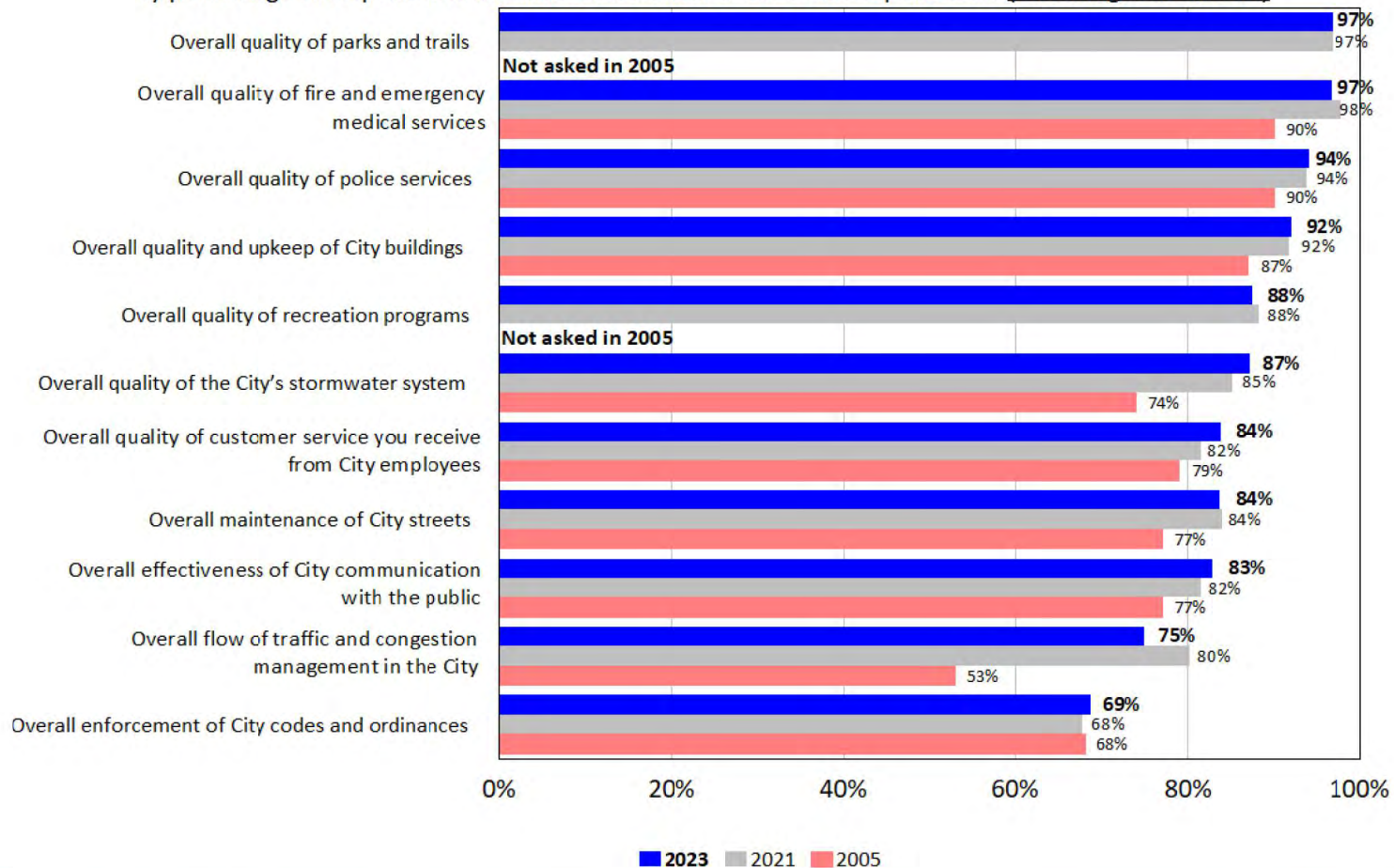
Notable Increases from 2021

- The employee I spoke with helped me resolve an issue to my satisfaction (+10.1 pts.)
- The employee I spoke with did what they said they would do in a timely manner (+8.2 pts.)
- Overall satisfaction with City's e-mail updates (+7.3 pts.)
- Level of public involvement in local decision making (+7.2 pts.)
- Maintenance of major City streets (+5.9 pts.)
- Overall quality of leadership provided by the City's elected officials (+5.7 pts.)
- Overall effectiveness of boards and commissions (+5.5 pts.)
- The employee I spoke with gave prompt, accurate, and complete answers (+5.2 pts.)
- Police safety education programs (+4.9 pts.)
- Overall accessibility and responsiveness of elected officials (+3.9 pts.)
- Overall effectiveness of City Manager and appointed staff (+3.9 pts.)
- The employee I spoke with made it easy for me to handle my request (+3.7 pts.)

Increases are directly related to employee and elected official performance as well as communication

Q1. Satisfaction With Overall Services 2023, 2021, & 2005

by percentage of respondents who rated the item as a 4 or 5 on a 5-point scale (excluding don't knows)



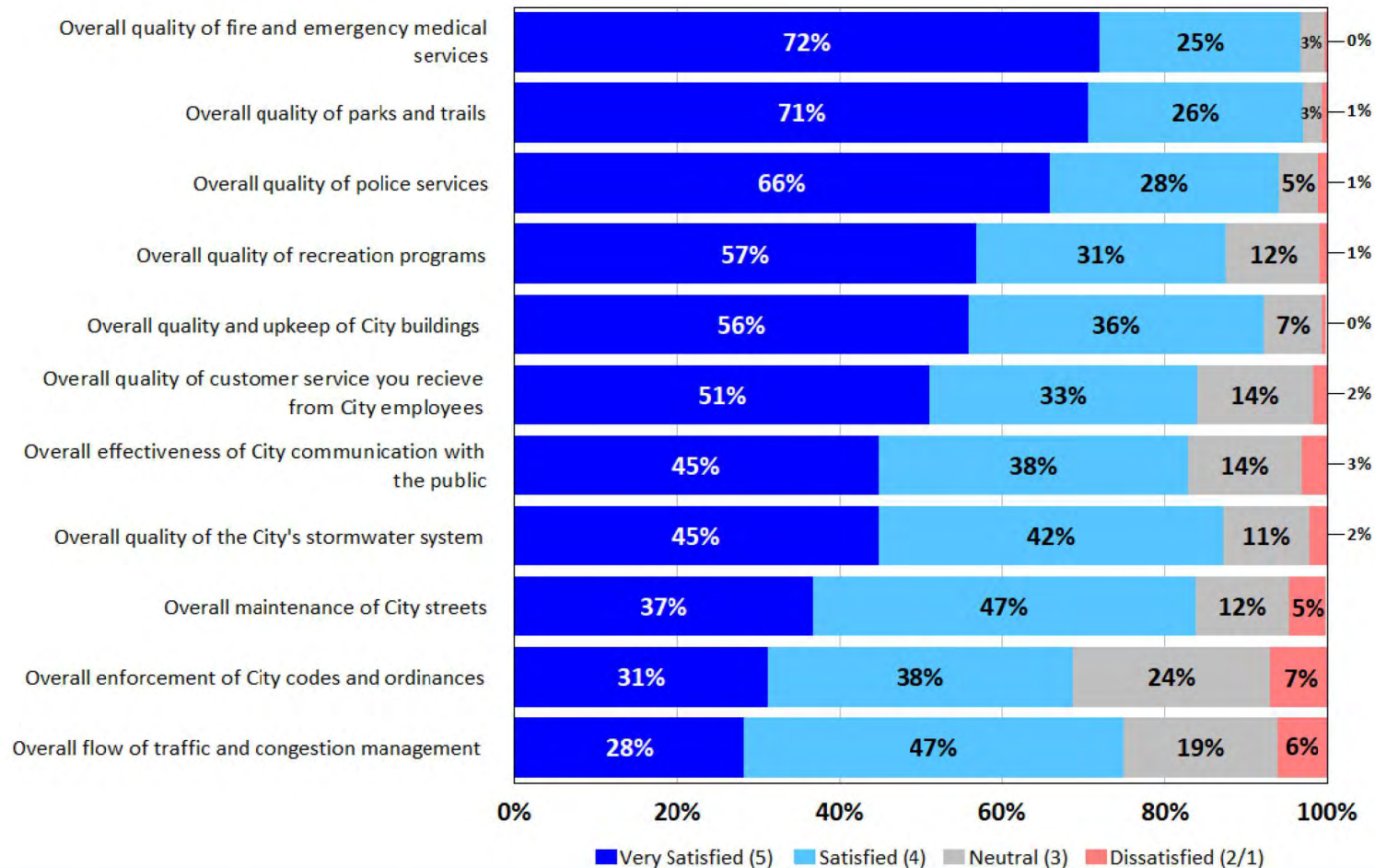
Overall, performance has remained consistent throughout the years with minor deviations occurring

Priorities for Improvement

IMPORTANCE-SATISFACTION ANALYSIS

Q1. Satisfaction With Overall Services

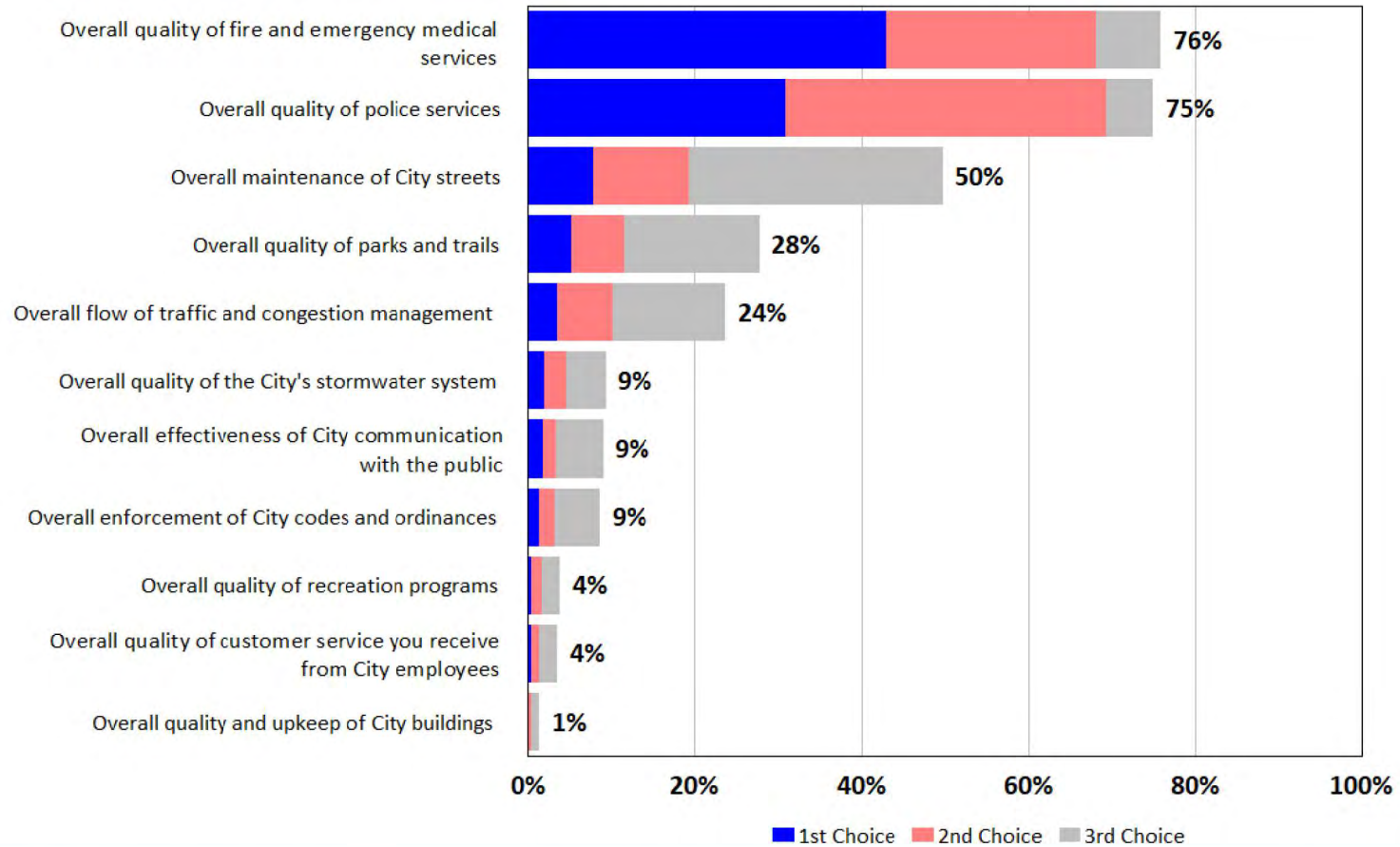
by percentage of respondents (excluding don't knows)



Overall, respondents are extremely satisfied with the overall services provided by the city

Q2. Overall Services That Are Most Important for the City of Lenexa to Provide

by percentage of respondents who selected the item as one of their top three choices



The Importance-Satisfaction Analysis relies on both satisfaction and importance ratings to determine priorities

2023 Importance-Satisfaction Rating

Lenexa, Kansas

Major Categories of City Services

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Overall maintenance of City streets	50%	3	84%	8	0.0807	1
Overall flow of traffic and congestion management in the City	24%	5	75%	10	0.0593	2
Overall quality of police services	75%	2	94%	3	0.0443	3
Overall enforcement of City codes and ordinances	9%	8	69%	11	0.0269	4
Overall quality of fire and emergency medical services	76%	1	97%	2	0.0250	5
Overall effectiveness of City communication with the public	9%	7	83%	9	0.0154	6
Overall quality of the City's stormwater system (storm drains, pipes, culverts, streams)	9%	6	87%	6	0.0119	7
Overall quality of parks and trails	28%	4	97%	1	0.0086	8
Overall quality of customer service you receive from City employees	4%	10	84%	7	0.0056	9
Overall quality of recreation programs	4%	9	88%	5	0.0049	10
Overall quality and upkeep of City buildings	1%	11	92%	4	0.0011	11

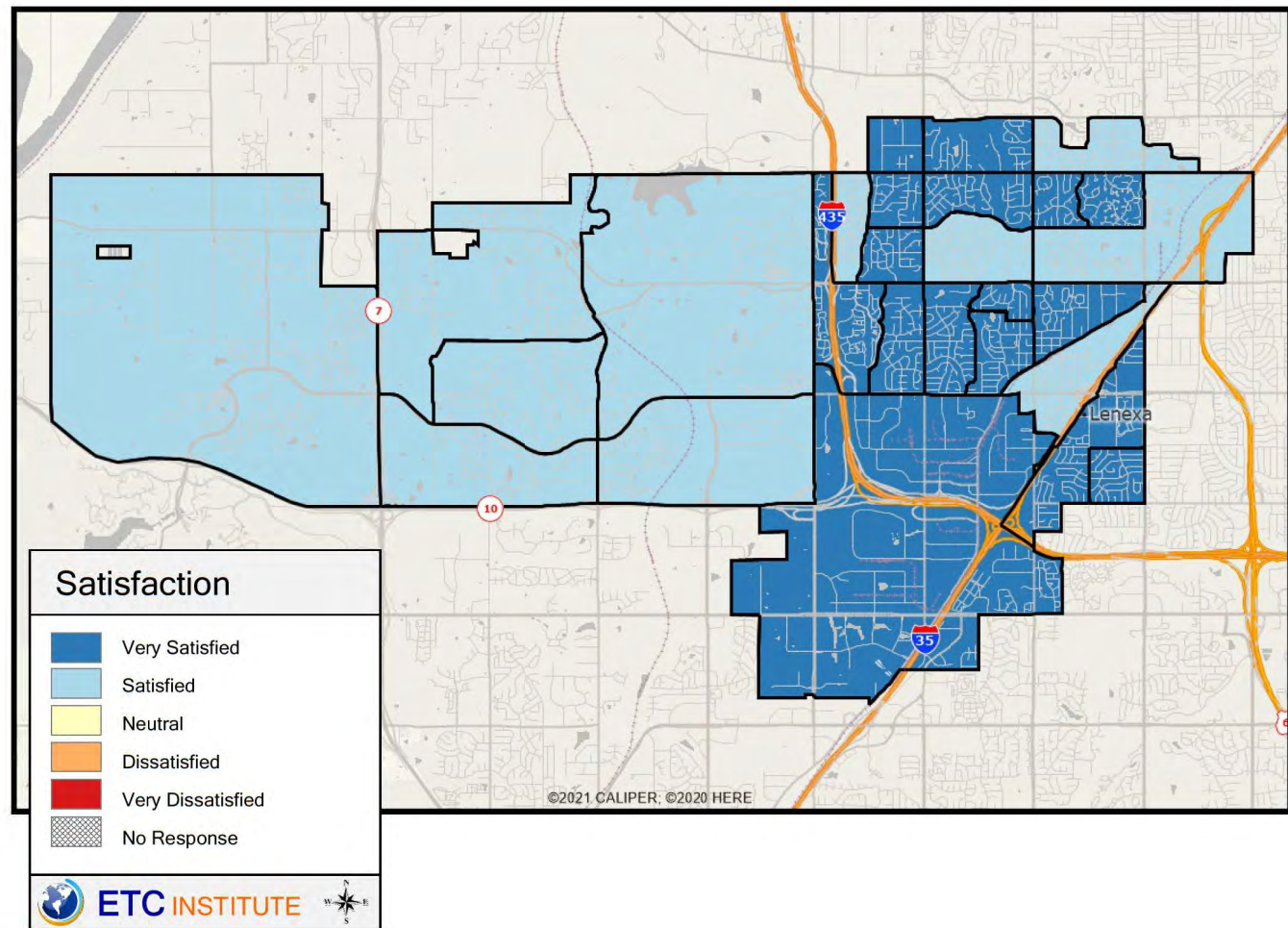
Overall, the City's ratings are so high in terms of satisfaction that no items were determined to be a high priority for improvement

I-S Ratings .1000 or Greater Are Considered a High Priority for Investment Over the Next Two Years

Overall Maintenance of City Streets

This item was the third most important to respondents and received the 8th highest level of satisfaction.

No areas in the City are trending below a “satisfied” rating, but City leaders should continue to focus on this area to ensure expectations are met.



2023 Importance-Satisfaction Rating

Lenexa, Kansas

City Maintenance

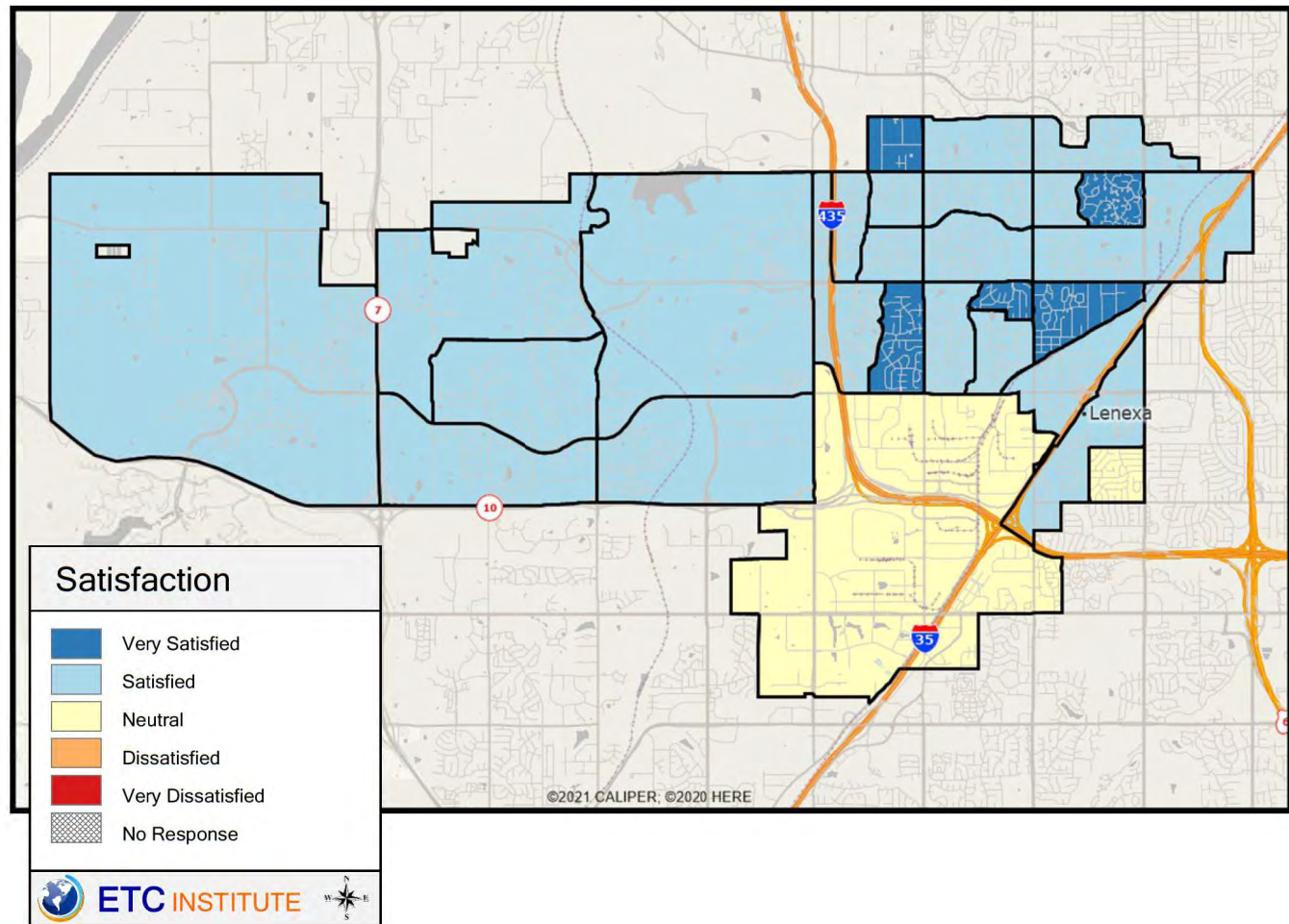
Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
High Priority (IS .10-.20)						
Snow removal on trail system	36%	3	64%	14	0.1271	1
Medium Priority (IS <.10)						
Information you receive about stormwater issues	18%	4	66%	13	0.0626	2
Snow removal on major City streets	73%	1	93%	1	0.0549	3
Maintenance of walking/biking trails	54%	2	90%	2	0.0544	4
Overall cleanliness of City streets (street sweeping)	15%	5	85%	6	0.0225	5
Adequacy of City street lighting	12%	7	81%	10	0.0225	6
Maintenance of traffic signals	15%	6	89%	3	0.0164	7
Drainage of rainwater off City streets	9%	10	83%	7	0.0150	8
Maintenance of major City streets (excluding KDOT highways)	11%	8	87%	5	0.0142	9
Maintenance of neighborhood streets	7%	11	79%	11	0.0142	10
Maintenance of street signs	11%	9	88%	4	0.0135	11
Mowing and trimming along City streets and other public areas	3%	12	82%	9	0.0049	12
Maintenance of City sidewalks	2%	13	74%	12	0.0044	13
Snow removal on neighborhood streets	1%	14	83%	8	0.0016	14

I-S Ratings .1000 or Greater Are Considered a High Priority for Investment Over the Next Two Years

Snow Removal on the Trail System

This item is the highest priority for improvement in the City Maintenance category of the survey.

The area highlighted in yellow should be the primary focus of any improvements to this service category.

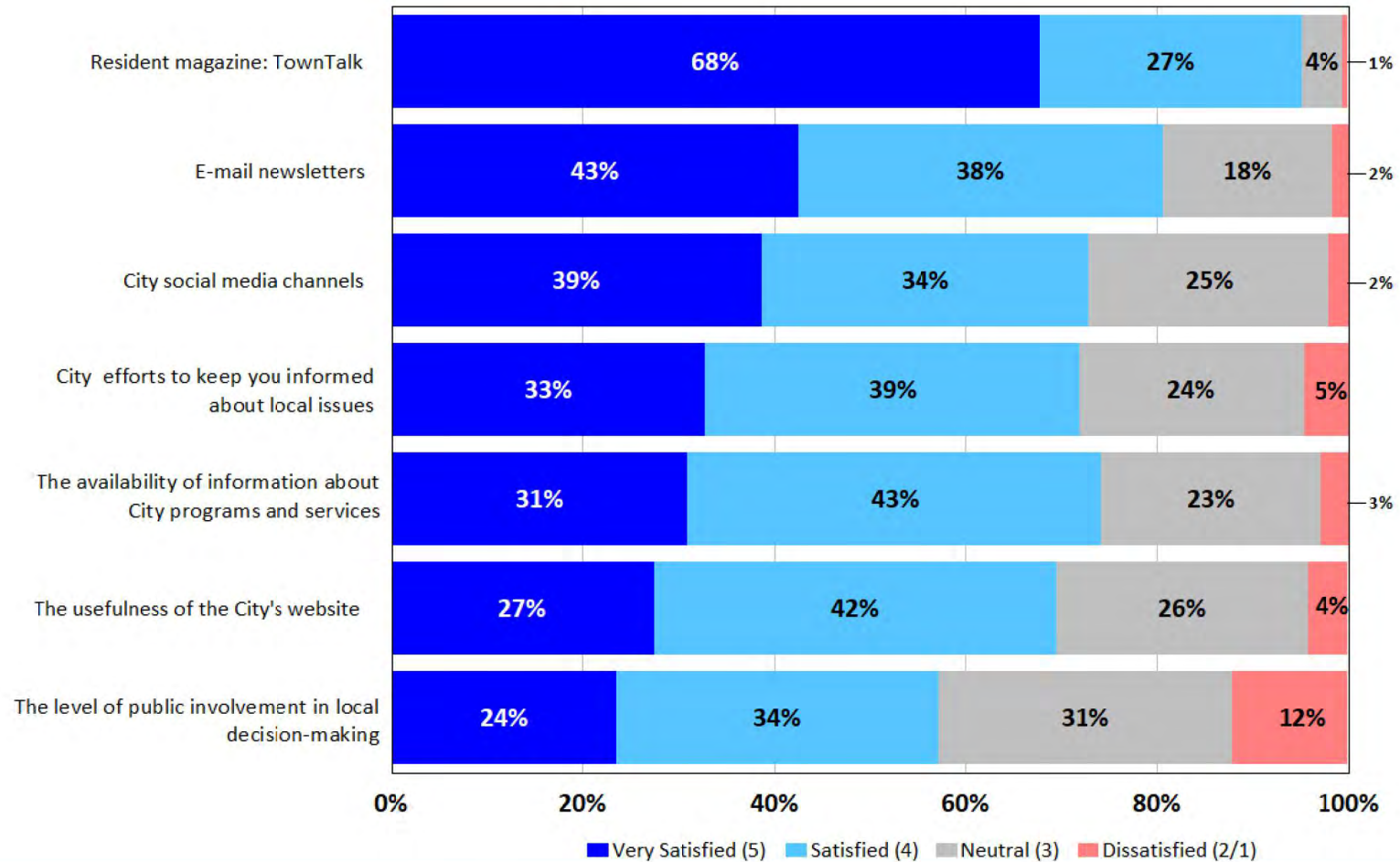


Communication

COMMUNICATION IS KEY TO CONTINUED SUCCESS

Q28. Satisfaction With Communication

by percentage of respondents (excluding don't knows)

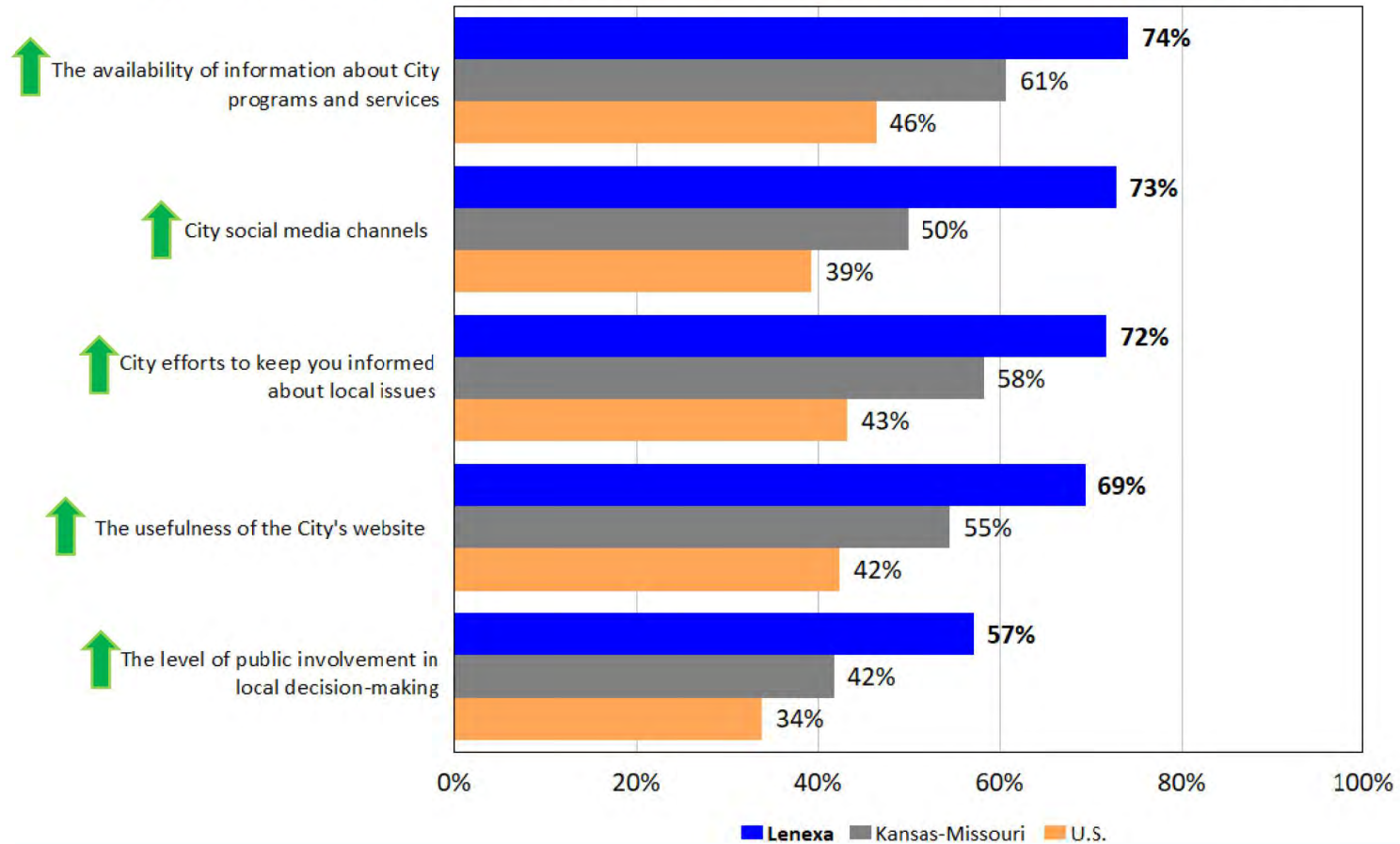


Overall satisfaction ratings are very high

Q28. Communication

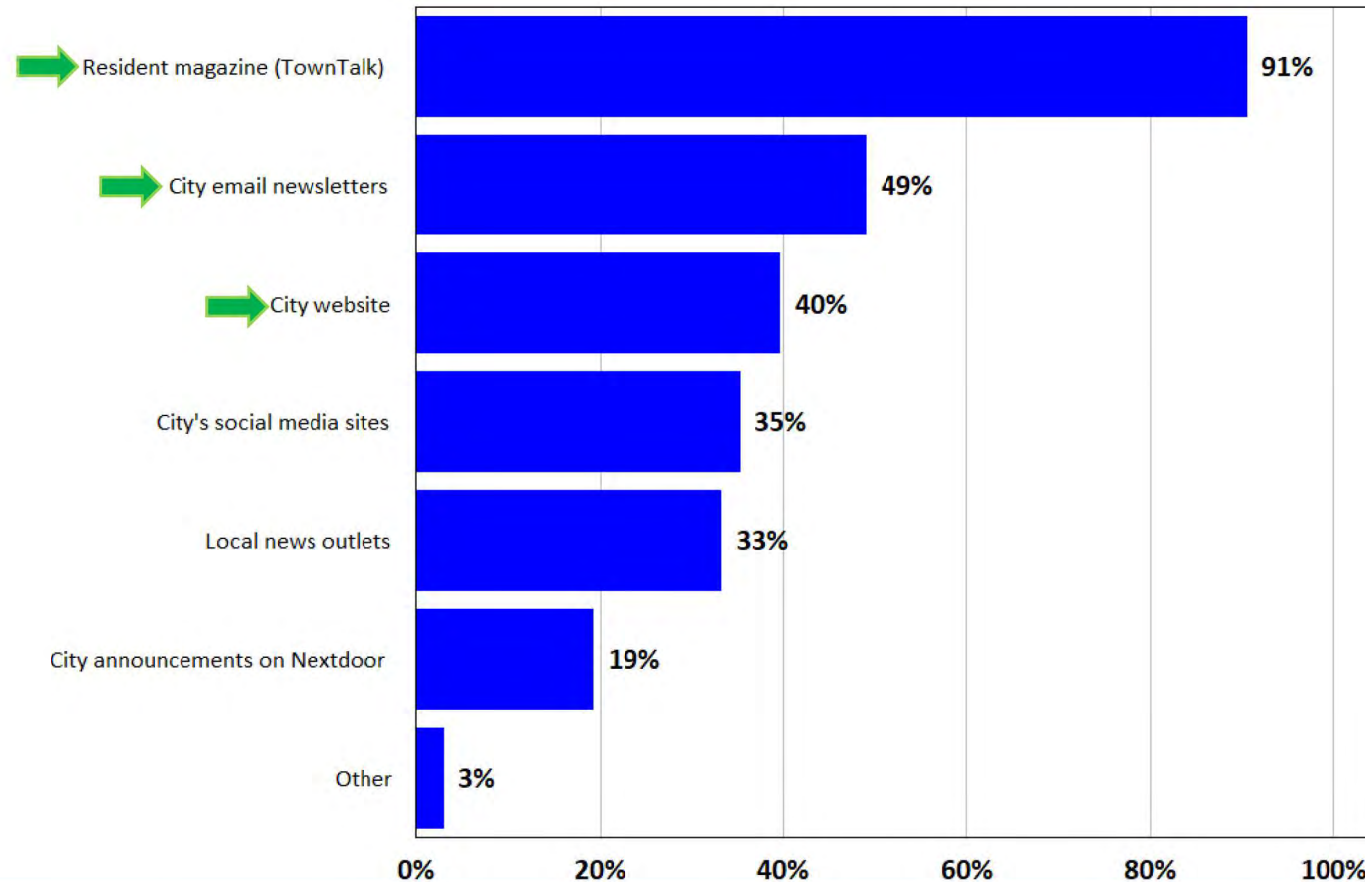
Lenexa vs. Kansas-Missouri vs. U.S. Average

by percentage of respondents who rated the item as a 4 or 5 on a 5-point scale (excluding don't knows)



Q26. Where do you currently get news and information about City programs, services and events?

by percentage of respondents (multiple selections could be made)



The highlighted items are the sources respondents most prefer to use and over time preferences have not changed

Summary

Residents have a very positive perception of the City

Overall, the City of Lenexa performed exceptionally well – especially when comparing the City's performance to ETC Institute's Benchmarks

Notable increases from 2021 stem directly from the performance of City staff and elected officials alike along with solid communication and outreach efforts

The 2023 Citizen Survey results demonstrate the City's commitment to quality strategic planning, positively impacting the lives of all Lenexa residents

Questions?

THANK YOU

**AGREEMENT BETWEEN
THE CITY OF SHAWNEE, KANSAS AND THE CITY OF LENEXA, KANSAS FOR
PUBLIC IMPROVEMENTS OF NIEMAN ROAD FROM SHAWNEE MISSION
PARKWAY TO 79TH STREET**

THIS AGREEMENT is made and entered into effective the ____ day of _____, 20__, by and between the City of Shawnee, Kansas ("Shawnee") and the City of Lenexa, Kansas ("Lenexa"), collectively "the Parties," for the purpose of public improvements of Nieman Road from Shawnee Mission Parkway to 79th Street, (hereinafter referred to as the "Improvements").

WHEREAS, the Parties have determined that it is in the public interest to jointly make the Improvements, as hereinafter provided;

WHEREAS, because 75th Street serves as a city limit between Shawnee and Lenexa, the Improvements will be physically located partially within the jurisdictional boundaries of each Party;

WHEREAS, the Parties desire to enter into this Agreement to set forth their responsibilities for completion and future maintenance of the Improvements;

WHEREAS, K.S.A. 68-169, K.S.A. 12-2908 authorize the Parties to cooperate in making public improvements

WHEREAS, Shawnee Governing Body approved and authorized this Agreement on the 27 day of NOV., 2023; and;

WHEREAS, Lenexa Governing Body approved and authorized this Agreement on the ____ day of _____, 20__.

NOW, THEREFORE, in consideration of the above recitals, the mutual covenants and agreements herein contained, and for other good and valuable considerations, the Parties hereto agree as follows:

- 1. PURPOSE OF AGREEMENT.** The Parties hereto enter into this Agreement for the purpose of jointly undertaking the Improvements. The Improvements include:

A 2-inch mill and asphalt overlay, widened and modified intersections, sidewalk enhancements, traffic signal modifications, and improvements to street lighting, storm sewer, pavement marking and signing.

- 2. PHASES OF THE PROJECT.** The Improvements to be completed by Shawnee in the 2023 calendar year. The Improvements to be completed by Shawnee within each City's jurisdictional limits.

- 3. ESTIMATED COST OF THE PROJECT.**

- a. The total estimated cost of the Improvements is \$4,740,164.00 as detailed in Exhibit A attached hereto and incorporated by reference. However, the Cities understand and agree that this is just an estimate and the actual costs may be more or less. Lenexa agrees and intends to reimburse Shawnee for its share of the actual cost of completion of the Improvements. At completion of the Improvements, the City will certify to Lenexa that the City has accepted the same, as constructed. Within thirty (30) days from certification of final completion of the Improvements, Shawnee shall submit to Lenexa a final accounting of all the Improvement costs. Lenexa shall reimburse Shawnee no later than sixty (60) days following receipt of the final accounting by Lenexa.
- b. The cost of making the Improvement shall include
 - i. Labor and material used in making the Improvement; and
 - ii. Such other expenses which are necessary in making the Improvement, exclusive of the cost for acquiring real property and any improvement thereon for the location of the Improvement. These expenses included but are not limited to design, project administration, construction inspection, material testing and utility relocations.
- c. The final actual cost of making the said Improvement shall be distributed between the parties as follows:
 - i. Shawnee shall pay approximately 98% of the local share of said Improvement (estimated to be Four Million Six Hundred Twenty Six Thousand Five Hundred Eighty Two and 00/100 Dollars (\$4,626,582.00)). 50% of construction and construction engineering (estimated to be Two Million One Hundred Seventy Eight Thousand Nine Hundred Sixty Seven and 00/100 Dollars (\$2,178,968.00)) are to be paid by the Johnson County Kansas's County Assistance Road System (CARS) program as detailed in Exhibit A. In the event CARS does not pay 50% of construction and construction engineering, Shawnee shall be responsible for payment.
 - ii. Lenexa shall pay approximately 2% of the local share of said Improvement (estimated to be One Hundred Thirteen Thousand Five Hundred Eighty Two and 00/100 Dollars (\$113,582.00)). 50% of Construction and Construction engineering (estimated to be Fifty Three Thousand Six Hundred Ninety Nine and 00/100 Dollars (\$53,699.00)) are to be paid by the Johnson County Kansas's County Assistance Road System (CARS) program as detailed in Exhibit A. In the event CARS does not pay 50% of construction and construction engineering, Lenexa shall be responsible for payment.
 - iii. Each party shall acquire and pay all costs associated with the right-of-way or easement acquisition for that portion of the project located within its respective boundary. Additionally, each party shall pay the cost of financing and/or bonding its share of the project cost.

4. **FINANCING THE PROJECT.** Shawnee and Lenexa shall each pay their portion of the cost with monies budgeted and appropriated funds.
5. **DEDICATION OF EASEMENTS.** Parties agree to dedicate or timely acquire and compensate for any and all temporary easements and permanent easements necessary for construction of the Improvements. Such dedications shall include, but shall not be limited to, Public Right-of-Way, Temporary Construction Easements, Permanent Drainage Easements, and Permanent Traffic Signal Easements. Such dedication shall occur on the forms approved by Parties within thirty days following execution of the Agreement.
6. **ADMINISTRATION OF THE PROJECT.** Shawnee will be the Administrator for the Improvements. As Administrator for the Improvements, Shawnee will assume and perform the following duties:
 - a. Coordinate and review the completion of the Improvements.
 - b. Require the Improvements to be completed in conformance with the generally recognized and prevailing standards for completion.
 - c. Require the contractor to comply with all applicable laws and regulations governing construction of the Improvements.
 - d. Solicit bids for and enter into a contract for the making of the Improvements in the manner required by law and require the contractor to comply with all applicable laws and regulations governing public contracts, including all non-discrimination laws and regulations.
 - e. Require statutory and performance bonds for the Improvements from all contractors and require that all contractors discharge and satisfy any mechanics or materialman's liens that may be filed. As Administrator, Shawnee on its own, or at Lenexa's request, will make any claim upon the statutory and performance bonds and require that the contractor fully perform all obligations under the statutory and performance bonds.
 - f. Require a maintenance bond for the Improvements from all contractors for a two-year period commencing on the date of substantial completion. As Administrator, Shawnee on its own, or at Lenexa's request will make any claim upon the maintenance bond and require that the contractor fully perform all obligations under the maintenance bond.
 - g. Require evidence of insurance from the contractor for loss or damage of life or property arising out of the contractor's negligent acts or omissions in an amount not less than \$2,000,000. The Parties shall be named as additional insureds on all applicable certificates of insurance issued by any contractor for the Improvement.
 - h. Require construction contracts to obligate the Contractor to defend, indemnify and save the Parties harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit or action for injuries or damages sustained to persons or property by reason of the acts or omissions of the Contractor and the performance of his or her contract.
7. **DURATION OF THE AGREEMENT.** This Agreement shall continue in full force and effect until completion of the Improvements. Notwithstanding the previous sentence,

Shawnee's and Lenexa's future maintenance obligations shall survive the termination of the Agreement. The Improvements shall be deemed completed upon receipt of written certification by Shawnee to Lenexa.

8. FUTURE MAINTENANCE. Upon completion of the Improvements and acceptance of the same by the Parties, unless otherwise agreed to in writing, the Parties shall individually maintain those portions of the Improvements located within their respective jurisdictions or easements.

9. AMENDMENTS. This Agreement cannot be modified or changed by any verbal statement, promise or agreement, and no modification, change nor amendment shall be binding on the Parties unless it shall have been agreed to in writing and signed by both Parties.

10. JURISDICTION. This Agreement shall be construed according to the laws of the State of Kansas and may be enforced in any court of competent jurisdiction.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by the authority of their respective governing bodies the day and year first above written.

City of Shawnee, Kansas

City of Lenexa, Kansas



Michelle Distler
Mayor

Michael A. Boehm
Mayor

Attest:


Attest:


Stephanie Zaldivar, City Clerk

Jennifer Martin, City Clerk

Approved As To Form:

Approved As To Form:


Jenny Smith
City Attorney

Sean McLaughlin
Assistant City Attorney

Item	Total Cost	Lenexa	Shawnee
	\$ 274,831.00	\$ 6,184.00	\$ 268,647.00
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
	\$ 4,161,393.00	\$ 100,559.00	\$ 4,060,834.00
(including testing services)	\$ 303,940.00	\$ 6,839.00	\$ 297,101.00
TOTAL	\$ 4,740,164.00	\$ 113,582.00	\$ 4,626,582.00
Estimated CARS Payment (Deduction)	\$ 2,232,667.00	\$ 53,699.00	\$ 2,178,968.00
Estimated Remaining Local Portion	\$ 2,507,497.00	\$ 59,883.00	\$ 2,447,614.00

POWDER CREEK'S IMPACT ON THE RESIDENCES ON WOODSONIA



(913) 422-5063

www.powdercreek.com

8601 Monticello Rd, Lenexa, KS 66227



OVERALL OBJECTIVE

Whether shooting at our shotgun range, or relaxing in the comfort of your home, Powder Creek cares about the quality of your experience.

It is important to the Staff and Board Members at Powder Creek that your future residents are aware of the realities of living across the street from a shooting range. It is also important to the Powder Creek community that we have the ability to continue serving the public in the same extensive manner in which we have for the past 74+ years.

About Powder Creek

01

Get to know us and how we got started! This page breaks down our history, our growth, and how we function!

Daily Occurrences and Data

02

Check out the day-to-day of Powder Creek from an informational perspective. See how many shots are fired per day, how many events we have per year, and what landed us in the Guinness Book of World Records!

Powder Creek and The Community

03

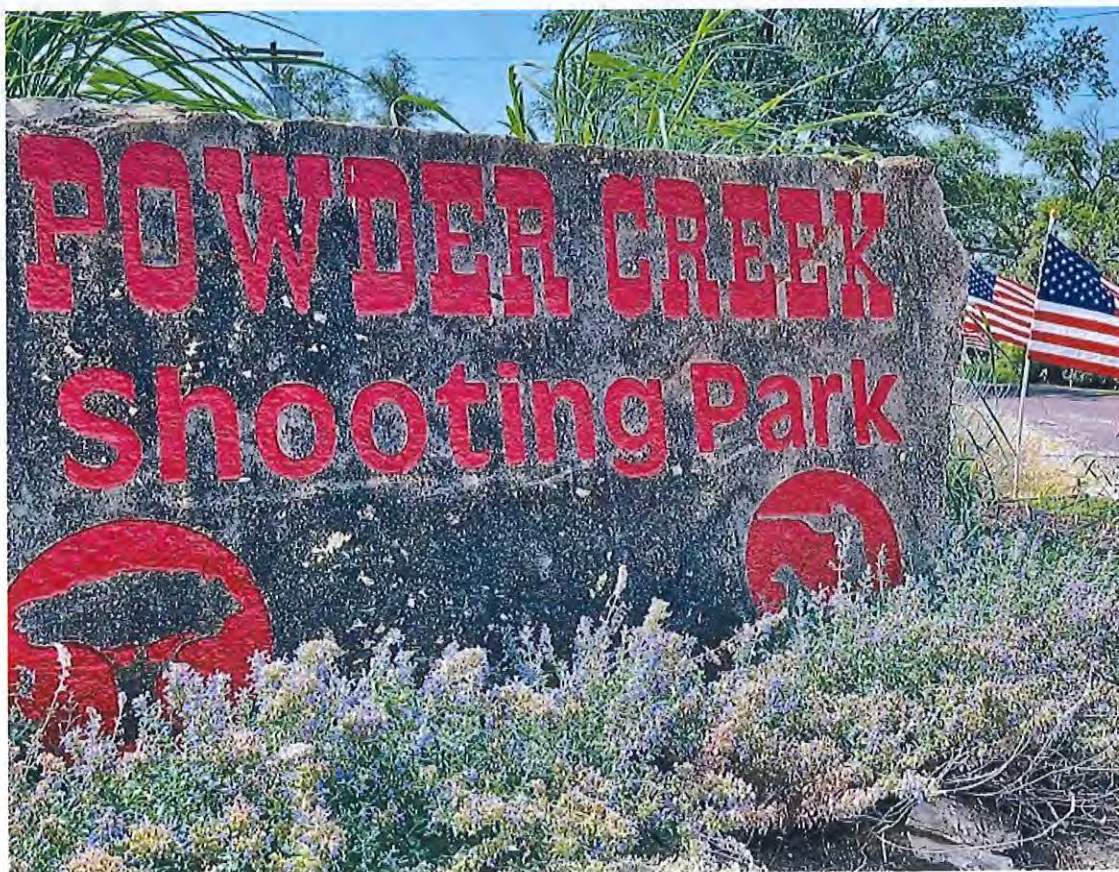
Powder Creek does more than have a blast with our community! This section reviews how our events impact the public, where we are giving back, and how we have inspired change!

Important Take Aways

04

This is a brief conclusion of the more important pieces of information the City of Lenexa should consider before establishing new housing in the proposed location. We want everyone to make the best and most educated decision possible. This includes both the cities decision to build these homes and the people's decision to move into these homes once erected.

ABOUT POWDER CREEK



- Powder Creek Shooting Park was established in 1949 as the Kansas Field and Gun Dog Association. It was then known as "a place to run the dogs and shoot some guns." Since those early days, we have grown in membership, expanded in size, and are now the most complete shotgun shooting facility in the Kansas City Metropolitan Area.
- Powder Creek Shooting Park is a full-service gun club located four miles west of I-435 on 87th Street and 3/8 of a mile south on Monticello Road in western Lenexa, KS. The club is member-owned and operated through our Board of Directors and Voting Members. Powder Creek Shooting Park offers Trap, Skeet, 5-Stand, Sporting Clays, and an Archery range for both Annual-Members and visiting Day-Members. An off-leash dog area, fishing pond, and a clubhouse with an outside patio area in which to relax and socialize are also all available.
- Throughout the year, we hold registered competitive shooting events, fun shoots, leagues, and our facilities are available for group and corporate outings. We invite you to browse this packet for more detailed information on our shooting ranges and diverse event options. Better yet, take the opportunity to visit Powder Creek Shooting Park and enjoy our relaxed and friendly atmosphere, diverse shooting opportunities, and a heritage steeped in the traditions of the shooting sport spanning over 70 years.
- Powder Creek is a 501 (c) (7) Non-Profit Social Organization that puts 100% of it's proceeds back into the property and our community.



DAILY OCCURRANCES & DATA

Total of 3 Million Clays Shot per Year

NSCA Tournaments

- Powder Creek is Recognized by the National Sporting Clay Association (NSCA)
- 14 NSCA Events Each Year.
- Most NSCA Events are 2 Day Events On the Weekends
- **1 State Championship a year.** Powder Creek was 4 Shooters away from breaking the Kansas NSCA Attendance Record in 2023.
- About 70-110 Shooters on Average per Event
- **Roughly 15,000 Clays Shot** per Day, Each Day of Event

Corporate Events

- **Approx. 100 Corporate Events Each Year.** This Includes: Team-Building, Fundraising, Charity, and Youth Program Events.
- Approx. 40-65 Shooters on Average per Event.
- **Approx. 4,000-6,500 Clays Shot per Event.**

Sporting Clays

- **Approx. 11,500 Shots per Day**
- 40-50 Shooters per Weekday
- 80-95 Shooters per Day on Weekends
- Powder Creek is listed in the **Guinness Book of World Records for Most Sporting Clays Broken in 12 hours.** (Approx. 19.5 Clays Shot per Minute in 2019)

5-Stand

- 1 5-Stand League per year.
- Summer League = **8 Weeks per Year**
- 15 5-Stand Teams (30 people)
- **Shooting from 6pm-9pm** during summer hours on Wed & Thurs.
- **Approx. 12,00 Clays Shot** in Total During 5-Stand's 8 Week Season

Trap

- 3 Trap Leagues per Year.
- Spring, Summer, and Fall = **24 Weeks per Year**
- 35 Trap Teams (175 people)
- **Shooting from 6pm-9pm** during summer hours on Wed & Thurs.
- **Approx. 55,000 Clays Shot** During Each Season
- **Approx. 165,000 Clays shot** in Total During Trap's 24 Week Season

Skeet

- 2 Skeet Leagues per Year.
- Spring and Fall Leagues = **22 Weeks per Year**
- 14 Skeet Teams (70 people)
- **Shooting from 6pm-9pm** during summer hours Thurs.
- **Approx. 77,000 Clays Shot** in Total During Skeet's 22 Week Season



POWDER CREEK & THE COMMUNITY

Powder Creek is honored to share a space that brings our community together for any and all occasions. We are involved with several charities, fundraisers, team-building events, youth programs, and we continuously donate to support these causes.

Charity

01

Powder Creek proudly supports several charitable organizations every year. In 2023 we helped bring together and raise funds for several organizations such as: Talons Reach, Veterans Community Project, Shoot for the Cure for Cystic Fibrosis, Every Pair Matters, The American Heart Assoc., Shadow Buddies, Warriors Ascent, Project Hope, KC Autism Training Center, and many more!

Youth Programs

02

Youth programs are offered to nurture an educational and enlightening shooting experience for the next generation. In 2023 we had several events just for the kiddo's to practice shooting! This includes: K-State Trap / Skeet Field Trip, Powder Creek Easter Egg Hunt, Boy Scouts Troop 218 and 315, The Scholastic Clay Target Program (SCTP) as the KC Crushers, and the Saint James Academy as the Thunder Clays Team!

Adults groups will often host events to fundraise for youth programs! In 2023, Pull for Young Life, Pittsburg State University, Big Brothers Big Sisters, and The Boy Scouts Heart of America Council came out to support their scholars!

Donations

03

We give back to our community as often as we can. Each year we donate approximately 50-75 Annual Memberships, as well as targets / rounds and merchandise. In 2023, we have donated to organizations like Shave to Save, Mid-America Green Initiative, Shawnee Economic Development, KC Autism Training Center, Camp Quality of Greater KC, Ducks Unlimited, Pheasants Forever, and the Boy Scouts.



IMPORTANT TAKE-AWAYS



NOISE

- Powder Creek will be shooting as early as 9 am and as late as 9 pm.
- Roughly 11,500 Clays Shot per Day, and 3 Million Clays Shot per Year.
- Shotgun noise is between 150–165 decibels.
- In the Guinness Book of World Records for Most Clays Shot in a 12 Hour Period by One Team. (14,167 Clays Shot in 12 Hours = 19.6 Shots per Minute.)
- Shooting will occur as close as 615 ft. from Powder Creek to the nearest home.

TRAFFIC & PARKING

- Powder Creek utilizes the discussed roundabout on Monticello Road as our only entrance and exit. We also have regular deliveries from semis, golf cart drop offs, and food trucks.



TRADITION

- Powder Creek has been in business for over 70 years.
- Powder Creek is the fullest functioning shooting range in the KC Metro Area with Lifetime Members.
- Corporations and Charities have been using our facility to host Recreational, Competition, Fundraising events for decades.
- More than just Shotgun Shooting! Powder Creek has Archery, Fishing, a BB Gun Range, and Cowboy Action all year!



THAT'S ALL FOLKS!!



Thank you!

We appreciate the City of Lenexa putting this information into consideration while developing new housing structures. Powder Creek wants what is best for each and every aspect of our neighborhood. We are proud to be part of the Lenexa Community, and simply wish to continue business as usual.

Summer Hours

MON: Closed
TUES: Closed
WED: 9 am-9 pm
THURS: 9 am-9 pm
FRI: 9 am-5 pm
SAT: 9 am-5 pm
SUN: 10 am-5 pm

Winter Hours

MON: Closed
TUES: Closed
WED: 10 am-5 pm
THURS: 10 am-5 pm
FRI: 10 am-5 pm
SAT: 10 am-5 pm
SUN: 10 am-5 pm

Hours Change at Daylight Savings Time

Welcome to Powder Creek!

NEW SHOOTER GUIDE

<p><u>TARGET CARDS</u></p>	<ul style="list-style-type: none"> • This is where your targets are stored. • You will need a target card to shoot at Powder Creek. • <u>THIS TARGET CARD IS YOURS TO KEEP</u>- Your targets never expire on this card. • <u>DO NOT LOSE IT</u>- If your target card gets lost or stolen, there is no reimbursement or refund.
<p><u>SPORTING CLAY</u> <u>COURSE</u></p> <p>BLUE TARGET CARD</p>	<p>Sold in groups of 50 or 100 clays.</p> <ul style="list-style-type: none"> • 30 sporting clay stations & 3 difficulty levels. Map on back. <p><u>White</u> = Introductory level (5 stations) <u>Blue</u> = Intermediate level (12 Stations) <u>Red</u> = Advanced / Expert level (13 Stations)</p> <p>If there is a special event, some stations may be reserved and will NOT BE FOR DAILY USE.</p> <ul style="list-style-type: none"> • Two shells in your gun, and <u>only 1 loaded gun at a time.</u>
<p><u>TRAP</u></p> <p>WHITE TARGET CARD</p>	<p>Sold in rounds of 25 targets.</p> <ul style="list-style-type: none"> • We have 4 Trap Fields located near the parking lot/clubhouse. • Yell PULL to throw your targets or use manual pull. <p>There are 5 positions to shoot from.</p> <ul style="list-style-type: none"> • <u>Only 1 shell in your gun, and only 1 loaded gun at a time.</u> <p>***Trap is best for warm-ups and beginners.</p>
<p><u>SKEET</u></p> <p>WHITE TARGET CARD</p>	<ul style="list-style-type: none"> • Sold in rounds of 25 targets. • We have 3 Skeet Fields located near the parking lot/clubhouse. • Yell PULL to throw your targets, or use manual pull. • There are 8 positions to shoot from. • Two shells in your gun, and <u>only 1 loaded gun at a time.</u>
<p><u>5-STAND</u></p> <p>GREEN TARGET CARD</p>	<p>Sold in rounds of 25 targets.</p> <p>We have two 5-Stands available, with 2 different difficulty levels.</p> <p><u>Blue</u> = Intermediate (with Tower) <u>Red</u> = More Difficult (with Trees)</p> <ul style="list-style-type: none"> • You will need the 5-Stand remote to play this game, and we will need your ID as collateral. • Two shells in your gun, and <u>only 1 loaded gun at a time.</u>

