



Agenda

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

**AUGUST 20, 2024
7:00 PM
COMMUNITY FORUM**

CALL TO ORDER Pledge of Allegiance

ROLL CALL

APPROVE MINUTES

July 16, 2024 City Council meeting draft minutes (located in the Appendix)

August 6, 2024 City Council meeting draft minutes (located in the Appendix)

**MODIFICATION OF
AGENDA**

PROCLAMATIONS National Fentanyl Prevention and Awareness Day

CONSENT AGENDA

Item Numbers 1 through 5

The matters listed on the Consent Agenda are routine and approved collectively with no separate discussion on each individual item. Any item on the Consent Agenda may be removed from the Consent Agenda for separate consideration by a member of the Governing Body, the City Manager, or by a member of the public in attendance at the meeting. In the event the item is removed from the Consent Agenda, it will be placed on the regular agenda.

1. Acceptance for maintenance
 - a. Acceptance of the Wheatley Point, First Plat, public improvements for maintenance

This project constructed public street, stormwater, and streetlight improvements in the Wheatley Point, First Plat neighborhood. The work was privately funded.

- b. Acceptance of the Oak Park and Century Estates Storm Drainage Improvement Project for maintenance

This project consisted of the rehabilitation of the stormwater system in the Oak Park and Century Estates neighborhoods. The total cost of the project was \$3,178,280.85.

2. Approval to waive the sealed bid process and enter an agreement with ADB Companies, LLC for the Lenexa Service Center Tower Reinforcement Project

Inspection of the monopole tower at 7700 Cottonwood Street revealed overloading, which will require the installation of steel reinforcement beams. Staff recommends waiving the sealed bid process and contracting with ADB Companies, LLC to do the work for \$113,141.60.

3. Approve an agreement with George Butler & Associates, Inc. to provide design and consulting services for a pavement reconstruction project in the Green Prairie neighborhood

Savings from other pavement reconstruction projects are making the development of a new pavement reconstruction project in the Green Prairie neighborhood possible. Staff recommends contracting with George Butler & Associates, Inc. for design and consulting services related to this new project for a total cost of \$219,068.

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

Franchise ordinances with natural gas providers allow the City to receive compensation based on the volume of natural gas transported within the city. These ordinances require the Volumetric Rate Calculation Form to be updated annually. Adoption of this resolution will allow the City to continue collecting this fee in 2025.

5. Resolution approving the closure of Penrose Lane from eastbound 87th Street Parkway to 88th Street for a special "Red Friday" Night Sound Bites on September 13, 2024

The Public Market plans to co-host a Kansas City Chiefs-themed "Red Friday" Night Sound Bites in partnership with Made in KC Marketplace. The road closure will allow the Public Market to obtain a temporary event permit from the Kansas Division of Alcoholic Beverage Control (ABC) to allow both the Market and Made in KC Marketplace to extend their respective licensed/permitted premises onto the street for the duration of the event.

END OF CONSENT AGENDA

BOARD RECOMMENDATIONS

6. Ordinance approving a permanent special use permit for a medical clinic known as Optimum Eye Care, located at 11071 Hauser Street, Unit 4B, in the NP-O, Planned Neighborhood Office District

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

7. Preliminary plan for Sonoma Plaza Phase 3 Apartments and acceptance of drainage and utility easements as shown on Sonoma Plaza, Sixth Plat, located at the intersection of 88th Street & Maurer Road
 - a. Approval of a preliminary plan for a multifamily residential development known as Sonoma Plaza Phase 3 Apartments
 - b. Acceptance of drainage and utility easements as shown on Sonoma Plaza, Sixth Plat

The applicant proposes constructing a multifamily development in the Sonoma Plaza Planned Unit Development (PUD) at 88th Street and Maurer Road. The planned structure features a four-five-story split, with one level of parking and four levels of apartments. The parking area covers 85,000 square feet, while the entire building totals 248,060 square feet, including 218 dwelling units. The applicant seeks approval for a preliminary plan and final plat.

8. Approval of a preliminary plan/plat for Cedar Canyon Attached Villas, a duplex development in the Cedar Canyon West development, located at the southwest corner of 99th Street & 100th Street in the RP-2, Residential Planned (Intermediate-Density) District

The applicant proposes a duplex development known as Cedar Canyon Attached Villas located at the southwest corner of 99th Street & 100th Street. The preliminary plan includes 20 buildings totaling 40 dwelling units on 7.68 acres.

PUBLIC HEARINGS

9. Resolution amending Resolution 2023-072 related to the City's intent to issue approximately \$18 million in industrial revenue bonds (IRB) and amending the payment in lieu of taxes (PILOT) agreement associated with construction of a commercial facility at 113th Street & Britton Street (Lenexa Logistics Centre

South - Building 6)

- a. Public hearing to consider a request to extend the time to commence construction and to increase the authorized IRB amount to \$22 million
- b. Resolution amending Resolution 2023-072 related to the City's intent to issue approximately \$18 million in IRBs and amending the PILOT agreement

The City adopted Resolution 2023-072 determining the intent of the City to issue its industrial revenue bonds in the approximate amount of \$18 million to help finance the cost of acquiring, constructing, and equipping a commercial facility in Lenexa Logistics Centre South and approving a payment in lieu of taxes agreement. Due to construction delays and cost increases, the developer is requesting an extension to December 31, 2026 and an increase in the bond amount to \$22 million.

10. Consideration of a right-of-way vacation located near the northwest corner of eastbound 87th Street Parkway & Winchester Street

- a. Public hearing to consider a request to vacate right-of-way
- b. Ordinance vacating right-of-way

The vacation application is to vacate right-of-way in the area of the northwest corner of 87th Street Parkway & Winchester Street. The area to be vacated is located between Lennox Drive and Winchester Street along 87th Street Parkway. The right-of-way is not needed for any extension or expansion of the public street.

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

11. July 16, 2024 City Council meeting draft minutes
12. August 6, 2024 City Council meeting draft minutes
13. National Fentanyl Prevention and Awareness Day Proclamation

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 1a

SUBJECT: Acceptance of the Wheatley Point, First Plat, public improvements for maintenance
CONTACT: Tim Green, Deputy Community Development Director
DATE: August 20, 2024

ACTION NEEDED:

Accept the Wheatley Point, First Plat, public improvements for maintenance.

PROJECT BACKGROUND/DESCRIPTION:

This project constructed public street, stormwater, and streetlight improvements in the Wheatley Point, First Plat neighborhood.

Staff performed a final inspection on August 1, 2024, and advised that all work had been completed in accordance with the plans and specifications. Maintenance bonds, the warranty mechanism by which the City ensures the quality of materials and construction on public improvements, for this project shall go into force upon acceptance by the Governing Body on August 20, 2024, and will expire on August 20, 2026.

The contractor was Emery Sapp & Sons, Inc.

Total lane miles:	0.30 miles
Total statute miles:	0.15 miles
Pipe length:	633 linear feet

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The work was privately funded.

STAFF RECOMMENDATION:

Acceptance for maintenance.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

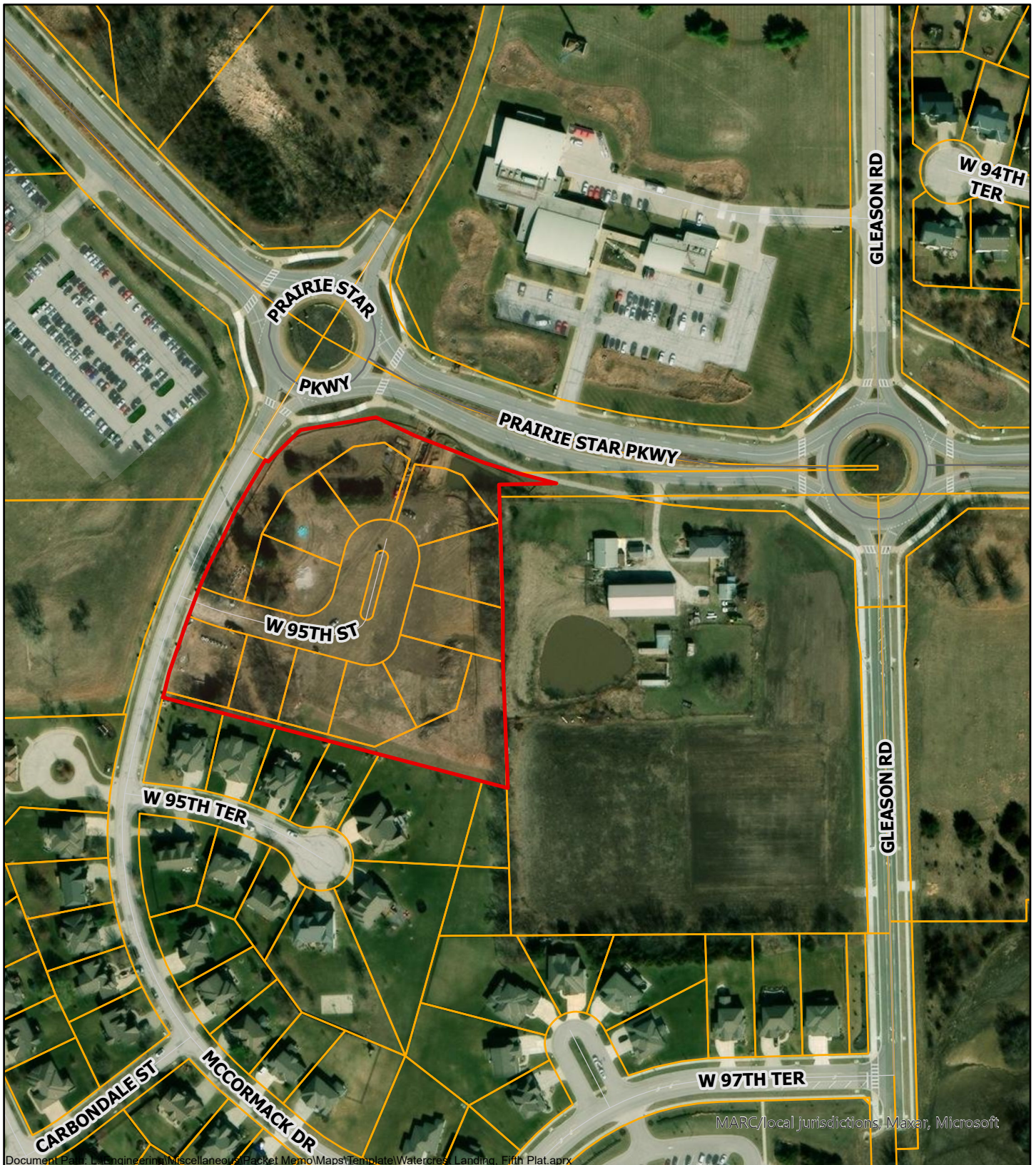
Integrated Infrastructure & Transportation

Guiding Principles

Responsible Economic Development

ATTACHMENTS

1. Map



Wheatley Point, First Plat Public Improvements



0 110 220 440 Feet



**CITY COUNCIL
MEMORANDUM**

ITEM 1b

SUBJECT: Acceptance of the Oak Park and Century Estates Storm Drainage Improvement Project for maintenance

CONTACT: Tim Green, Deputy Community Development Director

DATE: August 20, 2024

ACTION NEEDED:

Accept the Oak Park and Century Estates Storm Drainage Improvement Project ("Project") for maintenance.

PROJECT BACKGROUND/DESCRIPTION:

This Project consisted of the rehabilitation of the stormwater system in the Oak Park and Century Estates neighborhoods.

Staff performed a final inspection on July 15, 2024, and advised that all work had been completed in accordance with the plans and specifications. Maintenance bonds, the warranty mechanism by which the City ensures the quality of materials and construction on public improvements, for this Project shall go into effect upon acceptance by the Governing Body on August 20, 2024 and expire on August 20, 2026.

The contractor was Orr Wyatt Streetscape.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The Project is included in the 2023-2027 Capital Improvement Program (CIP Project No. 90061) and was funded with stormwater cash.

Lenexa Stormwater cash	\$3,178,280.85
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STAFF RECOMMENDATION:

Acceptance for maintenance.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Integrated Infrastructure & Transportation

Guiding Principles

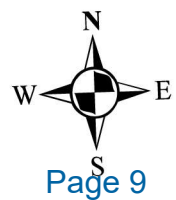
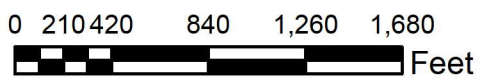
Strategic Community Investment
Sustainable Policies and Practices

ATTACHMENTS

1. Map



**Oak Park / Century Estates
Stormwater Improvements**





**CITY COUNCIL
MEMORANDUM**

ITEM 2

SUBJECT: Approval to waive the sealed bid process and enter an agreement with ADB Companies, LLC for the Lenexa Service Center Tower Reinforcement Project

CONTACT: Steven Shrout, Assistant City Attorney

DATE: August 20, 2024

ACTION NEEDED:

Approve a waiver of the sealed bid process and authorize the Mayor to execute an agreement with ADB Companies, LLC for the Lenexa Service Center Tower Reinforcement Project ("Project").

PROJECT BACKGROUND/DESCRIPTION:

In the summer of 2023, as part of the three-year inspection schedule for City-owned monopole towers, the City contracted with Selective Site Consultants (SSC) to perform a comprehensive structural analysis for the monopole tower located at the Lenexa Service Center, 7700 Cottonwood Street (known as the "KNL Tower"). During the inspection, SSC determined that the KNL Tower was overloaded and recommended the installation of steel reinforcement beams on the tower to correct the overloading. SSC provided tower modification drawings that the City's selected Contractor could use to obtain, supply, and install the materials.

In discussing potential contractors with SSC, it was determined that there were very few qualified contractors to perform the required work. Over the past year, City staff worked diligently to identify and contact contractors that were qualified and willing to provide quotes on the Project. The City received quotes from the following three contractors:

PDQ Tower Services Inc.	\$189,761.25
FastTrac Telecom Services, LLC	\$129,182.00
ADB Companies, LLC d/b/a ADB Wireless	\$113,141.60

ADB Companies, LLC, located in Peculiar, MO, provided the lowest quote for the work associated with the Project. The City Purchasing Policy and Procedures requires that purchases greater than \$75,000 must be made through a sealed bid process or formal selection process unless the process is waived by the City Council. Staff believes a waiver is in the City's best interest because ADB Companies, LLC is a local company able to do the work at the lowest and best cost to the City rather than an out-of-area business.

This agreement uses the City's standard form and is available for review in the City Clerk's office.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The Project cost is \$113,141.60 and will be funded through the 2024 General Fund budget.

STAFF RECOMMENDATION:

Waive the sealed bid process and authorize the Mayor to sign the agreement with ADB Companies, LLC for the Project.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

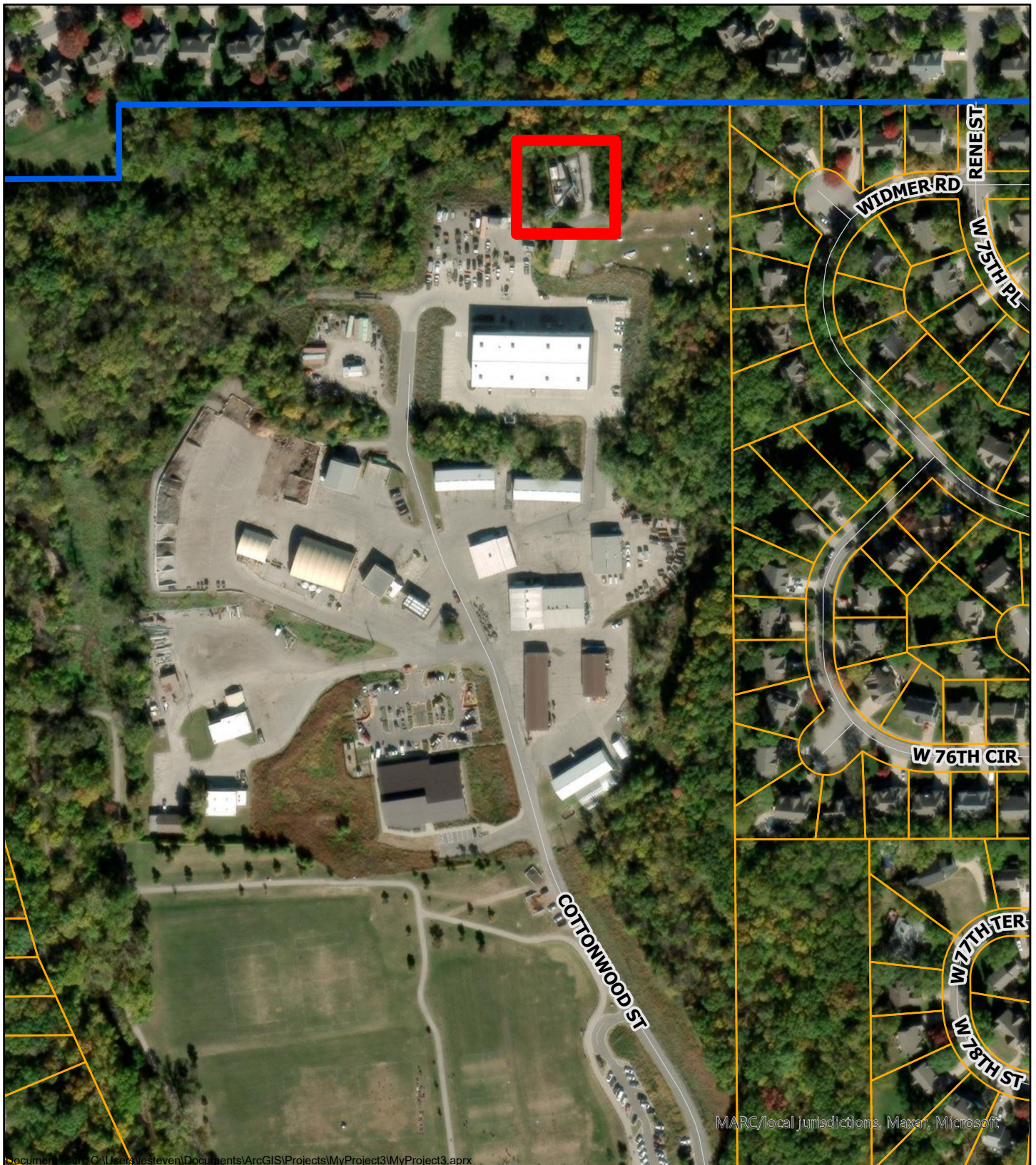
Integrated Infrastructure & Transportation

Guiding Principles

Strategic Community Investment

ATTACHMENTS

1. Map



Lenexa Service Center Tower Reinforcement Project 7700 Cottonwood St.



0 120 240 480
Feet



**CITY COUNCIL
MEMORANDUM**

ITEM 3

SUBJECT: Approve an agreement with George Butler & Associates, Inc. to provide design and consulting services for a pavement reconstruction project in the Green Prairie neighborhood

CONTACT: Nick Arena, Municipal Services Director

DATE: August 20, 2024

ACTION NEEDED:

Approve an agreement with George Butler & Associates, Inc. ("GBA") to provide design and consulting services for a pavement reconstruction project in the Green Prairie neighborhood ("Project").

PROJECT BACKGROUND/DESCRIPTION:

In 2022 and 2023, staff and a consultant evaluated all residential streets throughout the City to determine streets in need of complete pavement reconstruction. The first three projects of the Pavement Reconstruction Program will be completed by the end of 2024. After receiving favorable bids for the last two reconstruction projects, the Pennygreen and Deer Run neighborhoods, there are funds remaining in the pavement reconstruction budget to move forward with designing the next project in the program, which is in the Green Prairie neighborhood and Summit Street and 91st Terrace west of Pflumm Road.

Earlier this summer, staff shortlisted three engineering firms based on their 2024 Engineering Services Statement of Interest. A request for qualifications (RFQ) was sent to these firms asking for pavement reconstruction project experience, innovative designs, unique projects, experience of key personnel, and detailed information on how their team will handle, organize, assist and manage utility coordination throughout the project. After reviewing the three RFQs that were received, GBA was selected as the most qualified to complete the design.

The proposed improvements include:

- Full reconstruction of all streets;
- Spot replacement of sidewalks and curbs;
- Streetlight upgrades; and
- Minor repairs to stormwater infrastructure, if necessary.

If approved in the Capital Improvement Program (CIP), construction is anticipated for the summer of 2025.

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

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The Pavement Reconstruction Program funds the Project in the 2024-2028 CIP (Project No. 68001). The design of the Green Prairie neighborhood improvements is included in the 2024 Pavement Reconstruction budget. At this time, staff is only moving forward with the design of the Project. Staff will bid the Project for construction after dedicated funding is available.

STAFF RECOMMENDATION:

Approve the agreement.

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

Integrated Infrastructure & Transportation

Guiding Principles

Strategic Community Investment

Superior Quality Services

ATTACHMENTS

1. Map



Folder: L:\1 GIS\ArcPro\Templates\Pages\Council Map
 Last Saved: 8/12/2024
 Prepared by: Jolien Moore, Municipal Services

Green Prairie Subdivision Street Reconstruction 2024 Pavement Reconstruction Program



0 120 240 480 720
 US Feet



**CITY COUNCIL
MEMORANDUM**

ITEM 4

SUBJECT: Resolution amending the Volumetric Rate Calculation Form used in determining the fee paid for natural gas transported within the city in accordance with natural gas franchise ordinances

CONTACT: Steven Shrout, Assistant City Attorney

DATE: August 20, 2024

ACTION NEEDED:

Adopt a resolution amending the Volumetric Rate Calculation Form ("Form") used in determining the fee paid for natural gas transported within the city in accordance with natural gas franchise ordinances.

PROJECT BACKGROUND/DESCRIPTION:

On July 15, 2008, the City passed Ordinance 5047 establishing the Form and allowing future amendments to be made by resolution. The Form allows the City to collect a franchise fee for natural gas transported, but not sold, within the city. The volumetric rate to be used for a given year is based upon the average settlement prices for natural gas during the preceding year. The City has received franchise fees for transport gas from the natural gas providers since January 1, 2009.

Pursuant to the City's natural gas franchises, the Form must be updated annually. The current Form took effect on January 1, 2024, and this resolution amends the Form to allow continued collection of this fee in 2025. The Form has been reviewed by both natural gas providers without any objection. Under this resolution, the volumetric rate will decrease from \$0.2345 to \$0.1509 in 2025. Following adoption of this resolution, the amended transport gas fee will be effective January 1, 2025.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The City currently has franchise ordinances with Kansas Gas Service Company and Atmos Energy Corporation. The 2024 franchise fees are expected to decrease because of the decrease in the volumetric rate.

STAFF RECOMMENDATION:

Adoption of the resolution.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040
Thriving Economy

Guiding Principles
Prudent Financial Management

ATTACHMENTS

1. Form
2. Resolution

The City of Lenexa
Volumetric Rate Calculation Form
For the Transportation of Natural Gas in Pipelines Located in the City of Lenexa
Based on the NYMEX settlement prices for the dates shown

Deadline Form must be filed each year with the City Clerk by July 31st and notice sent to the Natural Gas Companies

Month	Last Year <u>17-Jul</u>	Last Year <u>15-Aug</u>	Last Year <u>15-Sep</u>	Last Year <u>16-Oct</u>	Last Year <u>15-Nov</u>	Last Year <u>15-Dec</u>	This Year <u>15-Jan</u>	This Year <u>15-Feb</u>	This Year <u>15-Mar</u>	This Year <u>15-Apr</u>	This Year <u>15-May</u>	This Year <u>17-Jun</u>
Aug Last Year	2.512											
Sep Last Year	2.504	2.659										
Oct Last Year	2.606	2.781	2.644									
Nov Last Year	3.028	3.287	2.932	3.109								
Dec Last Year	3.441	3.790	3.345	3.479	3.190							
Jan Current Year	3.685	3.994	3.595	3.721	3.362	2.491						
Feb Current Year	3.614	3.915	3.524	3.663	3.308	2.425	2.900					
Mar Current Year	3.338	3.601	3.246	3.395	3.129	2.318	2.477	1.581				
Apr Current Year	3.068	3.272	2.990	3.181	3.021	2.333	2.453	1.647	1.655			
May Current Year	3.060	3.253	2.996	3.201	3.078	2.415	2.513	1.767	1.789	1.691		
Jun Current Year	3.173	3.333	3.113	3.321	3.195	2.570	2.643	1.953	2.038	1.946	2.416	
July Current Year	3.297	3.425	3.234	3.447	3.314	2.715	2.782	2.159	2.370	2.274	2.631	2.788
Aug Current Year		3.459	3.276	3.478	3.355	2.756	2.823	2.238	2.468	2.389	2.701	2.867
Sept Current Year			3.253	3.454	3.340	2.729	2.801	2.228	2.474	2.378	2.672	2.849
Oct Current Year				3.530	3.419	2.794	2.871	2.310	2.564	2.480	2.740	2.928
Nov Current Year					3.782	3.129	3.253	2.732	2.961	2.894	3.080	3.281
Dec Current Year						3.555	3.732	3.248	3.453	3.445	3.562	3.729
Jan Next Year							4.011	3.548	3.732	3.720	3.825	3.997
Feb Next Year								3.396	3.547	3.559	3.658	3.827
Mar Next Year									3.193	3.207	3.252	3.423
Apr Next Year										3.021	3.007	3.153
May Next Year											3.047	3.175
Jun Next Year												3.335

Avg Settlement Price	3.111	3.397	3.179	3.415	3.291	2.686	2.938	2.401	2.687	2.750	3.049	3.279
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July 2023 through June 2024 settlement price average	3.015
X Bundled Franchise Fee Rate	5%
=Volumetric Rate/MCF for 2025	0.1508

Note: If the 15th of the month falls on a week-end or NYMEX holiday, then use the next business day settlement price.

RESOLUTION NO. _____

A RESOLUTION AMENDING THE VOLUMETRIC RATE CALCULATION FORM TO BE USED IN DETERMINING THE VOLUMETRIC RATE TO BE PAID FOR TRANSPORT GAS PURSUANT TO THE CITY'S NATURAL GAS FRANCHISES

WHEREAS, the City of Lenexa, Kansas ("City") has previously adopted franchise ordinances with natural gas providers that allowed the City to receive compensation based on the volume of gas transported, but not sold within the City ("Transport Gas"); and

WHEREAS, under the franchise ordinances, the City must annually determine a Volumetric Rate by adopting a Volumetric Rate Calculation Form in order to receive compensation for Transport Gas; and

WHEREAS, Ordinance No. 5047, which was passed and signed on July 15, 2008, established a Volumetric Rate Calculation Form to take effect January 1, 2009, and authorized amendments to the form to be made by resolution; and

WHEREAS, the Volumetric Rate Calculation Form, attached hereto as Exhibit "A", and made a part hereof by reference, provides the method for which natural gas providers shall calculate the compensation to be paid to City for Transport Gas for calendar year 2025 under the City's natural gas franchises.

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

SECTION ONE: The Volumetric Rate Calculation Form, attached hereto as Exhibit "A" and incorporated herein by reference, shall amend the Volumetric Rate Calculation Form approved pursuant to Ordinance No. 5047 and is approved and adopted by the City for use in determining the compensation to be paid to the City for Transport Gas in calendar year 2025 under the City's natural gas franchises.

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

ADOPTED by the City Council this 20th day of August, 2024.

SIGNED by the Mayor this 20th day of August, 2024.

CITY OF LENEXA, KANSAS

[SEAL]

Julie Sayers, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Steven D. Shrout, Assistant City Attorney



**CITY COUNCIL
MEMORANDUM**

ITEM 5

SUBJECT: Resolution approving the closure of Penrose Lane from eastbound 87th Street Parkway to 88th Street for a special "Red Friday" Night Sound Bites on September 13, 2024

CONTACT: Mike Nolan, Assistant City Manager
Tessa Adcock, Public Market Manager

DATE: August 20, 2024

ACTION NEEDED:

Adopt a resolution approving the closure of Penrose Lane from eastbound 87th Street Parkway to 88th Street for a special "Red Friday" Night Sound Bites on September 13, 2024.

PROJECT BACKGROUND/DESCRIPTION:

On September 13, 2024, the Public Market plans to co-host a Kansas City Chiefs-themed "Red Friday" Night Sound Bites in partnership with Made in KC Marketplace ("Made in KC"). In addition to the live music, there will be a visit by KC Wolf, companion food trucks, a fire performer, and a football throwing activity for patrons to enjoy.

Event plans include closing Penrose Lane from eastbound 87th Street Parkway south to 88th Street. The road closure will allow the Public Market to obtain a temporary event permit from the Kansas Division of Alcoholic Beverage Control (ABC) to extend the possession and consumption of alcohol from the Common Consumption Area onto the street. The permit would also allow Made in KC to extend their licensed premises onto the street to join the special event. State law requires the governing body of a city to approve the closure of a road to obtain the necessary temporary permit.

The City will apply for and hold the temporary event permit through the Public Market. The road closure is planned from 3 PM to 11 PM, with musical acts scheduled between 4 PM and 10 PM. Staff is working with Made in KC and other Civic Campus neighbors to finalize parking and traffic plans for the event, which will be communicated through the Public Market's social media and newsletter and Made in KC's outlets closer to September 13. The attached map provides an overview of the layout for the event.

STAFF RECOMMENDATION:

Adopt the resolution.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

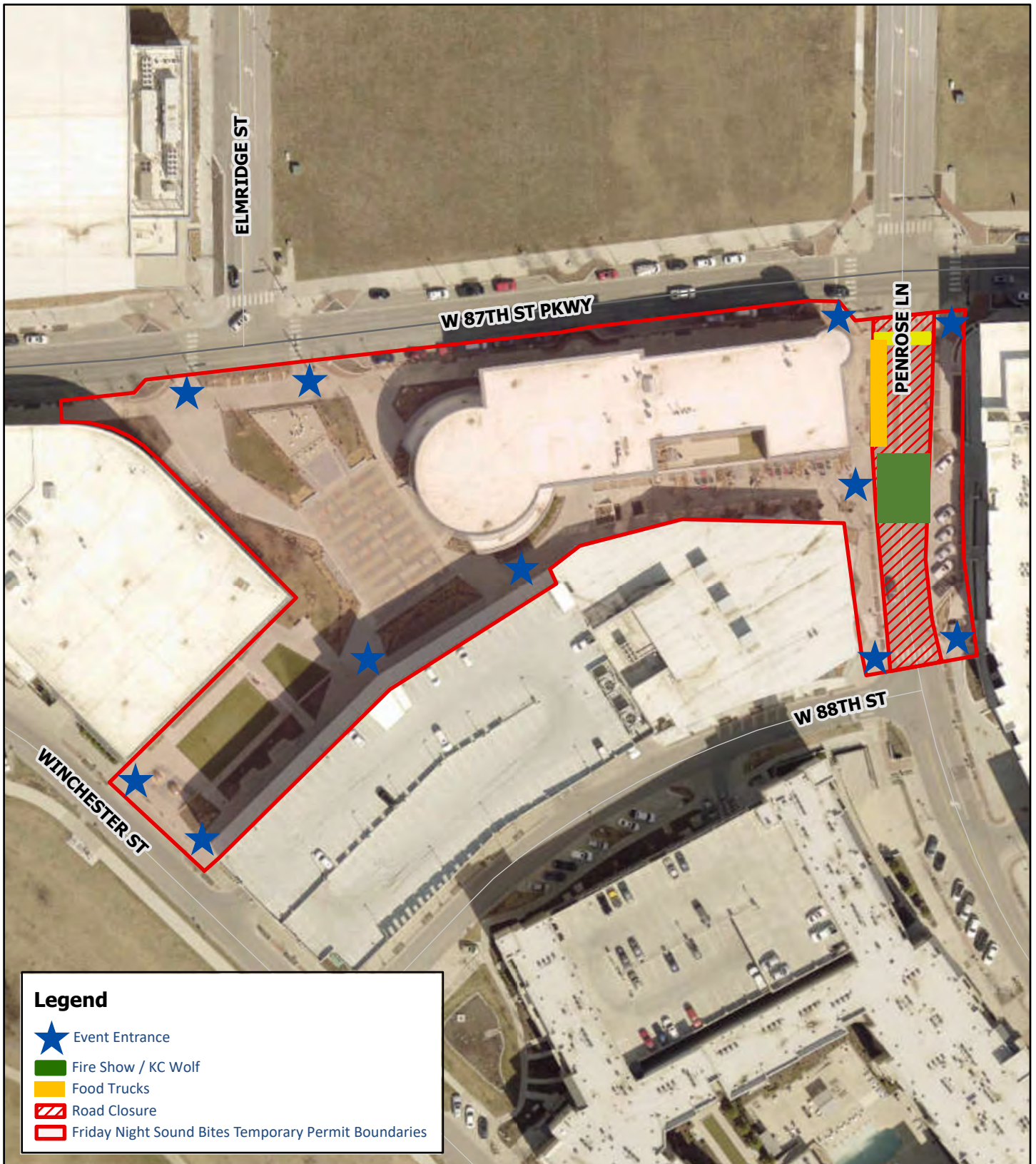
Inviting Places
Vibrant Neighborhoods

Guiding Principles

Extraordinary Community Pride
Inclusive Community Building

ATTACHMENTS

1. Map
2. Resolution



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

"Red Friday" Night Sound Bites September 13, 2024



0 62.5 125 250
Feet



RESOLUTION NO. 2024-

A RESOLUTION APPROVING THE CLOSURE OF PENROSE LANE FROM EASTBOUND 87TH STREET PARKWAY TO 88TH STREET FOR FRIDAY NIGHT SOUND BITES ON September 13, 2024.

WHEREAS, the City intends to co-host a Kansas City Chiefs-themed “Red Friday” Night Sounds Bites event (“Event”) in partnership with Made in KC Market Place (“Made in KC”) that will take place Friday, September 13, 2024 at City Center; and

WHEREAS, the City intends for Lenexa Public Market vendors to provide and sell alcohol at the Event for consumption on the premises, including consumption on certain public streets, roads and sidewalks closed to vehicular traffic; and

WHEREAS, pursuant to K.S.A. 41-719, alcohol may be consumed on public streets, alleys, roads, sidewalks or highways as part of an event, so long as a temporary permit for the sale of alcoholic liquor has been issued by the State and the local governing body has approved the event and authorized the closure of any applicable streets to vehicular traffic during the special event; and

WHEREAS, in accordance with K.S.A. 41-719, the City desires to close a portion of Penrose from 87th Street Parkway to 88th Street and any associated streets, alleys, roads and sidewalks within the boundaries depicted on Exhibit A, attached hereto and incorporated herein by reference, to vehicular traffic and to allow the consumption of alcohol within said boundaries during the Event.

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

SECTION ONE: In accordance with K.S.A. 41-719, the Governing Body hereby authorizes the consumption of alcoholic liquor on public streets, alleys, roads, sidewalks or highways that are closed to vehicular traffic as part of the Event.

SECTION TWO: The Governing Body hereby authorizes Lenexa Public Market vendors to provide and sell alcohol at the Event, provided the City first obtains a temporary permit for the sale of alcoholic liquor from the State of Kansas, Division of Alcoholic Beverage Control.

SECTION THREE: The Governing Body hereby authorizes the portion of Penrose from 87th Street Parkway to 88th Street and any associated streets, alleys, roads and sidewalks within the boundaries depicted on Exhibit A, to be closed to vehicular traffic during the Event.

The street is anticipated to close at 3:00 p.m. on Friday, September 13, 2024 and re-open at 11:00 p.m. on Friday, September 13, 2024.

SECTION FOUR: The boundaries of the Event, within which alcoholic liquor may be possessed or consumed, shall be as designated on the attached Exhibit A. The Community Development Director or designee will mark the boundaries of the approved event area by signs, a posted map, or other means that will reasonably identify the area in which alcoholic liquor may be possessed or consumed.

ADOPTED by the Lenexa City Council on August 20, 2024.

SIGNED by the Mayor on August 20, 2024.

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 6

SUBJECT: Ordinance approving a permanent special use permit for a medical clinic known as Optimum Eye Care, located at 11071 Hauser Street, Unit 4B, in the NP-O, Planned Neighborhood Office District

CONTACT: Stephanie Sullivan, Planning Manager

DATE: August 20, 2024

ACTION NEEDED:

Pass an ordinance approving a permanent special use permit (SUP) for a medical clinic known as Optimum Eye Care, located at 11071 Hauser Street, Unit 4B, in the NP-O, Planned Neighborhood Office District.

APPLICANT:

Rajarshi Bhakta

OWNER:

Neeti Alapati

PROPERTY LOCATION/ADDRESS:

11071 Hauser Street, Unit 4B

PROJECT BACKGROUND/DESCRIPTION:

The applicant requests approval of a permanent SUP to operate a medical clinic use in the NP-O, Planned Neighborhood Office District. The clinic is known as Optimum Eye Care and is proposed to be located within a 3,649 square foot space at 11071 Hauser Street, Unit 4B. Optimum Eye Care is an ophthalmology practice that provides medical and surgical care for a range of acute and chronic conditions related to the eye, including, but not limited to, diabetes, hypertension, dry eyes, cataracts, and glaucoma. The clinic will be open for appointments on Wednesdays, Thursdays, and Fridays from 8 AM to 5 PM. Visits are scheduled by appointment only. There are two existing special use permits for medical clinic uses in the same business park development.

During staff's review of the request, it was identified that the parking lot that serves the site is deficient by two parking spaces. Staff recommended a condition that the property owner provide a written statement agreeing to plan for/construct two deferred parking spaces and that the written statement be provided prior to issuance of a Certificate of Occupancy. The Planning Commission concurred with staff's recommendation with this condition as presented.

STAFF RECOMMENDATION:

Pass the ordinance.

PLANNING COMMISSION ACTION:

This item was considered as Regular Agenda Item 2 at the August 5, 2024 Planning Commission meeting. A public hearing was held. No one from the public spoke during the public hearing. The Commission confirmed that the applicant agreed to the condition related to deferred parking and the applicant

concurrent.

Chairman Poss entertained a motion to recommend **APPROVAL** for a permanent special use permit for a medical clinic use for Optimum Eye Care located at 11071 Hauser Street, Unit 4B, in the NP-O, Planned neighborhood Office District. Moved by Commissioner Wagner, seconded by Commissioner Horine, and carried by a unanimous voice vote. The motion included the following condition:

1. The property owner shall provide a written statement agreeing to plan for/construct two deferred parking spaces in accordance with Section 4-1-D-1-J of the UDC. This written statement must be provided prior to issuance of a Certificate of Occupancy.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Healthy People & Vibrant Neighborhoods

Guiding Principles

Strategic Community Investment

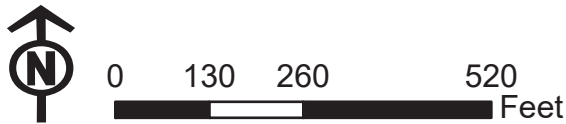
ATTACHMENTS

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



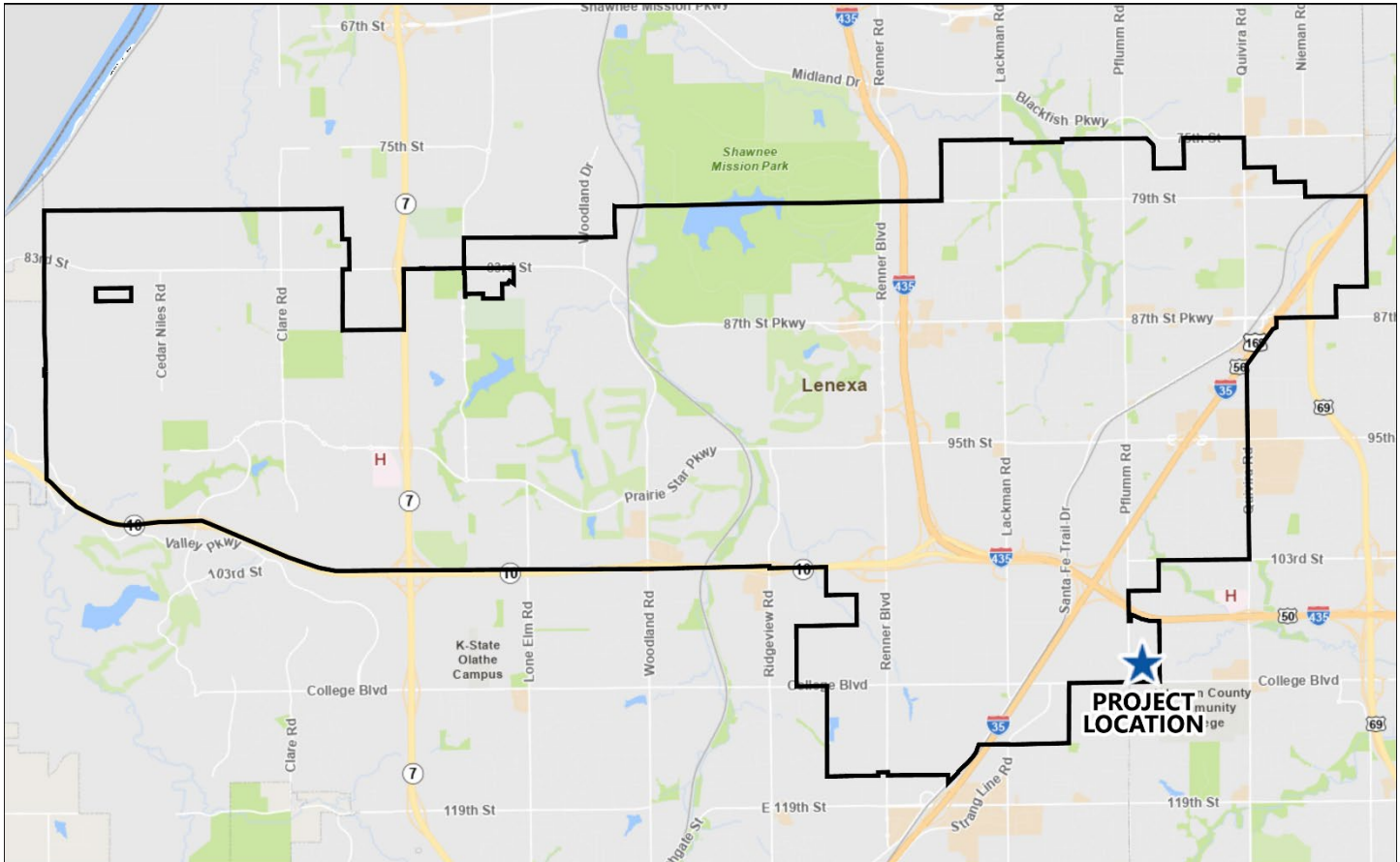
Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

Optimum Eye Care SU24-07



OPTIMUM EYE CARE

Project #:	SU24-07	Location:	11071 Hauser Street
Applicant:	Rajarshi Bhakta	Project Type:	Special Use Permit
Staff Planner:	Logan Strasburger	Proposed Use:	Medical Clinic



PROJECT SUMMARY

The applicant is requesting approval of a permanent special use permit (SUP) to operate a medical clinic known as Optimum Eye Care located at 11071 Hauser Street within the NP-O (Neighborhood Planned Office) District. Optimum Eye Care is an ophthalmology practice that provides medical and surgical care for a range of acute and chronic conditions related to the eye, including, but not limited to, diabetes, hypertension, dry eyes, cataracts, and glaucoma. Surgery will not be provided at this location. The clinic proposes to occupy Unit 4B of Building 4 of West College Business Park, a 3,649 SF tenant space. Visits are scheduled by appointment only. There are two existing special use permits for medical clinic uses in the business park. This request requires a Public Hearing at the Planning Commission meeting and consideration by the Governing Body.

STAFF RECOMMENDATION: PERMANENT APPROVAL

SITE INFORMATION

The subject site, 11071 Hauser Street, is situated in one of four buildings within West College Business Park. The site occupies roughly three-fourths of Building 4 in Unit 4B. The West College Business Park was originally platted in 2007 (PT07-05F), with accompanying final plan PL07-05F for Buildings 3 and 4, with newer plats in later years for Building 1 and 2. There are two existing special use permits that were granted for medical clinic uses for Building 1 and 2; SU17-16-PERM (11001 Hauser, Unit 1A) and SU11-05-PERM (11025-11041 Hauser, Units 2A & 2B) and one special use permit for personal services SU18-02 (11041 Hauser, Unit 2B).

The structure is one level. Currently there are three other tenants occupying the subject building. Tenants are engaged in office-related uses. Tenants in adjacent buildings are engaged in office and medical clinic-related uses.

LAND AREA (AC)	BUILDING AREA (SF)	CURRENT ZONING	COMP. PLAN
0.10 (parcel)	5,396 (entire building) 3,649 (tenant space)	NP-O	Office



Exhibit 1: Aerial image of College West Business Condos with subject parcel outlined in red and tenant space outlined in yellow. Overland Park is adjacent to the east of the subject parcel.



Exhibit 2: Photo of a portion of parking lot serving the subject site.



Exhibit 3: Photo of sidewalk leading to entrance of Optimum Eye Care.



**Exhibit 4: Aerial graphic depicting West College Business Park's four buildings and units.
The subject site is located in Unit 4B.**

LAND USE REVIEW

The subject property is in the NP-O, Neighborhood Planned Office District. A *medical or dental clinic*, which includes eye care, 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.”

Optimum Eye Care is a professional ophthalmology practice that offers medical and post-surgical treatment for various acute and chronic eye conditions, such as diabetes, hypertension, dry eyes, cataracts, and glaucoma. The clinic will have appointments available from 8:00 AM to 5:00 PM on Wednesday, Thursday, and Friday. The office will be closed for patient appointments on Monday and Tuesday to allow for administrative tasks. The applicant has indicated that there will initially be one full-time technician and one full-time Ophthalmologist employed at the practice.

It is anticipated that the clinic will initially see around 10 to 15 patients daily in the first year, with an expected increase to 20 to 25 patients daily over the next three years. This means that there will be a maximum of 6 patients in the office at any given time. New patients will have appointments lasting 30 to 45 minutes, while follow-up visits will be 10 to 15 minutes in length. As the number of patients increases, the practice plans to hire an additional technician to accommodate the rise in patient volume.

The subject site is situated in Unit B of Building 4 at the West College Business Park. Building 4 is divided into two tenant spaces, specifically 4A and 4B. The space at 11071 Hauser encompasses 3,649 square feet of the total 5,396 square-foot area. The unit consists of three treatment rooms and a waiting room. Types of businesses that occupy other units within Building 4 include office uses. Staff believes this is an appropriate location for a medical office. The Future Land Use (FLU) Map within the Comprehensive Plan supports office and neighborhood businesses.

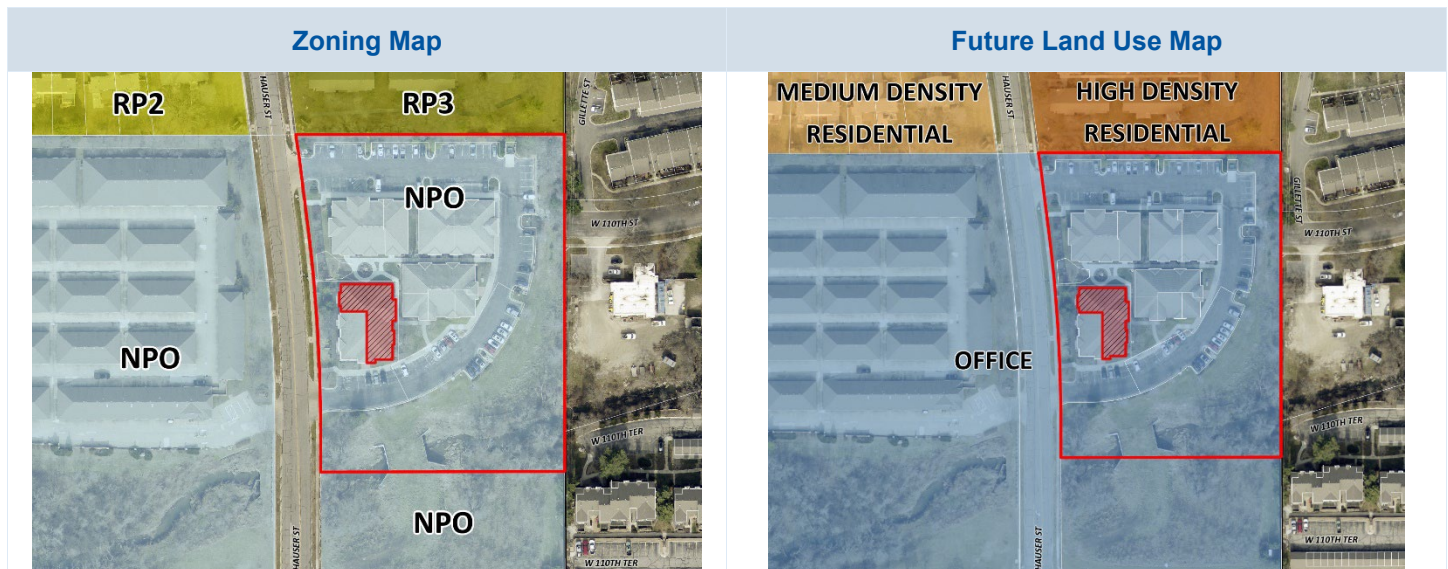


TABLE 1: COMPARISON OF SURROUNDING PROPERTIES

Vicinity	Land Use Designation	Zoning	Current Use
Subject Property	Office	NP-O, Planned Neighborhood Office District	Office; Medical Clinic
North	High Density Residential; Medium Density Residential	RP-2, Planned Residential Intermediate-Density District; RP-3, Planned Residential Medium-High-Density District	Multifamily Residential
South	Lenexa – Office; Overland Park – Office; Low-Density Residential	NP-O, Planned Neighborhood Office District; R-1, Single-Family Residential (Overland Park); CP-O, Planned Office Building (Overland Park)	Undeveloped; Single-Family Detached
East	Overland Park – Medium-High-Density Residential; Medium-Density Residential	RP-2, Planned Two-Family Residential (Overland Park); RP-3, Planned Garden Apartment (Overland Park)	Single-Family Attached Residential, Multifamily Residential
West	Office	NP-O, Planned Neighborhood Office District	Self-Storage

SPECIAL USE PERMIT REVIEW

The applicant requests approval of a special use permit for a period of 100-years for a medical clinic (ophthalmologic) use at 11071 Hauser Street in the NP-O Zoning District. Staff provides the following analysis for the review criteria within [Section 4-1-G-5](#) of the UDC.

1. The character of the neighborhood.

The neighborhood is comprised of single-family and multifamily residential, a variety of community commercial uses, medical clinics, and offices. A *medical clinic* use is compatible with the neighborhood because it is complementary to existing nearby uses.

2. The zoning and use of properties nearby.

Surrounding zoning and uses are described in Table 1. West College Business Park includes four buildings. The subject site is in Building 4, Unit B. Buildings 1 and 2 have permanent special use permits allowing for medical clinic uses and are currently occupied by medical clinics. Buildings 3 and 4 are occupied by office uses.

The NP-O District allows medical or dental clinics as a special use. Optimum Eye Care is a small but growing ophthalmology 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 various office-related uses since its inception. Most recently the site was occupied by a financial services business. There are no existing special use permits for Building 4, Unit B. The site is suitable for the uses to which it is restricted as well as to the requested SUP for a medical clinic 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. West College Business Park has 87 existing parking spaces and 9 deferred parking stalls. See Golden Criteria #10 for parking analysis. There is a Business Park Association with restrictions and covenants that stipulate cross-parking/access agreements with prior, existing, and future owners of property within West College Business Park.

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.

The applicant requested a special use permit for medical clinic use for a duration of 100-years. The typical duration for a first-time special use permit for a medical clinic is five years. However, Staff evaluated the application and compared it with special use permits granted to other businesses within the same development. Notably, two of the three previously approved permits are for medical clinic uses and are designated as permanent. Given that the approved special use permits medical clinics have been operating for many years without issue, Staff believes it is reasonable to recommend that this special use permit application be granted permanency. For these reasons, Staff recommends granting the applicant's request for a permanent special use permit for a medical clinic use. Should any issues arise with the business in the future, the special use permit can still be formally reviewed by the City and potentially modified or revoked.

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

The proposed ophthalmology clinic will not change the primary land use of the subject property. The land use is in conformity with the recently updated Future Land Use Map designation of Office.

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.

Please refer to the parking standards table provided below. College West Business Park has a total of 87 existing parking spaces and nine deferred parking space serving all four buildings for a total of 96 parking spaces. The College West Business Park operates under a Business Association that facilitates this shared parking arrangement among all tenants. Optimum Eye Care requires 18 parking spaces. The business center requires 94 spaces for existing and the proposed medical clinic use.

TABLE 2: PARKING STANDARDS

Building / SF	Use(s)	Parking Formula	Required Parking	Provided Parking	Difference
1 / 5,247	Medical Clinic	1 space / 200 SF	26	87 (existing) 9 (deferred)	-2
2 / 5,170	Medical Clinic	1 space / 200 SF	26		
3 / 5,208	Office	1 space / 250 SF	21		
4 / 5,396	Medical Clinic (3,649 SF) Office (1,747 SF)	1 space / 200 SF 1 space / 250 SF	25		

Staff recommends that the two deficient required parking spaces be deferred. As a condition of approval, the applicant will provide a written, notarized agreement committing to construct the parking spaces at their own expense should any concerns arise regarding the adequacy of on-site parking. Previous approvals for special use permits in the business park included deferred parking agreements. Staff is not aware of any parking-related issues associated with previously approved special use permits at this business park. The parking requirements outlined in the UDC are fulfilled through the available on-site parking and an approved deferred parking plan.

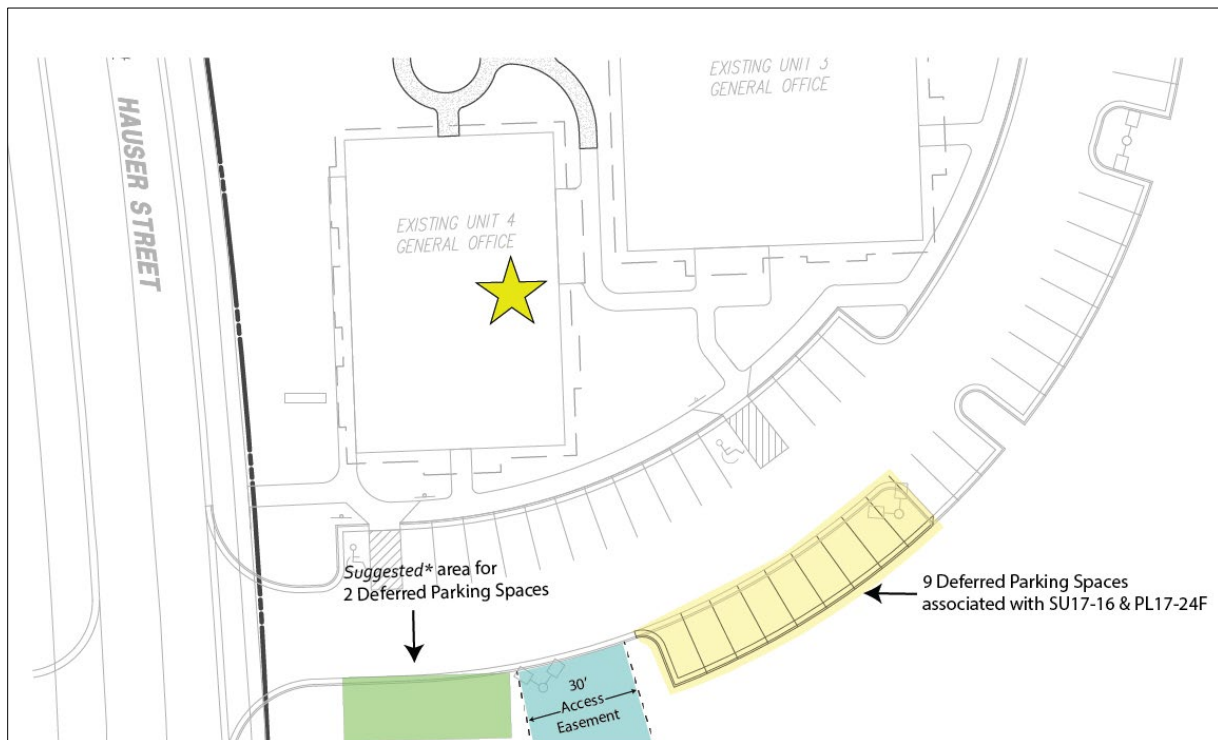


Exhibit 5: Snippet of approved deferred parking plans from 2017 showing the 9 deferred parking spaces in yellow and the suggested area to place two deferred parking spaces for Optimum Eye Care is in green. A 30' access easement is highlighted in blue. The subject site is identified by the yellow star. The final location for deferred parking will be identified by applicant and Staff in a written statement and parking plan.

- 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. There is a natural stream to the south of the subject site and a small portion of the parking lot that serves the proposed business that lies within the flood zone.

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 from the Unified Development Code (UDC).

NEXT STEPS

- The City Council is the final authority for approval of this project.
- The applicant must receive permit(s) prior to commencing construction.
- The applicant must obtain a Certificate of Occupancy before opening for business.
- The applicant must obtain a Business License prior to opening for business.
- The applicant should inquire about additional City requirements and development fees.

RECOMMENDATION FROM PROFESSIONAL STAFF

★ **Conduct a Public Hearing.**

★ **Staff recommends approval of the proposed special use permit for Optimum Eye Care.**

- Based on the findings within this report, the use, "*Medical or Dental Clinic*", is appropriate at the subject property indefinitely and Staff will assess the criteria related to the special use permit should any issues arise.
- 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 SU24-07 - a permanent special use permit for a medical clinic known as **Optimum Eye Care** at 11071 Hauser Street, with the following condition:

1. The property owner shall provide a written statement agreeing to plan for/construct two deferred parking spaces in accordance with Section 4-1-D-1-J of the UDC. This written statement must be provided prior to issuance of a Certificate of Occupancy.

“Optimum Eye Surgery” Business Plan

Executive summary

Optimum Eye Surgery Mission Plan:

Our mission is to provide comprehensive, compassionate, and personalized eye care and surgery to patients in our community. We plan to provide care for patients suffering from a wide range of both acute and chronic ophthalmologic conditions which affect a large number of individuals in the Kansas City area and neighboring communities. We will strive to create an environment that motivates and satisfies our employees, stimulates and rewards our physicians, and ensures the financial stability for all practice stakeholders.

Our patients: We will strive to consistently meet or exceed the expectations of our patients from a customer service standpoint and with regard to their medical care. We will consistently involve our staff in continuing medical education to ensure that our office is up-to-date regarding the most recent medical therapies for ophthalmologic conditions and treatment modalities. We will maintain a comfortable, warm and pleasing environment for our patients.

Our employees: We will invest in the continuing personal and professional development of staff members. We will provide them with the tools necessary to most effectively and efficiently perform their jobs, while reinforcing the basic tenet of providing customer service excellence.

Our services: We will offer a comprehensive approach to ophthalmologic care. We will provide medical and surgical care for a comprehensive range of acute and chronic conditions including (but not limited to) diabetes, hypertension, glaucoma, cataract, dry eyes, acute and chronic eye infections, and refractive error.

Practice financial health: We will plan and invest wisely in the future of our practice. We will diversify our service lines and invest in new technology, and we will do so in a conservative manner. We will utilize our referral network while growing our referral sources by meeting with other physicians and optometrists throughout the community.

Description of the business: Our practice will consist of a single physician comprehensive ophthalmology practice with attention to Glaucoma treatment. I will provide comprehensive eye exams in addition to treatment for glaucoma, diabetes, cataracts, retinal tears, dry eye syndrome, acute and chronic eye infections, and routine refractive correction with glasses. In addition to office examinations, we will offer surgical treatment for a variety of ophthalmologic conditions including (but not limited to) cataracts and glaucoma. Surgery will be performed in a separate ambulatory surgery center. Offered procedures include glaucoma laser therapy and YAG capsulotomy. Patients exams will be in person and not done remotely.

Hours of operation:

Mon: Closed. Technician will be available by phone for emergent phone calls. If patients need urgent care, physician will be available after 4pm for consultation.

Tues: Closed. Technician will be available by phone for emergent phone calls. If patients need urgent care, physician will be available after 4pm for consultation.

Wednesday: 8am-5pm

Thursday: 8am-5pm

Friday: 8am-5pm

Number of patients: The target number of patients to be seen is approximately 25. 5 appointments throughout the day will be reserved for new patients who tend to take up more time. The other 20 patients will likely be follow up patients. This leaves room for approximately 3 patients per hour. This rate will limit foot traffic to maximum 6 patients in the office at the same time. Including the physician and technician this will allow for maximum 8 people in the office. In order to reduce any build up of patients in the waiting room, new patients and patients requiring eye dilation will be spaced out through the schedule to maintain steady flow. Traditional extended waiting times normally seen in physician offices can be mitigated by strategically booking quick follow up or post surgical patients immediately after a patient that requires eyes to be dilated or new patient requiring imaging. Additionally, our office has many "lanes" or rooms that will expedite flow of traffic. We will have 3 rooms outfitted to maximize efficiency. Traditionally, most ophthalmology practices have one or two exam rooms per physician. As a solo practice physician, the three available rooms will be solely dedicated to my patients. Glaucoma follow-up care requires mostly medication/ eye drop adjustments and any surgeries will be performed at ambulatory eye center. As such most visits will run 10-15 minutes for follow up and 30-45 minutes for new patients. Initial patient volume will likely be 10-15 patients for the first six months to year. By year 2-3 our projections are 20-25 patients daily.

Number of Employees: 1 full time technician and 1 full time Ophthalmologist.

Partnering Business: NONE

Target market:

As with all medical practices, our target market encompasses any and all individuals in need of medical attention for their ophthalmologic care. The practice of general or comprehensive ophthalmology, however, sees a large portion of patients age 55 and older, given that vision can deteriorate with age from a variety of ophthalmologic diagnoses. With that in mind, we have deliberately selected a location that has a growing population of individuals who are 55 years of age or older and, in large part, have adequate medical coverage in addition to financial stability that would afford them the opportunity to receive elective or urgent medical treatment.

Management and staffing needs: One technician will initially be hired for 55,000.00/year who will be able to accommodate secretarial tasks as well as initial work up of patients. As volume increases to an appropriate level, we will hire a second part time technician within 2 to 3 years.

Dr. Alapati is a board certified ophthalmologist with additional subspecialty training in Glaucoma. The practice will offer a comprehensive range of ophthalmologic care, including in-office exams and procedures, as well as surgical and laser treatments for multiple ophthalmologic diseases. Our goal is to provide as much care as possible in our office while minimizing referrals to other sub-specialists. Offering a variety of treatment options will help achieve patient satisfaction, compliance, retention, and referrals.

Among our primary services, we will be able to diagnose and surgically treat cataracts at an outside ambulatory surgical center using standard methods of intraocular surgery.

Our practice will be active in the treatment and management of glaucoma, a chronic eye condition with severe blinding consequences if left untreated. Glaucoma patients will typically be examined every 3-6 months indefinitely. SLT laser surgery will also be offered to our patients as alternative primary therapy to long-term anti-hypertensive eye drops. Given fellowship training in glaucoma care, we will provide a broad variety of surgical glaucoma treatments, including but not limited to, goniotomy, trabeculotomy, trabeculectomy, glaucoma tube shunt surgery, etc which will be performed at a separate ambulatory surgical center. These are outside the scope of practice of a general Ophthalmologist and will be a unique niche our practice can offer.

We will conduct diabetic eye exams. It is now required by most insurance plans that diabetic patients undergo annual diabetic ophthalmologic exams to evaluate for diabetic eye disease. Primary care physicians are currently being penalized if their patients do not complete these examinations on an annual basis.

Patient base and draw area demographics

The largest percentage of our patients will be in the 55-95 year old range. This age group is typically affected by cataracts, diabetic eye disease, dry eye, and glaucoma.

We intend to increase our market share in this area with a “grass roots” marketing effort. We intend to meet with local physicians and optometrists on a weekly basis to review our patient services and encourage patient referrals. I will visit previously-existing referring docs to maintain and strengthen those relationships.

Competition

As with any medical practice, there are a large number of providers and competitors in the metropolitan Kansas City area. Our direct competition include nearby ophthalmology practices and optometrists. There is currently a shortage of Glaucoma physicians in the Kansas City area and this is a component of every practice that is lacking. Additionally, given the treatment of chronic conditions, there will be the need for consistent follow up examinations. The location of

the office will be able to draw from Lawrence, Olathe, Lenexa and Overland Park which are large geographic areas that are continuously growing.

Personnel/equipment

Initially, we intend to run lean and only employ the necessary office staff. Our staff will be cross-trained so that the technician will answer phones and schedule appointments. Around six months to one year mark, we will consider adding another part time technician or front desk staff depending on which portion becomes more cumbersome once patient volume picks up. Billing and coding will be managed by physician for the first year. Major equipment will include slit lamps/room outfitting.

EXISTINT TENANT INFORMATION (11071 Hauser St. Unit 4B Lenexa KS 66210)

Prudential Insurance Company

Number of Employee: 8 employees

Operating Hours: Mon-Friday 8-5pm.



EXISTING BUILDING-



EXISTING BUILDING-

NEW PARTITION WALL- non-load bearing

5/8" GYPSUM BOARD EACH SIDE - LEVEL 5 FINISH, PAINTED
ON 3/4" METAL STUDS @ 16" O.C.
WALLS TO TERMINATE MINIMUM 10" ABOVE LAY-IN CEILING
BRACE WALL TO ROOF STRUCTURE AS REQUIRED.
NOTE: DESIGN AND INSTALLATION OF NON-STRUCTURAL MEMBERS
AND CONNECTIONS SHALL BE IN ACCORDANCE WITH AISI S220

EXISTING DOOR

NEW DOOR- 3'-0" x 7'-0" SOLID WOOD CORE DOOR W/ STAIN FINISH (MATCHING EXISTING)
PROVIDE CLOSER, PASSAGE HARDWARE SET (NO LOCKS) W/ ADA HANDLES

ADA REFERENCE FOR BOUNDARY OF CLEAR FLOOR SPACE OR
MANEUVERING CLEARANCE

RB12CONSTRUCTION
12887 LAMAR AVE
LEAWOOD, KS 66210
JO CO. LICENSE #
2024-0001813



THE SEAL APPEARING ON THIS
DOCUMENT WAS AUTHORIZED BY
E. CRAIG SHAW, AIA ON 6/4/2024

OPTIMUM EYE CARE
Tenant Finish- TEEN RANI REALTORS, LLC
11071 Hauser
Lenexa, Kansas 66210



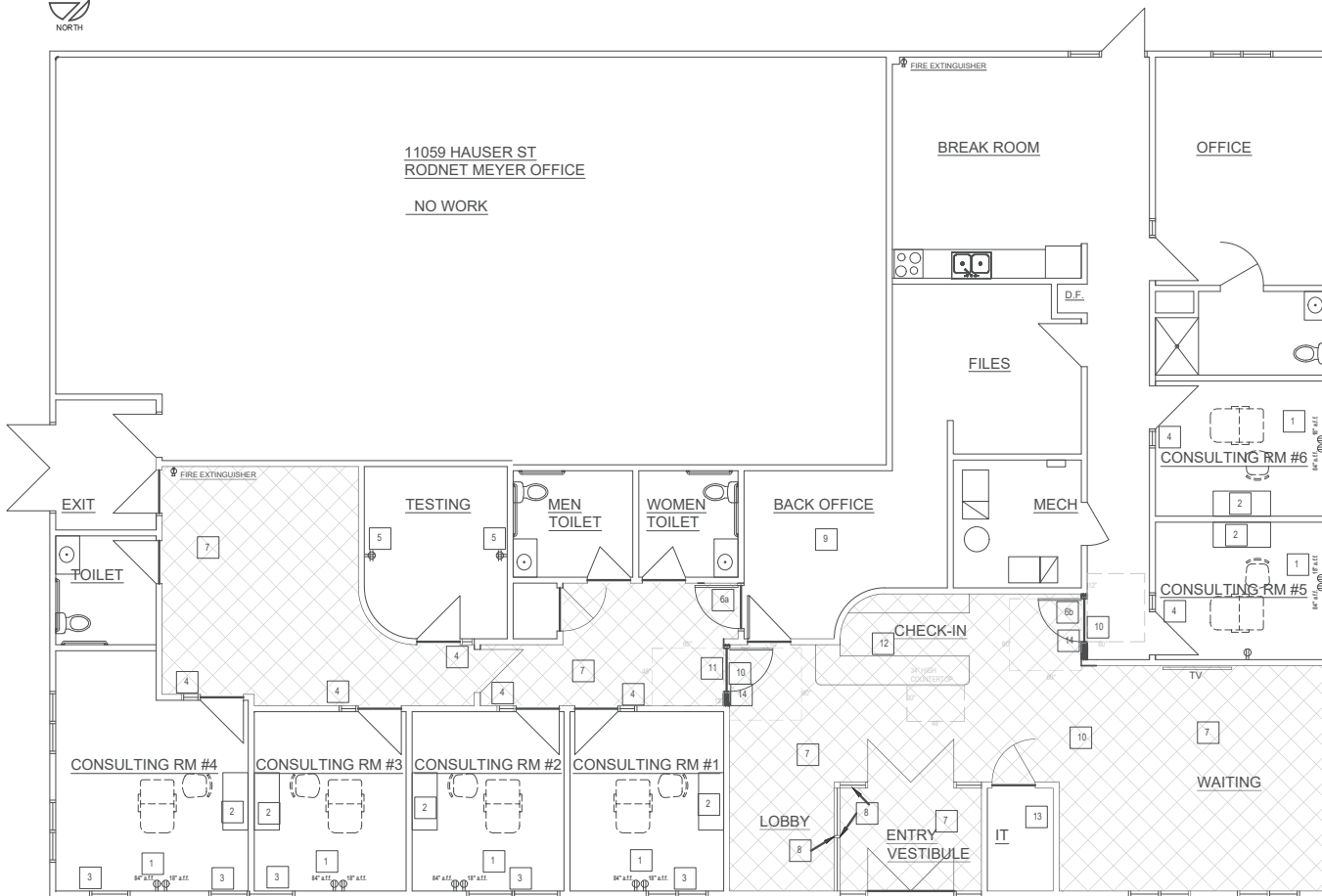
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ARCHITECTURAL CORPORATION
Certificate of Authority No. 00111330

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JOB NO. 11071 HAUSER	
DRAWN BY: SAT	
ISSUE	DATE

SHEET 0401	
FLOOR PLAN	
A2	
TENTATIVE PENDING SET BACKLOG	



1 NEW FLOOR PLAN
Scale 1/4" = 1'-0"

SCALE: 1/4" = 1'-0"

NEW TENANT FINISH NOTES:

1. INSTALL ONE ELECTRICAL OUTLET @ 18" A.F.F. & ONE ELECTRICAL OUTLET @ 84" A.F.F.
2. NEW CASEWORK- OWNER PROVIDED, CONTRACTOR INSTALLED
3. INSTALL BLACK-OUT WINDOW SHADES
4. INSTALL WINDOW FILM
5. CHANGE EXISTING DUPLEX ELECTRICAL TO QUAD OUTLET
- 6a. NEW DOOR - MATCH EXISTING
- 6b. NEW DOOR- MATCH EXISTING, PROVIDE DOOR CLOSURE
7. NEW LVT FLOORING APPROX 1,100 sq.ft. PROVIDE FLOORING TRANSITION STRIP @ DOOR JAMPS
8. EDGE SEALANT JOINT @ STOREFRONT FRAME
9. PAINT WALLS- BACK OFFICE
10. MODIFY ACCOUSTICAL LAY-IN CEILING TIE & FRAME
11. RELOCATED CONFERENCE RM DOOR & MTL FRAME
12. NEW CHECK-IN DESK MILLWORK- TO BE ADA COMPLIANT @ CHECK-IN
13. INTERCOM/MUSIC SOUND SYSTEM CONTROL PANEL- NOTE INSTALL CEILING SPEAKERS IN ALL EXAM ROOMS & WAITING ROOM
14. NEW PARTITION WALL W/ DOOR

CALL TO ORDER

Chairman Poss called the regular meeting of the Lenexa Planning Commission to order at 7:00 p.m. on Monday, August 5, 2024. The meeting was held in the Community Forum at Lenexa City Hall at 17101 W. 87th Street Parkway, Lenexa, Kansas.

ROLL CALL

COMMISSIONERS PRESENT

Chairman Chris Poss
Vice-Chairman Mike Burson
Commissioner Ben Harber
Commissioner Brenda Macke
Commissioner David Woolf
Commissioner Don Horine
Commissioner John Handley
Commissioner Cara Wagner
Commissioner Curt Katterhenry

COMMISSIONERS ABSENT

None

STAFF PRESENT

Scott McCullough, Community Development Director
Stephanie Sullivan, Planning Manager
Tim Collins, Engineering and Construction Services Administrator
Kevin Sellers, Captain – Fire Prevention
Steven Shrout, Assistant City Attorney II
Kim Portillo, Planner III
Dave Dalecky, Planner II
Logan Strasburger, Planner I
Britton Johnson, Planning Intern
Gloria Lambert, Senior Administrative Assistant

REGULAR AGENDA

2. **Optimum Eye Care - Consideration of a special use permit for a medical clinic use on property located at 11071 Hauser Street within the NP-O, Planned Neighborhood Office District. SU24-07 (Public Hearing)**

APPLICANT PRESENTATION

Rajarshi Bhakta, RB12 Construction, stated he was representing Optimum Eye Care in requesting a special use permit to operate a medical clinic at 11071 Hauser Street. Mr. Bhakta said the site was previously an office building, but the applicant is planning to use it as a medical clinic. He stated that they are requesting approval for the medical clinic use to provide eye care and eye therapy for patients.

STAFF PRESENTATION

Logan Strasburger presented the Staff Report and displayed a location map of the proposed site and provided zoning and Comprehensive Plan information for the property in question. Ms. Strasburger stated that the applicants proposed days and hours of operation for Optimum Eye Care are Wednesday, Thursday, and Friday from 8AM to 5PM with Mondays and Tuesdays reserved only for administrative tasks and will not see patients on those days. She explained that the applicant currently proposes having one doctor and one technician on staff, with an anticipated patient load of 10 to 15 per day. However, they plan to grow their business to accommodate 20 to 25 patients daily. With the potential growth, they plan to add another technician. Ms. Strasburger pointed out on her slide presentation that there are currently two special use permits for medical clinic uses issued to tenants within the same location at West College Business Center located in buildings one and two. She displayed the criteria by which the application was reviewed by Staff and explained that each of the criteria was discussed in detail within the Staff Report. She explained that she would elaborate on Criteria 7, addressing City Staff recommendation and Criteria 10 that would look at the potential impact to traffic around the site. To give further context for Criteria 7, she stated that there are two existing permanent special use permits for a medical clinic in buildings one and two. She stated that the permit for building one was issued in 2011, while the permit for Building Two was granted in 2017. Given the precedent for granting permanent special use permits for medical clinics, Staff would like to maintain consistency with the existing uses at the site and extend the same opportunity to the applicant. She commented that special use permits can be recalled for any issues therefore, if any issues arise the application can be brought before the Planning Commission again. Addressing Criteria 10, she stated that the site is deficient in parking and has been since the most recent special use permit was approved in 2017. A written statement was provided by the applicant in 2017 agreeing to provide nine deferred parking spaces. With the new special use permit request Staff ask that the applicant provide two deferred parking spaces in the future if they become necessary. Staff recommends a permanent special use permit for Optimum Eye Care with the condition that the property owner provide a written statement agreeing to construct two deferred parking spaces at the time the City deems it necessary.

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

COMMISSION DISCUSSION

Commissioner Katterhenry stated that if the applicant agrees to the parking terms he is in support for granting the special use permit.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of a permanent special use permit for a medical clinic known as **Optimum Eye Care** at 11071 Hauser Street, with the following condition:

1. The property owner shall provide a written statement agreeing to plan for/construct two deferred parking spaces in accordance with Section 4-1-D-1-J of the UDC. This written statement must be provided prior to issuance of a Certificate of Occupancy.

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

DRAFT

SU 24-07

ORDINANCE NO. _____

AN ORDINANCE GRANTING A PERMANENT SPECIAL USE PERMIT ON PROPERTY LOCATED AT 11071 HAUSER STREET, UNIT 4B, IN LENEXA, KANSAS.

WHEREAS, on June 28, 2024, Rajarshi Bhakta, agent for, owner of record, filed a request for a permanent special use permit to allow “Medical Clinic” and on property located at 11071 Hauser St, Unit 4B, Lenexa, KS (the “Property”), in the NP-O, Planned Neighborhood Office Zoning District; and

WHEREAS, on August 5, 2024, 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 permanent 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 August 20, 2024, 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 permanent special use permit to allow “Medical Clinic” in the Planned Neighborhood Office Zoning District, for the real estate described as:

All of Unit 4B, WEST COLLEGE BUSINESS CENTER – 2ND PLAT, a subdivision in the City of Lenexa, Johnson County, Kansas, according to the recorded plat thereof.

More commonly known as 11071 Hauser St, Unit 4B, 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 THREE: This Ordinance shall take effect after publication of an ordinance summary in the City's official newspaper as provided by State law.

PASSED by the Governing Body August 20, 2024.

SIGNED by the Mayor August 20, 2024.

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 7

SUBJECT: Preliminary plan for Sonoma Plaza Phase 3 Apartments and acceptance of drainage and utility easements as shown on Sonoma Plaza, Sixth Plat, located at the intersection of 88th Street & Maurer Road

CONTACT: Stephanie Sullivan, Planning Manager

DATE: August 20, 2024

ACTION NEEDED:

- a. Approve the preliminary plan for Sonoma Plaza Phase 3 Apartments; and
- b. Accept the drainage and utility easements.

APPLICANT:

Rick Oddo, Oddo Development

OWNER:

Sonoma Plaza INC

PROPERTY LOCATION/ADDRESS:

88th Street & Maurer Road

PROJECT BACKGROUND/DESCRIPTION:

The site is part of the Sonoma Plaza Planned Unit Development (PUD) and carries a PUD zoning designation. The PUD Zoning District is intended to accommodate a wide variety of use types and provide flexibility from use and site development regulations to encourage unique, high-quality development. The original preliminary plan for Sonoma Plaza was approved in 2016 and revised in 2021. The site was originally approved for 44,000 square feet of senior living with an unspecified number of dwelling units. Senior living projects are considered as a multifamily use in the Unified Development Code (UDC) unless certain assisted living or medical services are provided in the facility.

This application is for a multifamily residential use. The proposal includes 218 apartments, a 201-stall parking garage on the ground level of the structure, and 200 surface parking spaces. The project exceeds the code required parking, leaving nine of the 200 surface parking spaces left to serve the established commercial area north of the site. PUDs with an underlying commercial future land use designation allow residential uses with a maximum density of 16 units per acre. The density of this project is 15.3 units per acre. The topography of the property produces a building that is four stories facing east and five stories facing west.

A final plat accompanies this preliminary plan, which is atypical. However, in this case, the final plat aligns with the approved preliminary plat and was approved by the Planning Commission with a condition that the plat shall not be recorded with Johnson County until a final plan has been approved by the City.

STAFF RECOMMENDATION:

Approve the preliminary plan and accept the dedications.

PLANNING COMMISSION ACTION:

This item was considered as Regular Agenda Item 4 at the August 5, 2024 Planning Commission meeting. This item did not include a public hearing; however, Chairman Poss asked if anyone in the audience wished to speak on the matter. No one from the public spoke. The Commission discussed support for adding parking for the commercial area of Sonoma Plaza.

Chairman Poss entertained a motion to recommend **APPROVAL** for a revised preliminary plan for Sonoma Plaza Phase 3 Apartments located east of 88th Street and Maurer Road in the PUD, Planned Unit Development Zoning District. Moved by Commissioner Horine, seconded by Commissioner Handley, and carried by a unanimous voice vote. The motion included the following condition:

1. Based on the proposed submittal and initial code review, the design professional will need to provide code compliant access to address the proximity requirement for aerial fire apparatus. The current submittal exceeds what the code allows for the distance from the building. This will need to be addressed prior to the final plan approval.

Chairman Poss entertained a motion to recommend **APPROVAL** for a final plat for Sonoma Plaza Sixth Plat located east of 88th Street and Maurer Road in the PUD, Planned Unit Development Zoning District. Moved by Commissioner Woolf, seconded by Commissioner Horine, and carried by a unanimous voice vote. The motion included the following condition:

1. The plat shall not be recorded with Johnson County until a final plan has been approved by the City.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

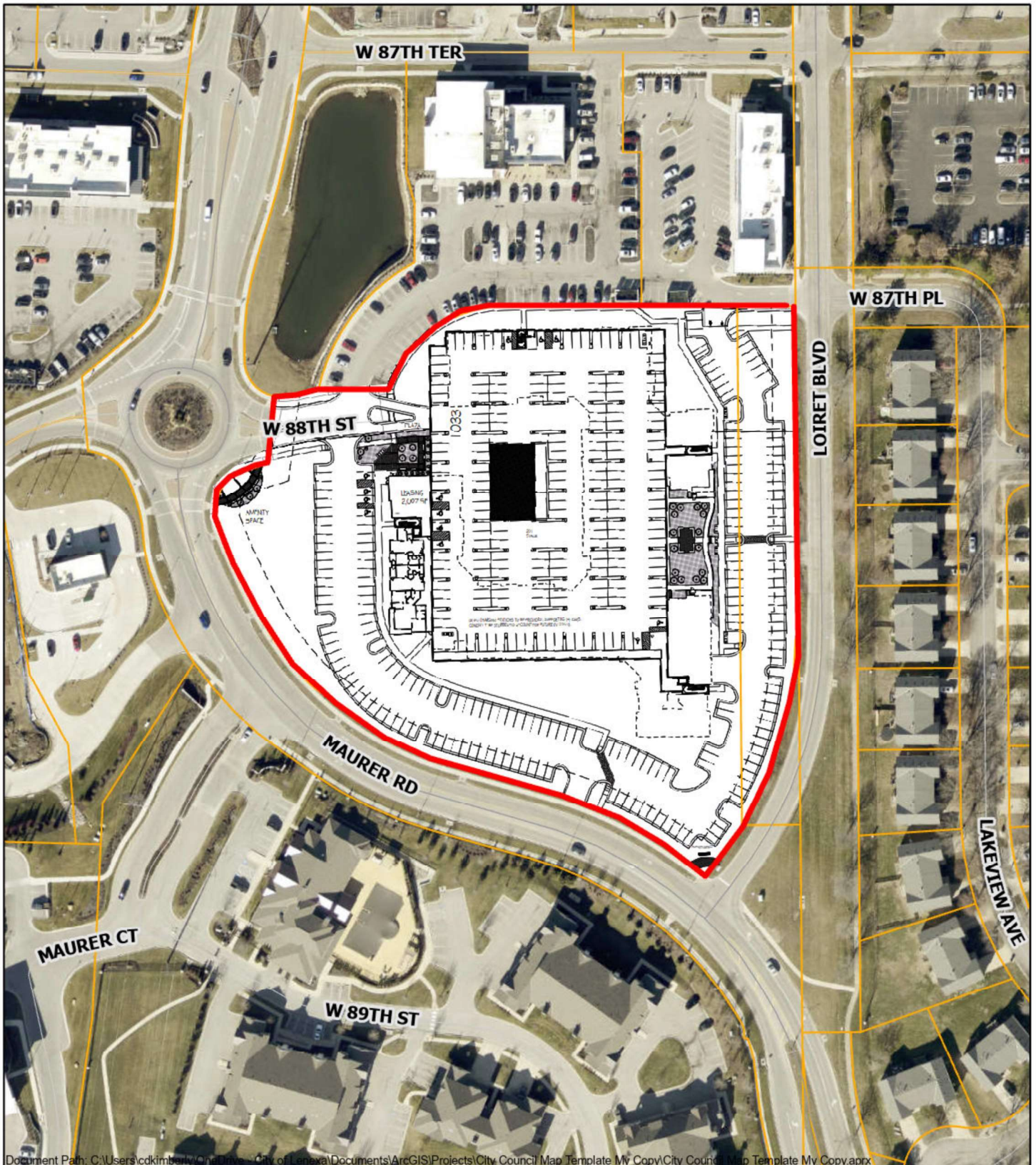
Vibrant Neighborhoods

Guiding Principles

Responsible Economic Development

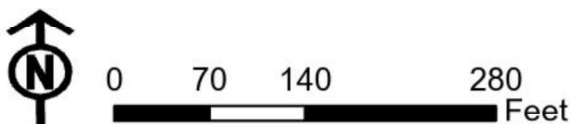
ATTACHMENTS

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



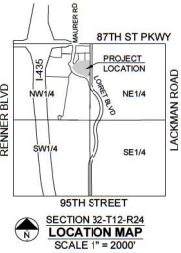
Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

Sonoma Plaza Sixth Plat & Phase 3 Apartments



EASEMENT EXHIBIT SONOMA PLAZA, SIXTH PLAT

PART OF THE NW 1/4 OF SEC. 32-12-24
IN THE CITY OF LENEXA, JOHNSON COUNTY, KANSAS



DEDICATIONS:

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

The streets and roads shown on this plat and not heretofore dedicated as "thoroughfares" are hereby dedicated to the City of Lenexa, Johnson County, Kansas.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, pipes, poles, wires, drainage facilities, sanitary sewers, ditches and cables, and similar facilities, upon, over and under those areas outlined and designated on this plat as "Utility Easement" or "LVE" is hereby granted to the City of Lenexa, Kansas. No above ground facilities associated with the uses herein permitted shall be constructed, located, or maintained in any area of the "LVE" that crosses or intersects with a "Drainage Easement" or "DIE".

A 10 foot wide Utility Easement or "LVE" is hereby dedicated to the City of Lenexa, Johnson County, Kansas, or its designees, off of lots or tracts adjacent to and parallel with all Street Right-of-Way lines.

An easement or license to enter upon, locate, construct and maintain or authorize, the location, construction or maintenance and use of conduits, pipes, poles, wires, drainage facilities and other similar facilities, upon, over, and under those areas outlined and designated on this plat as "Drainage Easements" or "DIE", is hereby granted to the City of Lenexa, Kansas. Drainage Easements shall remain free of fences, shrubs, trees and other obstacles that would restrict the flow of drainage.

The City of Lenexa is under no duty or obligation to maintain or repair the stormwater drainage facilities placed within the limits of this easement, and in no event shall this easement be construed to impose any such obligation on the City of Lenexa.

A perpetual easement of access upon, over and under those areas outlined and designated on this plat as "Private Access Easement" or "PAE" is hereby granted to all lots within the subdivision and to all future lots within this subdivision to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of private streets and similar facilities. Said areas are also reserved for the ingress and access of all owners within this plat, and the owners of future lots within this subdivision and their occupants, guests, and invitees. The private streets within the "PAE" shall be maintained as set forth in the Easements, Covenants and Restrictions Agreement (the "ECRA") recorded in the Register of Deeds office of Johnson County Kansas. If the ECRA is not in place or disbanded, then maintenance shall be the responsibility of the owner of the lot or tract.

RESTRICTIONS:

The Property is subject to the Easements, Covenants and Restrictions Agreement recorded in the Register of Deeds office of Johnson County Kansas, and shall hereby become a part of the dedication of this plat as though fully set herein.

Limits of No Access (LNA) from Lot 1 to Loret Boulevard at Maurer Road is shown hereon.

Tract "A" to be owned and maintained by the Sonoma Plaza Association and is to be used for detention and landscaping purposes. Membership in the Sonoma Plaza Association shall be mandatory for each owner and their future heirs and successors of property as shown on this plat. However, in the event that the association is not lawfully existing or fails to maintain these tracts, then maintenance shall be the responsibility of the owners of all lots within the platted area herein.

This plat shall not be filed by the Register of Deeds unless filing is within 730 calendar days after the City of Lenexa Governing Body approval date, inclusive.

APPROVALS:

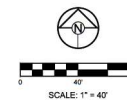
Approved by the Planning Commission of the City of Lenexa, Johnson County, Kansas, this ___ day of _____, 20__.

Chris Ross, Chairman

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

Julie Sayers, Mayor

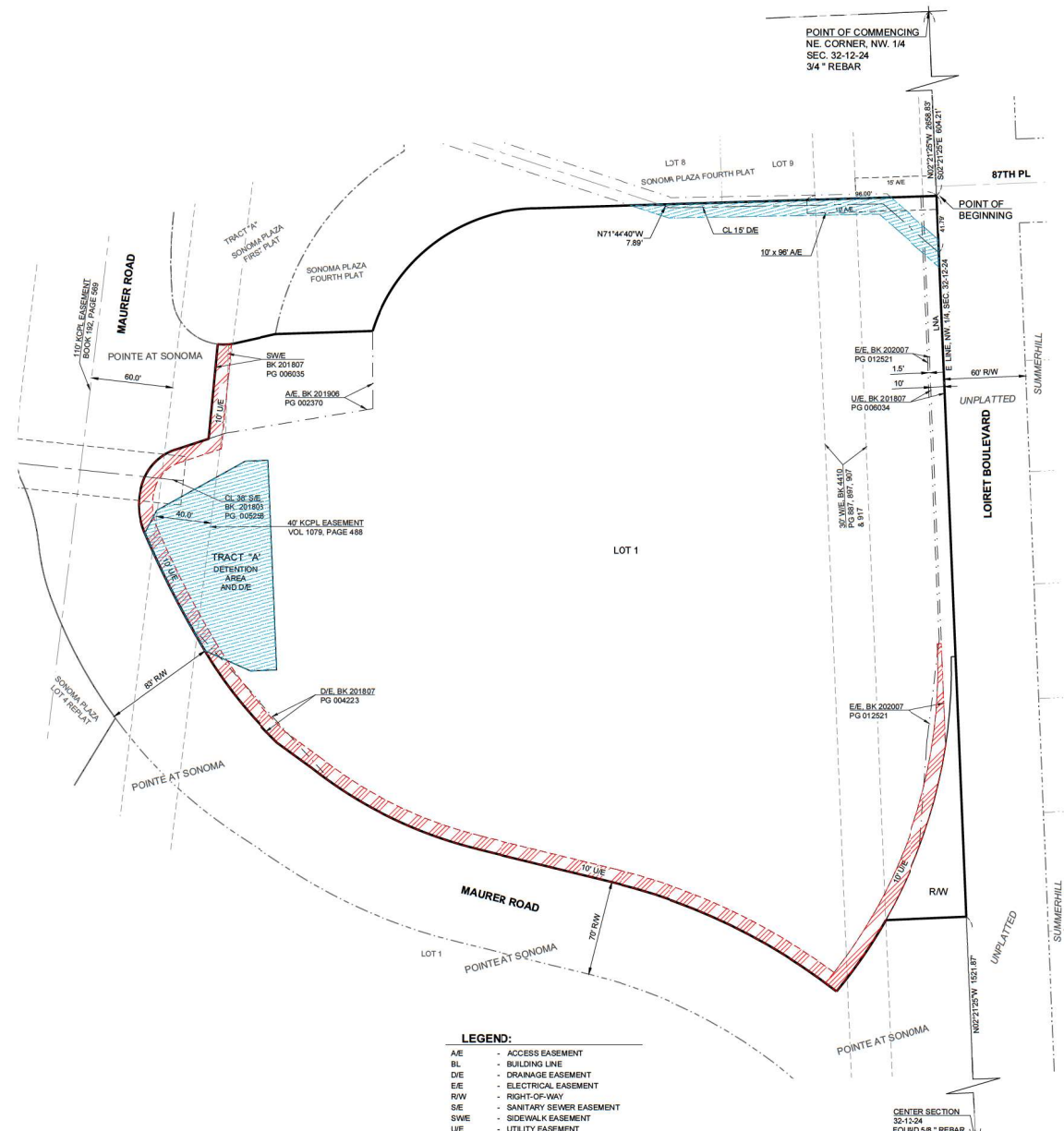
Jennifer Martin, City Clerk



BASIS OF BEARINGS:
THE PLAT OF "POINT AT SONOMA" &
"SONOMA PLAZA, FOURTH PLAT"
E LINE, NW 1/4, SEC 32-12-24
BEARING S02°21'25"E

LEGEND:

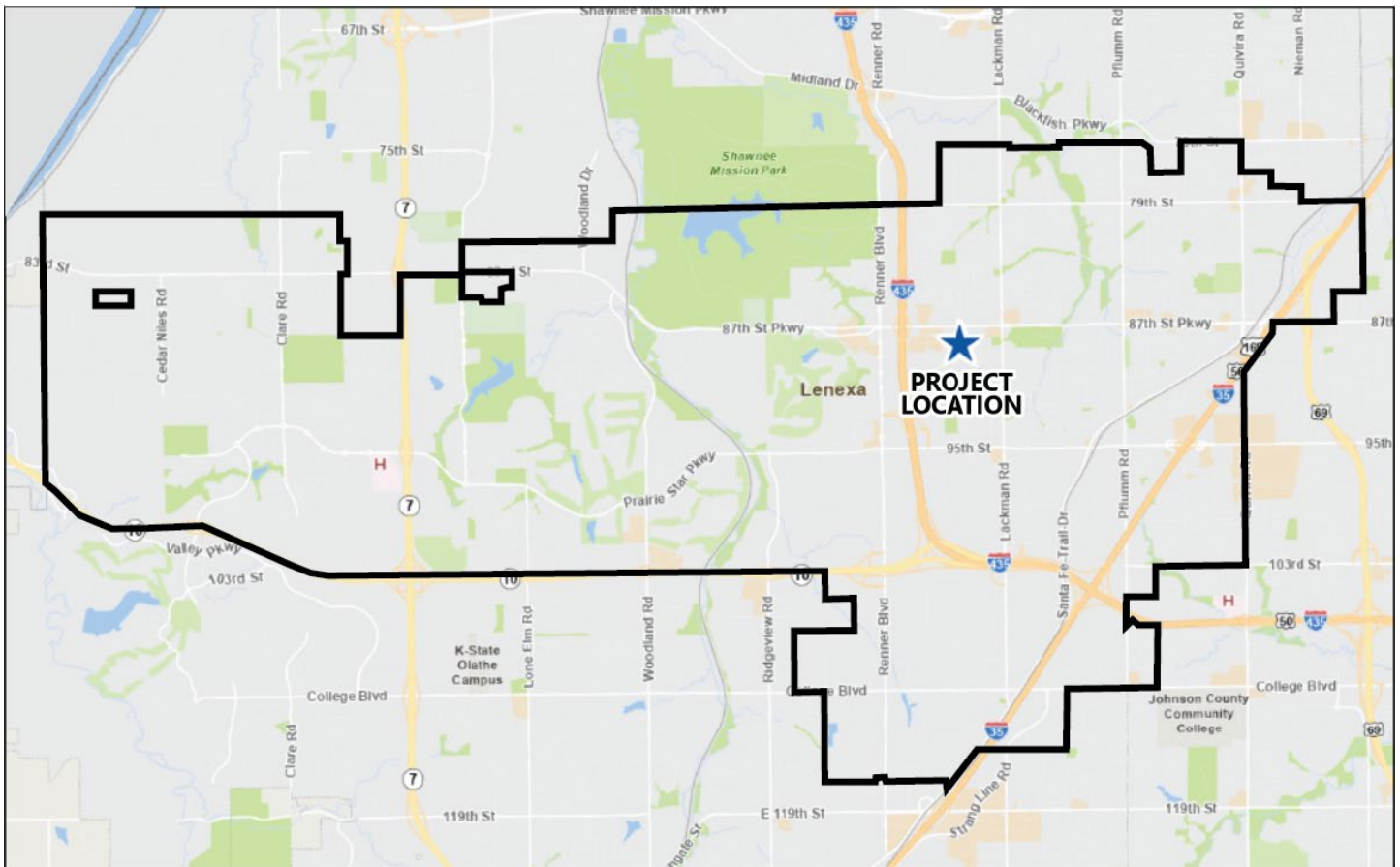
- A/E - ACCESS EASEMENT
- BL - BUILDING LINE
- D/E - DRAINAGE EASEMENT
- E/E - ELECTRICAL EASEMENT
- R/W - RIGHT-OF-WAY
- S/E - SANITARY SEWER EASEMENT
- SWE - SIDEWALK EASEMENT
- U/E - UTILITY EASEMENT
- WE - WATERLINE EASEMENT
- EXISTING LOT AND PROPERTY LINES
- EXISTING PLAT AND ROW LINES
- FOUND MONUMENT
- FOUND 1/2" REBAR WITH KSL5 54 CAP UNLESS OTHERWISE NOTED
- LNA - LIMITS OF NO ACCESS



DATE: 06/26/2024	EASEMENT EXHIBIT
DRAWN BY: JMT	SONOMA PLAZA
CHECKED BY: SCH	SIXTH PLAT
PROJ. NO. 23-054	SHEET NO. 1

SONOMA PLAZA SIXTH PLAT & PHASE 3 APARTMENTS

Project #:	PT24-07F & PL24-01PR	Location:	SEC of 88 th St and Maurer Rd
Applicant:	Rick Oddo, Oddo Development & Henry Klover, Klover Architects	Project Type:	Final Plat/ Preliminary Plan
Staff Planner:	Kim Portillo, AICP	Proposed Use:	Multifamily Residential



PROJECT SUMMARY

The applicant proposes constructing a multifamily development in the Sonoma Plaza Planned Unit Development (PUD) at 88th Street and Maurer Road. The planned structure features a four-five-story split, with one level of parking and four levels of apartments. The parking area covers 85,000 square feet, while the entire building totals 248,060 square feet, including 218 dwelling units. The applicant seeks approval for a preliminary plan and final plat. This revised plan updates the previously approved plan (PL16-04P) from November 2016, replacing a two-story, 44,000 SF senior living facility in the southeast corner with the new apartment building. This project does not require a Public Hearing.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

SITE INFORMATION

This site is part of the Sonoma Plaza Planned Unit Development. The PUD was established in 2016 under the rezoning and preliminary plan PL16-04P. The site was planned for 44,000 square feet of senior living with an unspecified number of dwelling units. Senior living projects are considered as a multifamily use in the Unified Development Code (UDC) unless certain assisted living or medical services are provided in the facility. A set of design guidelines for future development within the PUD was approved at that time. The preliminary plan also served as the preliminary plat.

The preliminary plan for Sonoma Plaza PUD was updated in 2021 as part of the preliminary plan for Charlie's Car Wash, PL21-01PR. The revised preliminary plan in 2021 specifically addressed the Charlie's site. A senior living facility remained as the planned future use for this site at the time of the revised preliminary plan.

LAND AREA (AC)	BUILDING AREA (SF)	CURRENT ZONING	COMP. PLAN
5.18 (Parcel)	248,060	PUD	Community Commercial Center
14.24 (Planning Area)			

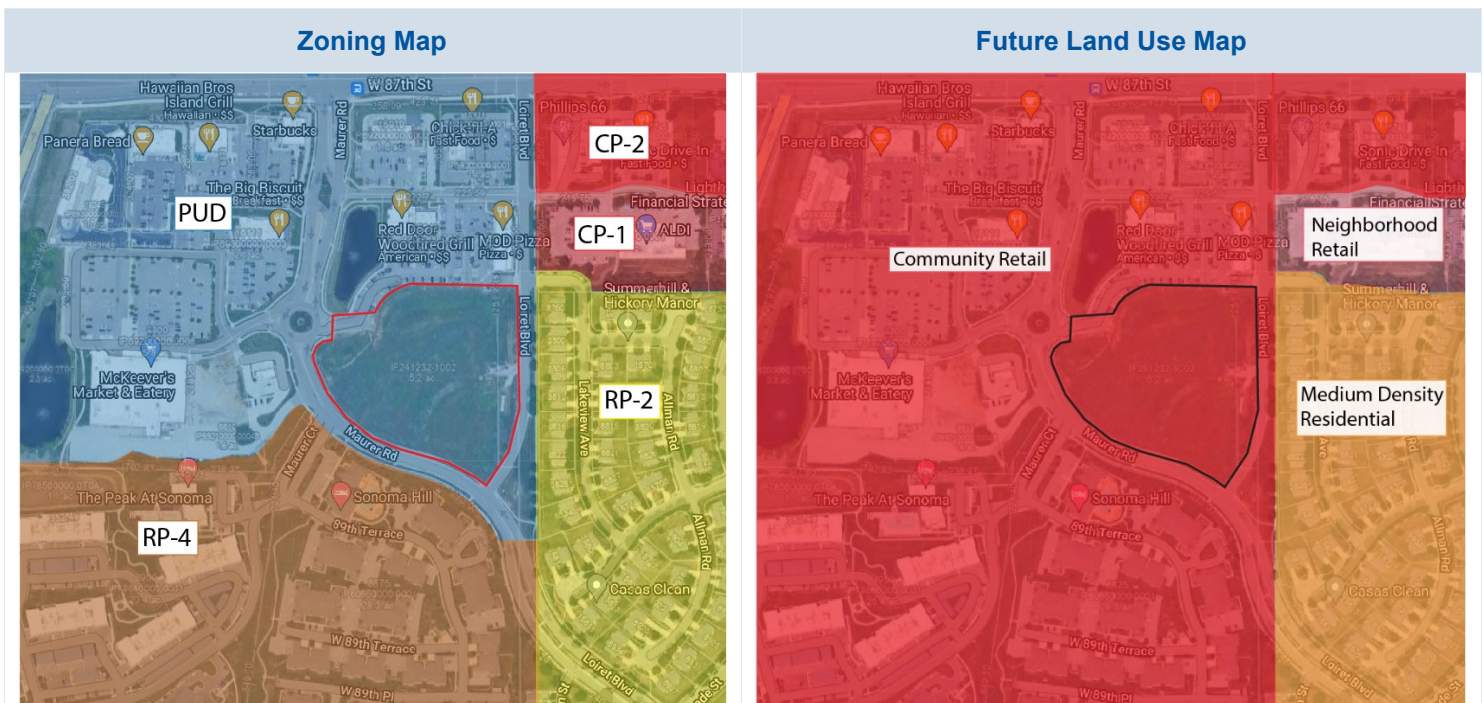


Exhibit 1: Aerial Image of Subject Site

LAND USE REVIEW

This application is for a multifamily residential use. The proposal includes 218 apartments, a 201-stall parking garage on the ground level of the structure, and 200 surface parking spaces. Nine of the 200 surface parking spaces will serve the established commercial area north of the site.

The site is part of the Sonoma Plaza Planned Unit Development (PUD) and carries a PUD zoning designation. The PUD Zoning District is intended to accommodate a wide variety of use types and provide flexibility from use and site development regulations to encourage unique, high-quality development. The original preliminary plan for Sonoma Plaza was approved in 2016 and revised in 2021. Multiple final plans have been approved, with recent approvals including Charlie's Car Wash (2021) and Meddy's Restaurant (2023).



The proposed land use is compatible with the existing mixed-use nature of the surrounding area. The previous preliminary plan anticipated a multifamily residential component of lower density on the site; however, a residential development with increased density could also be considered compatible with the multifamily residential uses, The Peak and The Pointe, on the west side of Maurer Road and would support the commercial center. This site would also serve as a separation and bridging of land use intensity between the medium-density residential to the east (Summerhill) and the highly trafficked commercial center to the north and west (Sonoma Plaza).

According to [Section 4-1-B-20-C-6](#) of the UDC, Planned Unit Developments with an underlying commercial future land use designation shall allow residential with a maximum density of 16 units per acre. As this parcel is part of the larger master planned area, density was calculated using certain shared open space tracts determined by staff, which results in a density of 15.3 units per acre. Exhibit 2 provides a visual of the areas of Sonoma Plaza that were used to calculate density for the proposed multifamily development.



Exhibit 2: Open space areas used in density calculations.

TABLE 1: COMPARISON OF SURROUNDING PROPERTIES

Vicinity	Land Use Designation	Zoning	Current Use
Subject Property North South East West	Community Commercial Center	PUD, Planned Unit Development	Vacant
	Community Commercial Center	PUD, Planned Unit Development	Commercial
	Community Commercial Center	RP-4, Residential Planned (High-Density)	Multifamily
	Medium Density Residential	RP-2, Residential Planned (Intermediate-Density)	Duplexes
	Community Commercial Center	PUD, Planned Unit Development	Commercial

PRELIMINARY PLAN REVIEW

The Sonoma Plaza PUD has been designed primarily as a commercial center with retail, restaurant, and service uses. Parking is shared among uses to support an efficient and flexible commercial center design.

The intent of this revised preliminary plan is to address the changes from the approved preliminary plan for the southeast corner of the site. The 2016 and 2021 preliminary plans anticipated a senior living component that could operate as independent or congregate care. The preliminary plan showed the building as two-stories and 44,000 SF. The change to a five-story, 218-unit standard apartment building requires a revision to the preliminary plan due to the substantial changes in building area and mass.

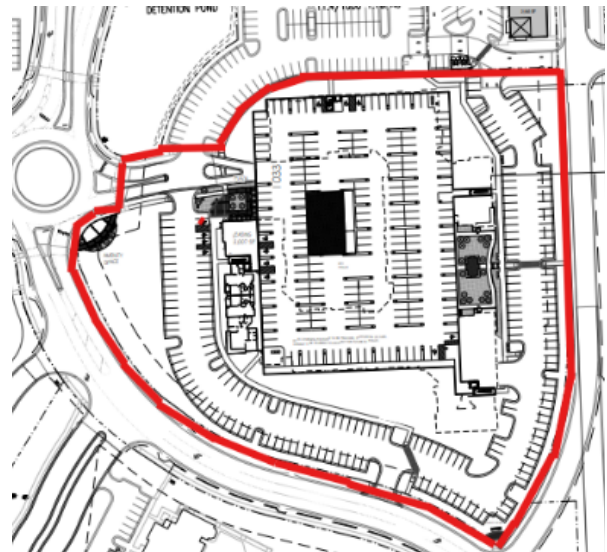


Exhibit 3: Comparison of Sonoma Plaza 2016 approved preliminary plan PL16-04P and the current proposal with the subject site outlined in red.

Setbacks within the PUD are flexible with the intent of creating a unique development. The layout of the proposed site includes street-facing parking along Maurer Road and Loiret Boulevard, with the building located behind the parking in these areas. Along the north of the site a sidewalk is located at the property line to provide pedestrian connectivity to the commercial uses to the north. The layout of parking is similar to what was approved with the 2016 preliminary plan, which also had parking along the street frontages and the building set interior and close to the north property line. The building is nearest to the property line at the north with a setback of 10-feet at one corner location. This setback is not unprecedented in the PUD as the multitenant commercial building on Lot 9 of Sonoma Plaza, Fourth Plat to the north has a similar setback of approximately 10-feet from Loiret Boulevard.

The proposed building is five-stories tall, and with grade changes within the site the exposed facade is four-stories on the east and five-stories on the west. The maximum building height is 164 feet and 8 inches. Comparable buildings in the surrounding area include The Peak at Sonoma apartments, which has buildings up to four-stories and 153 feet in height. Exhibit 8 displays building heights within the vicinity for comparison. The mass of the building is broken up by the building design, which is discussed further in the architecture section of the Staff Report.



Exhibit 4: Sonoma Plaza 2016 Approved Preliminary Plan PL16-04P, with subject site outlined in red.



Exhibit 5: Conceptual rendering of building design showing variation in the building's massing (looking east from Maurer).



Exhibit 6: Conceptual rendering of building design showing variation in the building's massing (looking west from Loiret).

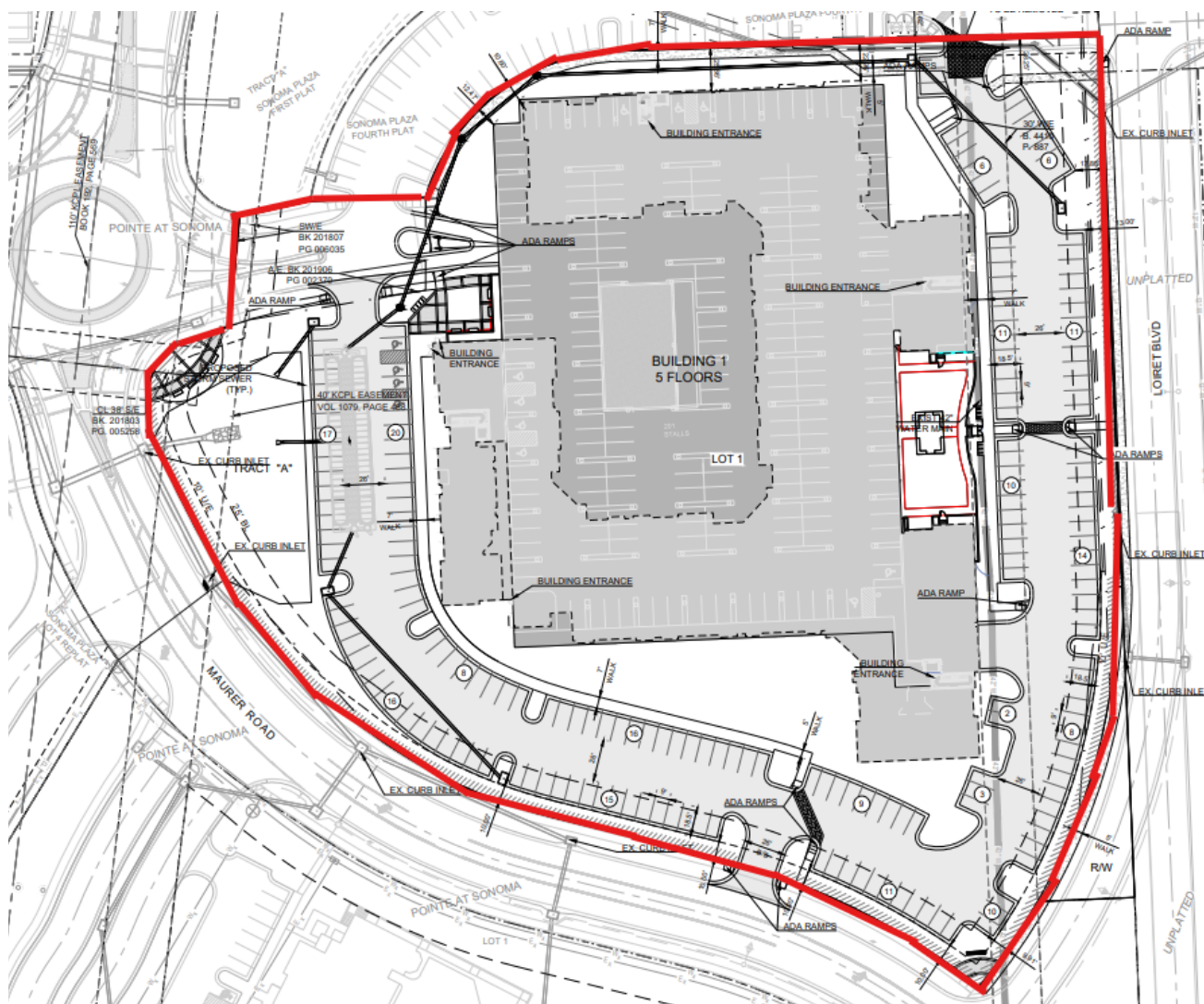


Exhibit 7: Proposed Site Plan.



Exhibit 8: Comparison of surrounding building mass.

PUBLIC IMPROVEMENTS

The entrance to the site will tie into the existing roundabout at 88th Street and Maurer Road. Maurer Road is already constructed to the public standard with existing sidewalk. No public improvements are planned with this project.

ACCESS, TRAFFIC, AND PARKING

The site has street frontage along Maurer Road and Loiret Boulevard, with a vehicular access point from each street. The primary entrance to the site is from Maurer Road at the 88th Street roundabout, which aligns with the parking garage entry and is in the vicinity of the leasing office. A secondary access point is available from Lot 9 of Sonoma Plaza, Fourth Plat to the north. Lot 9 has a drive entrance from Loiret Boulevard with an access easement allowing a drive entrance to the subject site.

The internal sidewalk network connects to the public sidewalks for pedestrian access at two locations along Maurer Road and two locations along Loiret Boulevard.

Specific details of the senior living component were not determined at preliminary plan stage in 2016 and therefore proposed parking was only estimated with intent to fully review parking compliance at the final plan stage. The 2016 preliminary plan estimated 175 spaces would be needed for the senior housing and planned for 237 stalls. Staff and the applicant have acknowledged that the retail and restaurant areas of the PUD just north of this site have a greater operational parking demand than what was originally anticipated.

Proposed parking includes 200 surface spaces and 201 podium garage spaces, for a total of 401 spaces. Nine of the new surface parking stalls will be dedicated to the restaurant Red Door to help alleviate the need for supplemental parking. The multifamily minimum parking requirement is met with the remaining 391 parking spaces provided. Two electric vehicle charging stations will be installed with the capacity to support 4 cars. Conduit for additional future electric vehicle stalls is also planned. Bicycle parking is required as one space per five units. The applicant exceeds this requirement by providing 48 bicycle parking spaces where 44 are required.

Maurer Road is a collector road and Loiret Boulevard is a local road. The closest arterial road is 87th Street Parkway, which borders the Sonoma Plaza PUD to the north.

The change in use from the previously approved preliminary plan, which designated this site for multifamily senior living to standard multifamily with no age restrictions will have a nominal increase in traffic at key intersections. There is a known conflict point at Maurer and 88th Street during certain peak times due to the success of the restaurants along 88th Street. Staff required the applicant to study the traffic in the area and while any development will add traffic to the street system, staff determined the change in traffic at the key intersections is not substantial enough to warrant additional traffic lights or changes to the existing roadways.

TABLE 2: PARKING ANALYSIS

Land Use	Parking Formula	Required Parking	Proposed Parking	Difference
Multifamily		391	392	+1
Studio (7 units)	1 space per unit	7		
1-Bedroom (161 units)	1.5 spaces per unit	241.5		
2-Bedroom (50 units)	1.75 spaces per unit	87.5		
Guest Parking (218 units)	.25 spaces per unit	54.5		
Red Door Auxiliary Restaurant Parking		-	9	+9
Total Parking		391	401	+10

STORMWATER

Stormwater management for this property was included within the overall Sonoma Plaza stormwater management report. The original drainage infrastructure intent for this site consisted of providing bio-retention to treat the stormwater. Due to space limitations with the proposed project, the applicant has modified the proposed drainage infrastructure for the site to consist of a smaller bio-retention facility, with the addition of an underground infiltration and detention facility to provide for the change or difference caused by reducing the bio-retention size. The stormwater addendum for this lot demonstrated that a comparable level of treatment will be provided with this modification.

FIRE PREVENTION

The Fire Department reviewed the plans based on the current adopted fire codes and local amendments. The following items still need to be addressed:

1. Based on the proposed submittal and initial code review, the design professional will need to provide code compliant access to address the proximity requirement for aerial fire apparatus. The current submittal exceeds what the code allows for the distance from the building. This will need to be addressed prior to the final plan approval.

LIGHTING

Lighting and fixture requirements are outlined in the PUD Design Guidelines. Photometric plans are required at the final plan stage and will be evaluated at that time.

LANDSCAPING

The Sonoma Plaza PUD Design Guidelines require public amenity spaces be provided throughout the site at 10 SF per parking space. Public spaces are to be defined by a combination of paved areas, plantings, architectural features, and seating. The minimum amount of required amenity space is met. A total of 4,858 SF of pedestrian-scale public space is provided, with a prominent amenity area located at the corner of 88th Street and Maurer Road featuring landscaping, designed hardscape, and benches. Smaller plaza areas are provided elsewhere throughout the site.

Site landscaping includes perimeter plantings that meet the requirements for shade and ornamental trees and exceed the requirement for shrubs and landscape bed area. Internal parking lot landscaping and monument sign landscaping are also provided.

ARCHITECTURE

Sonoma Plaza has architectural design guidelines that apply to this development. The intent of the guidelines is to ensure that buildings have common elements including similar exterior materials. The existing buildings in the PUD use materials of stone, brick, metal panels, EIFS, composite wood siding, and storefront windows. Materials for the multifamily building include tan cast-stone, red and brown brick, brown/beige Hardie board, dark bronze aluminum storefront windows, tan stone veneer, and tan and beige EIFS. The Design Guidelines require that above-ground parking structures shall be shielded by storefronts or other building uses where possible. In accordance with the Design Guidelines, the aluminum storefront windows of the ground floor parking deck present as a storefront facade rather than parking garage. The proposed materials are consistent with the Design Guidelines and existing architecture.

The building mass is broken down by the use of vertical projections, horizontal and vertical material changes, and balconies.



Exhibit 9: East Elevation, view from Loiret Boulevard.



Exhibit 10: North Elevation.



Exhibit 11: West Elevation, view from Maurer Road.



Exhibit 12: South Elevation.

FINAL PLAT REVIEW

This is a final plat of Sonoma Plaza Sixth Plat, which includes one lot, one tract, and right-of-way on approximately 5.9 acres in the PUD, Planned Unit Development known as Sonoma Plaza.

Lot 1 is 5.58 acres and intended to be developed as multifamily residential. Tract "A" is 0.2375 acres and will serve as a stormwater detention area. Tract A is to be owned and maintained by the Sonoma Plaza Association and is to be used for detention and landscaping.

The site has two points of access from the right-of-way; the primary entrance from Maurer Road and a secondary entrance at the northeast corner of the site, which is shared with Sonoma Plaza Fourth Plat to the north. Limits of No Access is shown from Lot 1 to Loiret boulevard and Maurer Road for all areas other than the designated access points. Utilities are available to the site.

New dedications to the City of Lenexa, requiring acceptance by the Governing Body, include:

- Drainage easement
- Utility easement
- Right-of-way

Other new dedications include:

- Access easement granted to allow access to the north.



Exhibit 13: Final Plat with Public Dedications.

DEVIATIONS

The applicant is not requesting any deviations from the Unified Development Code (UDC).

NEXT STEPS

- This revised preliminary plan 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 by the City Council on August 20, 2024.
- The final plat requires approval from the Planning Commission and acceptance of dedications by the City Council. Pending approval from the Planning Commission, the project is tentatively scheduled for consideration by the City Council on August 20, 2024.
- The applicant must submit a final plan application prior to applying for permits.
- The final plat must be recorded with Johnson County prior to permits being released.
- The applicant must receive permit(s) prior to commencing construction.
- The applicant must obtain a Certificate of Occupancy before opening for business.
- The applicant should inquire about additional City requirements and development fees.

RECOMMENDATION FROM PROFESSIONAL STAFF

★ **Staff recommends approval of the proposed Revised Preliminary Plan and Final Plat for Sonoma Plaza Sixth Plat and Phase 3 Apartments.**

- This revised plan updates the previously approved plan (PL16-04P) for Sonoma Plaza Planned Unit Development from November 2016, replacing a two-story, 44,000 SF senior living facility in the southeast corner with the new apartment building. The applicant also requests approval of a companion final plat for one lot, one tract and right-of-way on 5.9 acres.
- The project is consistent with Lenexa's goals through *Responsible Economic Development* and *Strategic Community Investment* to create *Vibrant Neighborhoods*.

REVISED PRELIMINARY PLAN

Staff recommends **approval** of the revised preliminary plan for PL24-01PR - **Sonoma Plaza Phase 3 Apartments** east of 88th Street and Maurer Road, for a multifamily residential development with the following condition:

1. Based on the proposed submittal and initial code review, the design professional will need to provide code compliant access to address the proximity requirement for aerial fire apparatus. The current submittal exceeds what the code allows for the distance from the building. This will need to be addressed prior to the final plan approval.

FINAL PLAT

Staff recommends **approval** of the final plat for PT24-07F – **Sonoma Plaza Sixth Plat** at 88th Street and Maurer Road, for a multifamily residential development with the following condition:

1. The final plat shall not be recorded with Johnson County until a final plan has been approved by the City.

CALL TO ORDER

Chairman Poss called the regular meeting of the Lenexa Planning Commission to order at 7:00 p.m. on Monday, August 5, 2024. The meeting was held in the Community Forum at Lenexa City Hall at 17101 W. 87th Street Parkway, Lenexa, Kansas.

ROLL CALL

COMMISSIONERS PRESENT

Chairman Chris Poss
Vice-Chairman Mike Burson
Commissioner Ben Harber
Commissioner Brenda Macke
Commissioner David Woolf
Commissioner Don Horine
Commissioner John Handley
Commissioner Cara Wagner
Commissioner Curt Katterhenry

COMMISSIONERS ABSENT

None

STAFF PRESENT

Scott McCullough, Community Development Director
Stephanie Sullivan, Planning Manager
Tim Collins, Engineering and Construction Services Administrator
Kevin Sellers, Captain – Fire Prevention
Steven Shrout, Assistant City Attorney II
Kim Portillo, Planner III
Dave Dalecky, Planner II
Logan Strasburger, Planner I
Britton Johnson, Planning Intern
Gloria Lambert, Senior Administrative Assistant

REGULAR AGENDA

4. **Sonoma Plaza Phase 3 Apartments - Consideration of a revised preliminary plan and final plat for a four-five-story split multifamily residential development located approximately east of 88th Street & Maurer Road within the PUD, Planned Unit Development District. PL24-01PR, PT24-07F**

APPLICANT PRESENTATION

Patrick Reuter, Klover Architects, gave the location of the site in question and said it was the last parcel to the overall Sonoma Plaza development project. Mr. Reuter stated the project being presented was an update to the PUD, Planned Unit Development Zoning District, to change what was previously presented as a senior living facility to now requesting apartments. He said the change is driven by growth in the area and demand for more affordable housing. The previous proposal for senior living apartments was

175 units and the current proposed plan is to build 218 apartments. Overall, the traffic study will remain about the same and have little to no impact on traffic in the area. He presented the proposed site plan on screen and discussed the site's grade change and water easement. He gave the location of the parking garage and explained that there will be one way in and out for purposes of security. He described all the proposed amenities that will include a pool, gas fire pits and synthetic grass turf areas with seating arrangements. He said there will be 201 garage stalls and 200 surface stalls for parking, with nine stalls dedicated to Red Door employees to help alleviate some of their parking issues. He displayed plans for the green spaces, public plazas, and quiet courtyard for residents. He pointed out the height of the four-story building and displayed renderings and explained the overall design, proposed materials and colors. He commented that they held a neighborhood meeting and none of the residents attended.

STAFF PRESENTATION

Kimberly Portillo presented the Staff Report. Ms. Portillo stated the project before them was a revised preliminary plan for Sonoma Plaza Apartments as well as a final plat. She added that it was the last undeveloped parcel in the PUD, Planned Unit Development Zoning District. She displayed a location map of the proposed site and provided zoning and Comprehensive Plan information for the application being presented. She provided a comparison of the approved preliminary plan from 2016 to the current plan being proposal and noted the differences. She stated that Staff worked with the applicant in determining the units per acre within their entire Sonoma Plaza master plan, noting that the PUD Zoning District does not have a specific density requirement. Staff calculated the density at 15.3 units per acre and the applicant agreed. Staff also calculated the maximum height in the PUD District and determined the height to be 64 feet tall. She noted that the proposed height is both similar to and consistent with other buildings in the surrounding area. Staff worked with the applicant on traffic and parking concerns, and the applicant addressed those concerns by providing additional parking. She discussed the proposed architecture and commented that the materials are consistent with what is existing at Sonoma Plaza. She said she was sharing the final plat submittal information because it accompanied the submittal of the revised preliminary plan application. She stated Staff recommends approval of the preliminary plan with the condition of working with the Fire Department to establish fire access proximity at time of final plat. Staff also recommends approval of the final plat with the condition that the final plan must be approved before the final plat is recorded.

COMMISSION DISCUSSION

Commissioner Horine asked about the age restriction. Patrick Reuter said there was an age restriction with the previous proposal of the senior facility, but an age restriction no longer exist with the plan of apartments. Commissioner Horine complimented the appearance of the original apartments built in Sonoma Plaza.

Commissioner Wagner expressed her earlier concerns about parking but mentioned that the additional context provided helped to alleviate those worries. Patrick Reuter replied that an analysis was conducted at Sonoma Hill so they are confident that there will be adequate parking available in Sonoma Plaza. Rick Oddo, Oddo Development stated that he spoke with Red Door Grill and Chick-Fil-A property owners, and they are eager to rent parking spaces from them when they become available.

Commissioner Katterhenry commented that he like the raised deck and pool area and overall architecture of the project. Commissioner Katterhenry added that he appreciates the plan for increased parking availability.

Commissioner Woolf mentioned that his earlier question about how parking would be monitored had already been answered. Commissioner Woolf asked if it would be rented spaces for the employees. Mr. Oddo said they will have painted and marked parking stalls for employees of Red Door Grill.

Commissioner Handley said he was generally supportive of the change in use and removal of the age restriction as well as having multifamily against the highways. Commissioner Handley feels it is appropriate use of that space and is appreciate of the additional parking being provided.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of the revised preliminary plan for **Sonoma Plaza Phase 3 Apartments** east of 88th Street and Maurer Road, for a multifamily residential development with the following condition:

1. Based on the proposed submittal and initial code review, the design professional will need to provide code compliant access to address the proximity requirement for aerial fire apparatus. The current submittal exceeds what the code allows for the distance from the building. This will need to be addressed prior to the final plan approval.

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

Chairman Poss entertained a motion to recommend **APPROVAL** of the final plat for **Sonoma Plaza Sixth Plat** at 88th Street and Maurer Road, for a multifamily residential development with the following condition:

1. The final plat shall not be recorded with Johnson County until a final plan has been approved by the City.

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



**CITY COUNCIL
MEMORANDUM**

ITEM 8

SUBJECT: Approval of a preliminary plan/plat for Cedar Canyon Attached Villas, a duplex development in the Cedar Canyon West development, located at the southwest corner of 99th Street & 100th Street in the RP-2, Residential Planned (Intermediate-Density) District

CONTACT: Stephanie Sullivan, Planning Manager

DATE: August 20, 2024

ACTION NEEDED:

Approve the preliminary plan/plat for Cedar Canyon Attached Villas, a duplex development in the Cedar Canyon West development, located at the southwest corner of 99th Street & 100th Street in the RP-2, Residential Planned (Intermediate-Density) District.

APPLICANT:

Dan Foster, Schlagel and Associates

OWNER:

Speedway II, LLC

PROPERTY LOCATION/ADDRESS:

Southwest corner of 99th Street & 100th Street

PROJECT BACKGROUND/DESCRIPTION:

The applicant proposes to construct a 40-unit duplex development on 7.68 acres of land located at the southwest corner of 99th Street and 100th Street. The project, known as Cedar Canyon Attached Villas, was rezoned to the RP-2 Zoning District in 2023 as part of the Cedar Canyon West development containing 112 acres.

The 40-unit duplex development consists of 20 lots and five tracts and a new public street. A landscape buffer is provided between the duplexes and the existing Canyon Creek Villas subdivision to the north. Landscape buffers are also provided along the part of the subdivision that abuts 99th Street & 100th Street per the requirement to buffer single-family and duplex lots from arterial and collector streets.

The applicant requests a deviation from the Unified Development Code (UDC) to allow a reduced rear yard setback for the easternmost lot of the subdivision so that the landscape buffer may be made wide enough to install trees around a WaterOne utility easement. The setback deviation allows the rear yard setback to be reduced from 20 feet to 16 feet for this one lot. The deviation was approved by the Planning Commission.

STAFF RECOMMENDATION:

Approve the preliminary plan.

PLANNING COMMISSION ACTION:

This item was considered as Regular Agenda Item 3 at the August 5, 2024 Planning Commission meeting. This item did not require a public hearing; however, Chairman Poss opened the item for public comment. One person from the public spoke. The speaker expressed concerns regarding the drainage that enters the rear yards of the lots of the adjacent subdivision to the north of the proposed project. The applicant responded to the speaker's comments stating that a new detention basin is currently being constructed with the 100th Street project to mitigate the drainage concerns. There was discussion related to the maintenance and inspection of the stormwater facilities. The Planning Commissioners were in favor of the proposed preliminary plan and plat.

Chairman Poss entertained a motion to recommend **APPROVAL** of a preliminary plan and plat for Cedar Canyon Attached Villas Creek, located at the southwest corner of 99th Street & 100th Street. Moved by Commissioner Harber, seconded by Commissioner Handley, and carried by a unanimous voice vote.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Vibrant Neighborhoods
Thriving Economy

Guiding Principles

Responsible Economic Development

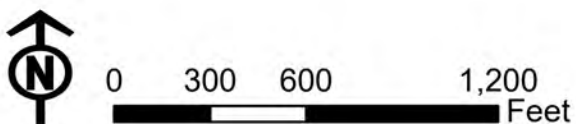
ATTACHMENTS

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



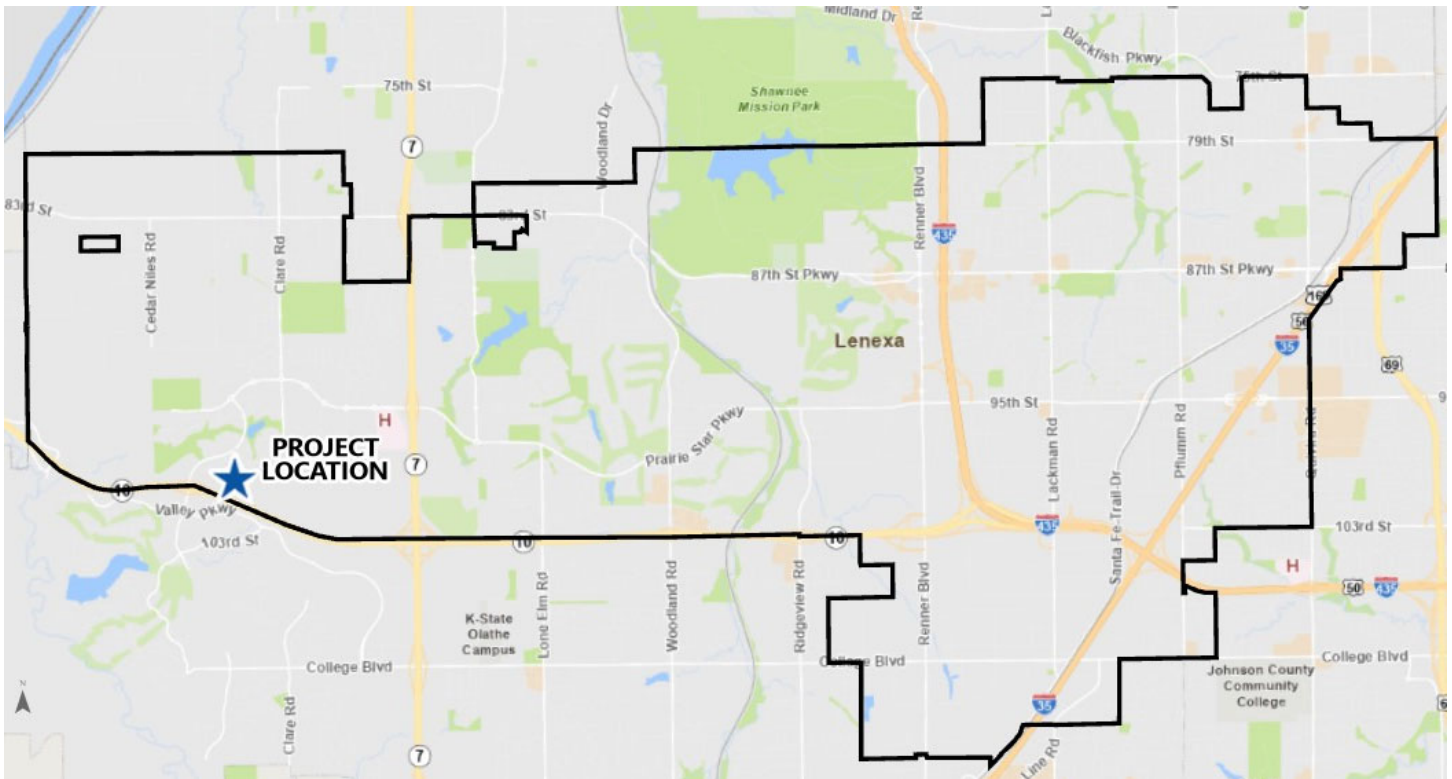
Data Source: City of Lenexa and Johnson County Kansas
For further information, please call 913-477-7500

Cedar Canyon Attached Villas



CEDAR CANYON ATTACHED VILLAS

Project #:	PL24-04P	Location:	Southwest corner of 99 th Street and 100 th Street
Applicant:	Dan Foster, Schlagel & Associates	Project Type:	Preliminary Plan/Plat
Staff Planner:	Dave Dalecky	Proposed Use:	Duplex



PROJECT SUMMARY

The applicant requests approval of a duplex subdivision in the Cedar Canyon West development at the southwest corner of 99th Street and 100th Street, east of Canyon Creek Boulevard. The subdivision includes 20 lots and five tracts for a total of 40 residential units. The site was zoned RP-2 in February 2023 along with the rezoning of other portions of the Cedar Canyon West development. The preliminary plan is consistent with the approved concept plan. This project does not require a Public Hearing.

STAFF RECOMMENDATION: APPROVAL

LAND USE REVIEW

The preliminary plan/plat application shows 20 duplex lots on the 7.68-acre site. The proposed plan is consistent with the RP-2 Zoning District regulations.

The site is designated for Medium Density Residential uses on the Future Land Use (FLU) Map of the Comprehensive Plan. The site was rezoned to allow for duplexes in 2023.



TABLE 1: COMPARISON OF SURROUNDING PROPERTIES

Vicinity	Land Use Designation	Zoning	Current Use
Subject Property	Medium Density Residential	RP-2, Residential Planned (Intermediate-Density) District	Undeveloped land
North	Suburban Density Residential and Medium Density Residential	RP-1, Planned Residential Single-Family (Low-Density) District and RP-2, Residential Planned (Intermediate-Density) District	Single-Family Residential
South	High-Density Residential	RP-4, Residential Planned (High-Density) District	Undeveloped land (High-Density Residential under construction)
East	Medium Density Residential and High-Density Residential	RP-2, Residential Planned (Intermediate Density), and RP-4, Residential Planned (High-Density) District	Undeveloped land
West	Medium Density Residential and Community Commercial	RP-2, Residential Planned (Intermediate-Density) District and CP-2, Planned Community Commercial District	Undeveloped land

PRELIMINARY PLAN REVIEW

The site is a 7.68-acre parcel of land that is between 99th Street to the east and north and future 100th Street to the south. The site will contain a block of duplex buildings along a new public street crossing the site from east to west. The duplex development provides a transition from higher intensity uses to the south to the single-family residential development to the north.

Each duplex unit will include attached two-stall garages and two spaces to park a car in the driveway. Duplex development typically has less spaces for on-street parking due the width of the driveways along the street. Approximately 24 spaces are available along the internal public street for on-street parking.

A tract is shown on the easternmost part of the subdivision that will be used for a detention basin. The subdivision includes two other tracts that will be reserved for open space in the subdivision. The tracts will be owned and maintained by a homeowner's association.



Exhibit 2: Site plan aerial.

PUBLIC IMPROVEMENTS

The plan includes a new public street, 99th Place, that will be constructed as part of the development of the subdivision. Construction of 100th Street is a separate public improvement but will need to be completed prior to the development of this subdivision.

TRAFFIC, ACCESS, AND PARKING

All of the lots will have driveways that connect to 99th Place, a new public street in the subdivision. This public street will connect to the new 100th Street. Both streets will have a curved alignment. Each duplex will have a two-stall garage and space for two vehicles to park in the driveway of each unit. The driveways for the duplex

building will be separated by a landscape space between the pavement. The landscape space will contain low growing landscaping.

TABLE 2: PARKING ANALYSIS

Use	Requirement	Required	Provided
Duplex	2 spaces per unit	80	160
TOTAL		80	160

STORMWATER

The applicant submitted a preliminary stormwater management plan for this development, indicating the intent to meet the City’s stormwater requirements. As noted previously, there is a tract dedicated for a stormwater detention basin on the east end of the project. In addition, the western portions of the development were designed to flow into a detention basin currently being constructed with 100th Street, abutting the project immediately to the west.

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 final plan and building permit documentation submittal.

LIGHTING

The new public street will require street lighting per the City’s public infrastructure requirements. It is anticipated the duplexes will have some exterior building mounted light fixtures. All exterior lighting is subject to [Section 4-1-C-4-I](#) of the UDC.

LANDSCAPING

The landscape plan shows trees and shrubs installed along the street frontages in landscape buffer tracts. The landscape buffer tracts are along both 99th and 100th Streets. A landscape tract continues along the north side of the site between the rear yards of the duplexes and the adjacent single-family subdivision.

A landscape buffer is required between this development per the Land Use Intensity (LUI) buffer requirements in [Section 4-1-D-2-N](#) of the UDC. A landscape buffer is required for developments that have a density differential as listed in the referenced code section. This development has an LUI buffer differential factor of 2 which requires the buffer to be at least ten feet wide. The tract is 15 feet wide and includes the required landscaping. The plan shows that some existing trees will be preserved in the buffer to supplement the tree and shrub requirement. Trees that are intended to be preserved are shown on the landscape plan. A tree protection plan must be provided with any site development permit application.

A fence is also required in the landscape buffer tracts along the street. The developer will be required to install fence in the landscape buffer where the buffer abuts a collector and arterial street.



Exhibit 3: Landscape plan.

ARCHITECTURE

The duplexes will be two-story buildings. The garage doors will face toward the street with most of the living space behind the garage. A front entry will be to either side of the garage doors. This design is typical for duplexes. The preliminary elevations show a mix of exterior finish materials including stone, stucco, and vinyl siding. The roofs will use composition asphalt shingles. The duplex design is consistent with the architectural regulations of the UDC.



Exhibit 4: Duplex front and side elevations.



DEVIATIONS

The applicant requests a deviation from the rear yard setback requirement for Lot 12 of the subdivision. The deviation is noted in Table 4 and summarized below. The Planning Commission has the authority to approve deviations if the criteria from [Section 4-1-B-27-G-4](#) of the UDC are met.

[Section 4-1-B-7-F](#) of the UDC lists the setback requirements for the RP-2 Zoning District. The applicant is requesting to reduce the setback from 20 feet to 16 feet. The tract to the north of Lot 12 (behind the lot) provides the buffer between the lot and 99th Street, an arterial street. This space also contains a WaterOne easement with a water main that serves the area. The easement restricts the ability for trees to be planted within this space. The applicant has made the landscape buffer wider at this location so that trees may be planted between the easement and the rear property line of the lot. The increased width to accommodate trees within the easement impedes the typical 20-foot setback area, necessitating the requested deviation. Staff supports the request for the four-foot setback reduction for this lot.

TABLE 3: REQUESTED DEVIATIONS

Deviation	Requirement	Proposed	Difference
Rear yard setback (Lot 12)	20 feet	16 feet	4 feet

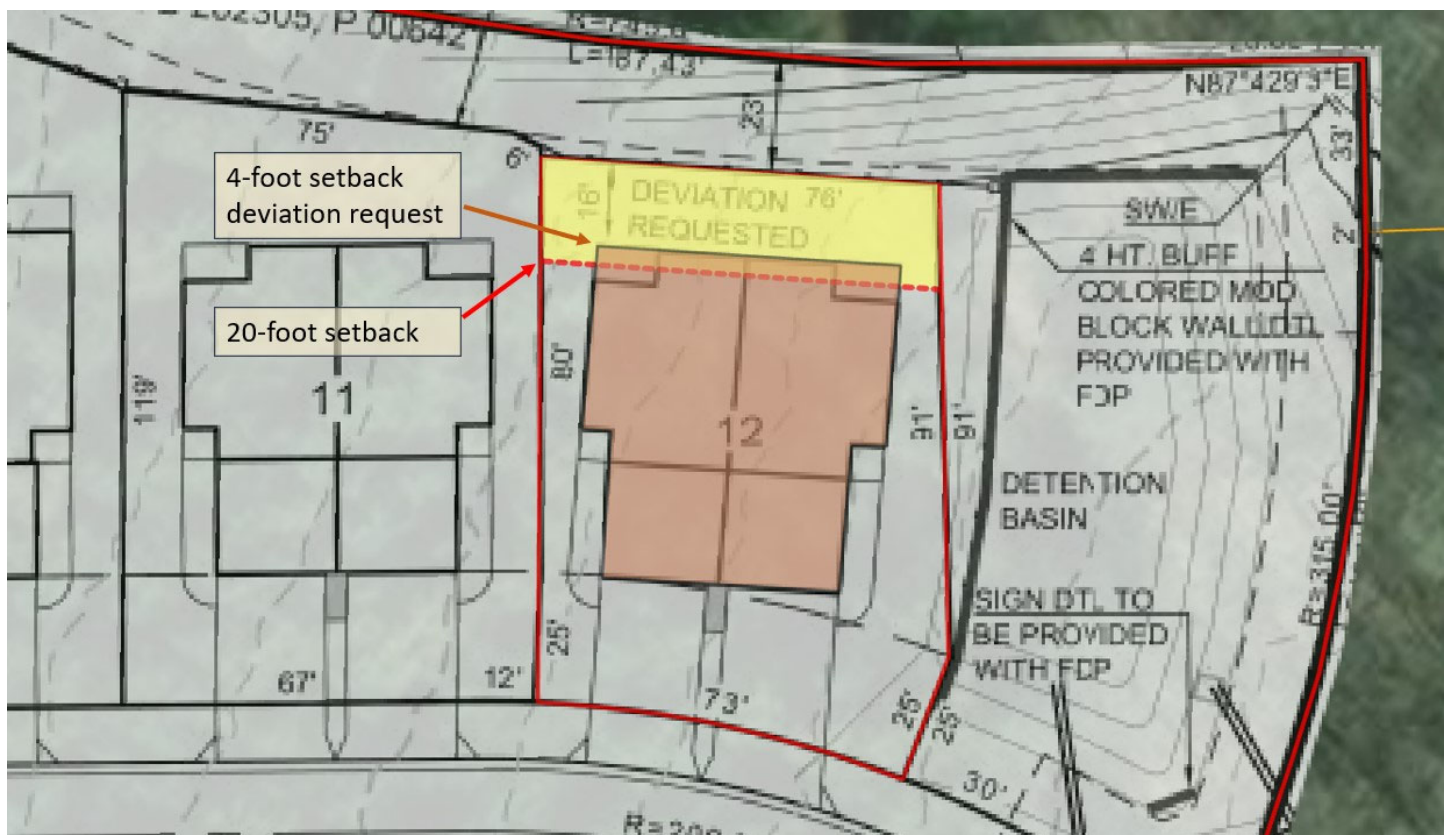


Exhibit 4: Lot 12 rear yard setback deviation.

PRELIMINARY PLAT

The preliminary plan is also the preliminary plat submittal for the subdivision. Typically, only a preliminary plat is submitted for a single-family or a duplex subdivision. This preliminary plan satisfies the requirements for a preliminary plat submittal. A utility easement is provided along 99th and 100th Streets. The location and accessibility of the utilities to share the space used for the landscape buffer will be confirmed with the final plat. Additional utility easements may be necessary for other locations. Per [Section 4-1-D-2-J](#) of the UDC, a 15-foot landscape easement is required along the front of the duplex lots. The final plat shall include this easement.

The preliminary plat contains 20 lots and five tracts. Each lot may be split along the common wall of the duplex unit for individual ownership of a duplex unit.

TABLE 4: PLAT TRACT PURPOSE

	Purpose	Size
Tract A	Open Space and Required Landscape Buffer	21,729.25 SF
Tract B	Open Space	3,625.64 SF
Tract C	Open Space	2,893.88 SF
Tract D	Open Space, Required Landscape Buffer and Detention Basin	30,934.65 SF
Tract E	Open Space and Required Landscape Buffer	1,898.91

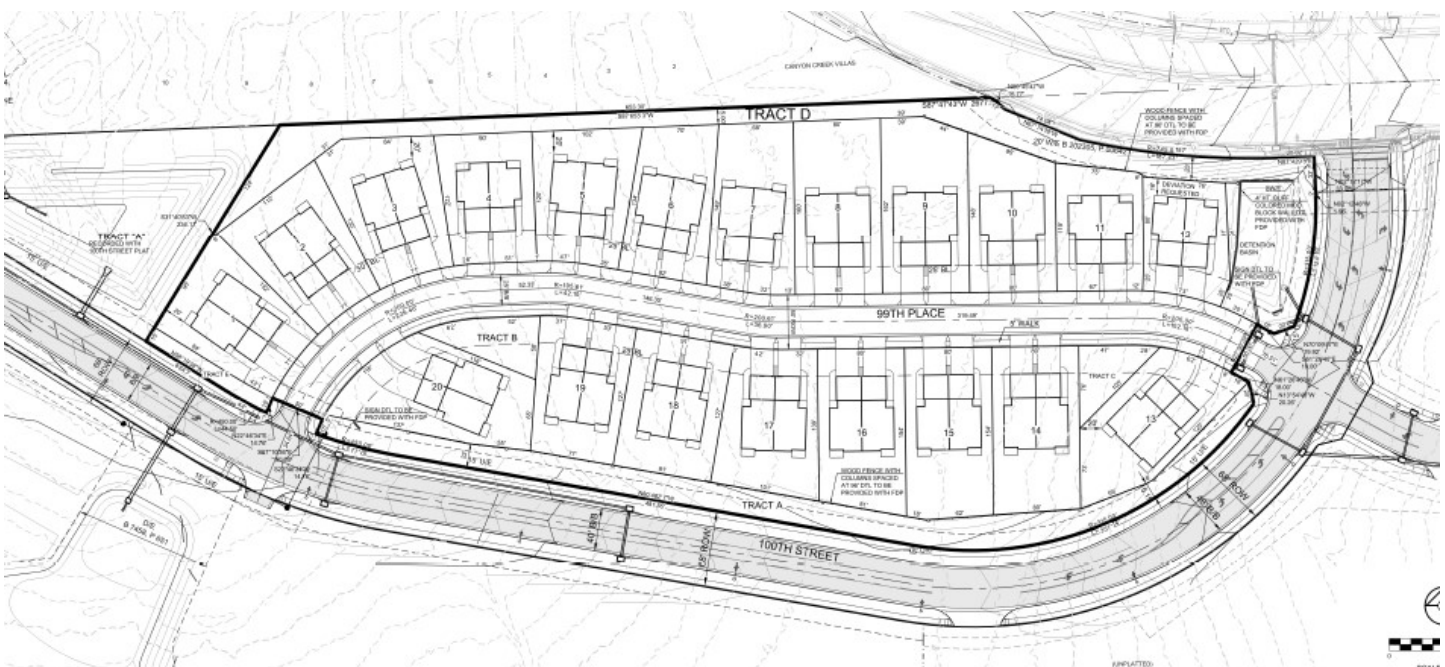


Exhibit 5: Preliminary Plat.

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 by the City Council on August 20, 2024.
- The applicant should inquire about additional City requirements, such as permits and development fees.

RECOMMENDATION FROM PROFESSIONAL STAFF

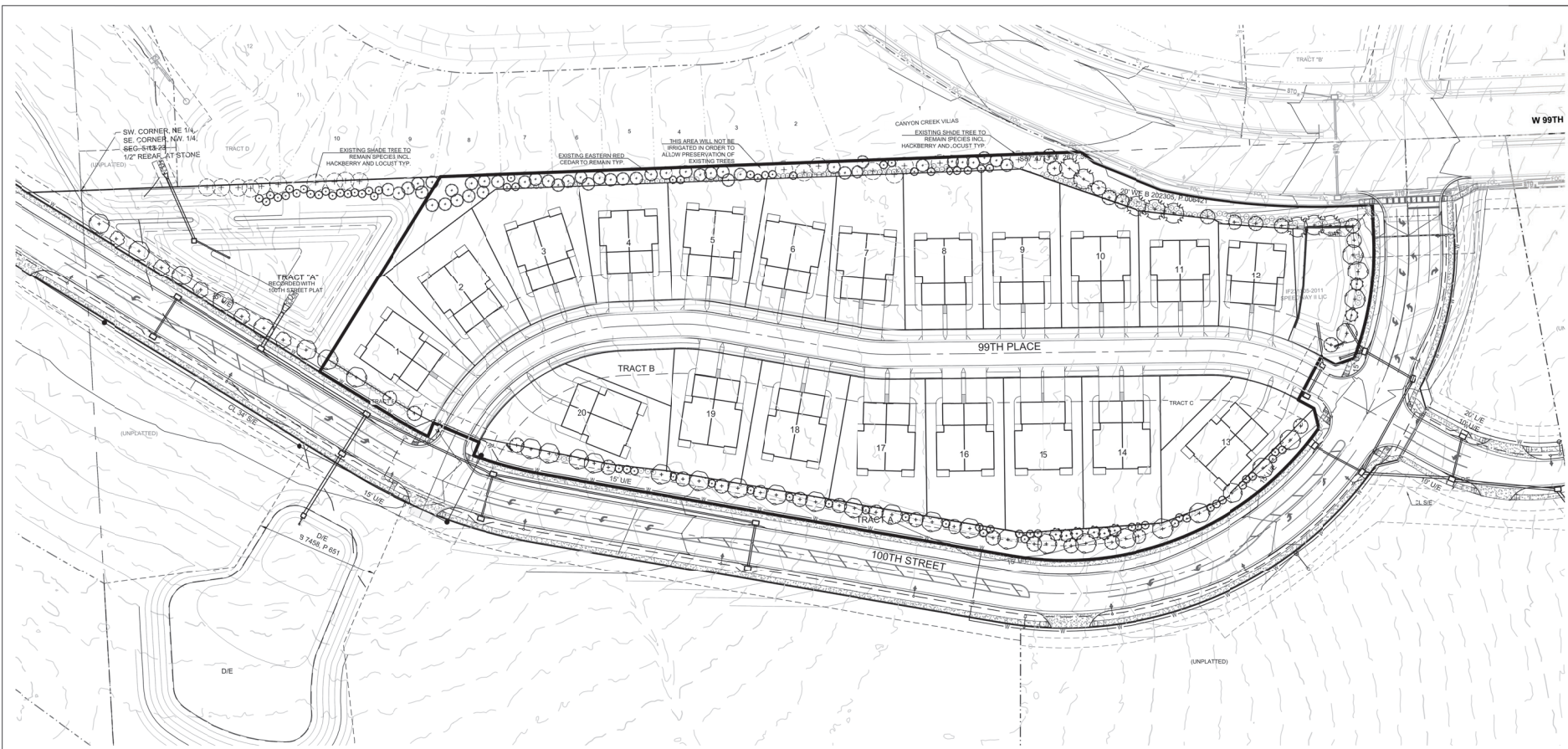
★ **Staff recommends approval of the preliminary plan/plat for Cedar Canyon Attached Villas.**

- The project is consistent with Lenexa's goals through *Responsible Economic Development* to create *Vibrant Neighborhoods* and a *Thriving Economy*.

PRELIMINARY PLAN/PLAT

Staff recommends **approval** of the preliminary plan/plat for **Cedar Canyon Attached Villas** located at the southwest corner of 99th Street and 100th Street for a duplex residential use, with the deviation noted in the Deviations section of the Staff Report.

I:\PROJECTS\2024\24-1163-0 Design\3.0 DWG Files\24-1163-PDF LP.dwg, LP, 1:1



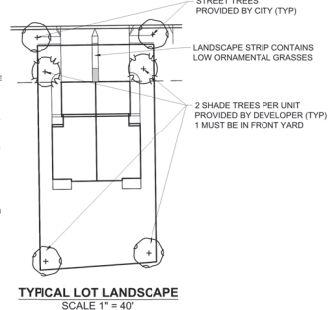
RP-2 LANDSCAPE CALCULATION TABLE			
DESCRIPTION	ORDINANCE REQUIREMENT	LANDSCAPE REQUIRED	LANDSCAPE PROPOSED
PARTIAL NORTH BOUNDARY ARTERIAL STREET LANDSCAPE SECTION 4-2-E-4-B-2-6 WITH STREET 324 L.F. FRONTAGE	2.5 SHADE TREES 3 ORNAMENTAL TREES 15 SHRUBS SHALL BE PLANTED FOR EVERY 100 LINEAR FEET OF PUBLIC OR PRIVATE STREET FRONTAGE	8 SHADE TREES 10 ORNAMENTAL TREES 40 SHRUBS	8 SHADE TREES 10 ORNAMENTAL TREES 40 SHRUBS
SOUTH & EAST BOUNDARY COLLECTOR STREET LANDSCAPE SECTION 4-2-E-4-B-2-6 WITH STREET	2.5 SHADE TREES 2 ORNAMENTAL TREES 12 SHRUBS SHALL BE PLANTED FOR EVERY 100 LINEAR FEET OF PUBLIC OR PRIVATE STREET FRONTAGE	31 SHADE TREES 25 ORNAMENTAL TREES 152 SHRUBS	34 SHADE TREES 38 ORNAMENTAL TREES **41 EVERGREEN TREES INSTEAD OF 123 SHRUBS 36 SHRUBS
STREET TREES SECTION 4-1-D-2-J LOCAL RESIDENTIAL STREETS TO BE INSTALLED BY CITY	1 SHADE TREE SHALL BE PLANTED FOR EVERY 40 LINEAR FEET OF PUBLIC OR PRIVATE STREET FRONTAGE	1 SHADE TREE FOR EVERY 40 LINEAR FEET ON LOCAL RESIDENTIAL STREETS	1 SHADE TREE SHALL BE PLANTED FOR EVERY 40 LINEAR FEET OF PUBLIC OR PRIVATE STREET FRONTAGE NOT SHOWN PER CITY STAFF
SITE TREES SECTION 4-1-D-2-K TO BE INSTALLED BY HOME BUILDER	2 DECIDUOUS TREES PER LOT 1 MUST BE SHADE TREE AND 1 MUST BE IN FRONT YARD	2 DECIDUOUS TREES PER LOT 1 SHADE TREE AND 1 IN FRONT YARD	2 DECIDUOUS TREES SHALL BE PLANTED PER LOT 1 WILL BE SHADE TREE AND 1 WILL BE IN FRONT YARD NOT SHOWN PER CITY STAFF
PARTIAL NORTH BOUNDARY BUFFER LANDSCAPE TRACT B 1017 L.F.	BUFFER TYPE 2 (L.U. D.F. 3-1) MIN. WIDTH REQ. 10' 1 SHADE TREE 3 EVERGREEN TREES 15 SHRUBS PER 100' OF LENGTH	10 SHADE TREE 31 EVERGREEN TREES 152 SHRUBS	15 EXISTING SHADE TREES 45 EXISTING EVERGREEN TREES **34 NEW EVERGREEN TREES INSTEAD OF 114 SHRUBS 45 SHRUBS

**1 JPRIGHT EVERGREEN IS EQUAL TO 3 SHRUB PLANTINGS THAT WILL BE PROVIDED

SHADE TREES			
	ATS	8 EA.	Acer truncatum
	TAB	34 EA.	Tilia americana 'Boulevard'
ORNAMENTAL TREES			
	AC	30 EA.	Ametanther canadensis
	SRI	5 EA.	Syringa reticulata 'Ivory Silk'
EVERGREEN TREES			
	JCK	71 EA.	Juniperus chinensis 'Nobelspi'
	JVC	8 EA.	Juniperus virginiana 'Canadensis'
SHRUBS			
	CR	45 EA.	Cornus racemosa
	EAC	85 EA.	Euonymus alatus 'Compacta'
			Gray Dogwood
			Dwarf Burning Bush

NOTE: REQUIRED STREET TREES AND ON LOT TREES NOT SHOWN ON THE PLAN PER CITY STAFF. STREET TREES WILL BE INSTALLED BY THE CITY. LOT TREES WILL BE INSTALLED BY THE HOME BUILDER.

- NOTES:
- UTILITY INFORMATION SHOWN IS DESIGNED LOCATION OR LOCATIONS BASED ON UTILITY LOCATES. AS BUILT LOCATIONS MAY VARY. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UTILITIES PRIOR TO COMMENCING LANDSCAPE INSTALLATION. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS OR OBSTRUCTIONS.
 - QUANTITIES INDICATED ON THE PLAN ARE FOR CONVENIENCE ONLY. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES PRIOR TO PLANTING. NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. THE PLAN QUANTITIES AND NUMBER OF SYMBOLS SHALL SUPERSEDE QUANTITIES IN THE SCHEDULE.
 - ALL PLANT MATERIAL SHALL COMPLY WITH THE CITY OF LENEXA STANDARDS AND ANSI A11 THE AMERICAN STANDARD FOR NURSERY STOCK.
 - ALL TREES SHALL MEET THE MINIMUM REQUIREMENTS OF THE LENEXA ORDINANCE. ALL TREES SHALL BE CALIPPERED AND UNDERSEED TREES SHALL BE REJECTED.
 - ALL TREES SHALL HAVE A MIN. 3" DBH. AREA THAT HAS 2" DBH. DEPTH OF WOOD MULCH.
 - ALL PLANTING BEDS CONTAINING SHRUBS, GROUND COVER, PERENNIALS, ANNUALS AND ADD 1 THE AMERICAN STANDARD FOR NURSERY STOCK.
 - ANY DEVIATION FROM THE APPROVED LANDSCAPE PLAN SHALL REQUIRE WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT AND THE CITY OF LENEXA PRIOR TO INSTALLATION.
 - THE LANDSCAPE ARCHITECT AND OWNER SHALL APPROVE GRDES AND CONDITION OF SITE PRIOR TO SODDING OPERATIONS.
 - INSTALLATION AND MAINTENANCE OF LANDSCAPING SHALL COMPLY WITH THE CITY OF LENEXA STANDARDS.
 - INSTALLATION MATERIAL SHALL BE INSTALLED TO ALLOW A MINIMUM CLEARANCE BETWEEN PLANT AND ADJACENT PAVEMENT OF 1 FT. FOR PERENNIALS AND GROUNDCOVER AND 1.5 FT. FOR SHRUBS. A 3 FT. CLEARANCE FROM BACK OF CURB TO THE CENTER OF SHRUB OR CAR OVERHANG IS REQUIRED AT ALL PARKING ISLANDS AND PERIMETERS.
 - AFTER COMPLETE INSTALLATION OF ALL PLANT MATERIAL AND SOOD THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT THAT THE WORK IS COMPLETE AND READY FOR REVIEW. THE LANDSCAPE ARCHITECT SHALL REVIEW THE LANDSCAPE INSTALLATION TO DETERMINE COMPLIANCE WITH THE APPROVED PLANS. WHEN THE LANDSCAPE INSTALLATION MEETS THE REQUIREMENTS OF THE APPROVED PLAN, THE LANDSCAPE ARCHITECT SHALL PROVIDE A SIGNED AND SEALED LETTER TO THE CITY STATING THAT ALL LANDSCAPE PLANTINGS HAVE BEEN INSTALLED PER THE APPROVED PLAN.
 - AN IRRIGATION SYSTEM OR ROSE BBS MUST BE WITHIN 100 FEET OF ANY LANDSCAPE AREA IS REQUIRED BY LENEXA CODES. CONTRACTOR TO PROVIDE IRRIGATION/WATERING PLAN AS DESIGN BUILD.
 - IN THE EVENT OF WORK IN OR ON THE JOB SANSARY MAN, ANY TREES OR PLANTINGS PLACED WITHIN THE SEWER EASEMENT MAY BE REMOVED WITHOUT REPLACEMENT OR COMPENSATION THEREOF AND SHALL BE REPLACED BY THE PROPERTY OWNER AS REQUIRED BY THE CITY.
 - THE CITY WILL INSTALL THE CITY REQUIRED STREET TREES.
 - METAL PICKET FENCING OF A CONSISTENT STYLE WILL ONLY BE ALLOWED. STYLE TO BE DETERMINED BY THE DEVELOPER WHEN THE HSA DOCUMENTS ARE PREPARED.



SCHLAGEL
ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS
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WWW.SCHLAGELASSOCIATES.COM

PREPARED BY:

SCHLAGEL & ASSOCIATES, P.A.

CEDAR CANYON ATTACHED VILLAS
PRELIMINARY DEVELOPMENT PLAN & PLAT
100TH STREET AND 99TH PLACE
LENEXA, KANSAS

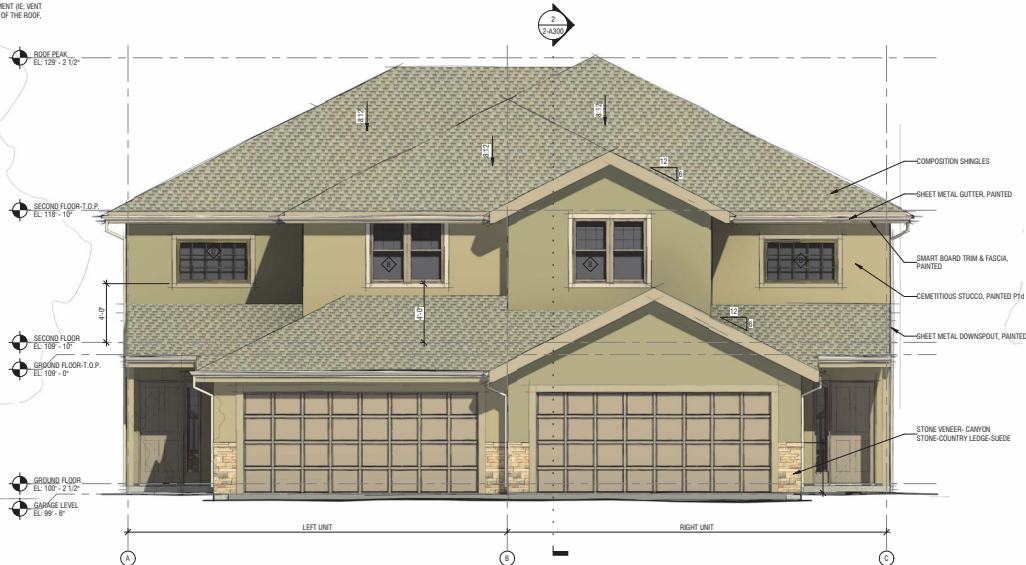
REVISION/DATE	BY	DESCRIPTION
1	2/22/2024	CITY COMMENTS
2	2/22/2024	CITY COMMENTS
3	2/22/2024	CITY COMMENTS
4	2/22/2024	CITY COMMENTS
5	2/22/2024	CITY COMMENTS
6	2/22/2024	CITY COMMENTS
7	2/22/2024	CITY COMMENTS
8	2/22/2024	CITY COMMENTS
9	2/22/2024	CITY COMMENTS
10	2/22/2024	CITY COMMENTS
11	2/22/2024	CITY COMMENTS
12	2/22/2024	CITY COMMENTS
13	2/22/2024	CITY COMMENTS
14	2/22/2024	CITY COMMENTS
15	2/22/2024	CITY COMMENTS
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45	2/22/2024	CITY COMMENTS
46	2/22/2024	CITY COMMENTS
47	2/22/2024	CITY COMMENTS
48	2/22/2024	CITY COMMENTS
49	2/22/2024	CITY COMMENTS
50	2/22/2024	CITY COMMENTS

PRELIMINARY
LANDSCAPE
PLAN

SHEET
L1.0

GENERAL NOTES:

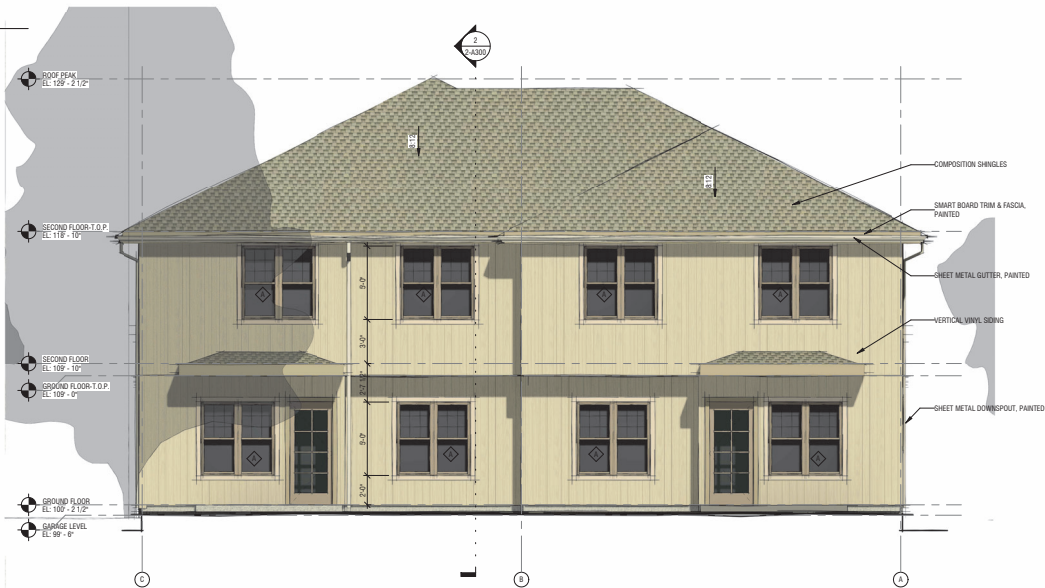
1. EXTERIOR COLORS ARE INDICATED BY MATERIAL MANUFACTURERS.
2. ALL EXTERIOR MATERIAL, TRANSITION, SILL & HEADERS WHICH ARE NOT CALLED OUT, MATCH TO WALL TRIM COLOR.
3. SPLIT SYSTEM W/ GROUND MOUNTED CONDENSERS TO BE SCREENED FROM VIEW BY LANDSCAPING.
4. INSTALL ALL ROOF PENETRATIONS AND EQUIPMENT (E-VENT PIPES, ROOF VENTILATORS) ON THE REAR SIDE OF THE ROOF, TO THE GREATEST EXTENT POSSIBLE.



1 FRONT ELEVATION
1/4" = 1'-0"

PHYSICAL SECURITY NOTES:

1. WOOD DOORS: WOOD DOORS SHALL BE OF SOLID CORE CONSTRUCTION SUCH AS HIGH DENSITY PARTICLEBOARD, SOLID WOOD, OR WOOD BLOCK CORE WITH A MINIMUM NOMINAL THICKNESS OF ONE AND THREE-FOURTHS INCHES (1 3/4") AT ANY POINT. (IRC R202.2.1)
2. WALL FRAMING AT DOOR OPENINGS: DOOR FRAMES SHALL BE SET IN OPENINGS CONSTRUCTED WITH DOUBLE STUDS ON EACH SIDE. DOORS WITH SIDELIGHTS SHALL HAVE DOUBLE STUD CONSTRUCTION ON EACH SIDE OF THE DOOR AND ON EACH SIDE OF THE SIDELIGHT(S). HORIZONTAL BLOCKING SHALL BE PLACED BETWEEN STUDS AT THE DOOR LOCK HEIGHT FOR THREE (3) STUD SPACES ON EACH SIDE OF THE DOOR OPENING. (IRC R202.3.1)
3. WOOD DOOR FRAMES: DOOR JAMBS SHALL BE A MINIMUM NOMINAL THICKNESS OF THREE FOURTHS INCHES (3/4") AND SHALL BE INSTALLED WITH SOLID BACKING IN A MANNER SO NO VOID SPACES BETWEEN THE STRIKE SIDE OF THE JAMB AND THE FRAME OPENING FOR A VERTICAL DISTANCE OF TWELVE INCHES (12") EACH SIDE OF THE STRIKE. FILLER MATCHING SHALL CONSIST OF SOLID WOOD BLOCKING (IRC R202.3.2)
4. DOOR HARDWARE (IRC R202.4):
 - 4.1. HINGES: HINGES FOR SWINGING DOORS SHALL COMPLY WITH THE FOLLOWING:
 - 4.1.1. A MINIMUM OF THREE (3) FOUR INCH (4") HINGES SHALL BE INSTALLED ON EACH SWINGING DOOR.
 - 4.1.2. EACH HINGE SHALL BE ATTACHED TO THE FRAME WITH AT LEAST TWO (2) SCREWS, NOT LESS THAN THREE INCHES (3") IN LENGTH AND PENETRATING AT LEAST ONE INCH (1") INTO THE NEAREST STUD. SOLID WOOD PILLERS OR SHIMS SHALL BE USED TO ELIMINATE ANY SPACE BETWEEN THE WALL STRUCTURE AND DOOR FRAME BEHIND EACH HINGE.
 - 4.1.3. HINGES FOR OUT-SWINGING DOORS SHALL BE EQUIPPED WITH MECHANICAL INTERLOCK TO PRECLUDE THE REMOVAL OF THE DOOR FROM THE EXTERIOR.
 - 4.2. LOCKS: SWINGING DOORS SHALL BE PROVIDED WITH A SINGLE-CYLINDER DEADBOLT LOCKING DEVICE (KEYED ON EXTERIOR ONLY) WITH A MINIMUM PROJECTION OF ONE INCH (1"). THE DEADBOLT SHALL PENETRATE AT LEAST THREE-FOURTHS INCH (3/4") INTO THE STRIKE INCLUDING THE PROJECTED BOLT. THE CYLINDER SHALL HAVE A TWIST RESISTANT, TAPERED HARDENED STEEL CYLINDER GUARD. THE CYLINDER SHALL HAVE A MINIMUM OF FIVE (5) PIN TUMBLERS. SHALL BE CONNECTED TO THE INNER PORTION OF THE LOCK BY SOLID METAL CONNECTING SCREWS AT LEAST ONE-FOURTH INCH (1/4") IN DIAMETER AND TWO AND ONE-FOURTH INCHES (2 1/4") IN LENGTH. THE BOLT ASSEMBLY BOLT HOUSING UNIT SHALL BE OF SINGLE PIECE CONSTRUCTION. ALL DEADBOLTS SHALL MEET ANSI GRADE 3 SPECIFICATIONS.
 - 4.3. STRIKE PLATES: THE DEADBOLT STRIKE PLATE SHALL BE A MINIMUM OF 18 GAUGE METAL WITH FOUR (4) OFFSET SCREW HOLES. THE STRIKE PLATE SHALL BE ATTACHED TO THE DOOR JAMB WITH FOUR SCREWS NOT LESS THAN THREE INCHES (3") IN LENGTH AND PENETRATING AT LEAST ONE INCH (1") INTO THE NEAREST STUD.
 - 4.4. DOOR EDGE PROTECTION: A METAL L-SHAPED OR U-SHAPED DOOR EDGE PROTECTOR SHALL BE INSTALLED AROUND THE BOLT PROJECTION OF THE DEADBOLT TO PROTECT THE DOOR'S EDGE.
 - 4.5. DOUBLE DOORS: THE INACTIVE LEAF OF A DOUBLE SWINGING DOOR SHALL BE PROVIDED WITH FLUSH BOLTS HAVING AN ENGAGEMENT OF NOT LESS THAN ONE INCH INTO THE HEAD AND THRESHOLD OF THE DOOR FRAME.
5. ENTRY VISION AND GLAZING: ALL MAIN OR FRONT ENTRY DOORS TO DWELLING UNITS SHALL BE ARRANGED SO THAT THE OCCUPANT HAS A VIEW OF THE AREA IMMEDIATELY OUTSIDE THE DOOR WITHOUT 4 OPENING THE DOOR. THE VIEW MAY BE PROVIDED BY A DOOR VIEWER HAVING A FIELD OF VIEW NOT LESS THAN 180 DEGREES OR THROUGH WINDOWS OR VIEW PORTS. (IRC R202.5)
6. EXTERIOR LIGHTING (IRC 308.8):
 - 6.1. FRONT AND STREET SIDE EXTERIOR LIGHTING: ALL FRONT AND STREETSIDE DOOR ENTRANCES SHALL BE PROTECTED WITH A MINIMUM OF ONE LIGHTING OUTLET PROVIDING A MINIMUM OF 40 WATT LIGHTING (OR ENERGY EFFICIENT EQUIVALENT).
 - 6.2. REAR EXTERIOR LIGHTING: DWELLING UNITS WITH WINDOWS OR DOORS ON THE REAR OF THE STRUCTURE WITHIN EIGHT FEET (8') OF GRADE OR ADJACENT WALKING SURFACE ACCESSIBLE FROM GRADE SHALL BE EQUIPPED AT THE REAR WITH A MINIMUM OF ONE LIGHTING OUTLET OF THE FOLLOWING TYPE PROVIDING A MINIMUM OF 40 WATT LIGHTING (OR ENERGY EFFICIENT EQUIVALENT).
 - 6.3. LIGHTING PROTECTION: LIGHTING OUTLETS REQUIRED BY THIS SECTION SHALL BE LOCATED A MINIMUM OF EIGHT FEET (8') ABOVE GRADE OR ADJACENT WALKING SURFACE ACCESSIBLE FROM GRADE, OR SHALL BE OF A TYPE MANUFACTURED SUCH THAT THE LIGHT BULB IS NOT READILY ACCESSIBLE.



2 REAR ELEVATION
1/4" = 1'-0"

EXTERIOR FINISHING SCHEDULE

NO.	MATERIAL/ITEMS	DESCRIPTION	COLOR/FINISH
1	COMPOSITION SHINGLES	TAMKO, HERITAGE PREMIUM	WEATHERED WOOD
2	STONE VENEER	CANYON STONE	COUNTRY LEDGE/ COLOR: SUEDE
3	CEMENTITIOUS STUCCO	DRYVIT-"OUTSULATION PLUS" OR EQUAL	P1-SELECTED PER OWNER
4	VERTICAL VINYL SIDING	ALSIDE SIDING OR EQUAL	MONTEREY SAND
5	ENTRY DOOR	WOOD PANEL, PAINTED	P2-SELECTED PER OWNER
6	WOOD FASCIA/GUTTER	SMART TRIM, LP OR EQUAL	P3-SELECTED PER OWNER
7	WALL TRIM	SMART TRIM, LP OR EQUAL	P3-SELECTED PER OWNER
8	GUTTER/DOWNSPOUT	24 GA. STEEL	MATCH TO P3
9	WINDOWS	PELLA OR EQUAL/ ALUM. OR VINYL CLAD WOOD	MATCH TO P2
10	OVERHEAD DOOR	INSULATED WOOD, CARRIAGE DOOR OR EQUAL	MATCH TO ENTRY DOOR

GLAZING SAFETY NOTES:

- GLAZING IN ENTRY DOOR AND PATIO DOOR HAS TO COMPLY TO 2012 IRC, SECTION R508.1 & R508.4.
1. R508.4.1 GLAZING IN DOORS: GLAZING IN ALL FIXED AND OPERABLE PANELS OF SWINGING, SLIDING AND BIFOLD DOORS SHALL BE CONSIDERED A HAZARDOUS LOCATION.
 2. ACCORDING TO R508.1, GLAZING INSTALLED IN HAZARDOUS LOCATION SHALL BE PROVIDED WITH MANUFACTURER'S DESIGNATION SPECIFYING WHO APPLIED THE DESIGNATION, DESIGNATING THE TYPE OF GLASS AND THE SAFETY GLAZING STANDARD WITH WHICH IT COMPLIES, WHICH IS VISIBLE IN THE FINAL INSTALLATION. THE DESIGNATION SHALL BE: AGC ETCHED; SAND-BLASTED; CERAMIC-FIRED; LASER ETCHED; EMBOSSED; OR BE OF A TYPE WHICH ONCE APPLIED BE REMOVED WITHOUT BEING DESTROYED. A LABEL SHALL BE PERMITTED IN LIEU OF THE MANUFACTURER'S DESIGNATION.
- EXCEPTIONS:
- FOR OTHER THAN TEMPERED GLASS, MANUFACTURER'S DESIGNATION ARE NOT REQUIRED PROVIDED THE BUILDING OFFICIAL APPROVES THE USE OF A CERTIFICATE, AFFIDAVIT OR OTHER EVIDENCE CONFIRMING COMPLIANCE WITH THIS CODE.
- TEMPERED SPANDREL GLASS IS PERMITTED TO BE IDENTIFIED BY THE MANUFACTURER WITH A REMOVABLE PAPER DESIGNATION.



ARCHITECT
B + A ARCHITECTURE
600 BROADWAY BLDG. SUITE 290
KANSAS CITY, MO 64105
PH: 816-753-6100

CIVIL ENGINEER
SCHLAGE & ASSOCIATES, P.A.
14800 W. 157TH STREET
LENEXA, KS 66215
PH: 913-482-5158

CEDAR CANYON ATTACHED VILLAS
100TH STREET AND 98TH PLACE, LENEXA, KANSAS
PRELIMINARY DEVELOPMENT PLAN
BUILDING ELEVATIONS

SEAL

SUBMITTAL DATE: MAY 30, 2024	
NO.	DATE

DESIGNED BY TT
DRAWN BY TT, NH
CHECKED BY ND

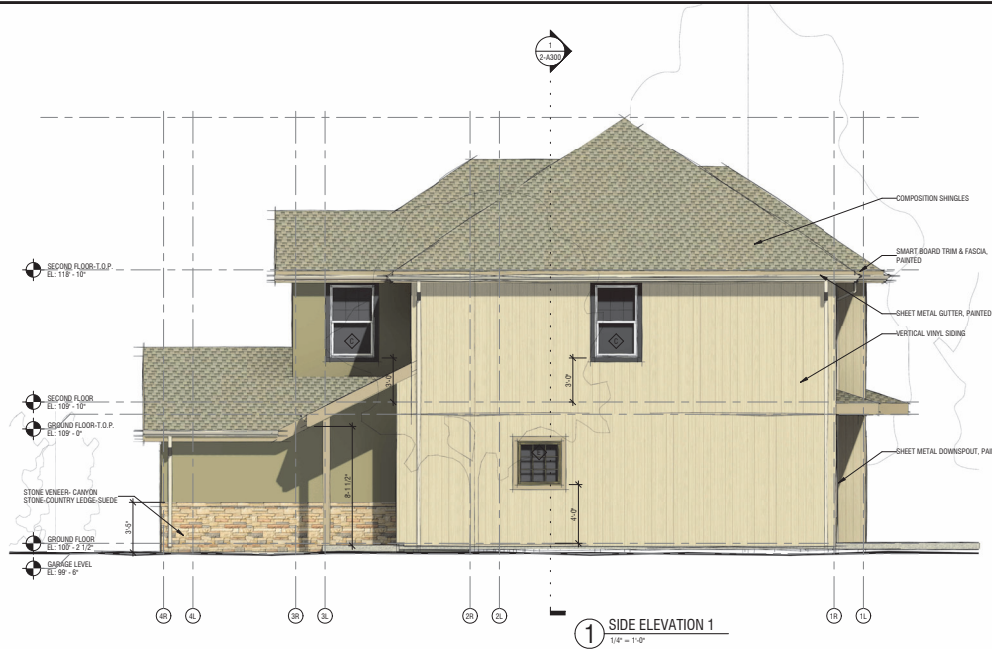
THIS DRAWING IS THE PROPERTY OF B+A ARCHITECTURE AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER. IT IS ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND IS NOT TO BE USED ON ANY OTHER PROJECT.

REVISIONS OR CHANGES MUST BE MADE ON THE ORIGINAL DRAWING. ONLY CONTRACTOR SHALL COMPLETELY REMOVAL, DIMENSIONED AND COORDINATE REVISIONS BEFORE BEING SUBMITTED TO THE ARCHITECT. ANY OTHER REVISIONS MUST BE APPROVED BY THE ARCHITECT.

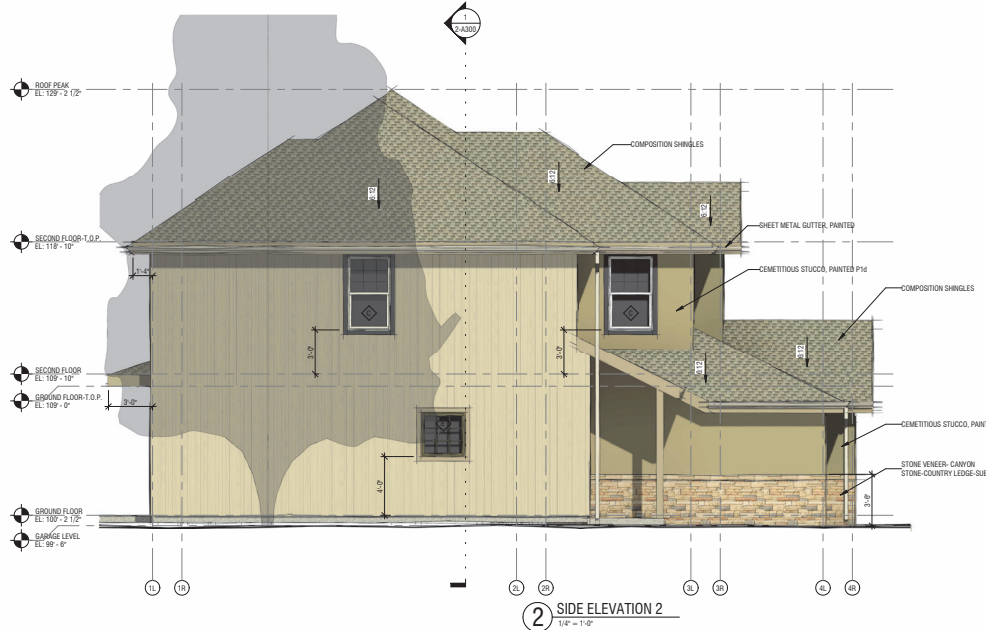
ELEVATIONS
A200

GENERAL NOTES:

1. EXTERIOR COLORS ARE INDICATED BY MATERIAL MANUFACTURERS.
2. ALL EXTERIOR MATERIAL, TRANSITION, SILLS AND HEADERS WHICH ARE NOT CALLED OUT MATCH TO WALL TRIM COLOR.
3. SPLIT SYSTEM W/ GROUND MOUNTED CONDENSERS TO BE SCREENED FROM VIEWS BY LANDSCAPING.
4. INSTALL ALL ROOF PENETRATIONS AND EQUIPMENT (IE VENT PIPES, ROOF VENTILATORS) ON THE REAR SIDE OF THE ROOF, TO THE GREATEST EXTENT POSSIBLE.



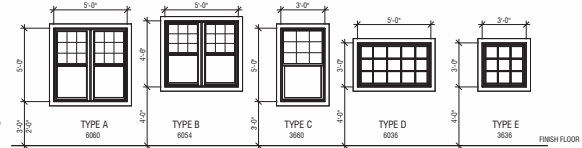
1 SIDE ELEVATION 1
1/4" = 1'-0"



2 SIDE ELEVATION 2
1/4" = 1'-0"

WINDOW SCHEDULE									
TYPE MARK	QUANTITY	WIDTH	HEIGHT	TYPE	GLASS	FINISH	REMARKS		
A	8	3'-0"	4'-0"	Single Hung	Triple-pane	Vinyl/Glass	<notes>		
B	2	3'-0"	4'-0"	Single Hung	Triple-pane	Vinyl/Glass	<notes>		
C	4	3'-0"	4'-0"	Single Hung	Triple-pane	Vinyl/Glass	<notes>		
D	2	3'-0"	4'-0"	Fixed	Triple-pane	Vinyl/Glass	<notes>		
E	2	3'-0"	4'-0"	Fixed	Triple-pane	Vinyl/Glass	<notes>		

WINDOW ELEVATIONS



GENERAL NOTES

1. EGRESS WINDOWS FOR SLEEPING ROOMS COMPLY TO 2012 IRC SECTION R310:
 - R310.1 MINIMUM OPENING AREA: ALL EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 5.7 SQ. FT.
 - EXCEPTION: GRADE FLOOR OPENINGS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 5.0 SQ. FT.
 - R310.2 MINIMUM OPENING HEIGHT: THE MINIMUM NET CLEAR OPENING HEIGHT SHALL BE 24 INCHES
 - R310.3 MINIMUM OPENING WIDTH: THE MINIMUM NET CLEAR OPENING WIDTH SHALL BE 20 INCHES
2. GLAZING IN WINDOWS: GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL THAT MEETS ALL OF THE FOLLOWING CONDITIONS SHALL BE CONSIDERED A HAZARDOUS LOCATION:
 - THE EXPOSED AREA OF AN INDIVIDUAL PANE IS LARGER THAN 9 SQUARE FEET (8.36 SQ. M).
 - THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18 INCHES (457 MM) ABOVE THE FLOOR.
 - THE TOP EDGE OF THE GLAZING IS MORE THAN 36 INCHES (914 MM) ABOVE THE FLOOR; AND
 - ONE OR MORE WALKING SURFACES ARE WITHIN 36 INCHES (914 MM), MEASURED HORIZONTALLY AND IN A STRAIGHT LINE, OF THE GLAZING.
3. AUTOMATIC GARAGE DOOR OPERATORS SHALL BE LISTED AND LABELED IN ACCORDANCE WITH UL308, PER IRC 2012 SECTION R608.4.
4. OVERHEAD GARAGE DOORS AND FRAMES SHALL BE DESIGNED AND INSTALLED TO MEET 80 MPH WIND LOAD RESISTANCE REQUIREMENTS OF ASTM 330 AND ANSI/ASMA 108 PER SECTION E12.4 OF THE IRC.
5. PENETRATION AIR LEAKAGE: WINDOWS, SKYLIGHTS AND SLIDING GLASS DOORS SHALL HAVE AN AIR INFILTRATION RATE OF NO MORE THAN 0.3 CFM PER SQUARE FOOT, AND SWINGING DOORS NO MORE THAN 0.1 CFM PER SQUARE FOOT, WHEN TESTED ACCORDING TO NFRC 400 OR AAMA/NCMA/ACHA 1011.5.2/2014 BY AN ACCREDITED, INDEPENDENT LABORATORY AND LISTED AND LABELED BY THE MANUFACTURER, PER OVERLAND PARK MUNICIPAL CODE CHAPTER 16.107 SECTION R402.4.2.

R312.2 WINDOW FALL PROTECTION: WINDOW FALL PROTECTION SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 802.2.1 AND 802.2.2.

R312.2.1 WINDOW FALLS: IN DWELLING UNITS, WHERE THE OPENING OF AN OPERABLE WINDOW IS LOCATED MORE THAN 72 INCHES (1829 MM) ABOVE THE FINISHED GRADE OR SURFACE BELOW, THE LARGEST PART OF THE CLEAR OPENING OF THE WINDOW SHALL BE A MINIMUM OF 24 INCHES (610 MM) ABOVE THE FINISHED FLOOR OF THE ROOM IN WHICH THE WINDOW IS LOCATED. OPERABLE SECTIONS OF WINDOWS SHALL NOT PERMIT OPENINGS THAT ALLOW PASSAGE OF A 4-INCH (102 MM) DIAMETER (102 MM) SPHERE WHERE SUCH OPENINGS ARE LOCATED WITHIN 24 INCHES (610 MM) OF THE FINISHED FLOOR.

EXCEPTIONS:
1. WINDOWS WHOSE OPENINGS WILL NOT ALLOW A 4-INCH DIAMETER (102 MM) SPHERE TO PASS THROUGH THE OPENING WHEN THE OPENING IS IN ITS LARGEST OPENED POSITION.
2. OPENINGS THAT ARE PROVIDED WITH WINDOW FALL PREVENTION DEVICES THAT COMPLY WITH ASTM F 2090.
3. WINDOWS THAT ARE PROVIDED WITH WINDOW OPENING CONTROL DEVICES THAT

Cedar Canyon West Villas Deviation Request

July 24, 2024

The applicant is requesting a deviation to allow a reduction of 4 feet to the rear setback of lot 12 on the proposed preliminary development plan. The rear property line of lot 12 is along 99th Street. A minimum of 15' landscape tract between the 99th Street right of way and lot 12 rear lot line. The original concept plan for this area was in process of approvals in early 2023. A 20' easement for a watermain unrelated to this project was recorded along 99th Street by WaterOne after the project had approvals. WaterOne does not allow shade and evergreen trees within their easements and ornamental trees and shrubs must be at least 15' from the water main. The location of the street in front of lot 12 was established with the approved concept plan and the recorded 100th Street final plat so it cannot change. The requested deviation would allow for installation of the landscape plants required by code. The following is a summary of the projects compliance with the deviation conditions.

1. That the deviation requested arises from a condition that is unique to the subject property, is not ordinarily found in the same zoning district and has not been created by the action of the landowner or applicant.

The recording of the water easement unrelated to this project occurred after the concept plan for this parcel had City approvals. This condition is not normally found in similar zoning districts. See more detail in the opening summary paragraph.

2. That the granting of the deviation will not adversely affect the rights of adjacent landowners or residents.

The granting of the deviation will allow landscape to be installed which is a positive affect to the appearance of the neighborhood.

3. That the strict application of the requirements of this Chapter would constitute an unnecessary hardship upon the landowner represented in the application.

The design for this parcel was approved prior to the recording of the water easement. The strict application of the requirements would require a lot to be eliminated which would be an unnecessary hardship since the landscape could be installed if the deviation is granted.

4. That the deviation requested will not adversely affect the public health, safety or general welfare.

The deviation requested will not adversely affect the public health, safety or general welfare. The granting of the deviation will allow landscape to be installed which is a positive effect to the appearance of the neighborhood.

5. That the deviation will not conflict with the purpose and intent of this Code.

Per the UDC, the intent of Section 4-2-E-4-B-2 *“The purpose of the residential fence/buffer is to increase privacy, mitigate noise, reduce glare and enhance the aesthetics of the streetscape through the use of uniform fences, walls and professional landscaping separating residential units from collector and arterial streets and freeways.”* The granting of the deviation will allow the installation of landscape and a fence to provide privacy and enhance the street aesthetics.

CALL TO ORDER

Chairman Poss called the regular meeting of the Lenexa Planning Commission to order at 7:00 p.m. on Monday, August 5, 2024. The meeting was held in the Community Forum at Lenexa City Hall at 17101 W. 87th Street Parkway, Lenexa, Kansas.

ROLL CALL

COMMISSIONERS PRESENT

Chairman Chris Poss
Vice-Chairman Mike Burson
Commissioner Ben Harber
Commissioner Brenda Macke
Commissioner David Woolf
Commissioner Don Horine
Commissioner John Handley
Commissioner Cara Wagner
Commissioner Curt Katterhenry

COMMISSIONERS ABSENT

None

STAFF PRESENT

Scott McCullough, Community Development Director
Stephanie Sullivan, Planning Manager
Tim Collins, Engineering and Construction Services Administrator
Kevin Sellers, Captain – Fire Prevention
Steven Shrout, Assistant City Attorney II
Kim Portillo, Planner III
Dave Dalecky, Planner II
Logan Strasburger, Planner I
Britton Johnson, Planning Intern
Gloria Lambert, Senior Administrative Assistant

REGULAR AGENDA

3. **Cedar Canyon Attached Villas - Consideration of a preliminary plan for a duplex residential development located at the southwest corner of 99th Street & Future 100th Street within the RP-2, Planned Residential (Intermediate Density) District. PL24-04P**

APPLICANT PRESENTATION

Dan Foster, Schlager Engineering, stated he was there representing the applicant and requesting approval of a preliminary plan for Cedar Canyon Attached Villas. Mr. Foster gave the site location and said the plan includes 20 lots and 40 units. He displayed the previously approved concept plan alongside the current plan being proposed. He commented that the current lot size and unit size had not changed from the previously approved concept plan. He stated that each building will contain two-car garages and each driveway has parking spaces for two cars. A buffer tract that was agreed upon through the concept

plan will be provided on the north side of the site. There will also be a buffer tract installed along 99th and 100th Street. The north side of the site will primarily contain existing native vegetation and trees. He noted that they will also install fences along the buffer tract of 99th and 100th Street as required by the City's code. He stated that the applicant is requesting a deviation to avoid a Water One easement on Lot 12 that will reduce the rear yard setback by 4-feet.

STAFF PRESENTATION

David Dalecky presented the Staff Report. Mr. Dalecky explained the application was a preliminary plan/plat for Cedar Canyon Attached Villas. He displayed a location map of the proposed site and provided zoning and Comprehensive Plan information for the property in question. He reiterated the 4-foot deviation request on Lot 12 that Mr. Foster noted during his presentation. He said that Staff supports the applicant's deviation request. He discussed the projects landscape and drainage plan. Mr. Dalecky displayed the proposed elevations showing the front, sides, and rear architecture of the duplexes. He stated that Staff is in support of the applicant's proposal including their requested deviation.

PUBLIC HEARING

John Marshall, president of his subdivision's Neighborhood Homeowners Association stated that his home is right behind the detention pond that exist to the west of the proposed project. Mr. Marshall said his issue was with the drainage system because of the water that drains into a dry run creek. He explained that the water drainage affects some of the nearby homes and creates flooding. He said before construction began, clear water ran through the area but now it is very dirty. His concern is that with the coming project there may be more water draining near the Parkway. He asked who was responsible for maintaining the buffer tract, was it the homeowners or duplex residents that back up to it. He also asked who would be responsible for maintaining the detention pond.

Dan Foster responded that the challenge on the proposed site began with the development of Canyon Ridge Villas single family residential development. Mr. Foster explained that when the stream buffer was established after the platting process, the property owners were permitted to have the stream channel included within their lot boundaries. He commented that it was during the time the stream buffer ordinance was going into effect that has now become a unique situation. He discussed in detail how they plan to alleviate the drainage issue and protect the residents and the City. He assured everyone that all the drainage from the proposed development would not drain into the residents existing basin or directly to that stream channel. He explained the flow of the drainage system using the graphic he displayed. He stated that the purpose of the basins is not only water quantity control but also water quality control. He added that there will be native plants growing in the basin and because they are storm water BMP's (Best Management Practice) that area will not be mowed on a regular basis. He clarified that the 15-foot buffer tract and the detention basins will be maintained by the HOA with the oversight of the City through inspections.

COMMISSION DISCUSSION

Chairman Poss asked how often does the City conduct stormwater basins. Tim Collins responded that one third of the City's basin inspections are conducted annually therefore the inspection would take place every third year. Chairman Poss asked Mr. Collins if it is a City requirement that the property owner certify annually. Mr. Collins replied no, it is the City of Overland Park that require certification, not the City of Lenexa. Chairman Poss addressed Mr. Foster saying, although the plans are at the preliminary plan stage the City encourages variation in materials and high quality finishes.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan/plat for **Cedar Canyon Attached Villas** located at the southwest corner of 99th Street and 100th Street for a duplex residential use, with the deviation noted in the Deviations section of the Staff Report.

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

DRAFT

ITEM 9

SUBJECT: Resolution amending Resolution 2023-072 related to the City's intent to issue approximately \$18 million in industrial revenue bonds (IRB) and amending the payment in lieu of taxes (PILOT) agreement associated with construction of a commercial facility at 113th Street & Britton Street (Lenexa Logistics Centre South - Building 6)

CONTACT: Sean McLaughlin, City Attorney

DATE: August 20, 2024

ACTION NEEDED:

a. Conduct a public hearing; and

b. Adopt a resolution amending Resolution 2023-072 related to the City's intent to issue approximately \$18 million in industrial revenue bonds (IRBs) and amending the payment in lieu of taxes (PILOT) agreement associated with construction of a commercial facility at 113th Street & Britton Street (Lenexa Logistics Centre South - Building 6).

PROJECT BACKGROUND/DESCRIPTION:

On May 4, 2021, the City Council adopted Resolution 2021-37 determining the intent of the City to issue its IRBs in the maximum principal amount of \$16,210,000 to help finance the cost of acquiring, constructing, and equipping a commercial facility west of the 113th Street & Britton Street intersection, which is referred to as Building 6 in the Lenexa Logistics Centre South. Resolution 2021-37 also approved a 10-year tax abatement for the project commencing in the calendar year following the year in which the bonds are issued and subject to a PILOT agreement. Due to construction delays, the City Council subsequently adopted Resolutions 2021-108 and 2023-072 extending the time for construction commencement until July 31, 2024.

During the extension to July 31, 2024, the developer continued to pursue the project and received final plan approvals for the project and is close to finalizing a tenant for the project. The developer has requested additional time to commence construction on Building 6 until December 31, 2026. The extension will allow the developer time to finalize the tenant and commence construction of Building 6. Additionally, the projected project costs have increased, and the developer has requested an increase in the IRB authorization from \$18 million to \$22 million. Due to the increase in IRB authorization, a public hearing and a new cost benefit analysis are required. The updated cost benefit analysis shows a net positive benefit to all jurisdictions. The amended PILOT is available for review in the City Clerk's office.

FINANCIAL IMPLICATIONS/FUNDING SOURCES:

IRBs are not backed by the full faith and credit of the City. The developer will remain responsible for repayment of the bonds and the PILOT payments.

STAFF RECOMMENDATION:

Adopt the resolution.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Thriving Economy

Guiding Principles

Responsible Economic Development

ATTACHMENTS

1. Map
2. Resolution



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

Lenexa Logistics Centre South Building 6



0 300 600 1,200
Feet

RESOLUTION NO. 2024-_____

A RESOLUTION AMENDING RESOLUTION NO. 2023-072 RELATING TO THE INTENT OF THE CITY TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN THE APPROXIMATE AGGREGATE AMOUNT OF \$22,000,000 TO HELP FINANCE THE COST OF ACQUIRING, CONSTRUCTION AND EQUIPPING A COMMERCIAL FACILITY NEAR THE INTERSECTION OF BRITTON ST. AND 113TH ST., AMENDING THE PAYMENT IN LIEU OF TAX AGREEMENT AND AUTHORIZING EXECUTION OF DOCUMENTS ASSOCIATED THEREWITH (LENEXA LOGISTICS CENTRE SOUTH – BUILDING 6).

WHEREAS, pursuant to Resolution No. 2021-037 adopted on May 4, 2021, by the Governing Body of the City of Lenexa, Kansas (the “City”), the City indicated its intent to issue approximately \$16,210,000 principal amount of industrial revenue bonds (the “Bonds”) pursuant to K.S.A. 12-1740 *et seq.* (the “Act”), to pay the cost of certain facilities (as defined in the Act) and to lease such facilities (the “Project”) to Lenexa Logistics 6, LLC (the “Company”); and

WHEREAS, the Project consists of acquiring, constructing and equipping an approximately 180,000 sq. ft. commercial industrial, warehouse and office facility including real estate, building, improvements and equipment located west of Britton St. and 113th St. in the Lenexa Logistics Centre South; and

WHEREAS, construction of the Project has been delayed and pursuant to Section 13 of Resolution No. 2023-072, the resolution expires on July 31, 2024 unless the Bonds have been issued by the City, or (ii) the company has obtained from the City a building permit for the Project and is diligently pursuing construction of the Project to completion; and

WHEREAS, upon request of the Company, the Company and City mutually desire to amend Resolution No. 2023-072 to extend the time for performance from July 31, 2023 to December 31, 2026 and to increase the principal amount of the Bonds to \$22,000,000; and

WHEREAS, further, the Company and City desire to amend the Payment in Lieu of Tax Agreement – Lenexa Logistics Centre South – Building 6 dated May 4, 2021 and subsequently amended on November 16, 2021 (as amended, the “PILOT Agreement”) to modify provisions related to the extension of Company’s time for performance and increase the Bond authorization; and

WHEREAS, in order to assist in the economic development of the City, the Governing Body of the City has determined it is in the best interest of the City to authorize the execution of certain documents in connection with the amendment of Resolution No. 2023-072 and the PILOT Agreement.

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

SECTION ONE: Amendment of Resolution No. 2023-072. Resolution No. 2023-072 is hereby amended as follows:

1. Section 2 of Resolution No. 2023-072 is amended to read:

Section 13. Termination of Resolution. Resolution Nos. 2019-11, 2020-14 and 2020-112 are repealed and this Resolution shall take effect and in full force immediately after its passage This Resolution shall terminate on December 31, 2026 unless (i) the Bonds have been issued by the City; (ii) the Company has obtained from the City a building permit for the Project and is diligently pursuing construction to completion; or (iii) the City amends and extends this resolution by a subsequent resolution of the Lenexa City Council.

2. All other terms and provisions of Resolution Nos. 2023-072 remain in full force and effect.

SECTION TWO: Amended PILOT Agreement. The Mayor is authorized and directed to execute and deliver the following documents ("Documents") on behalf of, and as the act and deed of the City, in substantially the forms on file in the office of the City Clerk, with such corrections or amendment thereto as the Mayor or acting Mayor may approve, which approval shall be evidenced by his or her execution thereof:

1. Amended PILOT Agreement; and

If required by the Documents, the City Clerk of the City is hereby authorized and directed to attest the execution of the Documents. The Mayor and City Clerk are further authorized to execute or attest such other documents, certificates and instruments as may be necessary or desirable to carry out in the intent of this Resolution under the City's official seal.

SECTION THREE: Effective Date. This Resolution shall take effect and be in full force immediately after its passage by the Lenexa City Council.

ADOPTED by the Lenexa City Council on _____, 2024.

SIGNED by the Mayor on _____, 2024.

CITY OF LENEXA, KANSAS

(Seal)

Julie Sayers, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Sean McLaughlin, City Attorney

ITEM 10

SUBJECT: Consideration of a right-of-way vacation located near the northwest corner of eastbound 87th Street Parkway & Winchester Street

CONTACT: Stephanie Sullivan, Planning Manager

DATE: August 20, 2024

ACTION NEEDED:

- a. Conduct a public hearing; and
- b. Pass an ordinance vacating a portion of right-of-way located near the northwest corner of eastbound 87th Street Parkway & Winchester Street.

PROJECT BACKGROUND/DESCRIPTION:

The vacation application is to vacate right-of-way in the area of the northwest corner of 87th Street Parkway & Winchester Street. The area to be vacated is located between Lennox Drive and Winchester Street along 87th Street Parkway. The right-of-way is not needed for any extension or expansion of the public street. Utilities have been notified of the proposed right-of-way vacation and no conflicts were identified. The area being vacated is interior of the existing public sidewalk and a storm siren is located on the exterior side of the sidewalk and is not affected by this vacation and will remain in right-of-way.

State law sets forth the standards for approval of a vacation:

1. Legal notice has been given by publication.
 - As required by law, a notice of public hearing was published on Tuesday, July 30, 2024 in the Legal Record.
2. That no private rights will be injured or endangered by such vacation.
 - It is staff's opinion that no private rights will be injured or endangered by this vacation.
3. That the public will suffer no loss or inconvenience by said vacation.
 - Staff does not anticipate any loss or inconvenience imposed on the public by this vacation. This section of right-of-way was acquired with the section of 87th Street that crosses City Center prior to construction of the divided east- and westbound lanes. The portion of right-of-way to be vacated is not necessary for the street or for any planned additional infrastructure. No utilities are located within this portion of right-of-way.
4. That in justice to the petitioner, the vacation should be granted.
 - It is staff's opinion that the vacation should be approved.

STAFF RECOMMENDATION:

Pass the ordinance.

VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040

Thriving Economy

Guiding Principles

Responsible Economic Development

ATTACHMENTS

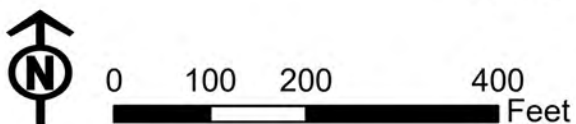
1. Map
2. Ordinance



Document Path: C:\Users\cddavidd\OneDrive - City of Lenexa\Documents\ArcGIS\Projects\MyProject\City Council Packet Template.aprx

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

Right-Of-Way Vacation 87th Street Parkway



ORDINANCE NO. _____

AN ORDINANCE VACATING RIGHT OF WAY, OR A PART THEREOF, LOCATED IN THE VICINITY OF THE NORTHWEST CORNER OF 87TH STREET AND WINCHESTER STREET, IN THE CITY OF LENEXA, JOHNSON COUNTY, KANSAS.

WHEREAS, the City of Lenexa, Kansas has received a request for the vacation of right-of-way or a portion thereof, located in the vicinity of the northwest corner of 87th Street and Winchester Street; and

WHEREAS, the City has caused Notice of Public Hearing to be published in the official City newspaper according to K.S.A. 12-504, *et seq.*, and amendments thereto; and

WHEREAS, the Governing Body of the City has held a hearing on said Petition and evidence has been presented, and the Governing Body has determined that due and legal notice has been given by publication as required by statute; and

WHEREAS, the Governing Body heard the evidence at the public hearing on August 20, 2024; and

WHEREAS, the Governing Body having reviewed and weighed the evidence finds:

1. No private rights will be injured or endangered by this vacation; and
2. The public will suffer no loss or inconvenience by this vacation; and
3. The petitioner should in the interest of justice be granted this request.

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

SECTION ONE: The following described real estate, previously dedicated as right-of-way should be and is hereby vacated, to wit:

A tract of land in the Northeast One-Quarter of Section 31, Township 12 South, Range 24 East in the City of Lenexa, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Northwest corner of the said Northeast One-Quarter: thence North 88 degrees 42 minutes 31 seconds East, along the North line of said Northeast One-Quarter a distance of 72.59 feet to a point; thence South 01 degrees 17 minutes 29 seconds East a distance of 15.64 feet to a point, said point being the Point of Beginning; thence South 86 degrees 21 minutes 02 seconds East a distance of 35.00 feet to a point;

thence South 01 degrees 12 minutes 34 seconds East a distance of 88.13 feet to a point;
thence North 53 degrees 55 minutes 49 seconds West a distance of 50.46 feet to a point;
thence North 03 degrees 46 minutes 36 seconds East a distance of 60.76 feet to the Point of Beginning,
and containing 0.0650 acres, more or less.

SECTION TWO: The City of Lenexa, Kansas reserves to itself any property rights it may hold in the area that are not expressly vacated herein.

SECTION THREE: That said Ordinance shall take effect from and after its passage and publication as required by law.

SECTION FOUR: That the City Clerk shall certify a copy of this Ordinance to the Register of Deeds of Johnson County, Kansas, for filing all in accordance with K.S.A. 12-504, et seq., and amendments thereto.

PASSED by the Governing Body this 20th day of August 2024.

SIGNED by the Mayor this this 20th day of August 2024.

CITY OF LENEXA, KANSAS

[SEAL]

Julie Sayers, Mayor

ATTEST:

Jennifer Martin, City Clerk

APPROVED AS TO FORM:

Steven Shrout, Assistant City Attorney II

APPENDIX



**MINUTES OF THE
JULY 16, 2024
LENEXA CITY COUNCIL MEETING
COMMUNITY FORUM, 17101 W 87th STREET PARKWAY
LENEXA, KS 66219**

CALL TO ORDER

Mayor Sayers called the meeting to order at 7 PM.

ROLL CALL

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

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.

MODIFICATION OF AGENDA

Staff requested Item 10 be removed from the Consent Agenda and placed on the Regular agenda.

CONSENT AGENDA

1. Acceptance of a permanent sidewalk easement and a temporary construction easement from the Shawnee Mission School District for Mill Creek Elementary School
Obtaining these easements is necessary for the City to construct a missing sidewalk link along the south side of 79th Street adjacent to Mill Creek Elementary school.
2. Acceptance of drainage, utility, and sidewalk easements as shown on Santa Fe Commerce Center, Final Plat
Santa Fe Commerce Center is a final plat for an industrial campus located at the northeast corner of Santa Fe Trail Drive & Lakeview Avenue. Drainage, utility, and sidewalk easements are being dedicated to the City with this plat.
3. Approval of a revised final plan for Tupelo Honey Awning, a restaurant in Restaurant Row at Lenexa City Center
The applicant requests approval of a revised final plan for an awning to be installed over the outdoor seating patio of Tupelo Honey, a restaurant in Lenexa City Center. Tupelo Honey is the east tenant of the two-tenant restaurant building in Area A.
4. Approval to waive the sealed bid process and enter an Equipment Purchase and Replacement Agreement with Push Pedal Pull, Inc.
This purchase is for 14 elliptical machines and 20 treadmills from Push Pedal Pull,

Inc. for the Rec Center. The total purchase price is \$357,916.

5. Approval to waive the sealed bid process and enter a Construction Manager at Risk Agreement with Prosser Wilbert Construction, Inc. for construction of the Ad Astra Pool Reconstruction Project
A construction manager is needed to assist with the cost estimation, design, and constructability review for the project. The City has selected Prosser Wilbert Construction, Inc. for this project.
6. Approval of an agreement with HNTB Corp. to provide design services for the Seven Hills Watershed Stormwater Rehabilitation Project
Staff requests approval to enter a consultant services contract with HNTB Corp. for the final design and preparation of construction plans for the Seven Hills Watershed Stormwater Rehabilitation Project. The project area includes the neighborhoods from Seven Hills Lake, southwest to near 79th Street & Quivira Road. The total cost of this design contract is \$632,215.
7. Approval of a purchase agreement for a fire truck from Conrad Fire Equipment, Inc.
This purchase agreement is for a 2025 Pierce Velocity Pumper fire truck for the amount of \$1,198,892.77.
8. Resolution approving adjustments to the pay ranges contained in the fiscal year 2024 Pay Plan and authorizing the City Manager to implement the updated pay plan
The City's pay plan is a key component in recruiting and retaining a quality workforce. Staff worked with Lockton Companies, Inc. to review the plan's internal equity and market competitiveness. Staff recommends changes to the pay grades and salary ranges. The estimated cost of annual pay increases and the market pay adjustments is \$3.3 million.
9. Resolution approving the possession and consumption of alcoholic liquor during Maps Coffee and Chocolate special event in Old Town Lenexa
Maps Coffee and Chocolate ("Maps") will sponsor a customer appreciation event in Old Town Lenexa on Friday, August 9, 2024. Maps has applied for a Temporary Permit to sell alcoholic beverages at the event. The sale, possession, and consumption of alcohol at the event requires City Council approval, as well as designating the event's boundaries and identifying the public streets to be closed.

END OF CONSENT AGENDA

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

NEW BUSINESS

10. Resolution authorizing staff to publish notice of a proposed trade of certain parkland in the vicinity of Prairie Star Parkway & Mize Road
A development group is pursuing a residential development west of Mize Road, north of Prairie Star Parkway, east of Cedar Niles Road, and south of 91st Street where the City owns approximately 60 acres of parkland. The Developer has asked to acquire about 16 acres of the parkland, in exchange for about 28 acres of private

property. To start the process, staff needs approval to publish notice of the proposed trade as required by state law.

Scott McCullough, Community Development Director, said this is a request to authorize staff to publish notice of a proposed trade of parkland in the vicinity of Prairie Star Parkway & Mize Road in the Canyon Creek Point neighborhood. He talked about the 160 acres, of which the City owns 60 acres of parkland. There is streamway in the area that presents constraints to development and opportunities for parkland, but the area lacks appropriately developed streets.

Mr. McCullough showed the 91st Street and Mize Road and the future Cedar Niles Road alignment and talked about the working with the developer through the Capital Improvement Program process to phase in streets as development occurs. He said Jim Lambie and Bruce Rieke have approached staff with the idea of trading land and through several iterations of the proposed trade, staff and the development group arrived at a trade that would benefit both parties.

Mr. McCullough said that in this proposal, the City would give the developer 16 acres total and the private party interest would give the City about 28 acres, for a net 12-acre gain to the park. He said important staff considerations were maintaining the park's frontage along Prairie Star Parkway, property given to the developer would be used for single-family purposes, and that the land traded to the City would be of value to the Parks and Recreation Department.

Mr. McCullough showed the park plan, which was conceptual to demonstrate what kind of park facilities could go in the area. He said the project consists of a mix of single family homes, open space tracts that are part of the stream buffer, commercial uses, and a small block of triplexes. The overall density of the housing would be 2.7 units per acre.

Mr. McCullough said the land use entitlements must still be processed for the trade to be realized, including rezoning, platting and development plan applications with public notice of all applications. If directed to move forward, a neighborhood meeting would be hosted by the developer and the Parks Department to introduce the project and the proposed swap and solicit feedback from residents. He added that state law views this action as disposing of the existing parkland, so the City must go through legal processes beginning with notice of this action, which is the item being considered tonight.

Logan Wagler, Parks and Recreation Director, said that the two main points Parks staff focused on are the trail network for this portion of the city, which includes major corridors coming through this piece of property. Staff wanted to make sure those trail corridors could be captured and used to create a nice space to connect through the property. He added that the Parks Master Plan refers to the 60 Acres Park, identified to occur in six to 10 years, which has natural features, but tough terrain that would make a nice trail system, but be challenging for the development of park. With this swap, the City picks up a lot of property that's flatter and easier to develop with amenities and recreational opportunities, instead of remaining a passive park.

Mr. Wagler said this was discussed with the Parks and Recreation Advisory Board last week and they voted unanimously to support the land swap.

Mayor Sayers said this approval is just to publish the notice that the process is beginning. We are not reviewing any application or commenting on the development. All of the normal processes will take place.

Councilmember Karlin made a motion to approve Item 10 and Councilmember Williamson seconded the motion.

Councilmember Nicks said he thinks this would be good for Lenexa residents and add to the three existing parks. He liked that this would be adding 12 acres to the existing area and keeping the frontage along Prairie Star Parkway, increasing opportunities for diverse development, and that everything would still go through the review process.

Councilmember Charlton asked what the process would be.

Mackenzie Harvison, Deputy City Attorney, said the notice must be published per state law two separate times. Residents will have 30 days to gather signatures on a protest petition if they want to file one. The protest petition would require 10% of the electorate and if a valid protest petition is filed, the issue has to be put to a general election question to the whole city. If a protest petition is not filed, then it would go through the planning process as normal.

Beccy Yocham, City Manager, added a real estate contract for the swap would set out any requirements on the developer for improvements to the land that we are taking. There is a pond on the property that we would request improvements to so that it is more appropriate for our use. All those costs would be paid by the developer and that would be established in the real estate contract at the appropriate time in the process.

Motion passed unanimously.

11. Resolution calling for a public hearing on September 3, 2024 to consider exceeding the revenue neutral property tax rate and a public hearing on September 3, 2024 to consider the fiscal year 2025 annual budget
State law requires cities to publish notice and conduct a public hearing prior to adopting a property tax rate that exceeds the revenue neutral property tax rate. In addition, state law requires cities to publish notice and conduct a public hearing prior to adoption of the annual budget. Staff proposes to hold both public hearings on September 3, 2024 regarding the fiscal year 2025 budget. The estimated property tax rate is 26.970 mills for the 2025 budget, which exceeds the revenue neutral property tax rate of 25.872 mills as calculated by Johnson County, KS. However, the estimated property tax rate is 0.500 mill lower than the levy for the 2024 budget.

Ms. Yocham said this action is the calling for a public hearing to consider exceeding the Revenue Neutral Property Tax Rate ("RNR") and a second public hearing on the proposed fiscal year (FY) 2025 budget. She said the RNR is the tax rate required to raise the same amount of property tax as the prior year using the current year's

assessed valuation. The estimated property tax rate in the proposed 2025 budget is 26.97 mills. That is a half-mill reduction from the 2024 tax rate. It's the seventh consecutive mill levy reduction, but it does exceed the RNR of 25.872 mills, which is why a public hearing needs to be called to consider whether to exceed that rate.

Ms. Yocham said the proposed total budget for 2025 is \$246.7 million, which includes \$168.3 million for expenses and \$78.4 million for estimated ending reserve balances. She said tonight's action does not obligate the proposed mill levy or the proposed budget, but authorizes staff to move forward with publication of the required notices for those hearings. Publication of these notices does establish the maximum budget at \$246.7 million and the maximum property tax levy at 26.97 mills, so neither of those amounts will increase after this resolution is passed.

Ms. Yocham talked about the hearings originally being planned in the budget process for August 20, 2025, but said that staff has been notified by a resident that the County is holding a budget meeting that same evening. She asked if moving the hearings to September 3, 2024 would pose any problems for the Governing Body. Councilmember Karlin said he may have a conflict that evening. Ms. Yocham said that there shouldn't be any issue with having a quorum at the September 3, 2024 meeting, so that would be the date for the hearings.

Councilmember Nicks made a motion to approve Item 11 and Councilmember Arroyo seconded the motion. Motion passed unanimously.

COUNCILMEMBER REPORTS

Councilmember Arroyo reminded the City Council that she is collecting needed items for Safehome.

Councilmember Denny thanked Chief Layman for the invitation to attend the tactical training event last week.

Councilmember Williamson thanked Mr. Wagler and Parks staff for the Sar-Ko-Par Aquatics Center. She said she has spent two days there with visiting family and it is wonderful.

Mayor Sayers said that there would be Ad Astra engagement opportunities coming up soon.

STAFF REPORTS

Ms. Yocham said that Food Truck Frenzy and the Moonlight Bike Ride will be in Old Town this Saturday night. She reported there would be no Committee of the Whole meeting next week.

END OF RECORDED SESSION

BUSINESS FROM FLOOR

Steve Bennett, 25891 W. 96th Ter, talked about his concerns with transparency, specifically regarding item 10 on the agenda that didn't name the developer that the City

was negotiating with on a project. He talked about the Canyon Creek Point development, residents relying on the master plan, and how changing zoning and the master plan is disturbing nature and upsetting the public.

Dave Owen, 9036 Barstow St, shared his concerns about the proposed homeless shelter at 95th and I-35, saying that this area already has drug trafficking and criminal activity as reported by the Johnson County Criminal Justice Advisory Council. He cited an article regarding Denver, CO hotels turned into homeless shelters and the associated crime data. He urged the City to use its authority to put a stop this project.

Norm Decastro, 20615 W. 88th Ter, said he thought the topic of the proposed homeless shelter was supposed to be on the meeting agenda. Mayor Sayers advised that the application for the Special Use Permit has not yet been received by the City. He asked that sufficient notice be given as this is a big deal and Mayor Sayers confirmed that agendas are made available to the public. He talked about rumors regarding funding the shelter with COVID funds and wanting to know where the funding would be coming from.

Mike Feller, 8355 Hallet St, thanked the City Council and members of staff for their responses to inquiries he submitted via email regarding the proposed homeless shelter, among other issues. He also shared his concerns about the proposed shelter, including many unanswered questions, the sentiment that the project was being rushed, and that the residents he has spoken to do not know about the proposed shelter nor the process for approving a special use permit for it. He recited several excerpts from an email exchange with the Mayor discussing some of the concerns he had and issues he wanted brought to light. Among those issues was a concern that if other cities do not help fund the project, Lenexa will end up carrying the burden. He shared that his hope is that the City Council will reject the proposal should it be recommended for approval by the Planning Commission.

Laura Owen, 9036 Barstow St, shared her concerns about the proposed homeless shelter. She talked about County leaders pushing the plan and putting the Lenexa City Council in a difficult position, the social and economic impacts, reStart's poor track record and funding with taxpayer dollars, the drugs and crime the shelter will draw to the area, the burden this will put on the City's police department, the difference the acceptance of HUD funding will make, and who will benefit from the project.

Jeff Lysaught, 9226 Cottonwood Canyon Dr, said he is from here but has also lived in San Diego and seen what happens when shelters are created. He talked about the costs and how to reduce them, the County needing to do their due diligence, and his concerns about reStart. He would like for leadership to deny this project.

Gaylene Van Horn, 8132 Rosehill Rd, said she lives about two miles from this area and shared her concerns about safety. She referenced the TownTalk article about the special use permit process and asked if an application has been submitted yet. Mayor Sayers confirmed that one has not been submitted. Ms. Van Horn said she is also concerned about the cost of renovations for the shelter and the on-going costs.

Kathy Lysaught, 9226 Cottonwood Canyon Dr, talked about the County approaching La Quinta to purchase the building and how both buildings are old and need significant work

or demolition, and the County turning the buildings over to reStart.

Chadwick Taylor, 15300 W. 93rd Ter, and Ed Zahn, 9402 Hall Dr, said they were on homes association board for Country Hill West and asked if the City has considered any regulations for VRBO and Airbnb rentals. Their concerns area about protecting their property values and maintaining the peace and family-oriented environment in their subdivision. Ms. Yocham said short-term rentals are currently managed by the rental registration process and staff has a plan to look at those regulations later this year. She said that they would be public meetings they could attend.

Ben Hobert, 2208 W. 49th St, talked about funding for the homeless shelter and how COVID and ARPA funding deadlines have been extended through 2026, so he feels the shelter does not need to be rushed. He referenced the vetting and requirements to stay in a shelter in Kansas City, KS as a good example to follow. He mentioned that shelters put a lot of high-stress people in one area and that issues will arise. He pointed out that this property is very close to Rosehill Elementary School.

Brian Bridges, 7606 W. 144th Place, said he attended this meeting in support of those who live close to this project and that he does not think this shelter would be considered if it were near 135th Street & Metcalf. He talked about the Board of County Commissioners' due diligence being inadequate. He asked if this is this the way to solve homelessness and if reStart has any success stories. He also talked about the need to consider reducing property taxes.

Tim McCabe, 7922 Hallet St, talked about a recent trip to Portland, ME where he saw homeless encampments even though there was a multi-million dollar shelter available. He was told that the homeless people did not like the policies and requirements to stay in the shelter, so they chose to live on the streets. He talked about this being a bigger problem that leads to crime, drugs, and violence.

Charlotte O'Hara, 15712 Windsor Dr, thanked the City Council for listening to the constituents and said she wished the public comments were broadcast. She said there is due diligence that has to be done. She said she has been told the project should come before the Lenexa City Council on September 17th.

Mark Hines, 8757 Penrose Ln, said he is on the board of Shawnee Mission Unitarian Universalist Church, which houses Project1020, the only homeless shelter in the area. He said that although he is not an expert on homelessness, he has learned about its complexity. He talked about homeless people being in the community whether sheltered or not. He asked that people give kindness and compassion to those in need.

ADJOURN

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

The meeting adjourned at 8:15 PM.



**MINUTES OF THE
AUGUST 6, 2024
LENEXA CITY COUNCIL MEETING
COMMUNITY FORUM, 17101 W 87th STREET PARKWAY
LENEXA, KS 66219**

CALL TO ORDER

Mayor Sayers called the meeting to order at 7 PM.

ROLL CALL

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

Mayor Sayers said that staff has requested removal of the July 16, 2024 City Council meeting draft minutes from this agenda. They will be presented for approval at a future meeting.

Councilmember Nicks made a motion to approve the July 2, 2024 City Council meeting draft minutes and Councilmember Denny seconded the motion. Motion passed unanimously.

MODIFICATION OF AGENDA

There were no modifications to the agenda.

APPOINTMENT

Mayor Sayers recommended Sarah Hanson for appointment to the Parks & Recreation Advisory Board, replacing Nathalie Aquino Brech who resigned in May.

Councilmember Nicks made a motion to approve the appointment and Councilmember Herron seconded the motion. Motion passed unanimously.

PRESENTATIONS

Julie Steiner presented the Convention & Visitors Bureau mid-year report.

Ashley Sherard presented the Lenexa Economic Development Council mid-year report.

STUDENT INTRODUCTIONS

Paul White and AJ Bristow, Scout Troop 186, attended the meeting for their

communications merit badge.

CONSENT AGENDA

1. Agreement with INCO USA, LLC for the 2024 Sidewalk and Trail Repair Program
The 2024 Sidewalk and Trail Repair Program includes repairing deteriorated sidewalks in the Falcon Pointe Subdivision and completing a sidewalk gap on 77th Street east of Quivira Road. INCO USA, LLC bid \$84,332.74 for the contract.
2. Agreement with Dake Wells Architecture Inc. to provide design, consulting and construction administration services for the Western Fueling Station & Salt Structure Project at Freedom Fields
This is a design contract for a project that will construct a 2,000-ton salt storage structure and a fueling station at Freedom Fields located at 83rd Street & Monticello Road. Staff negotiated a total fee of \$190,390 with Dake Wells Architecture Inc. to provide services including programming meetings with staff, design of the project, construction documentation, and construction administration.
3. Resolution declaring it necessary to appropriate private property for the construction of the Gateway Monument Signage 2024 Project
This resolution will allow the City to proceed with acquisition of private property associated with the construction of the Gateway Monument Signage 2024 Project. The total estimated cost for the project, including acquisition, is \$850,000.
4. Ordinance amending Lenexa City Code Section 1-8-A-4 regarding the time and location of the Lenexa Municipal Court
The proposed ordinance will amend the physical address of the Lenexa Municipal Court to coincide with operations at the Lenexa Justice Center and amend the section title of the Code.

END OF CONSENT AGENDA

Councilmember Karlin made a motion to approve items 1 through 4 on the consent agenda and Councilmember Williamson seconded the motion. Motion passed unanimously.

NEW BUSINESS

5. Ordinance approving a Transient Guest Tax Grant for the 3&2 Baseball Club of Johnson County, Inc.
The 3&2 Baseball Club of Johnson County ("3&2 Baseball Club") has provided quality baseball facilities and programming for over 70 years and generates traffic of approximately 500,000 visitors and associated hotel-room-nights annually. The proposed Transient Guest Tax Grant provides \$1.4 million to be paid in five annual installments that will offset some of the costs associated with the installation of artificial field turf at its 29-acre facility located at 87th Street Parkway & Ridgeview Road. The Project is part of several major upgrades to 3&2 Baseball Club's facilities in Lenexa, allowing it to continue providing high quality programming and facilities into the future.

Councilmember Nicks said he would abstain from item 5 due to a potential conflict of interest and left the Community Forum.

Beccy Yocham, City Manager, said staff would like to recommend approval of a Transient Guest Tax (TGT) Grant for the 3&2 Baseball Club. This grant would be for \$1.4 million for the installation of artificial turf on six of the nine fields at the facility located at 87th Street Parkway & Ridgeview Road. She said that 3&2 Baseball Club has been in Lenexa since 1964, is one of the largest attractions in Lenexa, generates nearly 5,000 hotel nights annually, and has 1.2 million attendees on average annually. She added that the proposed improvements will decrease weather-related cancellations, reduce maintenance costs, provide higher-quality playing fields, and make this facility more desirable for hosting tournaments and games.

Ms. Yocham explained that TGT is collected on all hotel and motel room nights in Lenexa at 8%. This tax is restricted by the state for use for conventions and tourism, activities and organizations that increase hotel occupancy and economic development in the city. The current balance in the Tourism and Convention Fund is \$2.8 million and the proposed grant would reduce that by half, through annual payments of \$280,000 made over five years for these improvements. The work will be required to be completed by December 31, 2025 and the facility must be open and operating at the time of each payment.

Ms. Yocham said 3&2 Baseball Club has been a great partner to the City and staff recommends approval of the grant agreement.

Jeff Chalk, Executive Director of 3&2 Baseball Club, said that this will help transform the facility and help keep people in Lenexa for tournaments, as they typically slip away to facilities with turf in the spring and late fall. He said that they have 500 league teams and more than 2,500 teams on 27 to 29 weekends each year with 1.2 million visitors each season. He added that the Shawnee Mission School District (SMSD) has pledged funding to take care of the remaining three fields, so this would make all the fields artificial turf and significantly transform the complex.

Councilmember Charlton inquired about the 3&2 Baseball fields to the west and Mr. Chalk said those 18 fields are in Shawnee and they partner with the De Soto School District on that facility.

Councilmember Herron asked about projected increases in visitors and hotel nights due to these improvements and Mr. Chalk said they anticipate another 300,000 to 400,000 visitors, but it is difficult to project hotel nights because there isn't a perfect tracking system for that.

Mayor Sayers said this is a wonderful use of the funds to bring this facility to the next generation. She thanked Mr. Chalk and said 3&2 Baseball Club is a trusted facility in Lenexa.

Councilmember Williamson made a motion to approve Item 5 and Councilmember Arroyo seconded the motion. Motion passed unanimously.

Councilmember Nicks rejoined the meeting.

COUNCILMEMBER REPORTS

Councilmember Charlton talked about past and future generations playing baseball at 3&2.

STAFF REPORTS

6. Quarterly Financial Report

Nate Blum, Chief Financial Officer, said this is an unaudited quarterly report and reviewed the five key indicators and rating scale. In his overview, he said all expenditures for 2024 are within budget.

Mr. Blum went over the revenue, expenditure, reserve policy, debt management, investment, and economic indicators. He reported that sales tax, compensating use tax, franchise tax - electric, and franchise tax - gas are areas of concern with revenue collections lower than 2023. He added that all other indicators have a positive outlook.

Ms. Yocham reminded the Governing Body of the Mid-Year Retreat and Community Bus Tour next Tuesday beginning at 3 PM.

END OF RECORDED SESSION

BUSINESS FROM FLOOR

There was no business from the floor.

ADJOURN

Councilmember Denny made a motion to adjourn and Councilmember Herron seconded the motion. Motion passed unanimously.

The meeting adjourned at 7:44 PM.

Proclamation

WHEREAS, Fentanyl, a powerful and synthetic opioid, according to the CDC, has been impacting communities all throughout the U.S. including the KC metro area; and

WHEREAS, Fentanyl-contaminated drugs are killing people every day. Drug toxicity deaths are up nationally, with illicit fentanyl being the primary reason for the increase because it is common for individuals to use a pill or other drug without knowing it contains fentanyl; and

WHEREAS, those dying have included infants, teenagers, young adults, and adults up to senior age; and

WHEREAS, Fentanyl does not discriminate and can touch any life, be it family members, friends, work colleagues, and neighbors; and

WHEREAS, the urgency for continued awareness, ongoing and productive conversations and partnerships are critical in the fight against the fentanyl epidemic; and

WHEREAS, Fentanyl is a growing crisis that poses a threat to public health. As one parent put it, "awareness might be the only solution we have."

NOW, THEREFORE, I, Julie Sayers, Mayor of Lenexa, Kansas, do hereby proclaim August 21, 2024 in the City of Lenexa to be

NATIONAL FENTANYL PREVENTION AND AWARENESS DAY

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of August, 2024.



Julie Sayers
Mayor of Lenexa, Kansas