



**MINUTES OF THE  
AUGUST 20, 2024  
LENEXA CITY COUNCIL MEETING  
COMMUNITY FORUM, 17101 W 87<sup>th</sup> STREET PARKWAY  
LENEXA, KS 66219**

**CALL TO ORDER**

Mayor Sayers called the meeting to order at 7 PM.

**ROLL CALL**

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

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

**APPROVE MINUTES**

*Councilmember Denny made a motion to approve the July 20, 2024 and August 6, 2024 City Council meetings draft minutes and Councilmember Nicks seconded the motion. Motion passed unanimously.*

**MODIFICATION OF AGENDA**

There were no modifications to the agenda.

**PROCLAMATIONS**

National Fentanyl Prevention and Awareness Day

**CONSENT 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**

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

### **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.*

Stephanie Sullivan, Planning Manager, said this special use permit is for Optimum Eye Care at 11071 Hauser Street and presented a site location map reflecting the property in the southeast corner of the city. She said this tenant space is about 3,600

square feet in the office park and the tenant is an ophthalmology practice providing medical and surgical care for the eye. She added that no surgery would be performed at this location.

Ms. Sullivan said the hours of operation would be limited, with a limited number of employees and visits scheduled by appointment.

Ms. Sullivan presented the zoning map reflecting the site zoned neighborhood office district and said the Comprehensive Plan's future land use map indicates the area is suitable for office uses. She said this request for a medical office is consistent with both.

Ms. Sullivan presented some photos of the office park and said this is a one-story building with a stone façade, which is typical of other office parks. She said there are four different buildings divided up for multiple tenants. She pointed out the parking areas.

Ms. Sullivan presented the 13 criteria for reviewing SUPs and said the details are in the staff report. She said staff recommends approval for a permanent SUP because other medical offices in the park have them. She noted that any SUP can be reviewed or revoked if issues arise.

Ms. Sullivan talked about the traffic impacts and parking, saying the parking study showed a deficiency of two spaces and staff has added as a condition of this approval that the tenant would provide two deferred parking spaces. Deferred spaces do not have to be created now, but would be required if parking becomes a problem in the future.

Ms. Sullivan said that both staff and the Planning Commission recommend approval with the condition.

*Councilmember Denny made a motion to approve Item 6 and Councilmember Eiterich seconded the motion. Motion passed unanimously.*

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.*

Ms. Sullivan said this is both a revised preliminary plan application and a final plat application for Sonoma Plaza Sixth Plat and Phase 3 Apartments. She presented a site location map and reviewed the surrounding properties. She said the zoning map indicates the area is zoned PUD or Planned Unit Development and this parcel is part of the Sonoma Plaza PUD; this is the last piece of this development. She said the future land use map indicates community retail as the intended use for the area, which is consistent with the PUD.

Ms. Sullivan presented a comparison of the preliminary plan and the proposed plan, saying the 2016 preliminary plan reflected about 44,000 square feet of multi-family senior living with about 175 parking spaces. She said the proposed plan has about 250,000 square feet of multifamily residential living in four- and five-story split buildings with about 218 units and 400 parking spaces. She noted the overall units per acres is 15.3 and the maximum allowed is 16. She also said the building height is slightly under 65 feet.

Ms. Sullivan said a height comparison was performed and pointed out some adjacent areas on the map and their building heights. She said staff believes what is proposed is compatible with the surrounding area and the overall intensity and intended use of the proposed plan. She said staff worked with the applicant on the parking for the site and that what is provided exceeds the requirement by about 10 spaces. She said the apartment would have about 200 spaces within the parking garage and that the applicant would dedicate nine spaces for restaurant employee use.

Ms. Sullivan presented detailed renderings of the building architecture from various perspectives. She said the parking garage would have a commercial window glazing so that it does not stick out like a concrete parking structure and it is integrated within the architecture of the building.

Ms. Sullivan said that the final plat is included in the application. It is a 5.9-acre lot, one lot and one tract. She said there are a few drainage and utility easements and a right-of-way dedication

Ms. Sullivan said that both staff and the Planning Commission recommend approval of preliminary plan with a condition that the one outstanding fire code related item is resolved at final plan. She said both staff and the Planning Commission recommend approval of the final plat with the condition that it is not recorded until the final plan is approved by the City.

Councilmember Charlton asked about the Red Door Grill parking and if there were plans for spillover parking besides the nine spaces for employee parking. He said he was concerned about parking because there are already parking issues and he worried that the restaurant guests and the apartment residents would be taking each other's parking spaces. Ms. Sullivan said the applicant could best answer that because they are the developer for the rest of Sonoma Plaza.

Councilmember Eiterich asked for the makeup of the units. Ms. Sullivan said

there are seven studio units, 161 one-bedroom units, and 52 two-bedroom units. Councilmember Eiterich asked how the parking would work for the residents and Ms. Sullivan said the applicant could speak to that.

Patrick Reuter, Klover Architects, thanked staff and the Planning Commission for working through all the details of the project and the parking. He said this is the last piece in the development since it was started in 2016. He said the development has been more successful than anticipated. He said they have talked to all the retailers and restaurants in the area and they are excited to have this piece added as part of a walkable community.

To address Councilmember Charlton's question, Mr. Reuter said that they have met the parking requirement in general, and that they feel the flex of uses throughout the day will provide adequate parking for the restaurant and commercial uses. Rick Oddo, Oddo Development, said they feel this addition of the last phase of construction is adding 65 to 70 extra stalls. Mr. Oddo said that both Red Door and Chick Fil-A have agreed relocate their employee parking to make room for their customers to alleviate some of the congestion on their sites.

To answer Councilmember Eiterich's question, Mr. Oddo said that the apartment parking is extra and some will want to pay for the garage parking and some will not.

Mr. Reuter added that they reviewed the parking ratios and observed actual parking use at the Sonoma Hill and Sonoma Peak apartments and they feel there is plenty of surface parking throughout the day.

Councilmember Nicks said the proposed looks similar to the existing buildings in the development and Mr. Reuter said that design is intentional. He said they have pulled elements and materials from the existing development to make a cohesive PUD development and reads as a whole community.

Councilmember Nicks said that although this is not technically part of City Center, it feels like it is to people driving around. He said it looks like City Center development and like the attractive apartments to the west.

Mr. Oddo commented that they get called East City Center all the time. He said the idea behind Sonoma Plaza was to be a complementary project to City Center, a non-competing product, that is why it has more horizontal, mixed-use, larger areas and open space, while remaining walkable and providing different types of tenants. He spoke about the existing tenants being excited about this development.

Councilmember Williamson asked for the pricing on the units. Mr. Oddo said \$1,200-\$1,300 for the studios, \$1,500-\$1,800 for the one bedrooms, and \$1,800-\$2,200 for the two bedrooms. He added that there would also be penthouses, which at Sonoma Peak are over \$4,000 month. He said they feel the wide variety of unit mixes adds to their success.

Mayor Sayers said this is a wonderful project that it is known that people living in

the existing Sonoma developments are very happy. This is a very harmonious community and it is exciting to see this last piece come into play.

*Councilmember Williamson made a motion to approve Item 7a and Councilmember Herron seconded the motion. Motion passed unanimously.*

*Councilmember Williamson made a motion to approve Item 7b and Councilmember Arroyo seconded the motion. Motion passed unanimously.*

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.*

Ms. Sullivan said this is a preliminary plan/plat for Cedar Canyon Attached Villas at the southwest corner of 99th Street & 100th Street and presented a site location map. She said this was part of the Cedar Canyon West concept plan with seven tracts that was considered in 2023. She pointed out that what used to be 101st Street is now 100th Street and that 99th Street leads to Clare Road and 100th Street.

Ms. Sullivan said this preliminary plan and plat is for 20 lots for duplexes, for a total of 40 units. She pointed out the tracts to provide stormwater and landscaping areas, as well as several utility and drainage easements.

Ms. Sullivan said this plan includes a deviations request for a four-foot setback from the 20-foot requirement on one lot to provide some additional trees in the area to provide a better buffer. She said that staff supports the deviation request.

Ms. Sullivan presented the landscape and drainage plans. She pointed out where the drainage would flow to the east and the west, as well as the detention pond.

Ms. Sullivan presented preliminary elevations reflecting a two-story duplex model.

Ms. Sullivan said both staff and the Planning Commission recommend approval with the deviation.

Councilmember Nicks said the drainage needs to be managed well, noting there is already a lot of dirt moving in the area.

*Councilmember Herron made a motion to approve Item 8 and Councilmember Arroyo seconded the motion. Motion passed unanimously.*

## **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.*

Sean McLaughlin, City Attorney, said that amendments to previously approved tax abatements and PILOT agreements are usually on the Consent Agenda, but because of the requested increase in amount, this one needs another public hearing. He added that a new cost benefit analysis was also performed.

Mr. McLaughlin said this is the last lot in Lenexa Logistics South at 113th Street & Renner Boulevard, presenting a site location map. He said this is for a proposed 180,000 square foot office warehouse facility. In 2021, the City approved \$16.2 million in IRBs and a 555 tax abatement, which was amended in 2023 for additional time and an increase to \$18 million in IRBs.

Mr. McLaughlin said that this request is to add more time for construction and to increase the IRBs to \$22 million. He said the new cost benefit analysis was positive and staff recommends approval.

The applicant was present.

Mayor Sayers opened the public hearing at 7:40 PM.

No one from the public spoke.

*Councilmember Charlton made a motion to close the public hearing and Councilmember Herron seconded the motion.* Motion passed unanimously.

The public hearing closed at 7:41 PM.

*Councilmember Nicks made a motion to approve Item 9b and Councilmember Williamson seconded the motion.* Motion passed unanimously.

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.*

Ms. Sullivan said this right-of-way (ROW) vacation is for a portion of 87th Street Parkway near Winchester Street and presented a site location map of the 0.06-acre parcel.

Ms. Sullivan said staff reviewed the four standards considered for ROW vacation requests and said the packet includes the details of that review. She added that staff found this request meets all of the standards and recommends approval of the vacation.

Councilmember Denny asked about the property directly to the west of the ROW to be vacated and Tim Green, City Engineer, said that it is existing ROW. He also said that there has been some interest in developing this property.

Mayor Sayers opened the public hearing at 7:45 PM.

No one from the public spoke.

*Councilmember Eiterich made a motion to close the public hearing and Councilmember Arroyo seconded the motion. Motion passed unanimously.*

The public hearing closed at 7:45 PM.

*Councilmember Eiterich made a motion to approve Item 10b and Councilmember Charlton seconded the motion. Motion passed unanimously.*

## **NEW BUSINESS**

There was no new business.

## **COUNCILMEMBER REPORTS**

Mayor Sayers announced that the press release for Pitch Lenexa, a coalition for the World Cup, came out today and would be in the news and said there would be more information forthcoming.

## **STAFF REPORTS**

Beccy Yocham, City Manager, said there would be a Committee of the Whole meeting on August 27th.

## **END OF RECORDED SESSION**



## **BUSINESS FROM FLOOR**

There was no business from the floor.

## **ADJOURN**

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

The meeting adjourned at 7:47 PM.

/s/ Jennifer Martin  
City Clerk