



**MINUTES OF THE
MARCH 19, 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.

Girl Scout Troop #4126 from Rising Star Elementary School led the Pledge of Allegiance. Ilah Canaday, Lilly Wood, Vera Ballard, Mia McCright, Grace Hoefer, Zoe Skaggs, Lynelle Landgren, Hazel Brockmeier, Violet Conkling, and Kendall Preston attended the meeting for their Respect Authority petal.

ROLL CALL

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

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

APPROVE MINUTES

Councilmember Nicks made a motion to approve the March 5, 2024 City Council meeting draft minutes and Councilmember Denny seconded the motion. Motion passed unanimously.

MODIFICATION OF AGENDA

Jennifer Martin, City Clerk, announced that item 14 had a typo in the agenda description. The Residences on Woodsonia has 240 units, not 320.

Staff requested to continue item 15 to the April 2nd City Council meeting.

CONSENT AGENDA

1. Acceptance for maintenance
 - a. Acceptance of the 79th Street west of Quivira Road, 98th Terrace, and 95th & Alden Storm Drainage Improvement Projects for maintenance
These three projects included a combination of pipe replacement and pipe lining, as well as incidental restoration items. Infrastructure Solutions, LLC constructed all three projects for a total cost of \$902,954.83.
 - b. Acceptance of the 2023 Pipe Lining Project for maintenance
Staff identified numerous corrugated metal pipes in various parts of the city that

were good candidates for lining. The total cost of construction was \$537,785.50.

- c. Acceptance of the Prairie Star Parkway Turn Lanes at Vista Village Public Improvement Project for maintenance

This project constructed an eastbound right-turn-lane and a westbound left-turn-lane on Prairie Star Parkway at Ambassador Street (Vista Village private development project).

2. Acceptance of a drainage easement as shown on Lenexa Point, Third Plat
Lenexa Point, Third Plat is a final plat for a 1.12-acre lot in the CP-2, Planned Community Commercial Zoning District. The plat applications follow approval of a final plan for construction of a 4,542 square foot office building, which was approved by the Planning Commission on December 4, 2023. A drainage easement is dedicated to the City with this plat.
3. Acceptance of drainage, utility, and trail easements as shown on Ceva Biomune, Fourth Plat
Ceva Biomune, Fourth Plat is a final plat for an industrial campus located at 8940 Long Street. Drainage, utility, and trail easements are being dedicated to the City with this plat.
4. Resolution approving and authorizing the Mayor to execute the City's standard form sponsorship agreement with Everfast Fiber Network, LLC as a 2024 festival Presenting Sponsor
Everfast Fiber Network, LLC proposes to be a 2024 Presenting Sponsor of the Art Fair, the Great Lenexa BBQ Battle, the Freedom Run/Community Days Parade, the Spinach Festival, Enchanted Forest, Sar-Ko Aglow, the Outdoor Concert Series, and the Farmers Market Regular Season, which requires City Council approval.
5. Resolution authorizing the Mayor to forward the City's 2025-2029 application for the County Assisted Road System program to the Johnson County Board of County Commissioners
Annually, the City applies for funding assistance from the County Assisted Road System (CARS) program. Staff is requesting approval to submit the 2025-2029 application to Johnson County. The CARS program provides funding to local communities to assist with collector and arterial street improvements.
6. Resolution authorizing the Mayor to execute a Private Water Service Line easement with Bison Properties, LLC for property located at 9040 Quivira Road
The proposed easement would allow the property owner at 9040 Quivira Road to place a private service line and fire line across City-owned property to serve their existing building.
7. Resolution authorizing the Mayor to execute an agreement with Alfred Benesch & Co. to provide design and consulting services for the Lackman Road Wall Replacement Study
The agreement with Alfred Benesch & Co. is for design and consulting services related to the Lackman Road Wall Replacement Study. The total cost is \$149,482.
8. Resolution authorizing the Mayor to execute an engineering agreement with HNTB

Corporation for Phase 1 design services for the 83rd Street from Gleason Road to Clare Road Improvements Project

Phase 1 of the 83rd Street improvement project will include engineering survey, traffic study, and concept design for 83rd Street from Gleason Road to Clare Road.

Additional effort will also be focused on traffic and concept analysis of the broader 83rd Street study limits from K-7 to the western city limits. The Phase 1 design services contract with HNTB Corporation is \$290,950.

9. Ordinance authorizing the acquisition of lands or interests therein by condemnation for the construction of certain public improvements associated with Lackman Road as part of its Sidewalk & Trail Repair Program

This project will construct sidewalk and other public improvements along Lackman Road between 95th Street and 99th Street. The City anticipates that it will need to acquire easements and rights-of-way from one tract adjacent to the project area.

END OF CONSENT AGENDA

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

BOARD RECOMMENDATIONS

10. Ordinance approving a 10-year special use permit for a personal instruction, general use known as MAVS located at 16501 W. 116th Street, in the BP-2, Planned Manufacturing District

The applicant proposes to operate a personal instruction, general use within the BP-2 District, which requires a special use permit.

Stephanie Kisler, Planning Manager, said that this special use permit (SUP) request is for MAVS at 16201 W. 116th Street and is a renewal for 10 years. She presented a location map reflecting the portion of the building MAVS occupies. She said this property is zoned BP-2 and the future land use map classifies the area as Business Park. She also presented exterior photos of the building and a floor plan.

Ms. Kisler reviewed the business's operations and said the SUP is required because the tenant occupies about 69,000 square feet.

Ms. Kisler presented list of criteria staff uses for SUP review and said detailed comments are included in the staff report in the packet.

She reviewed the operating hours and parking standards, saying there have been no issues with the tenant's prior SUPs. She presented an aerial map of the on-site parking and overflow lot.

Ms. Kisler said that both staff and the Planning Commission recommend approval.

Councilmember Nicks asked how long MAVs has had an SUP and Ms. Kisler said they had an SUP in their first location on 113th Street beginning in 2013, then since 2020 at this location. Councilmember Nicks said this is a great facility and site, and

he thinks the parking agreements are working.

Mayor Sayers said there have been no complaints received about this tenant.

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

11. Ordinance approving a five-year special use permit for a medical clinic use known as Tarry Chiropractic located at 13000 W. 87th Street Parkway, Suite 105, in the NP-O, Planned Neighborhood Office District

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

Ms. Kisler said this SUP request is for Tarry Chiropractic at 13000 W. 87th Street Parkway. She presented a location map reflecting the site on the property in the commercial area. She said the property is zoned NP-O and the future land use designates this as Office/Employment Center. She reviewed the zoning of surrounding properties and presented an exterior photo of the one-story building, which has multiple tenants.

Ms. Kisler presented list of criteria staff uses for SUP review and said detailed comments are included in the staff report in the packet.

She said this 518 square foot space requires an SUP for the zoning. It is a low-volume clinic and staff had no concerns.

Ms. Kisler said that both staff and the Planning Commission recommend approval.

Councilmember Karlin asked about the private road adjacent to this property and if staff had any updates on its repair. Ms. Kisler said staff is working on that community standards issue.

The applicant was present.

Councilmember Denny made a motion to approve Item 11 and Councilmember Karlin seconded the motion. Motion passed unanimously.

12. Ordinance approving a five-year special use permit for a medical clinic and personal services business known as Evolution You located at 13626 W. 95th Street, in the NP-O, Planned Neighborhood Office District

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

Ms. Kisler said this SUP request is for Evolution You at 13626 W. 95th Street. She presented a location map reflecting the site in the commercial center. She said the property is zoned NP-O and the future land use designation is Office. She reviewed the zoning of the surrounding properties and presented exterior photos of the building with multiple tenants. She said Evolution You would occupy 819 square feet.

Ms. Kisler said one condition is that the property owner needs to add a gate to the dumpster enclosure within 90 days of the SUP approval.

Ms. Kisler presented list of criteria staff uses for SUP review and said detailed comments are included in the staff report in the packet.

Ms. Kisler said that both staff and the Planning Commission recommend approval with the one condition. Staff has no issues with this use.

The applicant was present and said she is working with landlord to get the enclosure fixed.

Councilmember Nicks asked about the conditions on the SUP at 95th Street & Noland Road that was recently approved and Ms. Kisler said that winter weather caused delays and she would report back to the Governing Body on the progress.

Councilmember Williamson made a motion to approve Item 12 and Councilmember Nicks seconded the motion. Motion passed unanimously.

13. Approval of a preliminary plan/plat for a multifamily residential development known as Oak IQ Copper Creek located near the northwest corner of 89th Street & Woodsonia Drive within the RP-3, Residential Planned (Medium High-Density), RP-4, Residential Planned (High-Density), and RP-5, Residential Planned (High-Rise, High-Density) Districts

The applicant proposes a multifamily residential development known as Oak IQ Copper Creek located at the northwest corner of 89th Street & Woodsonia Drive. The preliminary plan includes 15 buildings totaling 529 dwelling units on 27.07 acres.

Ms. Kisler said this preliminary plan/plat is for Oak IQ Copper Creek at the corner of 89th Street and Woodsonia Drive. She presented a location map and said that this property has tiered zoning of RP-3, RP-4, and RP-5, which was approved in 2021. She said the future land use map is being updated in this area to reflect that rezoning and currently designates this as Office/Employment Center.

Ms. Kisler presented the site plan, saying there would be 529 units constructed in two phases. She said the RP-3 zoning has 60 units in 5 buildings, the RP-4 zoning has 234 units in 6 buildings, the RP-5 zoning has 235 units in 5 buildings, and there would be two clubhouses, one in each phase.

She pointed out the access points to Woodsonia Drive and said there would be no access point at 89th Street & Woodsonia Drive to eliminate a cut-through to Black Hoof Park. Staff believes the completion of Woodsonia Drive to the north and 95th Street to the south would be the primary access to Monticello Road.

Ms. Kisler presented a density table for the three zoning districts and talked about the development meeting code requirements for zoning and density. She reviewed the Woodsonia Drive completion map and said three different development project depend on its completion. Whichever development comes first will be required to

coordinate the north connection. The connection to 95th Street would be required for the apartments to receive certificates of occupancy.

Ms. Kisler reviewed the deviations requested, which include building encroachments, parking area turn-around encroachments, and a K-7 Highway setback, as well as a building height deviation to include cupola and gable features on some of the buildings.

Ms. Kisler presented the Phase 1 and Phase 2 building elevations for the RP-3 zoning, which would be mansion-style. She said that Phase 1 would have modern architecture and Phase 2 would be more traditional for the RP-5 zoning.

Ms. Kisler showed site sections reflecting the grading and heights along the site's topography. She added that there is also a RP-4 Open Space deviation request to meet parking needs and site layout.

Ms. Kisler said that both staff and the Planning Commission recommend approval.

Councilmember Williamson asked where the contemporary buildings would be located and Ms. Kisler said on the north side in Phase 1.

Councilmember Nicks asked when Woodsonia Drive would be complete and Ms. Kisler said before Phase 1 is issued certificates of occupancy. She added that the landowners are working together on the north portion, which is a developer requirement and expense.

Councilmember Eiterich asked if there was a north section of Woodsonia Drive that had to be completed prior to construction to keep contractors from going through the neighborhoods. Tim Green, City Engineer, said that blocking the neighborhood streets during construction was discussed at the time of rezoning, and that portion to the north has to be under construction and provide access to construction traffic, even if it is not complete.

The applicant was present.

Mayor Sayers asked what purpose the phasing serves and for the durations of each phase.

Aaron Leatherdale, Oak IQ, said the phasing will break up the large project so they can build it in chunks; and they would be starting with the buildings that will buffer the adjacent existing neighborhood. He expects it will take about two years to complete all of the phases.

Councilmember Eiterich asked for the timeline for the completion of Woodsonia Drive.

Doug Ubben, Phelps Eng, said the road will take about a year to complete.

Mayor Sayers invited public comment.

David Brewer, 8834 McCoy St, said he represented the Watercrest Landing neighbors. He said they appreciate the considerations that have been made to reduce the impact to the single family area. They are concerned about density along Woodsonia Drive, as well as traffic and access to Monticello. He asked for increases in landscape buffer. He asked if there would be any impact on Watercrest Landing residents if the developer petitions for a Special Benefit District (SBD) to build Woodsonia Drive.

Beccy Yocham, City Manager, said the City has had conversations with all the developers about the possibility for an SBD, although no inclusion of Watercrest Landing in an SBD has been mentioned.

Mayor Sayers addressed Mr. Brewer regarding the zoning and the process determining the tiers and thanked him for his input.

Councilmember Karlin said the zoning has been discussed at length and this plan meets the requirements of the zoning. He expects Woodsonia Drive will become the thoroughfare and he supports the plan.

Councilmember Nicks said this development is too dense and he does not support it.

Councilmember Herron asked if this developer can build Woodsonia Drive and Ms. Kisler said there is some collaboration taking place on that.

Councilmember Charlton asked if reducing the density would eliminate the need for the open space deviation and Ms. Kisler said the open space requirement is based on zoning and not density, so reducing density would not help them meet the requirement.

Brad Hus, NPSJ Architects, said the open space deficiency is in the middle of the RP-4 zoning and is primarily due to the parking requirements.

Councilmember Eiterich said she feels that this is dense for the area but meets the requirements. She said she would be in favor of supporting it if a stipulation could be added that more landscaping to buffer to Woodsonia Drive would be added and tenants would be informed of the shooting range nearby.

Councilmember Eiterich made a motion to approve Item 13 with a condition that the leases inform tenants of the shooting range and a condition that a buffer is added along the RP-3 portion of the development and Councilmember Denny seconded the motion. Motion passed 6-1 with Councilmember Nicks opposed.

14. Consideration of a rezoning and preliminary plan/plat known as The Residences on Woodsonia for a multifamily residential development located near the northeast and southeast corners of future 86th Street & Woodsonia Drive
 - a. Ordinance rezoning property from the AG, Agricultural District to the RP-4, Planned Residential (High-Density) and RP-2, Planned Residential (Intermediate-Density) Districts

- b. Approval of a companion preliminary plan for The Residences on Woodsonia *The applicant requests approval of a preliminary plan for a 320-unit apartment and 62-unit duplex residential development at the north and southeast corners of 86th Street & Woodsonia Drive. The two components will be separated by a new public street that will connect Woodsonia Drive to Monticello Road.*

Ms. Kisler said that this rezoning and companion preliminary plan is for The Residences on Woodsonia at 86th Street & Woodsonia Drive. She presented a location map reflecting the site and its surrounding areas.

Ms. Kisler said the City Council remanded this item to the Planning Commission in January for revisions to the south portion of this plan and to consider if the RP-4 zoning was appropriate.

Ms. Kisler presented list of criteria staff uses for SUP review and said detailed comments are included in the staff report in the packet. She said the property is zoned AG and the future land use map designates this as medium-density residential use. She reviewed the surrounding zoning and uses.

Ms. Kisler said the north 16 acres would have 240 units and the south 22 acres would have 62 units. She talked about how the development has been reviewed and considered as a whole.

Ms. Kisler went over the original plan and reviewed the revised plan. She said that there are 10 multifamily buildings with 240 units and 1 clubhouse in the north portion of the development and 31 duplex buildings with 62 units in the south portion. She said future 86th Street will connect Woodsonia Drive to Monticello Road.

Ms. Kisler reviewed the deviations requested, which include setback, building height deviation on RP-4 area.

To address the second part of the remand, reconsidering the appropriateness of RP-4 zoning, Ms. Kisler said staff and the Planning Commission looked closer into the of Comprehensive Plan and zoning districts. She said they determined the future land use designation of medium density was met in the overall development, that although the Comprehensive Plan and the zoning districts are not the same, they are strongly correlated, and this development promotes housing variety. She added that the applicant has done a good job stepping down the zoning from RP-4 going south to the townhomes and on south toward Watercrest Landing.

Ms. Kisler noted that the construction of the northern portion of Woodsonia Drive would be required for this project.

Ms. Kisler presented the elevations of the duplexes.

Ms. Kisler said that both staff and the Planning Commission recommend

approval with the deviations.

The applicant was present.

Councilmember Williamson commended the applicant and staff for the work done to create this cohesive project and said she loves the rerouted trail.

Councilmember Denny said he is glad the developer had decided to put in city streets now.

Councilmember Herron asked if the trail would meet the standard requirements and Ms. Kisler said yes.

Councilmember Karlin asked if there were any perspective views and Ms. Kisler said she did not have one. She said the applicant met with residents from Watercrest Landing and a resident spoke in favor of the development at the December Planning Commission meeting. Councilmember Karlin asked for the distance from the single family to the RP-4 zoning. He also asked for dwelling units per acre allowed and proposed for the RP-2 and RP-4 zoning. Ms. Kisler provided the details.

Councilmember Charlton asked about the detention ponds and why one was added.

Banks Floodman, Sunflower Development Group, said the measurement Councilmember Karlin requested was about 700 feet.

Braden Taylor, MKEC Engineering, said the second detention is for stormwater BMP requirements and they have also expanded the original detention.

Councilmember Nicks agreed with Councilmember Karlin and said he does not like the comprehensive density and is not in support of the plan. He does, however, like the trail.

Councilmember Herron asked if notice of the nearby shooting range would be required and Mr. Floodman said it is in the lease.

Councilmember Charlton asked if there is a plan for future land use to the north where the trail ends and Ms. Kisler said the north is Freedom Fields park and that at final plan it will be determined where this trail connects to the City park.

Todd Pelham, Deputy City Manager, said where this development abuts Freedom Fields was discussed at the recent Governing Body retreat.

Councilmember Eiterich said she has issues with how this combines the density to meet the requirements and she is not supportive of this much density in this area.

Councilmember Karlin said the Comprehensive Plan calls for medium-density

here and RP-4 is too dense for this area. He is not in support.

Councilmember Denny said the revised south portion is really good and with a shooting range to the east, a church parking lot to the west, and a park to the north he think this fits and he is in support.

Mayor Sayers said she agreed with Councilmember Denny that this duplex product is a nice buffer between the single family and higher-density residential; and Lenexa needs more duplexes. The surrounding uses do not lend themselves to being in conflict with the higher density.

Councilmember Denny made a motion to approve Item 14a and Councilmember Herron seconded the motion. Motion passed 5-3 with Councilmembers Charlton, Williamson, Herron, Denny and Mayor Sayers voting in favor and Councilmembers Nicks, Eiterich, and Karlin opposed.

Councilmember Denny made a motion to approve Item 14b and Councilmember Herron seconded the motion. Motion passed 5-3 with Councilmembers Charlton, Williamson, Herron, Denny and Mayor Sayers voting in favor and Councilmembers Nicks, Eiterich, and Karlin opposed.

NEW BUSINESS

15. Resolution authorizing the Mayor to execute a Real Estate Contract for the sale of excess land adjacent to Fire Station 4 located southeast of the intersection of 108th Street & Eicher Drive
The City is proposing to sell approximately 19,000 square feet of excess land at Fire Station 4 located at 10855 Eicher Drive to Herrman Holdings, LLC, which is located immediately south of Fire Station 4. The property will be used to accommodate the buyer's plans to expand.

Staff requested item 15 be continued to the April 2, 2024 City Council meeting.

COUNCILMEMBER REPORTS

There were no councilmember reports.

STAFF REPORTS

Ms. Yocham talked about upcoming Committee of the Whole meetings. She said the April 9th Committee of the Whole meeting would be canceled and the Volunteer Recognition Dinner would take its place.

END OF RECORDED SESSION

BUSINESS FROM FLOOR

Catherine Lappin, 24040 W. 83rd Street, talked about the future expansion of 83rd Street and her concerns about properties and safety. She also talked about preserving

green space.

ADJOURN

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

The meeting adjourned at 8:38 PM.

/s/ Jennifer Martin
City Clerk