

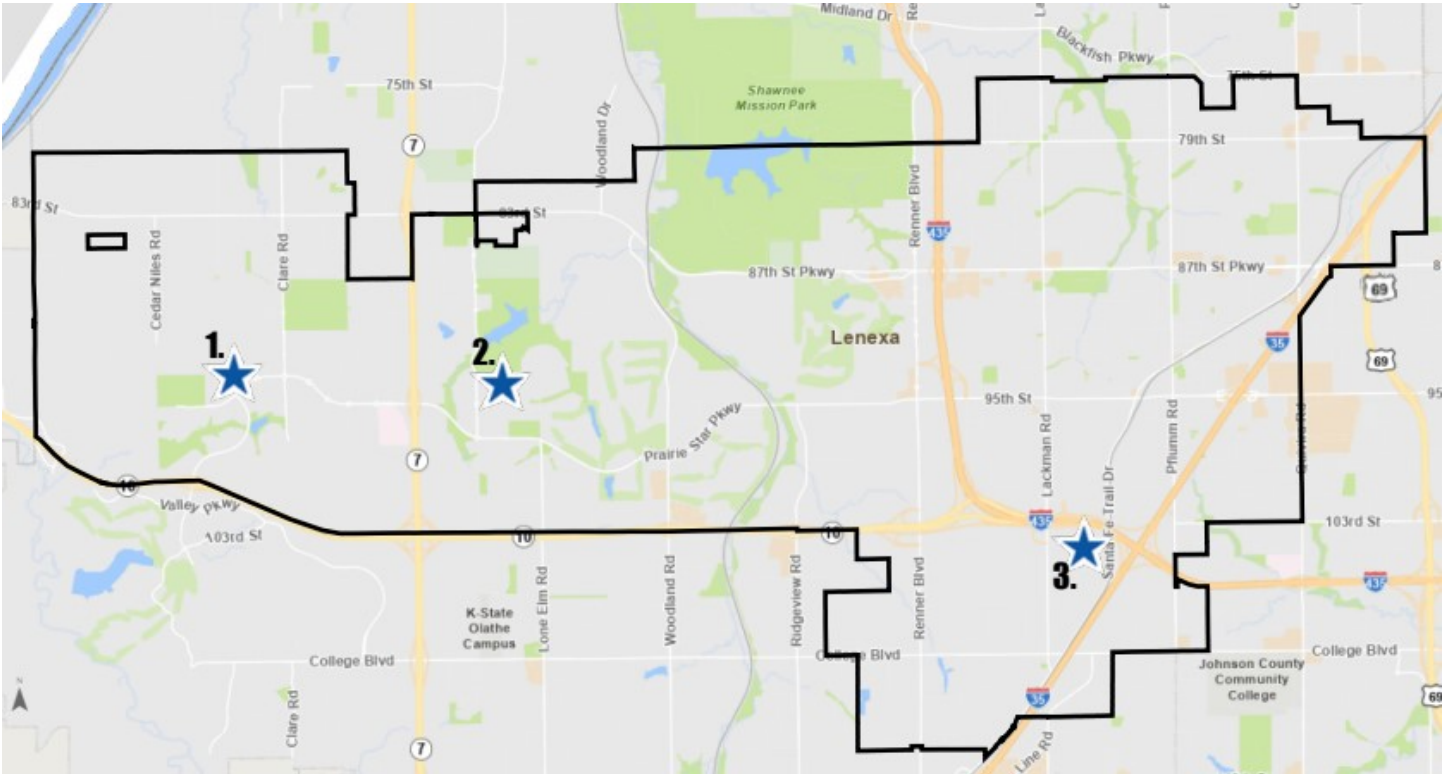
## PLANNING COMMISSION AGENDA

JANUARY 30, 2023 at 7:00 PM

Community Forum at City Hall

17101 W. 87<sup>th</sup> Street Parkway

Lenexa, KS 66219



### CALL TO ORDER

### ROLL CALL

### APPROVE MINUTES

### CONSENT AGENDA

*All matters listed within the consent agenda have been distributed to each member of the Planning Commission for review, are considered to be routine, and will be enacted by one motion with no separate discussion. If a member of the Planning Commission or audience desires separate discussion on an item, that item may be removed from the consent agenda and placed on the regular agenda.*

- 1. Arbor Lake, 8th Plat - Consideration of a final plat for property located at the northeast corner of the 91st Terrace cul-de-sac, west of Clare Road, within the RP-1, Planned Residential (Low-Density) District. PT23-05F**

*Consideration of a final plat to replat an existing tract by changing the dedications of the tract, updating easements, and including a portion of vacated 91st Street in the tract.*

2. **Brampton West - Consideration of a final plat for property located at the intersection of West 95th Street & Aurora Street within the R-1, Single-Family Residential District. PT23-06F**  
*Consideration of a final plat for approximately 2.9 acres of land located between the Brampton West subdivision and right-of-way for 95th Street for the purpose of providing easements for utilities and landscaping.*

## REGULAR AGENDA

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3. **Tierpoint Sign Deviations - Consideration of sign deviations for property located at 14500 West 105th Street within the BP-2, Planned Manufacturing District. DV23-01**  
*Consideration of sign deviations to allow two signs on facades that are not architecturally finished to the degree of the building front.*
4. **Presentation from Staff: Building Architecture and Materials**

## CONTINUED APPLICATIONS (NO DISCUSSION)

5. **StorTropolis - Consideration of a preliminary plan and special use permit for a self-service storage development for property located at the southwest corner of 96th Terrace and Rosehill Road within the CP-2, Planned Community Commercial District. PL23-01P & SU23-01.**
6. **Blackhoof Reserve I - Consideration of a conceptual plan and rezoning property from the CP-3, Planned Regional Commercial, Zoning District and unzoned former public right-of-way to the CP-1, Planned Neighborhood Commercial, RP-2, Planned Residential (Intermediate-Density), and RP-4, Planned Residential (High-Density) Zoning Districts on property located at the southeast corner of Prairie Star Parkway and Monticello Terrace. RZ23-01 & PL23-01CP**
7. **Blackhoof Reserve II - Consideration of a conceptual plan and rezoning property from the AG, Agricultural, Zoning District to the RP-3, Planned Residential (Medium High-Density) and RP-4, Planned Residential (High-Density), Zoning Districts on property located at the southeast corner of Prairie Star Parkway and Monticello Terrace. RZ23-02 & PL23-02CP**

## STAFF REPORTS

## ADJOURN

## APPENDIX

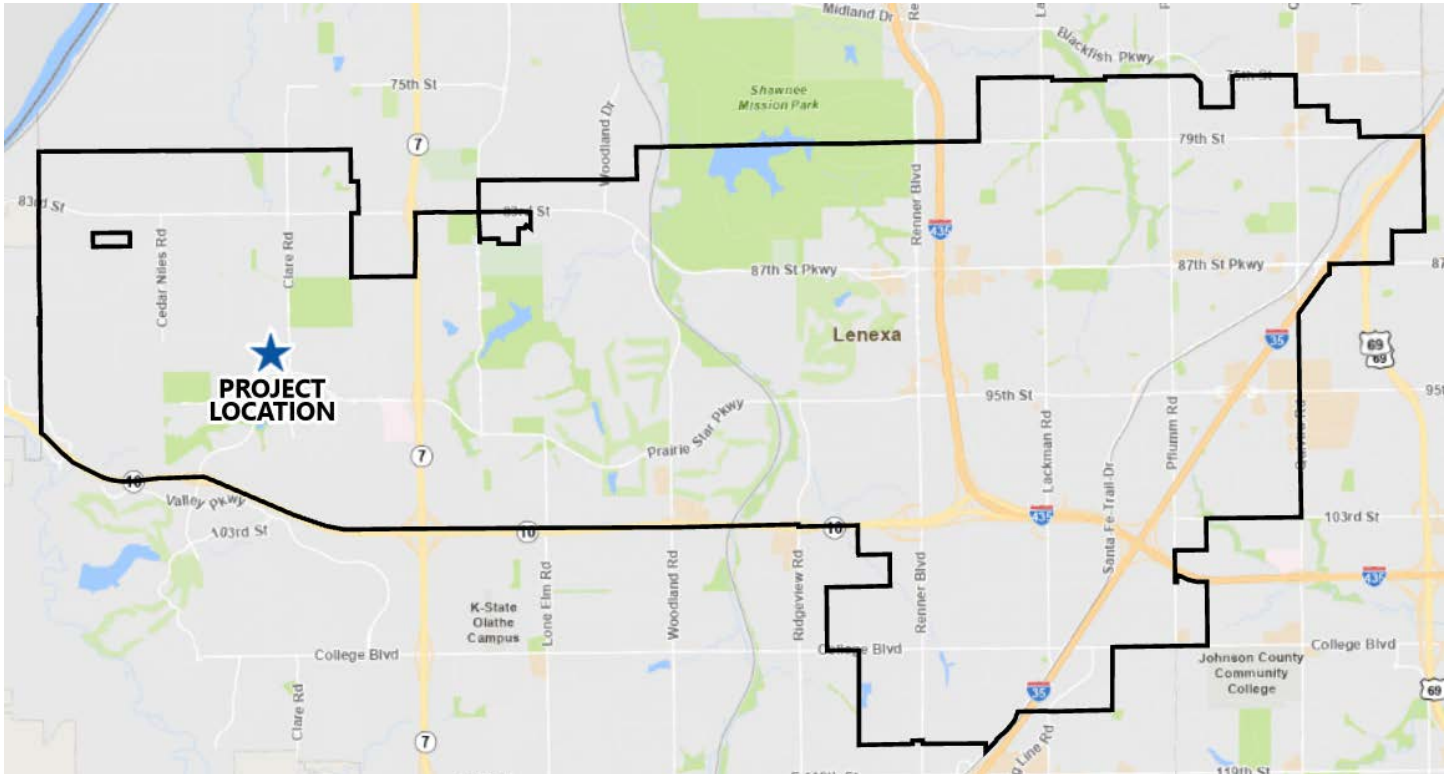
8. **Draft Meeting Minutes - January 9, 2023**

*If you have any questions about this agenda, please contact Stephanie Kisler, Planning and Development Administrator, at [skisler@lenexa.com](mailto:skisler@lenexa.com).*

*If you need any accommodations for the meeting, please contact the City ADA Coordinator at 913-477-7550 at least 48 hours prior to the meeting.  
Kansas Relay Service: 800-766-3777*

## ARBOR LAKE 8<sup>TH</sup> PLAT

<b>Project #:</b>	PT23-05F	<b>Location:</b>	91 <sup>st</sup> Terrace and vacated 91 <sup>st</sup> Street
<b>Applicant:</b>	Tim Tucker, Phelps Engineering	<b>Project Type:</b>	Final Plat
<b>Staff Planner:</b>	Kimberly Portillo, AICP	<b>Proposed Use:</b>	Open Space Tract



### PROJECT SUMMARY

The applicant proposes a replat of one tract of the Arbor Lake 3<sup>rd</sup> Plat at the northeast corner of the 91<sup>st</sup> Terrace cul-de-sac, west of Clare Road. The purpose of this replat is to change the dedications of the tract, update easements, and include a portion of the vacated 91<sup>st</sup> Street in the tract. The tract will be known as Tract "N" and is proposed to be owned and maintained by the Arbor Lake Homes Association and will be used for landscaping, monuments, private open space, and Homes Association amenities. The final plat does not include construction of public streets or infrastructure improvements. No new easements are being dedicated to the City of Lenexa with this final plat. The proposed final plat maintains significant consistency with the Arbor Lake 3<sup>rd</sup> Plat (PT15-08F), which was approved by the Governing Body on May 19, 2015. This project does not require a Public Hearing.

**STAFF RECOMMENDATION: APPROVAL**



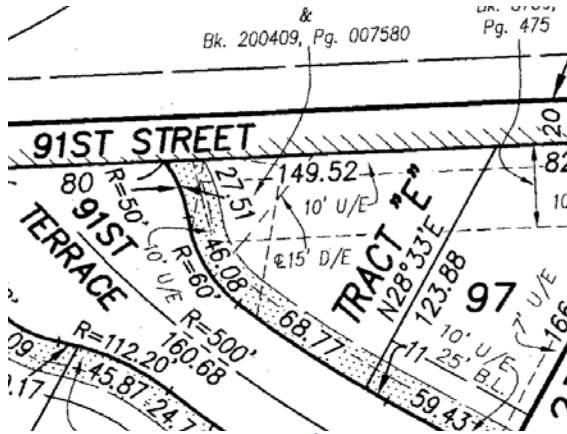
## SITE INFORMATION

The Arbor Lake preliminary plat was approved in January 2004 for 176 single-family residential lots. Subsequently, Arbor Lake 1<sup>st</sup> and 2<sup>nd</sup> plats were approved. Tract “E” was part of the third phase, known as Arbor Lake 3<sup>rd</sup> Plat (PT15-08F), which was approved for 12 single-family lots and three tracts in 2015. Ordinance 5862, recorded November 1, 2021, vacated 91<sup>st</sup> Street and the land became part of adjacent tracts and parcels, and included a portion of the former right-of-way being added to Tract E.

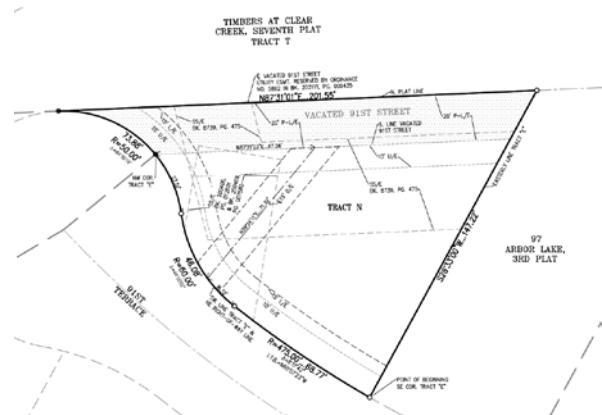
LAND AREA (AC)	BUILDING AREA (SF)	CURRENT ZONING	COMP. PLAN
.29	N/A	RP-1	Suburban Residential



**Exhibit 1: Aerial Image of Subject Site.**



**Exhibit 2: Tract E, Arbor Lake 3<sup>rd</sup> Plat.**

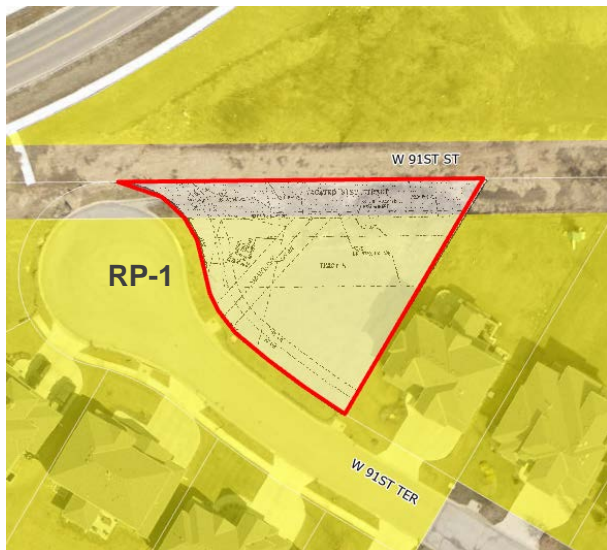


**Exhibit 3: Tract N, Arbor Lake 8<sup>th</sup> Plat, a replat of all of Tract E with a part of vacated 91<sup>st</sup> Street.**

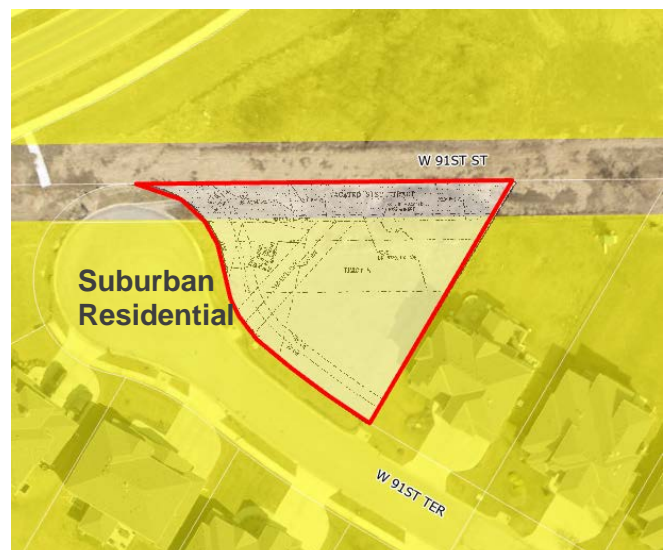
## LAND USE REVIEW

Tract “N” will be an open space tract for a residential single-family subdivision maintained by the Homeowner’s Association. The use is compatible with surrounding residential lots and is consistent with the intent of the tract previous final plat and the designated future land use of Suburban Residential from the Comprehensive Plan.

### Zoning Map



### Future Land Use Map





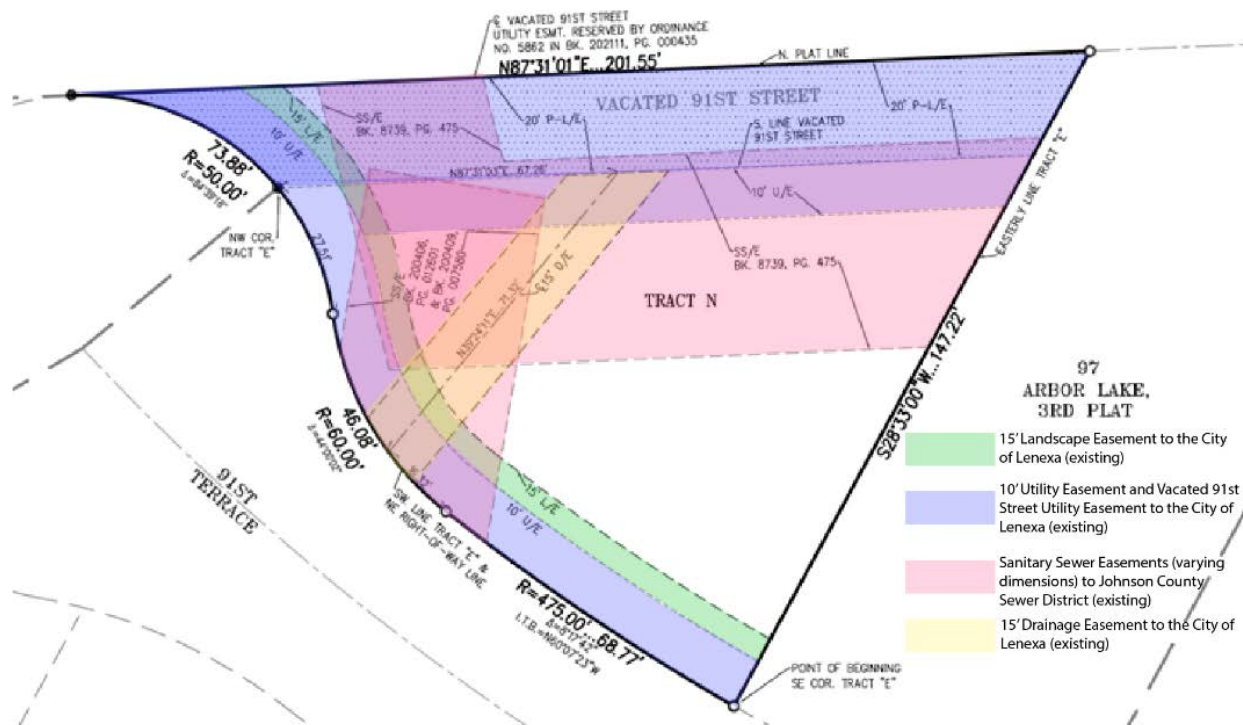
**TABLE 1: COMPARISON OF SURROUNDING PROPERTIES**

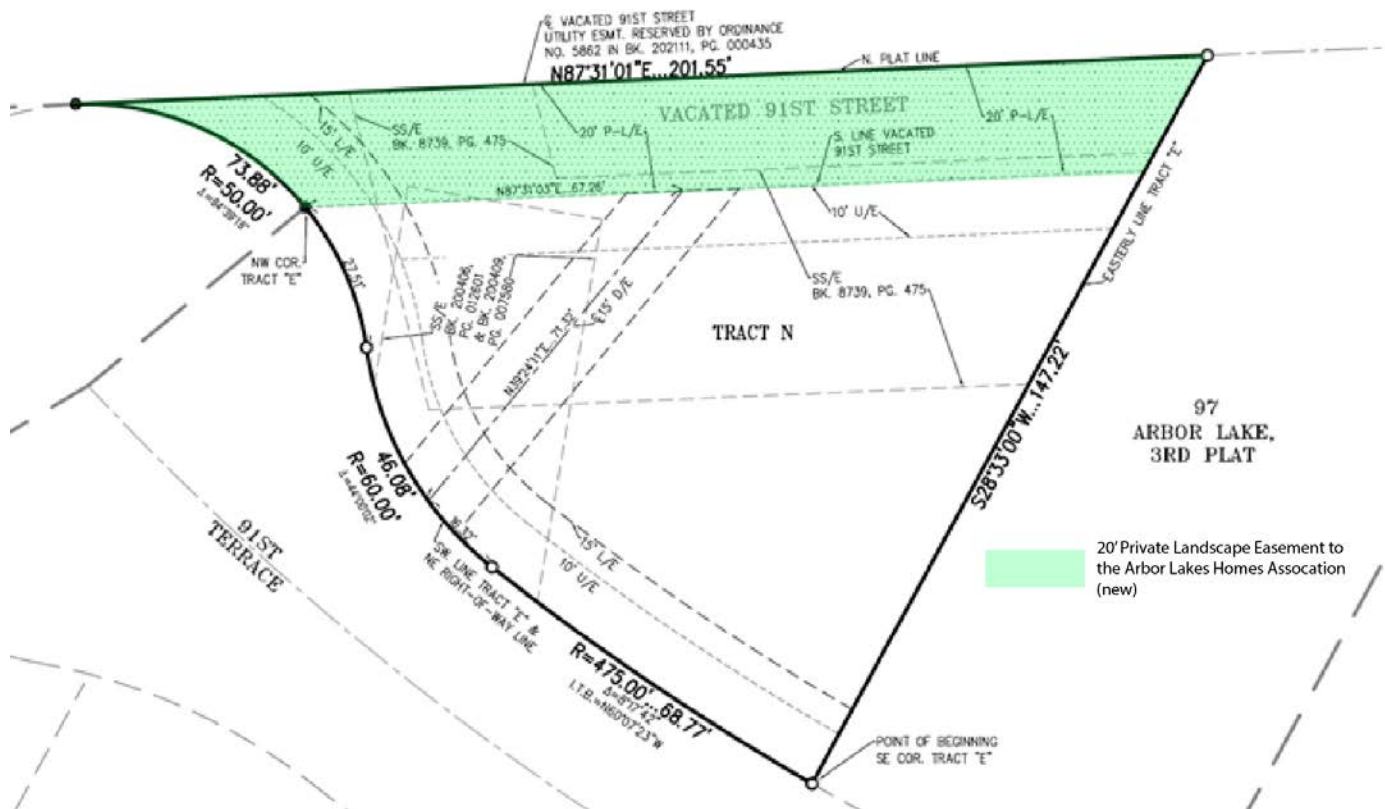
Vicinity	Land Use Designation	Zoning	Current Use
<b>Subject Property</b>	Suburban Residential	RP-1 Planned Residential Low Density	Open Space
<b>North</b>	Suburban Residential	RP-1 Planned Residential Low Density	Undeveloped Residential
<b>South</b>	Suburban Residential	RP-1 Planned Residential Low Density	Single-Family Residential
<b>East</b>	Suburban Residential	RP-1 Planned Residential Low Density	Single-Family Residential
<b>West</b>	Suburban Residential	Right-of-Way	Right-of-Way

## FINAL PLAT REVIEW

This is a replat of all of Tract “E”, Arbor Lake 3<sup>rd</sup> plat together with a part of vacated 91<sup>st</sup> Street into a new tract known as Tract “N”. Tract N contains .2913 acres. The tract will be used for open space, utility and drainage easements, and amenities for the subdivision of Arbor Lake.

The plat contains existing easements and dedications as shown in Exhibit 4 and one new private easement as shown in Exhibit 5.





*Exhibit 5: Tract N, new dedication of landscape easement.*

## DEVIATIONS

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

## REVIEW PROCESS

- The Planning Commission is the final authority for approval of this project.
- The applicant should inquire about additional City requirements, such as permits and development fees

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## RECOMMENDATION FROM PROFESSIONAL STAFF

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★ **Staff recommends approval of the proposed Final Plat for Arbor Lakes 8<sup>th</sup> Plat.**

- This is a one tract replat of Tract "E" within Arbor Lakes 3<sup>rd</sup> Plat and a portion of vacated 91<sup>st</sup> Street.
- The project is consistent with Lenexa's goals through ***Responsible Economic Development*** to create ***Vibrant Neighborhoods***.

## FINAL PLAT

Staff recommends **approval** of the final plat for PT23-05F – **Arbor Lake 8<sup>th</sup> Plat** at 91<sup>st</sup> Terrace, west of Clare Road, for one open space tract.

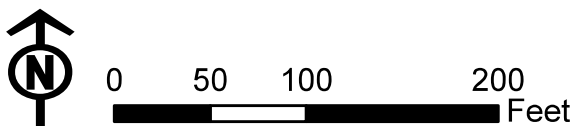




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Data Source: City of Lenexa and Johnson County Kansas  
For further information, please call 913-477-7500

# Arbor Lake 8th Plat PT23-05F





# FINAL PLAT OF ARBOR LAKE 8TH PLAT

A REPLAT OF ALL OF TRACT "E", ARBOR LAKE 3RD PLAT,  
A SUBDIVISION OF LAND, TOGETHER WITH A PART OF VACATED 91ST  
STREET, ALL IN THE CITY OF LENEXA, JOHNSON COUNTY, KANSAS

**DESCRIPTION**  
This description was prepared by Scott G. Chrisman, KS LS #1306 on November 9, 2022, for project no. 220868. Replat and recovery of Tract "E", ARBOR LAKE 3RD PLAT, a platted subdivision of land, together with a part of Vacated 91st Street, as now established, all in the City of Lenexa, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southeast corner of said Tract "E", thence along the Southwesterly line of said Tract "E" and the Northeasterly right-of-way line of 91st Terrace, as now established, for the following three (3) courses; thence Northeasterly on a curve to the right, said curve having an initial tangent bearing of N 60°07'23" W and a radius of 475.00 feet, on an arc distance of 65.77 feet; thence Northeasterly on a curve to the right, said curve being tangent to the last described course and having a radius of 60.00 feet, on an arc distance of 46.08 feet; thence Northeasterly on a curve to the left, said curve being tangent to the last described course and having a radius of 50.00 feet, on an arc distance of 73.88 feet to a point on the centerline of said Vacated 91st Street, said point also being the North plat line of said ARBOR LAKE 3RD PLAT; thence N 87°31'01" E, along the centerline of said Vacated 91st Street and the North plat line of said ARBOR LAKE 3RD PLAT, a distance of 201.55 feet to the Northeasterly extension of the Easterly line of said Tract "E"; thence S 28°13'50" W, along the Easterly line of said Tract "E" and its Northeasterly extension, a distance of 147.22 feet to the point of beginning, containing 0.2913 acres, more or less, replatted land.

**DEDICATION**  
The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "ARBOR LAKE 8TH PLAT".

The undersigned proprietor of said property shown on this plat does hereby dedicate over, under, and through all parcels and parts of land indicated on said plat as streets, terraces, paces, roads, drives, lanes, parkways and avenues not heretofore dedicated, a perpetual easement for the purpose of constructing, using, repairing, and maintaining public roads, public ways and thoroughfares, including storm sewer, street lighting, sidewalks, trails, and appurtenant work in any part of the easement, including the right to clean, repair, maintain and replace the roadway, and for any future expansion of such facilities within the area of the easement together with the right of access to the easement and over the easement for these purposes. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land to be dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby observes and agrees to indemnify the City of Lenexa, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

A perpetual easement, over, under and through the areas outlined and designated on this plat as "Utility Easement" or "U/E" for the purpose of entering upon, locating, constructing and maintaining or authorizing the location, construction, or maintenance, and use of conduits, water, gas, sewer pipes, poles, wires, surface drainage facilities, ducts, cables, including similar facilities, and appurtenances thereto in any part of the easement, including the right to clean, repair, replace and care for the facilities, and for any reconstruction and future expansion of the facilities within the area of the easement, together with the right of access for the same, is hereby granted to the City of Lenexa, Kansas, with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

A 15 foot wide Landscape Easement or "L/E" is hereby reserved for the City of Lenexa, Johnson County, Kansas, off of lots adjacent to and parallel with 91st Street right-of-way line, as shown hereon. Maintenance of said easement shall be the responsibility of the homeowner and/or the Homeowners Association, with access granted to the City of Lenexa.

An easement is hereby granted and reserved by the undersigned proprietor of the above described land unto itself and the Arbor Lake Homes Association to enter upon, plant, replace, replant, mow, clip, trim, spray, chemically treat, repair, and otherwise maintain, and to authorize any such maintenance, of any and all grass, trees, shrubs, plants and other landscaping and all fences and monuments installed by the undersigned proprietor and by the Arbor Lake Homes Association upon, over, or under those areas outlined and designated on this plat as "Private Landscape Easement" or "P-L/E". No privately owned fences shall extend into the Private Landscape Easement.

Tract "N" shall be owned and maintained by the Arbor Lake Homes Association. Said tract is intended to be used for landscaping, monuments, private open space, and Homes Association amenities.

**RESTRICTIONS**  
All lots, parcels, tracts and properties in this subdivision shall hereafter be subject to the restrictions executed as a separate instrument of writing recorded in the Office of the Register of Deeds of Johnson County, Kansas, and which shall hereby become a part of the dedication of this plat as though fully set forth herein.

**CONSENT TO LEVY**  
The undersigned proprietors of the above described land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Lenexa, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public ways or thoroughfares.

**EXECUTION**  
IN TESTIMONY WHEREOF, undersigned proprietors have caused this instrument to be executed on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ARBOR LAKE, LLC

By: Brian Rodrock, Manager

STATE OF KANSAS )  
COUNTY OF JOHNSON )

BE IT REMEMBERED that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for said County and State, came Brian Rodrock, Manager of Arbor Lake, LLC, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of this to be the act and deed of the same.

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

Notary Public: \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_

Print Name: \_\_\_\_\_

Approved by the Planning Commission of the City of Lenexa, Johnson County, Kansas, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chris Posa, Chairman

Approved by the Governing Body of the City of Lenexa, Kansas, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Michael A. Boehm, Mayor  
Attest: Jennifer Martin, City Clerk

I, SCOTT G. CHRISMAN, HEREBY CERTIFY THAT IN APRIL, 2021, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.



By: SCOTT G. CHRISMAN, KS LS-1306

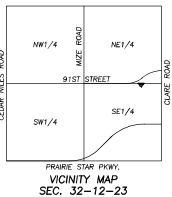
AREAS
PARCEL AREA (S.F.) AREA (AC)
PLAT 8 12688.92 0.2913
TRACT N 12688.92 0.2913



SCALE: 1"=20'

BEARING BASED, RECORDED PLAT OF "ARBOR LAKE 3RD PLAT"

- LEGEND**
- DENOTES FOUND SURVEY MONUMENT (ORIGIN UNKNOWN UNLESS DESCRIBED)
  - DENOTES SET 1/2"X4" REBAR WITH "PHILIPS" CUS-87 PLASTIC CAP
  - 1 DENOTES FOUND CURB CHIP ON THE PROXIMITY OF PROPERTY LINES FOR REFERENCE ONLY UNLESS OTHERWISE NOTED
  - S/E DENOTES SANITARY SEWER EASEMENT
  - D/E DENOTES DRAINAGE EASEMENT
  - L/E DENOTES LANDSCAPE EASEMENT
  - R/W DENOTES RIGHT-OF-WAY
  - U/E DENOTES UTILITY EASEMENT
  - P-L/E DENOTES PRIVATE LANDSCAPE EASEMENT



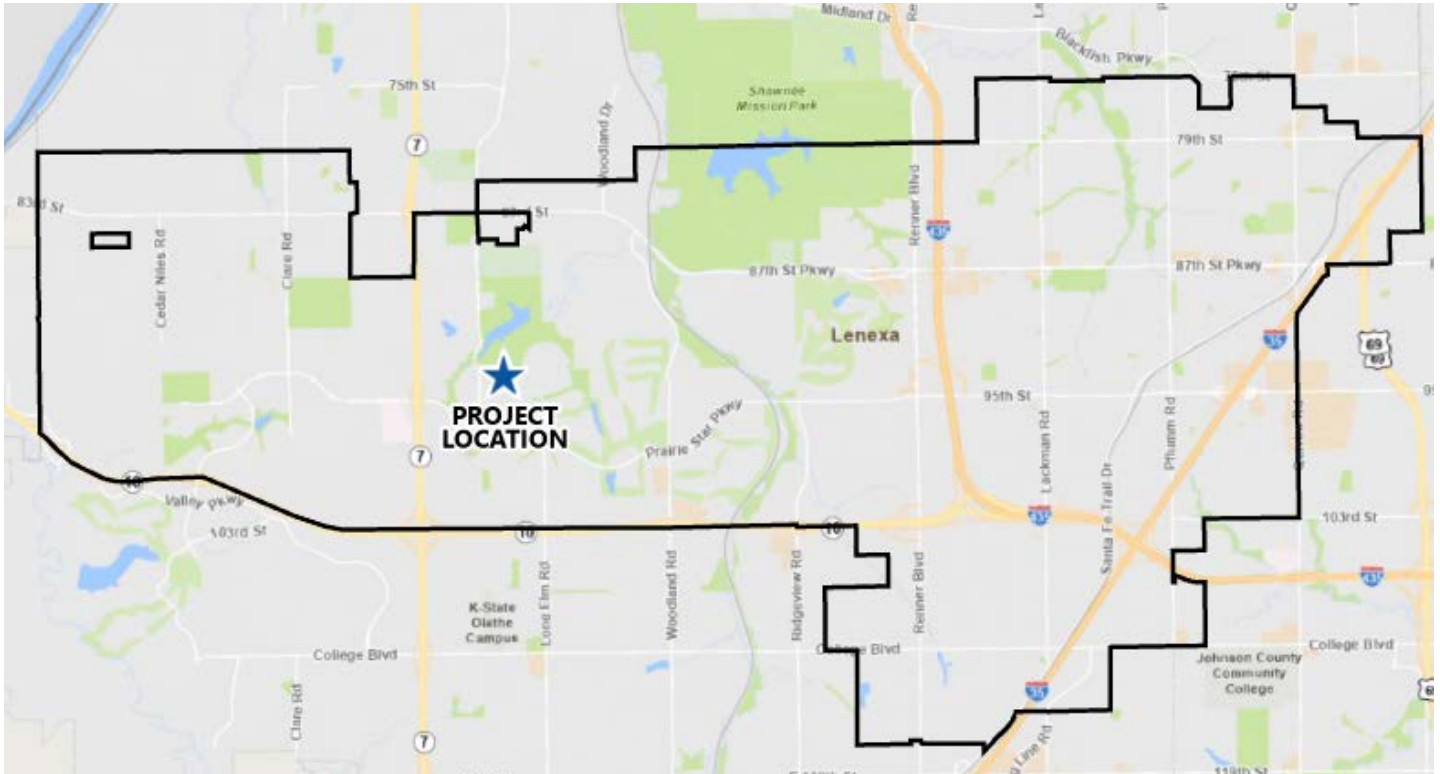
SCALE: 1"=2000'

(ELEVATION IN FEET)

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF LENEXA, COMMUNITY NO. 220468, JOHNSON COUNTY, KANSAS, MAP NO. 22091C0046, AND DATED AUGUST 3, 2008.

## BRAMPTON WEST TRACTS, FINAL PLAT

<b>Project #:</b>	PT23-06F	<b>Location:</b>	95 <sup>th</sup> Street & Aurora Street
<b>Applicant:</b>	Frank Dean, Silverleaf LLC	<b>Project Type:</b>	Final Plat
<b>Staff Planner:</b>	Christa McGaha, AICP	<b>Proposed Use:</b>	Landscape Tracts



### PROJECT SUMMARY

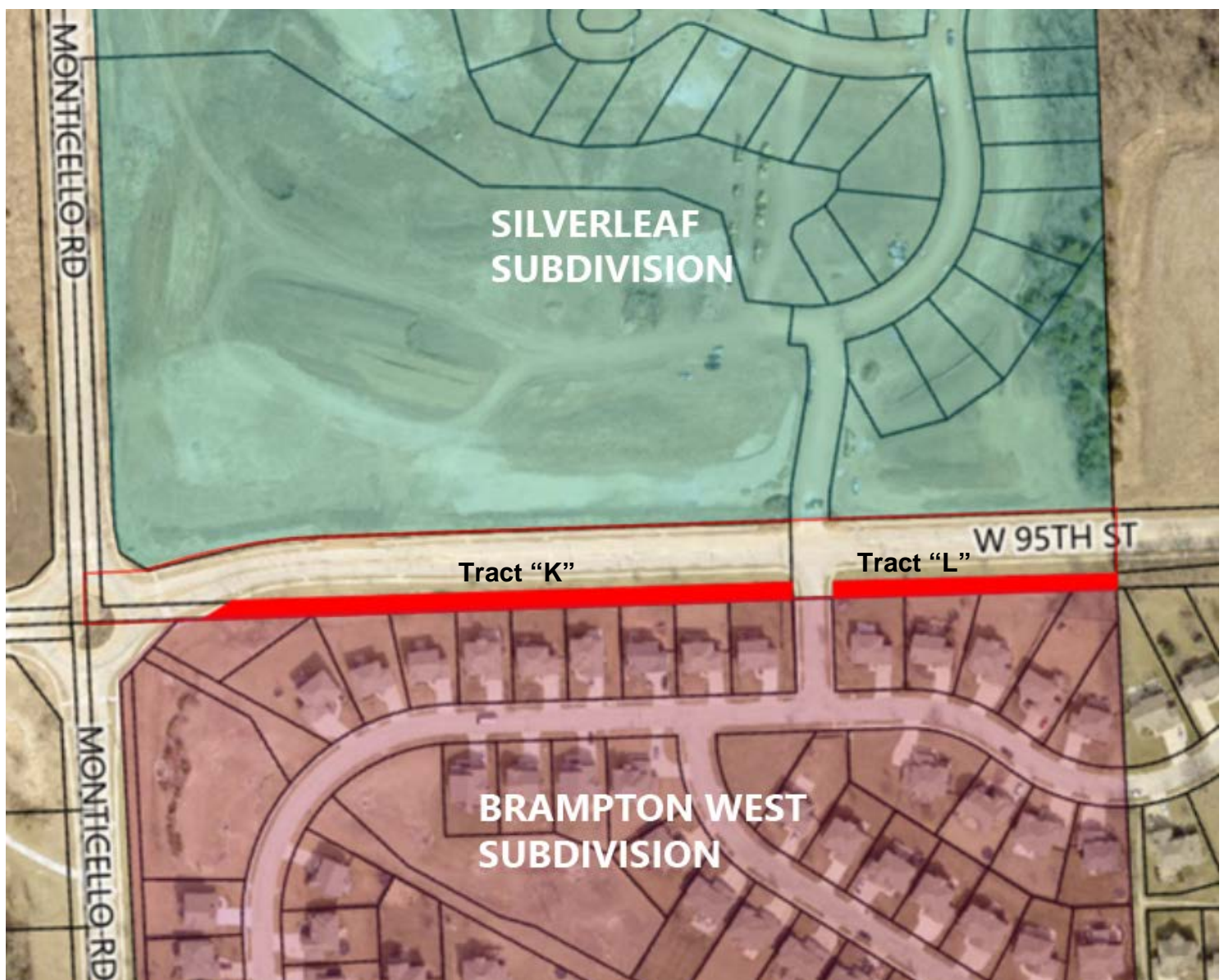
The applicant proposes a replat of 2.895 acres at the intersection of W. 95<sup>th</sup> Street and Aurora Street. The subject property consists of a vacated portion of right-of-way from Silverleaf, First Plat together with right-of-way and unplatted land. The plat contains two tracts known as Tract "K" and Tract "L" to be dedicated as a landscape easement to be maintained by the Brampton West Homes Association. The purpose of this replat is to create the tracts and landscape easements so that they can be transferred from the developer of Silverleaf to the Brampton West Homes Association. The final plat does not include construction of public streets or infrastructure improvements. Utility easements, landscape easements, and public rights-of-way are being dedicated to the City of Lenexa with this final plat. This project does not require a Public Hearing.

**STAFF RECOMMENDATION: APPROVAL**

## SITE INFORMATION

Brampton West is a 50-lot single-family subdivision approved by the City in 2005. At the time of approval, the City did not require a landscape buffer to the north of the lots on 95<sup>th</sup> Terrace in anticipation of the potential future construction of 95<sup>th</sup> Street. Brampton West was not adjacent to the 95<sup>th</sup> Street right-of-way; a silver of privately-owned land remained between 95<sup>th</sup> Street and the lots along 95<sup>th</sup> Terrace in Brampton West (see Exhibit 1).

LAND AREA (AC)	BUILDING AREA (SF)	ZONING	COMP. PLAN
2.895	N/A	R-1	N/A

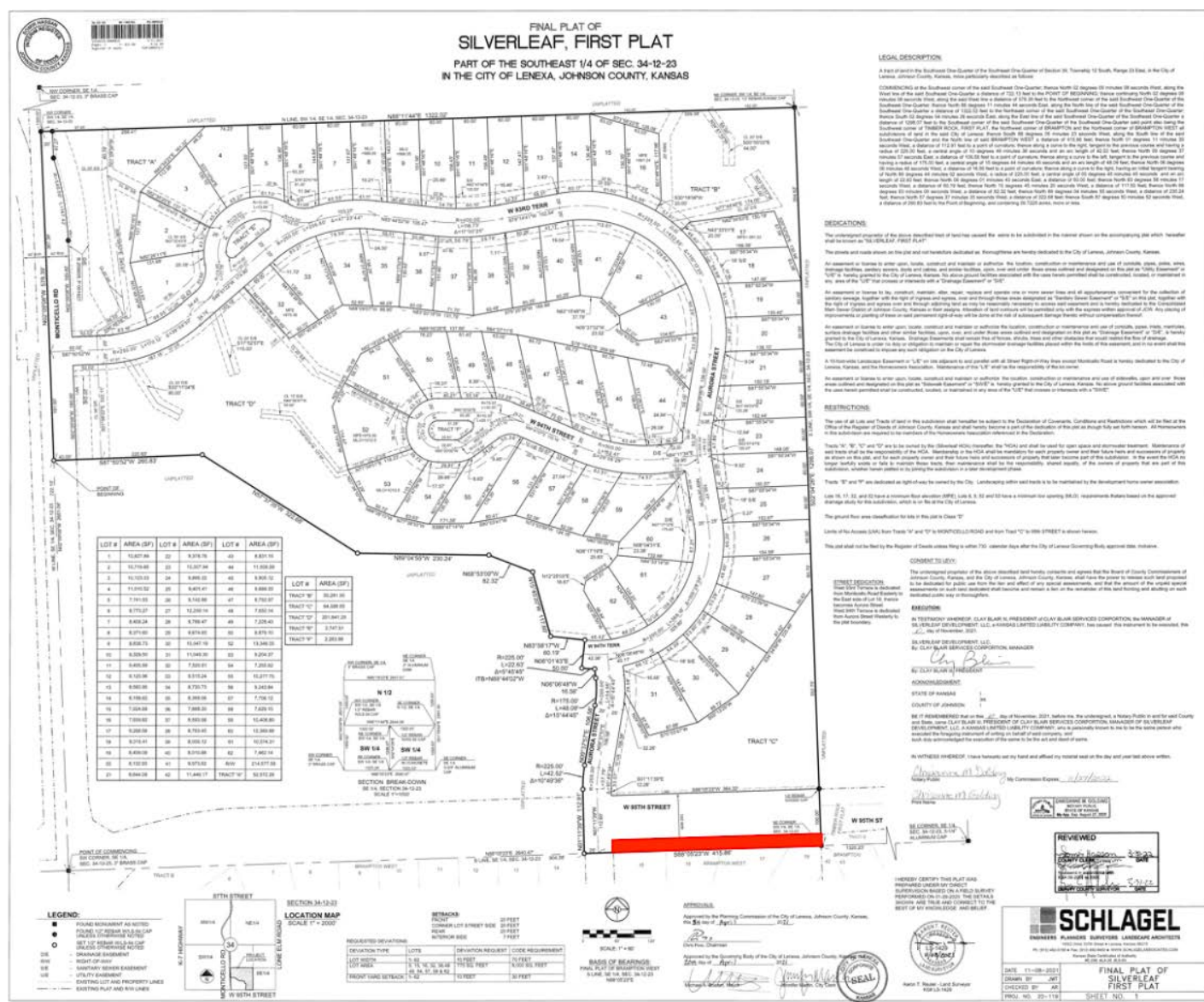


**Exhibit 1: Aerial Image of Subject Area.**



Silverleaf subdivision is located across 95<sup>th</sup> Street to the north of Brampton West. Silverleaf's preliminary plat was approved in September 2020 for 55 lots and 5 tracts including a mix of single-family and two-family lots. Silverleaf, First Plat was approved in April 2021. This plat contained 62 lots, replacing the 12 two-family lots approved with the preliminary plan with 19 single-family lots along 94<sup>th</sup> Street.

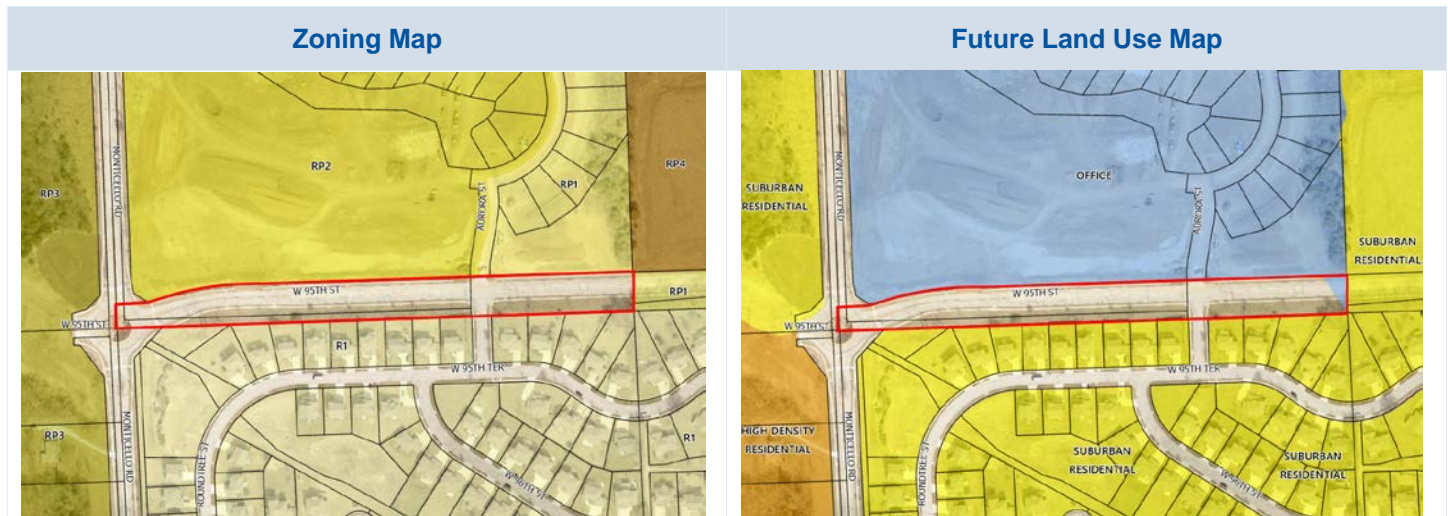
Silverleaf, First Plat included the dedication of a 20-foot x 364-foot area (in red below) as a portion of 95<sup>th</sup> Street right-of-way, abutting the rear property lines of Brampton West to the south. Neither the City nor the utility companies needed the dedication of 95<sup>th</sup> Street right-of-way to extend this width; however, the plat was accepted by staff in error. The subject area should have instead been platted as a tract associated with Silverleaf, First Plat. On December 20, 2022, this area was vacated so that it could be platted as one of two tracts for the purpose of landscaping.



***Exhibit 2: Silverleaf, First Plat and Right-of-Way Area (Vacated December 2022).***

## LAND USE REVIEW

The tracts proposed with this plat will be landscape buffers for the Brampton West single-family residential subdivision and will be maintained by the Brampton West Homeowner's Association. The use is compatible with surrounding residential lots and is consistent with the intent of the Comprehensive Plan.

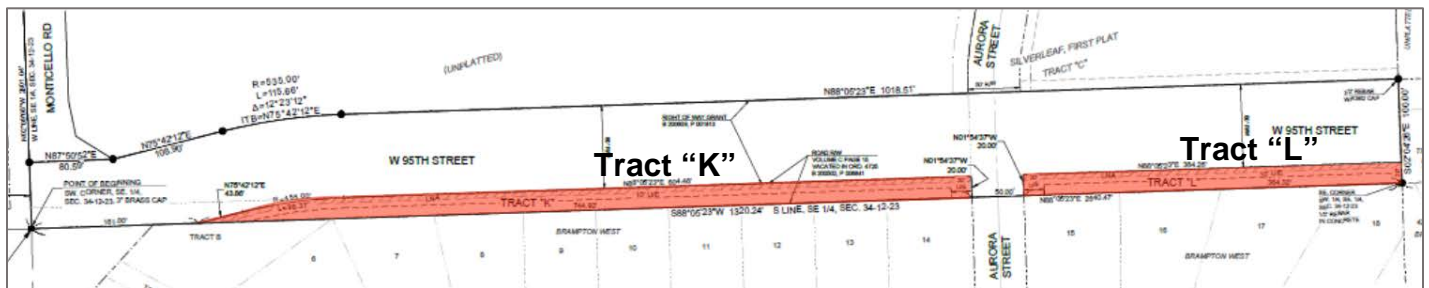


**TABLE 1: COMPARISON OF SURROUNDING PROPERTIES**

Vicinity	Land Use Designation	Zoning	Current Use
<b>Subject Property</b>	Suburban Residential	R-1 Residential Low Density	Right-of-Way & Unplatted Land
<b>North</b>	Office	RP-1 Planned Residential Low Density & RP-2 Planned Residential Intermediate Density	Undeveloped Future Single-Family Residential
<b>South</b>	Suburban Residential	R-1 Residential Low Density	Single-Family Residential
<b>East</b>	Suburban Residential	RP-1 Planned Residential Low Density	Right-of-Way
<b>West</b>	Suburban Residential	RP-3 Planned Residential Medium High Density	Undeveloped Future Townhomes

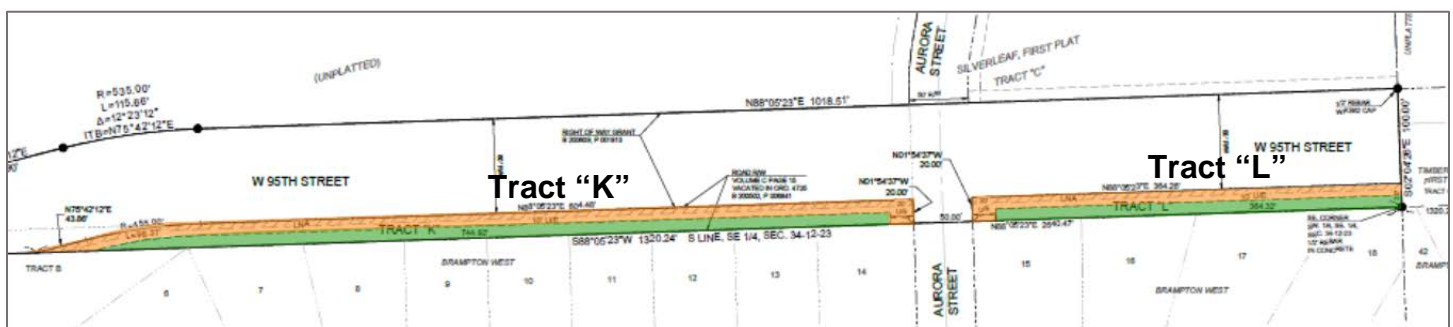
## FINAL PLAT REVIEW

This is a replat of the vacated portion of right-of-way from Silverleaf, First Plat together with right-of-way and unplatted land, containing 2.895 acres. The plat contains two tracts known as Tract “K” and Tract “L” to be dedicated as a landscape easement. Maintenance of the landscape easements shall be the responsibility of the Brampton West Homes Association. In the event the HOA no longer lawfully exists or fails to maintain these tracts, then maintenance shall be the responsibility, shared equally, of the owners of property that are part of the Brampton West subdivision. The purpose of the landscape easement is for Brampton West Subdivision to provide a landscape buffer between the subdivision and 95<sup>th</sup> Street.



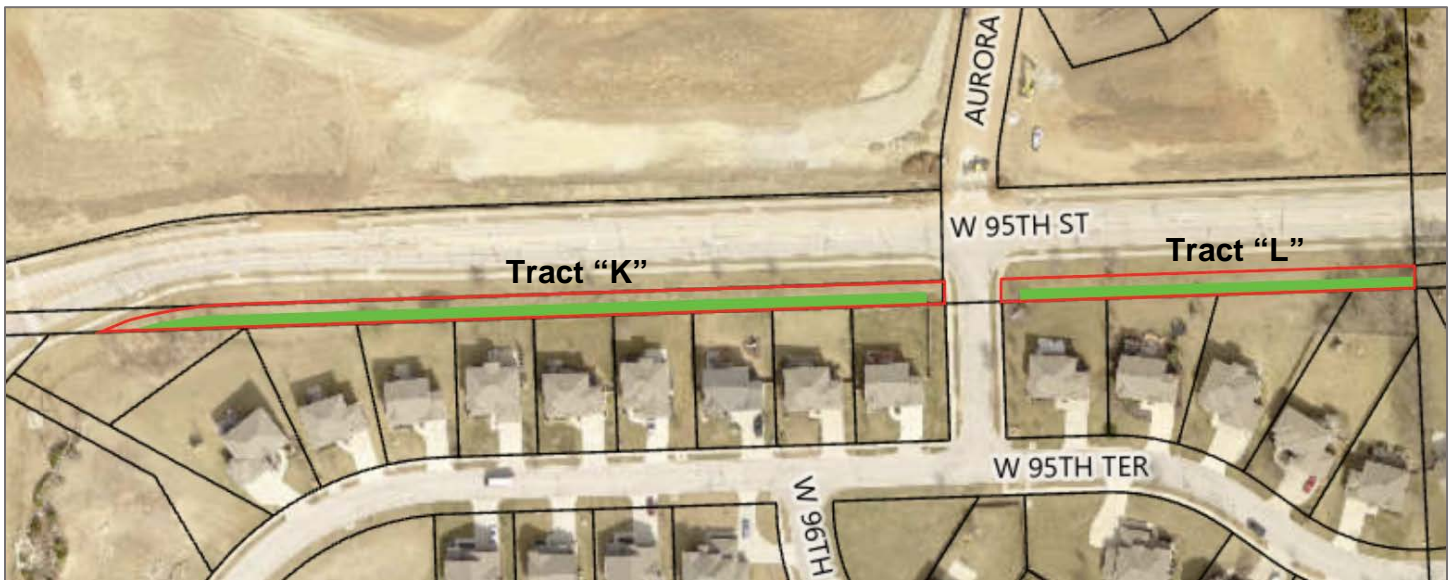
**Exhibit 3: Landscape Buffer Tracts: Tract K (left) and Tract L (right).**

The plat also contains Limits of No Access to prohibit access to the tracts from 95<sup>th</sup> Street and dedications for utility easements and right-of-way. Exhibit 4 shows two 10-foot utility easements (in orange) within Tracts K and L, to be dedicated to the City of Lenexa. Landscape plantings are not typically allowed within utility easements. Therefore, the remaining area of the tracts outside of the utility easements are where the landscape plantings will be planted (shown in green). This planting envelope area outside of any the utility easements is 10-feet wide.



**Exhibit 4: Utility Easements (blue) and Remaining Tract Areas Available for Landscape Plantings (green).**





**Exhibit 5: Tract Areas Available for Landscape Plantings (green).**

Exhibit 5 shows Tracts “K” and “L” outlined in red. The 10-foot planting envelope area outside of any the utility easements is shown in green. Small ornamental trees and shrubs may be allowed within the utility easement outside of this envelope, so long as they may easily be removed to provide access to utilities within the easement.

## DEVIATIONS

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

## REVIEW PROCESS

- The Planning Commission is the final authority for approval of this plat, pending Governing Body acceptance of right-of-way and easements for landscaping and utilities as shown on the final plat, which will be on the agenda for the February 21, 2023 City Council meeting.
- The applicant should inquire about additional City requirements, such as permits and development fees.

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## RECOMMENDATION FROM PROFESSIONAL STAFF

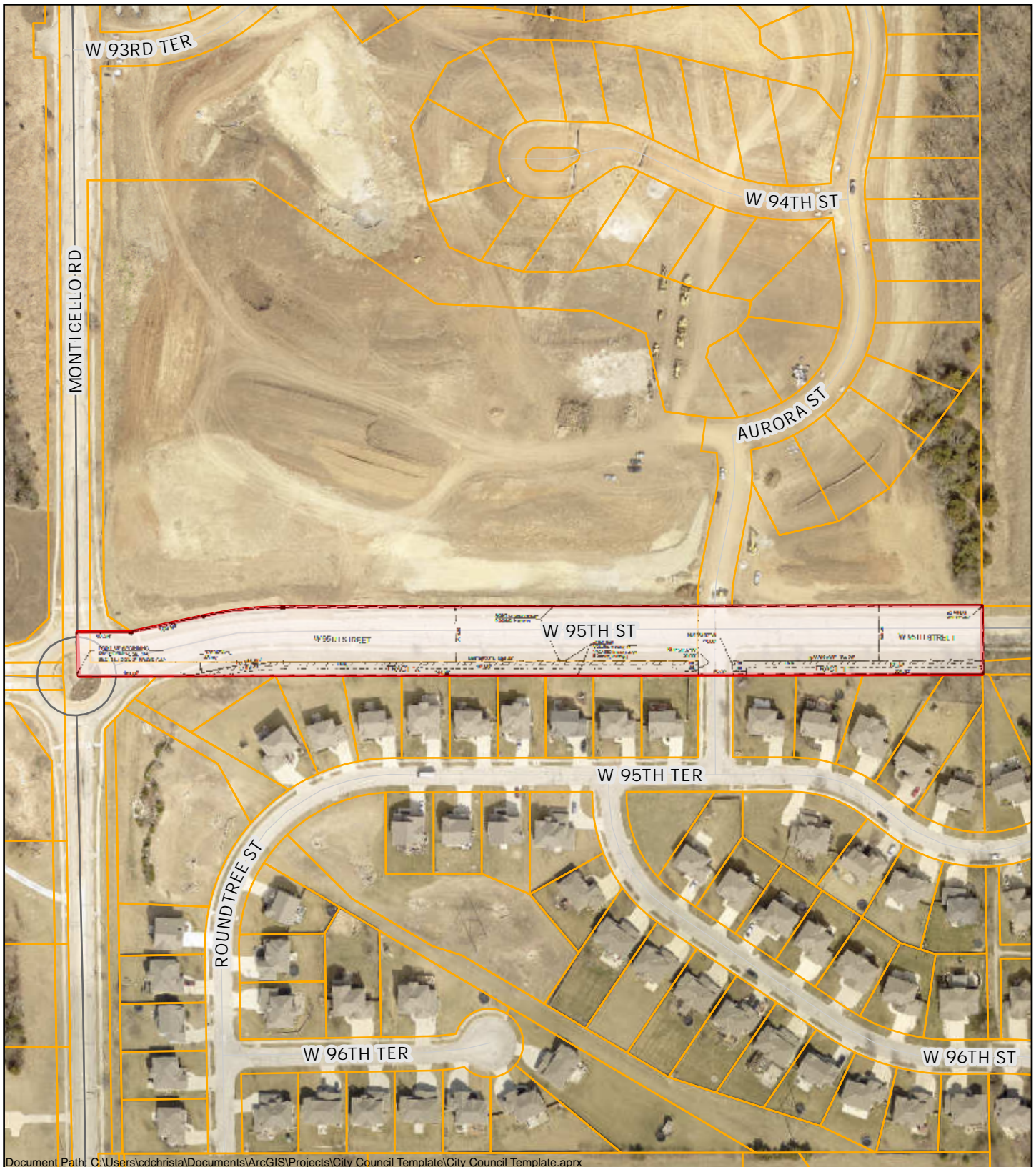
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★ **Staff recommends approval of the proposed Final Plat for Brampton West Tracts.**

- This is a replat of Silverleaf, First Plat and a portion of the vacated 95<sup>th</sup> Street resulting in two tracts for the purpose of buffering and landscaping between 95<sup>th</sup> Street and single-family residences.
- The project is consistent with Lenexa's goals through ***Strategic Community Investment*** and ***Responsible Economic Development*** to create ***Vibrant Neighborhoods***.

### FINAL PLAT

Staff recommends **approval** of the final plat for PT23-06F – **Brampton West Tracts** at 95<sup>th</sup> Street and Aurora Street, for two tracts.



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

## Brampton West Tracts, Final Plat PT23-06F





# FINAL PLAT OF BRAMPTON WEST TRACTS

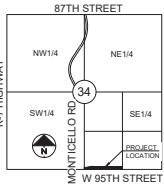
A REPLAT OF ALL OF 95TH STREET RIGHT OF WAY AS RECORDED IN SILVERLEAF, FIRST  
PLAT AND PART OF THE SOUTHEAST 1/4 OF SEC. 34-12-23  
IN THE CITY OF LENEXA, JOHNSON COUNTY, KANSAS

## LEGEND:

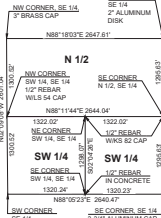
- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR W/LS-54 CAP UNLESS OTHERWISE NOTED
- SET 1/2" REBAR W/LS-54 CAP UNLESS OTHERWISE NOTED
- D/E DRAINAGE EASEMENT
- R/W RIGHT-OF-WAY
- S/E SANITARY SEWER EASEMENT
- U/E UTILITY EASEMENT
- EXISTING LOT AND PROPERTY LINES
- EXISTING PLAT AND RW LINES
- LNA LIMITS OF NO ACCESS



SCALE: 1" = 50'  
BASIS OF BEARINGS:  
FINAL PLAT OF BRAMPTON WEST  
S LINE, SE 1/4, SEC. 34-12-23  
N88°05'23"E



SECTION 34-12-23  
LOCATION MAP  
SCALE 1" = 2000'



SECTION BREAK-DOWN  
SE 1/4, SECTION 34-12-23  
SCALE 1" = 1000'

## DESCRIPTION:

A replat of part of All of 95th Street right of way as platted in SILVERLEAF, FIRST PLAT, a subdivision of land as recorded in Book 202203 at Page 008810 and part of the Southwest One-Quarter of the Southeast One-Quarter of Section 34, Township 12 South, Range 23 East, All in the City of Lenexa, Johnson County, Kansas, and altogether being described as follows:

Beginning at the Southwest corner of the said Southeast One-Quarter; thence along the West line of said Southeast One-Quarter North 02 degrees 09 minutes 08 seconds West, a distance of 63.85 feet; thence North 87 degrees 50 minutes 52 seconds East a distance of 80.59 feet to a point on the Northerly right of way line of West 95th Street as now established by the right of way grant as recorded in book 200609 at page 001813; thence along said Northerly right of way line the following three courses, North 75 degrees 42 minutes 12 seconds East a distance of 108.90 feet to a point of curvature; thence Northeasterly on a curve to the right being tangent to the previous course, having a radius of 535.00 feet, a central angle of 12 degrees 23 minutes 12 seconds and an arc length of 115.66 feet; thence North 88 degrees 05 minutes 23 seconds East a distance of 1018.51 feet to the Northeast corner of said West 95th Street right of way as recorded in book 200609 at page 001813; said corner being the Southeast corner of Tract "C", of said SILVERLEAF, FIRST PLAT, and said corner being on the East line of the said Southwest One-Quarter of the Southeast One-Quarter of Section 34; thence along said East line South 02 degrees 04 minutes 28 seconds East a distance of 100.00 feet to the Southeast corner of the said Southwest One-Quarter of the Southeast One-Quarter of Section 34, said point also being the Southwest corner of TIMBER ROCK, FIRST PLAT; the Northwest corner of BRAMPTON and the Northeast corner of BRAMPTON WEST all subdivisions of land in the said City of Lenexa; thence along the South line of the said Southwest One-Quarter of the Southeast One-Quarter of Section 34 and the North line of said BRAMPTON WEST, South 88 degrees 05 minutes 23 seconds West a distance of 1320.24 feet to the Point of Beginning, and containing 2.895 acres, more or less.

## 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 "BRAMPTON WEST TRACTS".  
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, wires, drainage facilities, sanitary sewers, ducts and cables, and similar facilities, upon, over and under those areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Lenexa, Kansas.

Tracts "K" and "L" will be owned and maintained by the Brampton West Homes Association. These Tracts are intended to be used for landscaping and utility easements.

A Landscape Easement or "L/E" over Tracts "K" and "L" is hereby dedicated to the City of Lenexa, Johnson County, Kansas. Maintenance of said easement shall be the responsibility of the Brampton West Homes Association, with access granted to the City of Lenexa. In the event the HCA no longer lawfully exists or fails to maintain these tracts, then maintenance shall be the responsibility, shared equally, of the owners of property that are part of the Brampton West subdivision.

## RESTRICTIONS:

The use of all Tracts of land in this subdivision shall hereafter be subject to the Declaration of Brampton West Deed Restrictions filed at the Office of the Register of Deeds of Johnson County, Kansas on May 28, 2010 in book 201005 at page 008140 as instrument No. 7201002221 and shall hereby become a part of the dedication of this plat as though fully set forth herein. All property owners in this subdivision are required to be members of the Homeowners Association referenced in the Declaration.

Limits of No Access (LNA) from Tracts "K" and "L" to 95th STREET as shown hereon.

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.

## CONSENT TO LEVY:

The undersigned proprietor of the above described land hereby consents and agrees that the Board of County Commissioners of Johnson County, Kansas, and the City of Lenexa, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public use from the lien and effect of any special assessments, and that the amount of the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of this land fronting and abutting on such dedicated public way or thoroughfare.

## EXECUTION:

IN TESTIMONY WHEREOF, CLAY BLAIR III, PRESIDENT OF CLAY BLAIR SERVICES CORPORATION, the MANAGER of SILVERLEAF DEVELOPMENT, LLC, a KANSAS LIMITED LIABILITY COMPANY, has caused this instrument to be executed, this \_\_\_\_ day of \_\_\_\_\_, 2023.

SILVERLEAF DEVELOPMENT, LLC,  
By: CLAY BLAIR SERVICES CORPORATION, MANAGER

By: CLAY BLAIR III, PRESIDENT

## ACKNOWLEDGMENT:

STATE OF KANSAS )  
COUNTY OF JOHNSON ) ss.

BE IT REMEMBERED that on this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public in and for said County and State, came CLAY BLAIR III, PRESIDENT OF CLAY BLAIR SERVICES CORPORATION, MANAGER OF SILVERLEAF DEVELOPMENT, LLC, A KANSAS LIMITED LIABILITY COMPANY, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said company, and such duly acknowledged the execution of the same to be the act and deed of same.

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

Notary Public \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Print Name \_\_\_\_\_

## APPROVALS:

Approved by the Planning Commission of the City of Lenexa, Johnson County, Kansas,  
this \_\_\_\_ day of \_\_\_\_\_, 2023.

Chris Poss, Chairman

Approved by the Governing Body of the City of Lenexa, Johnson County, Kansas, this  
day of \_\_\_\_\_, 2023.

Michael A. Boehm, Mayor

Jennifer Martin, City Clerk

LOT #	AREA (SF)
95TH ROW	104,901.17
TRACT "K"	13,900.17
TRACT "L"	7,285.77



Aaron T. Reuter - Land Surveyor  
KS#LS-1429

I HEREBY CERTIFY THIS PLAT WAS  
PREPARED UNDER MY DIRECT  
SUPERVISION BASED ON A FIELD SURVEY  
PERFORMED ON 01-29-2020 AND  
06-10-2022. THE DETAILS SHOWN ARE  
TRUE AND CORRECT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF.



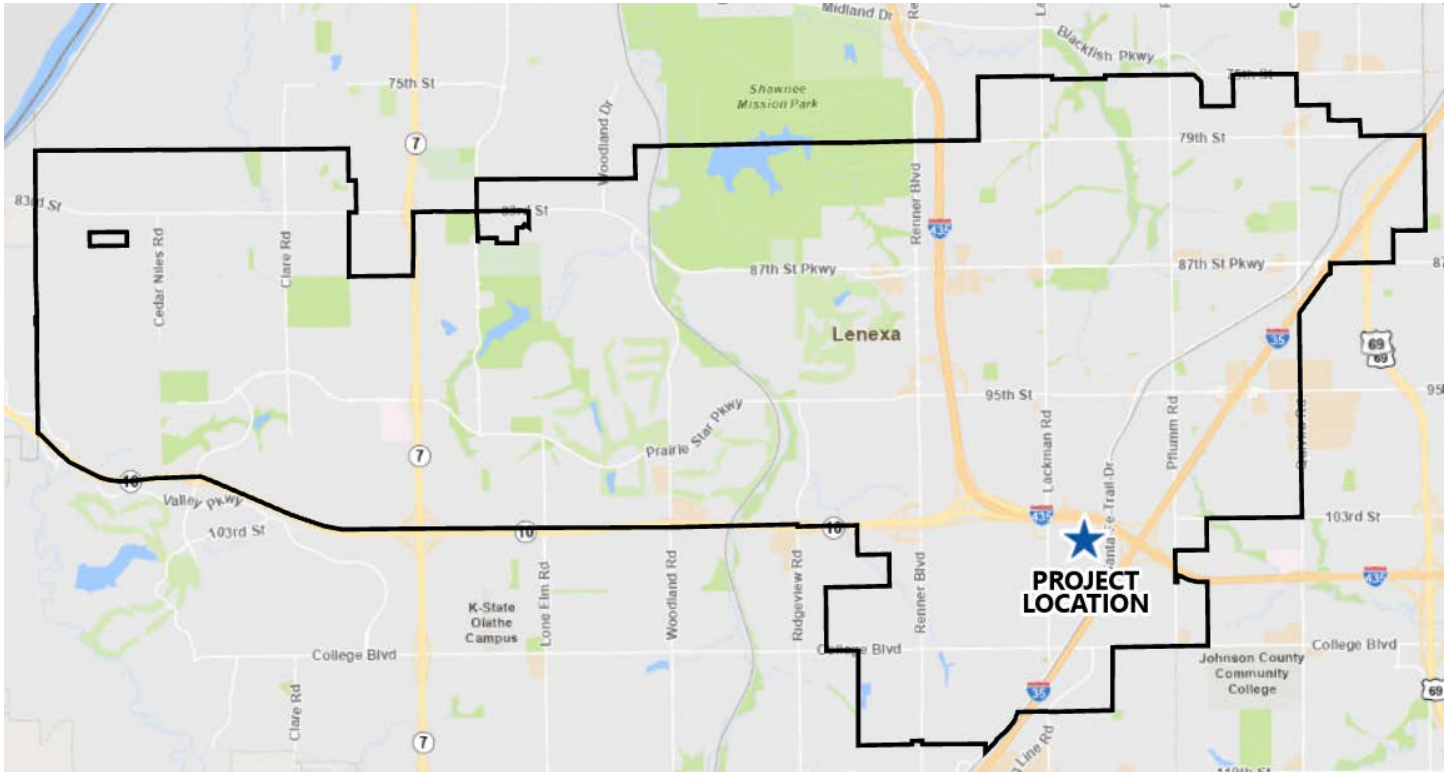
1402 West 107th Street • Lenexa, Kansas 66151  
Ph: (913) 492-6158 • Fax: (913) 492-6402 • WWW.SCHLAGELASOCIATES.COM  
Kansas State Certified Public Accountant  
KS-CPS (04-22) 6LS-54

DATE 12-15-2022	FINAL PLAT OF
DRAWN BY SCH	BRAMPTON WEST TRACTS
CHECKED BY AR	
PROJ. NO. 22-069	SHEET NO. 1

REV: 1-24-2023  
REV: 1-16-2023

## TIERPOINT SIGN DEVIATION

<b>Project #:</b>	DV23-01	<b>Location:</b>	14500 W. 105 <sup>th</sup> Street
<b>Applicant:</b>	Dustin Fankhauser	<b>Project Type:</b>	Deviation
<b>Staff Planner:</b>	Kimberly Portillo, AICP	<b>Proposed Use:</b>	Data Processing (Office)



### PROJECT SUMMARY

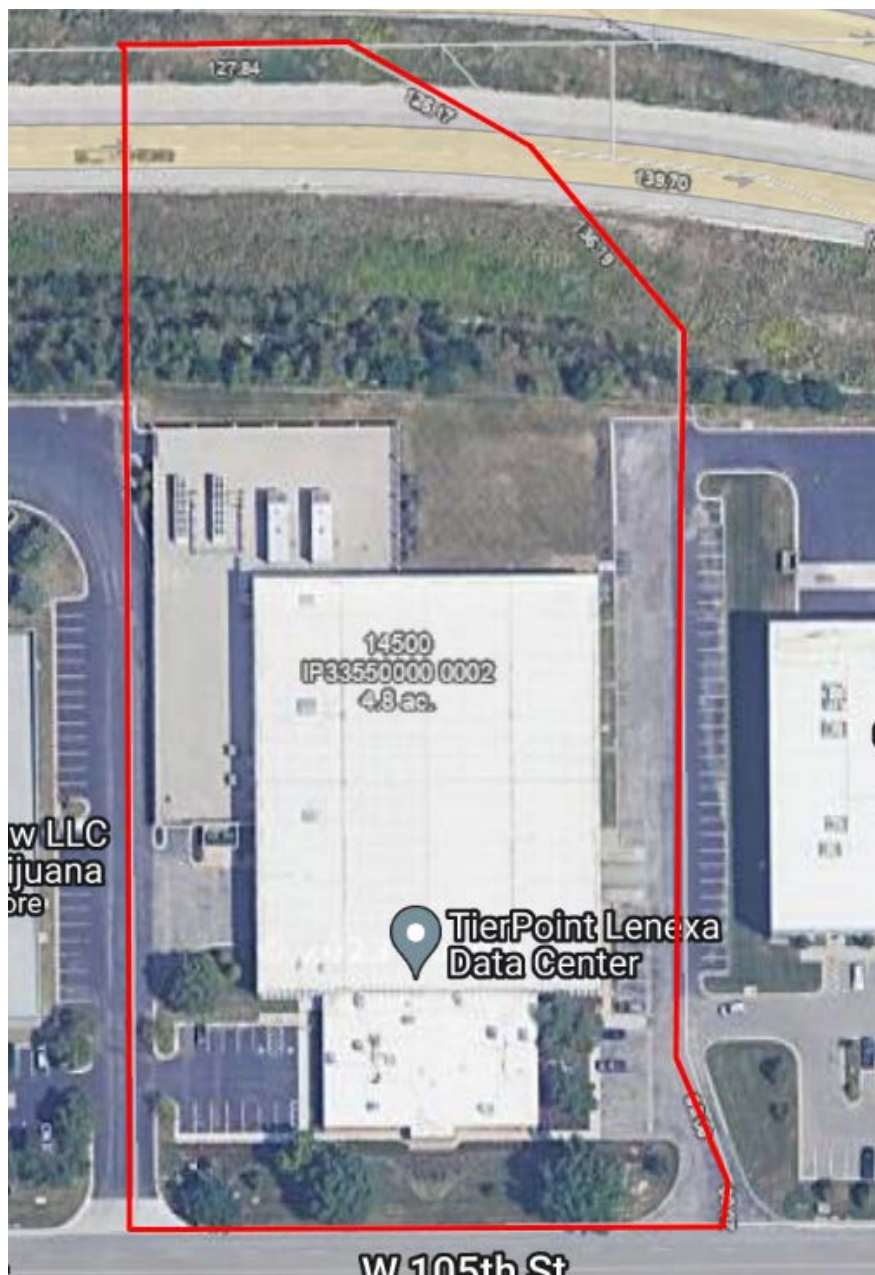
The applicant requests a deviation from Section 4-1-E-11 *Permitted Façade Signs*, of the Unified Development Code for TierPoint, a data processing facility located at 14500 W. 105<sup>th</sup> Street. The deviation request is to allow two façade signs on facades that are not architecturally finished to the degree of the building front. Staff supports the proposed deviations with a condition requiring that the rooftop mechanical equipment on the brick portion of the building be screened with a parapet wall and the south sign be relocated to the new parapet wall. The subject site is Lot 2 of the Inland Business Centre, First Plat in the Park-Len Business Park. This site is also subject to the *Inland Business Center Sign Criteria*. This project does not require a Public Hearing.

### STAFF RECOMMENDATION: APPROVAL WITH A CONDITION

## SITE INFORMATION

The existing building was constructed in 1973. The subject site is Lot 2 of the Inland Business Centre, First Plat, which was recorded in December of 2011. The building has housed a variety of industrial uses including manufacturing and newspaper printing. A 2013 final plan (PL12-02FSR) for addition of an outdoor area for data storage equipment was approved as part of a conversion of the building to a data storage center, known as CoSentry. TierPoint, the current tenant, took over operations from CoSentry in 2016.

<b>LAND AREA (AC)</b> 4.85	<b>BUILDING AREA (SF)</b> 62,732	<b>CURRENT ZONING</b> BP-2	<b>COMP. PLAN</b> Business Park
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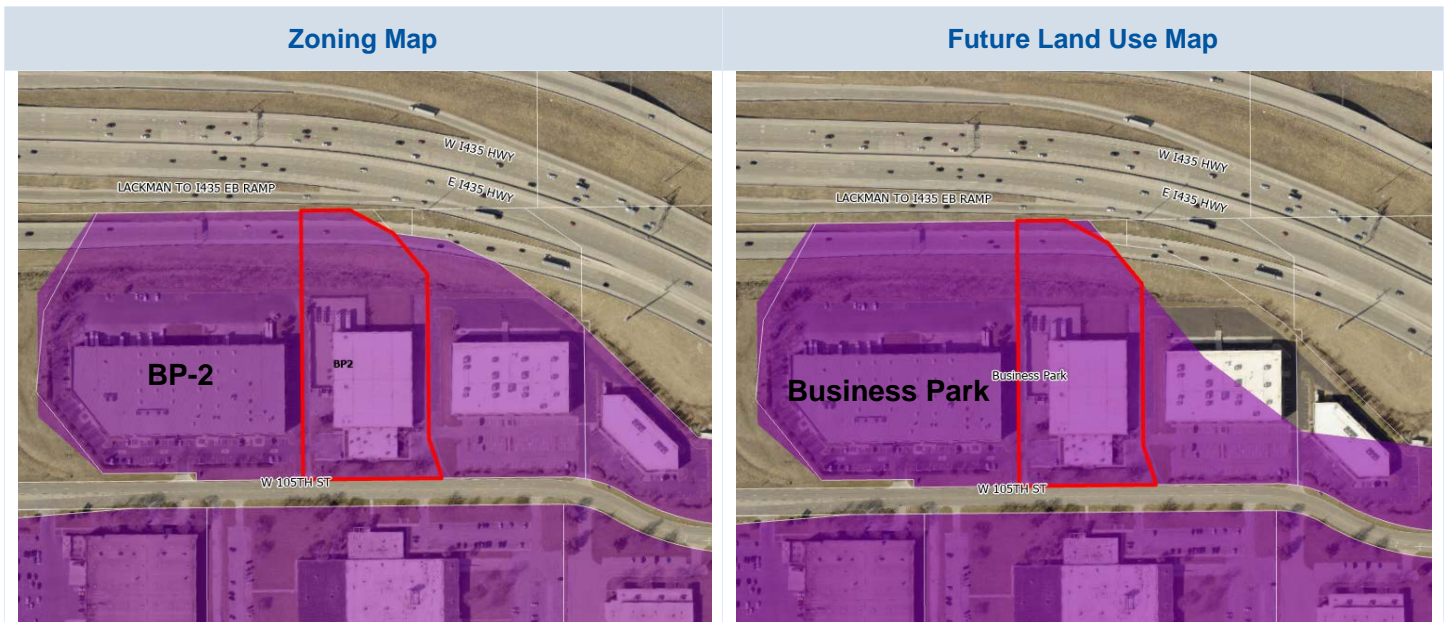


### ***Exhibit 1: Aerial Image of Subject Site***



## LAND USE REVIEW

TierPoint is a data center, formerly known at this location as CoSentry. Data centers fall under the *Office* use category in the Unified Development Code. The use is allowed in the BP-2, Planned Manufacturing District. Surrounding buildings in the Inland Business Center host manufacturing and industrial uses. The use is compatible with surrounding uses, the zoning designation, and the future land use designation.



**TABLE 1: COMPARISON OF SURROUNDING PROPERTIES**

Vicinity	Land Use Designation	Zoning	Current Use
<b>Subject Property</b>	Business Park	BP-2	Business Park
<b>North</b>	Business Park (across I-435)	BP-2 (across I-435)	Business Park
<b>South</b>	Business Park	BP-2	Business Park
<b>East</b>	Business Park	BP-2	Business Park
<b>West</b>	Business Park	BP-2	Business Park

## DEVIATION REVIEW

The applicant requests deviations to allow two façade signs on facades that are not architecturally finished to the degree of the building front.

- ★ **Discussion Item #1: The Planning Commission must consider the requested sign deviations.**



*Exhibit 2: Locations of proposed signs.*



*Exhibit 3: Photo illustrating the off-set front facades from 105<sup>th</sup> St.*

## SIGN 1

Sign 1 is located on the upper portion of the south façade, stepped back approximately 85 feet from the brick facade facing 105<sup>th</sup> Street. The proposed sign requires a deviation from the following code section:

- Section 4-1-E-11-C-1: Individual Commercial, Industrial and Office Buildings may have up to 3 identification façade signs, 1 per façade, on facades that are architecturally finished to a degree similar to that of the building front.
  - A deviation is required from this section due to the applicant proposing to place the sign on the section of the façade that is not architecturally finished as brick.



**Exhibit 4: Rendering of Proposed Sign 1.**

The following criteria are considered when reviewing a request for a sign deviation:

1. Purpose and intent of the code.
  - a. The sign itself is made of quality materials. The purpose and intent of the code, which is to promote high-quality design while preventing an adverse community experience, would be met if the sign were relocated to the brick façade of the building or if the rooftop mechanical equipment were screened and designed in a way to accommodate the sign.
2. Impacts on adjacent properties.
  - a. The proposed sign would not have a significant impact on surrounding properties, though it would add to the visual clutter of the roof of this building as it draws one's eye up to that area. This is a single tenant building in an industrial park. The proposed sign is similar in size and design to signs installed on surrounding properties.
3. Safety.
  - a. The proposed sign is a façade sign and will not have any flashing lights or other elements that will distract drivers and create a safety hazard.
4. Visual clutter.
  - a. The dimensions of the sign and lettering are in compliance with the dimensional standards of the Unified Development Code. Only two of the building's four facades will have a sign.
  - b. Rooftop units and mechanical equipment protrude from the top of office section of the building and are a visible eyesore from the public right-of-way. Staff recommends a condition requiring screening of the rooftop units via a parapet wall, which would reduce the existing visual clutter (see example on Exhibit 9). Staff would support placing the sign on the parapet wall, as there is



limited space on the brick façade above the primary entrance, which is where the Inland Business Centre Sign Criteria requires placement of the sign. A separate building permit would be required for installation of the parapet wall. If the applicant does not agree to provide screening of the rooftop mechanical equipment staff does not support the deviation for the sign proposed on the south façade and the applicant would need to consider locating the sign on the brick portion of the building and potentially modify the Inland Business Centre Sign Criteria to accommodate the sign.



**Exhibit 5: Rooftop mechanical equipment view from west.**



**Exhibit 6: Rooftop mechanical equipment view from south.**



**Exhibit 7: Rooftop mechanical equipment view from south.**



**Exhibit 8: Rooftop mechanical equipment view from east.**



***Exhibit 9: Sample rendering to illustrate potential screening of rooftop units, south elevation.***

5. Site constraints.
  - a. The design of the building creates a unique condition in that there are two separate finishes visible from the street view. The office portion of the building uses a brick and stone material, while the rear extension for the warehouse portion of the building is constructed of concrete tilt-up panels that rise above the roofline of the office portion.
6. Lighting.
  - a. No lighting is proposed for Sign 1.
7. Promotion of high-quality, unique design.
  - a. The proposed sign is an aluminum panel with flat cut out aluminum letters mounted to the panel. The aluminum material is considered to be standard and high-quality within the industry.

Nearby, the building at 14305 W. 105<sup>th</sup> Street is of similar construction and has provided screening of the rooftop units. If the TierPoint sign were allowed above the roofline without the screening, the sign would add to the visual clutter and would draw one's eye up to the unattractive rooftop mechanical equipment. Any building constructed under current standards would be required to screen the rooftop mechanical equipment.



***Exhibit 10: Rooftop screening provided on a similar building at 14305 W. 105<sup>th</sup> Street.***

Staff sees the potential for three alternatives for the placement of the sign.

**Alternative 1:** A parapet wall is added to screen the mechanical equipment and the sign is placed on the new parapet, centered above the front entrance. Allowing the sign, but requiring screening, would be an overall improvement for the appearance of the building.

Staff supports this as the preferred alternative.

**Alternative 2:** A parapet wall is added to screen the mechanical equipment and the sign is placed on the concrete wall set back from the brick façade. It is likely that the mechanical equipment and required screening would at least partially block view of the sign on the set-back façade. While staff supports the screening of the equipment, the limited visibility of the sign is not practical.

This is not staff's preferred option but could be supported if the applicant chooses.

**Alternative 3:** A deviation is not granted and the sign is placed on the brick façade. The Inland Business Centre Sign Criteria requires that signage on the front of the building be centered above the primary entrance. Given the limited space above the front entryway on the brick façade, this would not be possible. For this alternative to work the applicant will need to revise the Inland Business Centre Sign Criteria to allow the sign to be placed off-center on the brick facade. Revision of the sign criteria requires staff-level approval.

This alternative does not include screening of the rooftop units. While Staff would support this alternative, it is not preferred since the unattractive mechanical equipment would remain unscreened.



## SIGN 2

Sign 2 is located on the north façade at the rear of the building facing I-435. The proposed sign requires a deviation from the following code section:

- Section 4-1-E-11-C-1: Individual Commercial, Industrial and Office Buildings may have up to 3 identification façade signs, 1 per façade, on facades that are architecturally finished to a degree similar to that of the building front.
  - A deviation is required from this section due to the applicant proposing to place the sign on the section of the façade that is not architecturally finished as brick like the front of the building.



**Exhibit 11: Sign 2 on the north elevation.**

The following criteria are considered when reviewing a request for a sign deviation:

1. Purpose and intent of the code.
  - a. The purpose and intent of the code, which is to promote high-quality design while preventing an adverse community experience, is met because the sign is made of quality materials in a legible design. There is no brick alternative to add a sign to this façade of the building and retrofitting it to different materials is not reasonable.
2. Impacts on adjacent properties.
  - a. The proposed sign would not have a significant impact on surrounding properties. This is a single tenant building in an industrial park. The proposed sign is similar in size and design to signs installed on surrounding properties.
3. Safety.
  - a. The proposed sign is a façade sign and will not have any flashing lights or other elements that will distract drivers and create a safety hazard. This sign is located on the rear of the building and is visible from I-435.
4. Visual clutter.
  - a. The proposed sign is in compliance with the dimensional standards of the Unified Development Code. There is minimal visual clutter from the finish material and paint accents on this façade of the building. The applicant could consider altering the accent band to be a uniform color behind the sign. This change would likely enhance readability between the blue font color and the black paint accent color.
5. Site constraints.

- a. This deviation again arises from the unique condition that a brick standout section exists on the front of the building. All other facades are concrete tilt-up, which is consistent with the construction of the other buildings in the Inland Business Centre, on both sides of this building. The surrounding buildings would be allowed a sign on the rear façade because their primary facades are also of concrete design. This subject building is at a disadvantage due to having an enhanced primary façade.
6. Lighting.
  - a. Sign 2 includes internally illuminated channel letters. This lighting complies with the standards of the Unified Development Code.
7. Promotion of high-quality, unique design.
  - a. The proposed sign uses illuminated channel letters mounted on a raceway bracket. The bracket will be a grey color to blend with the exterior of the building while the proposed letters are blue and green. This is considered of quality material.

Staff supports this deviation for sign 2 on the north façade (rear of the building) based on the reasons outlined within this section of the report.

## REVIEW PROCESS

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- The Planning Commission is the final authority for approval of this deviation request.
- The applicant should inquire about additional City requirements, such as permits and development fees.

## RECOMMENDATION FROM PROFESSIONAL STAFF

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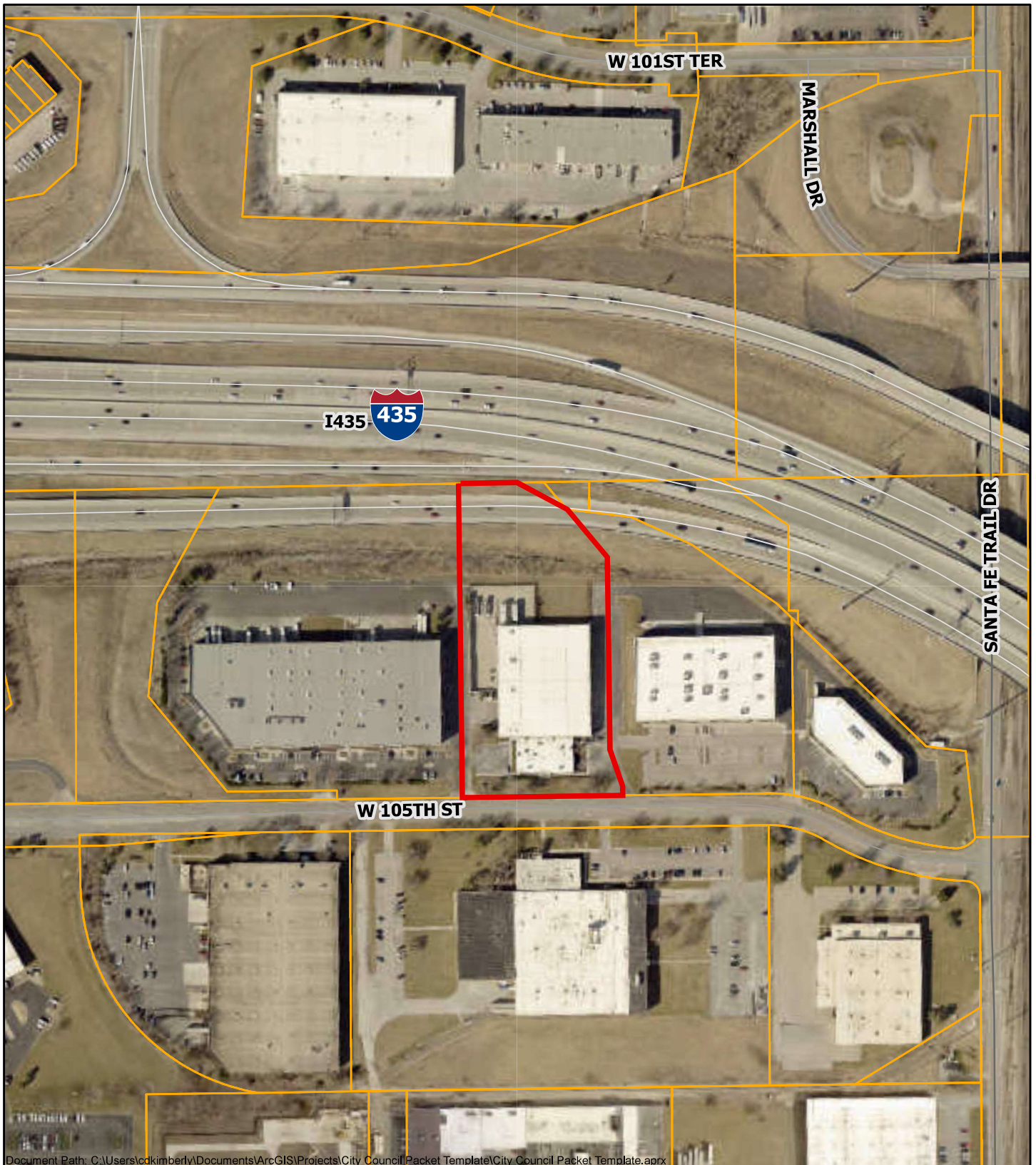
★ **Staff recommends approval of the proposed sign deviation for TierPoint.**

- This request is to allow deviations from the sign requirements of the UDC for two façade signs in the BP-2, Planned Manufacturing District.
- The project is consistent with Lenexa's goals through ***Responsible Economic Development*** to create ***Thriving Economy***.

## SIGN DEVIATION

Staff recommends **approval** of the deviation request for DV23-01 – **TierPoint Sign Deviation** at 14500 W. 105<sup>th</sup> Street, for sign deviations in the BP-2, Planned Manufacturing District with the following condition:

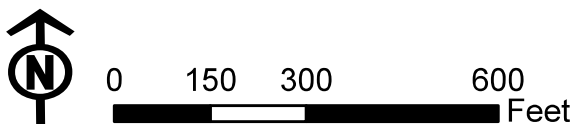
1. Rooftop mechanical units that are visible from 105<sup>th</sup> Street shall be screened from view using an appropriately designed parapet wall approved by the City and constructed prior to or concurrently with obtaining any sign permits for the property.



Document Path: C:\Users\cdkimberly\Documents\ArcGIS\Projects\City Council Packet Template\City Council Packet Template.aprx

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

## TierPoint Sign Deviation DV23-01







**ORIGINAL DESIGN**

14500 W. 105th St.  
Lenexa, Ks. 66215

January 12, 2023



Excel Light & Signs  
1100 McApline Ave  
Kansas City, KS 66105  
dustan@excelkc.com

Phone: 913.492.4000  
Fax: 913.800.8199  
www.ExcelKC.com

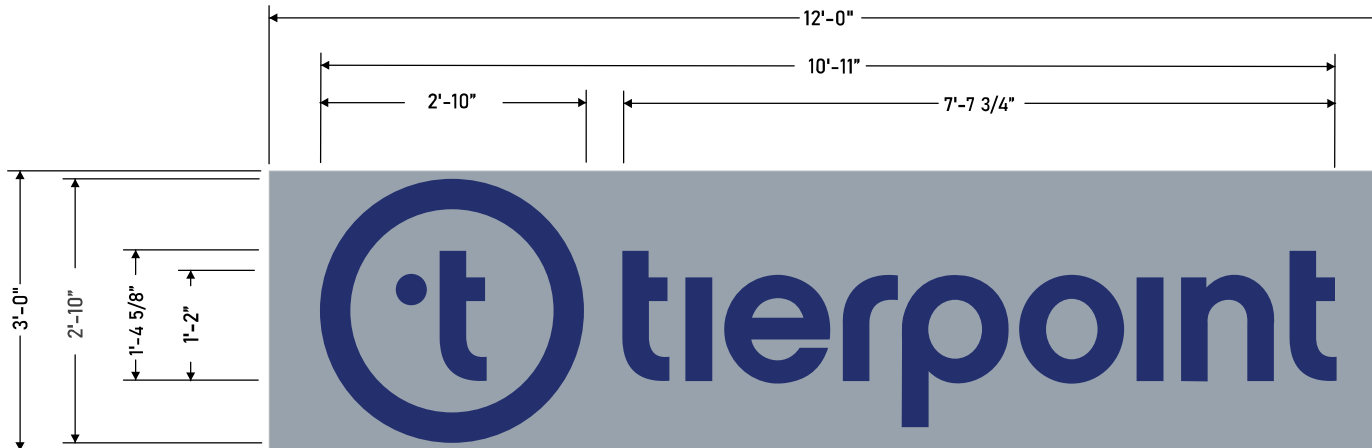
# CHANNEL LETTERS

SCALE: NTS



STOREFRONT ELEVATION

SCALE: 1/8"=1'-0"



ALUMINUM PANEL  
PAINTED TO MATCH BUILDING  
COLOR

1/4" THICK FLAT CUT OUT  
ALUMINUM LETTERS MOUNTED  
ON TO ALUMINUM PANEL.

SIGN  
A

MEASUREMENTS

SCALE: 3/4"=1'-0"

**excel**  
LIGHTING & SIGNS

1100 McALPINE AVE KANSAS CITY, KS 66105  
Ph: 913.492.4000 Fax: 913.800.8199  
excelkc.com

<b>CLIENT:</b> Viagio Technologies
<b>ADDRESS:</b>

<b>TICKET NO.:</b> 246965	<b>DRAWING NO.:</b> 20-029	<b>DATE:</b> 3.10.22
<b>PROJECT MANAGER:</b> DUSTAN FANKHAUSER	<b>DESIGNER:</b> DF	
<b>ELECTRONIC FILE NAME:</b>		
<b>REVIEWED BY:</b>	<b>DATE:</b>	

DATE:	REVISIONS:

<b>CLIENT SIGNATURE &amp; APPROVAL DATE:</b>

THIS DESIGN IS THE SOLE PROPERTY OF EXCEL LIGHTING AND CAN NOT BE USED IN WHOLE OR PART WITHOUT WRITTEN CONSENT

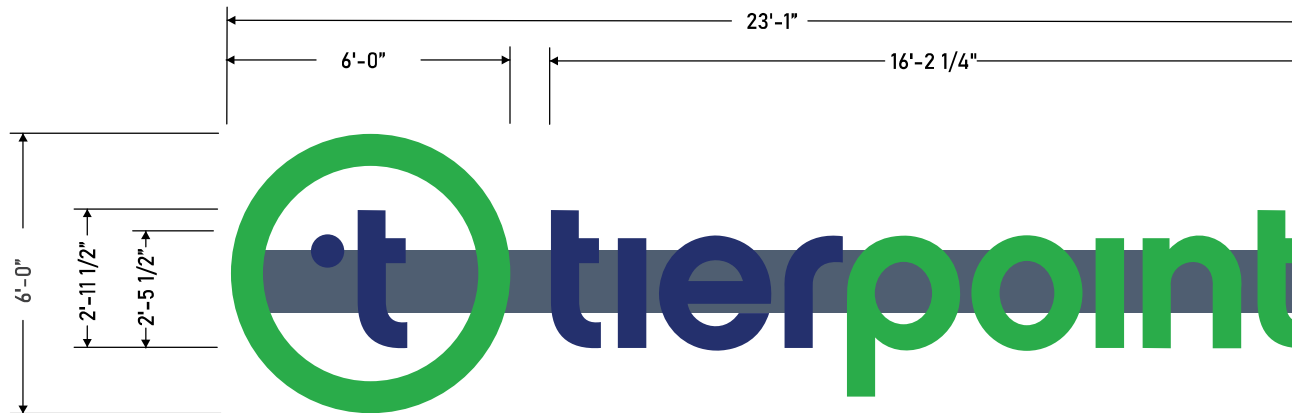
**excel**  
LIGHTING & SIGNS

**CHANNEL LETTERS ON RACEWAY**  
SCALE: NTS



REAR ELEVATION

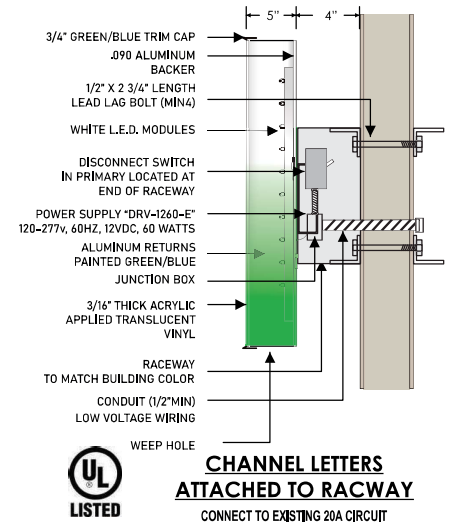
SCALE: 1/8"=1'-0"



SIGN  
B

MEASUREMENTS

SCALE: 1/2"=1'-0"



**excel**  
LIGHTING & SIGNS

1100 McALPINE AVE KANSAS CITY, KS 66105  
Ph: 913.492.4000 Fax: 913.800.8199  
excelkc.com

<b>CLIENT:</b> Viagio Technologies
<b>ADDRESS:</b>

<b>TICKET NO.:</b> 246965	<b>DRAWING NO.:</b> 20-029	<b>DATE:</b> 3.10.22
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<b>REVIEWED BY:</b>	<b>DATE:</b>	

DATE:	REVISIONS:

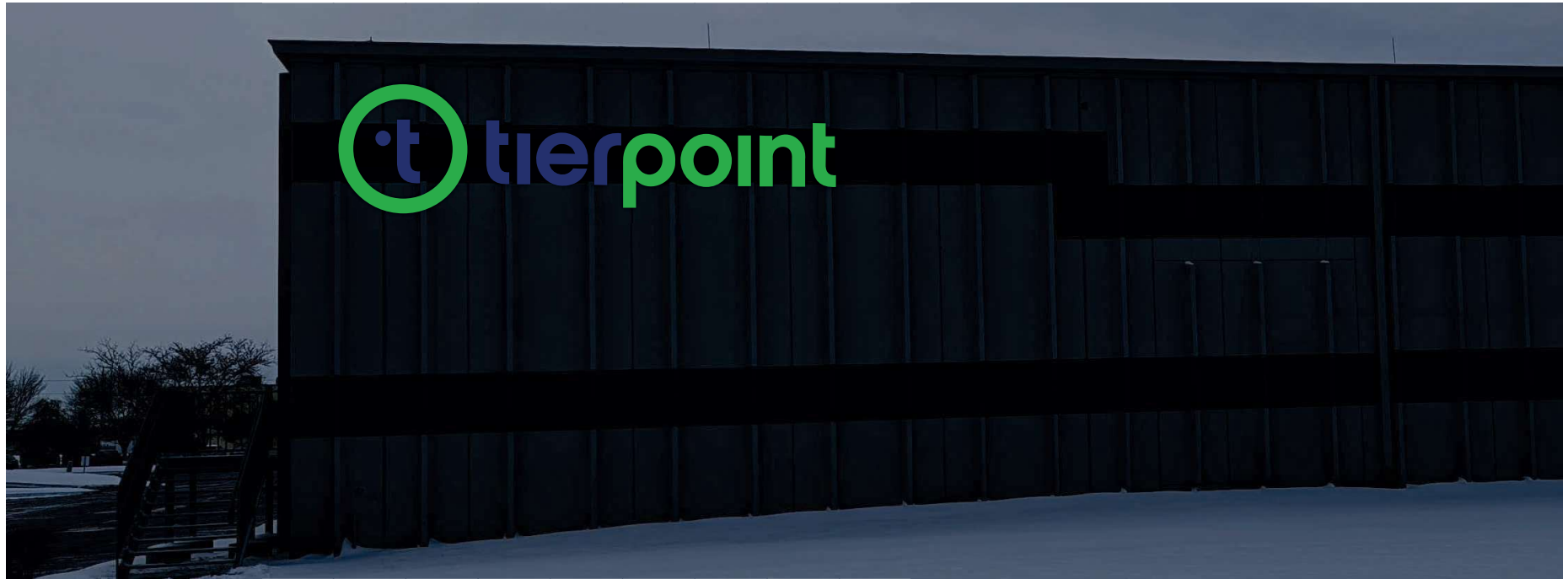
<b>CLIENT SIGNATURE &amp; APPROVAL DATE:</b>

**excel**  
LIGHTING & SIGNS

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**CHANNEL LETTERS ON RACEWAY**  
SCALE: NTS



**excel**  
LIGHTING & SIGNS

1100 McALPINE AVE KANSAS CITY, KS 66105  
Ph: 913.492.4000 Fax: 913.800.8199  
excelkc.com

<b>CLIENT:</b>
Viagio Technologies
<b>ADDRESS:</b>

<b>TICKET NO.:</b>	<b>DRAWING NO.:</b>	<b>DATE:</b>
246965	20-029	3.10.22
<b>PROJECT MANAGER:</b>	<b>DESIGNER:</b>	
DUSTAN FANKHAUSER	DF	
<b>ELECTRONIC FILE NAME:</b>		
<b>REVIEWED BY:</b>	<b>DATE:</b>	

DATE:	REVISIONS:

<b>CLIENT SIGNATURE &amp; APPROVAL DATE:</b>

**excel**  
LIGHTING & SIGNS

THIS DESIGN IS THE SOLE PROPERTY OF EXCEL LIGHTING AND CAN NOT BE USED IN WHOLE OR PART WITHOUT WRITTEN CONSENT

## CALL TO ORDER

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Chairman Poss called the regular meeting of the Lenexa Planning Commission to order at 7:00 p.m. on Monday, January 9, 2023. The meeting was held in the Community Forum at Lenexa City Hall at 17101 W. 87th Street Parkway, Lenexa, Kansas.

## ROLL CALL

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### COMMISSIONERS PRESENT

Commissioner John Handley  
Commissioner Ben Harber  
Commissioner Jerry Harper  
Commissioner Don Horine  
Commissioner Jason Leib  
Commissioner David Woolf  
Commissioner Brenda Macke  
Vice-Chairman Mike Burson  
Chairman Chris Poss

### COMMISSIONERS ABSENT

Commissioner Curt Katterhenry

### STAFF PRESENT

Scott McCullough, Director of Community Development  
Stephanie Kisler, Planning and Development Administrator  
Tim Collins, Engineering Construction Services Administrator  
Andrew Diekemper, Fire Division Chief  
Stephen Shrout, Assistant City Attorney  
Christa McGaha, Planner II  
Kim Portillo, Planner II  
Gloria Lambert, Senior Administrative Assistant

## APPROVAL OF MINUTES

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The minutes of the December 5, 2022 meeting were presented for approval. Hearing no changes or corrections to the minutes of the regular meeting, Chairman Poss entertained a motion to **APPROVE** the minutes as written. Moved by Commissioner Handley, seconded by Commissioner Horine and **APPROVED** by a majority voice vote.

## CONSENT AGENDA

1. **City Center Lenexa Area A (Restaurant Row) - Consideration of a final plan for property located near the southeast corner of W. 87th Street Parkway & Scarborough Street within the CC, Planned City Center, Zoning District. PL23-02F**  
*Consideration of a final plan for the development of two restaurant/retail buildings (A1 and A4) on a 4.51 acre site in Lenexa City Center. Building A1 is 9,191 square feet and Building A4 is 8,534 square feet.*
2. **Redevelopment Project Plan 1J for the City Center TIF District - Consideration of a resolution for property located near the southeast corner of W. 87th Street Parkway & Scarborough Street within the CC, Planned City Center, Zoning District.**  
*Consideration for adopting a resolution and making findings that the proposed Project Plan 1J is consistent with the City's Comprehensive Plan.*
3. **Southlake Twenty-First Plat (DataBank Expansion) - Consideration of a final plat for property located at 11200 Lakeview Avenue within the BP-2, Planned Manufacturing District. PT23-04F**  
*Consideration of a final plat to replat two existing lots and one tract to facilitate the expansion of a data center and equipment yard in the BP-2, Planned Manufacturing District.*
4. **Lenexa Logistics Centre, 8th Plat - Consideration of a final plat for property located at the northwest corner of 113th & Renner Boulevard within the BP-2, Planned Manufacturing District. PT23-01F**  
*Consideration of a final plat for a 5.96 acre industrial development.*
5. **Lenexa Logistics Centre North, Sixth Plat - Consideration of a final plat for property located near the northwest corner of College Boulevard & Mill Creek Road within the BP-2, Planned Manufacturing District. PT23-03F**  
*Consideration of a final plat for a 6.04 acre industrial development.*
6. **Prairie Star Medical Office Building - Consideration of a final plan for property located at 9471 Meadow View Drive within the CP-1, Planned Neighborhood Commercial District. PL23-03F**  
*Consideration of a final plan for the development of an 11,641 square foot medical office building on a 1.35 acre site.*
7. **Watercrest Landing Amenity Center - Consideration of a final plan for a subdivision amenity zrea on property located at 9096 Monticello Road within the RP-1, Planned Residential (Low-Density) District. PL23-01F**  
*Consideration of a final plan for the development of a private residential subdivision amenity center on a 2.28 acre site in the Watercrest Landing subdivision.*

Chairman Poss entertained a motion to **APPROVE** Consent Agenda Items one through seven. Moved by Commissioner Leib, seconded by Commissioner Burson, and carried by a unanimous voice vote.



## REGULAR AGENDA

### 8. **Belmont Estates - Consideration of a preliminary plat and final plat for property located at approximately 8110 Belmont Drive.**

*Consideration of a preliminary plat to replat six existing lots into two lots for the development of two single-family residences and a cul-de-sac at the north end of Belmont Drive. PT23-01PR*

*Consideration of a final plat to replat six existing lots into two lots for the development of two single-family residences and a cul-de-sac at the north end of Belmont Drive. PT23-02F*

### APPLICANT PRESENTATION:

Jake Hattock of Schlagel and Associates stated the applicant is in agreement with the conditions within the Staff Report and would be available to answer any questions concerning the project.

### STAFF PRESENTATION:

Christa McGaha presented the Staff Report. She noted the history of the site. The proposed use of the site is single-family residential. The existing flood zone makes the northernmost existing lots undevelopable. She displayed multiple graphics on the PowerPoint that showed the current configuration of six lots and the proposed replat that would reconfigure the area into two lots. Another graphic showed the buildable area in red and the preservation area in green. Staff recommends approval of the preliminary and final plat.

### PLANNING COMMISSION DISCUSSION:

Chairman Poss asked if anyone wished to speak on this item. No one from the audience requested to speak. He said this is a routine request and it is pretty straightforward. He asked if the Commissioners had questions. There were no questions.

### MOTION:

Chairman Poss entertained a motion to recommend **APPROVAL** for a preliminary plat for **Belmont Estates** located at 8110 Belmont Drive within the R-1, Planned Residential (Low Density) Zoning District.

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

Chairman Poss entertained a motion to recommend **APPROVAL** for a final plat for **Belmont Estates** located at 8110 Belmont Drive within the R-1, Planned Residential (Low Density) Zoning District

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

**9. Cedar Canyon West - Remanded to the Planning Commission by the City Council. Consideration for rezoning and a concept plan for property located at the northeast corner of Canyon Creek Boulevard & K-10 Highway.**

*Consideration for rezoning property from the AG, Agricultural, and CP-2, Planned Community Commercial, Zoning Districts to the CP-2, Planned Community Commercial, CP-O, Planned General Office, BP-2, Planned Manufacturing, RP-2, Planned Residential (Intermediate Density), and RP-5, Planned Residential (High-Density) Zoning Districts. RZ22-09*

*Consideration of a concept plan for the development of a mixed-use site consisting of commercial, office, business park, and residential uses on approximately 112 acres. PL22-04CP*

**APPLICANT PRESENTATION:**

Dan Foster of Schlagel and Associates presented information about the proposed project. He provided an overview of the development. The main topics of discussion from the remand from City Council were related to Tract 4 and traffic for Tract 7.

He highlighted that Tract 4 adds rooftops and enhances the marketability for commercial uses. Tract 4 also provides an additional housing choice. The multi-family area is similar in context to other multi-family developments because it is surrounded by RP-2 zoning and highways. According to market data, an apartment development needs about 300 units to be viable. There is a significant cost to bring utilities to the site. He showed a graphic that provides a cross-section of the buildings on Tract 4 and noted that the majority of the buildings are three story and only two buildings on the east side have a fourth story on one side. He said the three would potentially be visible to existing single family and the four story is on the side facing the open space. The building would be stepped down in relation to the grade. The buildings are about 900' from the closest single-family buildings and there are other two-family structures and streets between the single-family and the multi-family. The roof lines of the single-family and the multi-family are only three feet different due to the change in elevation between the existing subdivisions and the subject site. There is approximately 80 acres of open green space within the site.

He began talking about Tract 7. He noted several business park areas in Lenexa that use arterial roads for transportation. He noted that College Crossover uses College and Pflumm or Lackman to get to the highway. A truck route is possible without an interchange at Clare Road. It is unlikely that a distributor would want to use the site if there was no interchange at Clare Road. He mentioned several users that could be located at the site, including general construction sales and service, plumbing services, electrical services, specialty building product sales, a fitness center, veterinary services, laundry services and light manufacturing. Those are the kinds of uses that they wish to have flexibility to attract on this site. He pointed out that there were a couple of code provisions that allow the City to review each use as it comes in. He said Section 4-1-B-19 states "Businesses within the BP-2 districts shall not create incompatible land use relationships or hazards." He reminded the Commission that this is a concept plan and requires further review in the future. He said the engineering staff requested that they submit a traffic study at preliminary plan stage, which would include some type of truck route analysis. He noted that Staff recommends approval and Mr. Foster requested approval from the Planning Commission.

**STAFF PRESENTATION:**

Christa McGaha presented the Staff Report. She provided a short history of the development's entitlement process. The Planning Commission recommended approval of the project on November 7, 2022 and the City Council voted to remand the project to the Planning Commission for further discussion on December 6, 2022.

She provided an overview of the entire plan and noted that tonight the discussion is focused on the City Council's remand topics related to Tract 4 and Tract 7.

She provided a slide with a table that compared the original submittal and the current submittal in relation to zoning, building height, number of dwelling units, and the density. The applicant reduced the request for zoning from RP-5 to RP-4 since the last Planning Commission meeting. The applicant requests a deviation for building height for the east side of the two easternmost buildings. The proposed maximum height in this area is 48'.

She discussed truck traffic routes for Tract 7. Four colored routes were provided on a graphic. The yellow route on 99<sup>th</sup> and Canyon Creek Boulevard is the most feasible because the infrastructure is not yet in place for the alternative routes. Staff recommends approval without any conditions; however, if a condition related to the truck traffic is needed, she provided a slide with some sample language:

*The potential land uses for Tract 7 may generate heavy truck traffic that may require the construction of the Clare Road and K-10 Highway interchange. Any preliminary plan application for Tract 7 shall be accompanied by a traffic study and engineering review that reflects the amount and distribution of trucks on the City's street network so that a determination can be made regarding the impact to the City's street network, uses along the network, and the necessity of the Clare Road and K-10 Highway interchange.*

She concluded her presentation.

#### PUBLIC HEARING:

Chairman Poss noted the application did not require a public hearing but asked if anyone wanted to make any comments on behalf of the item.

Richard Baumgartner said there are questions about Tract 4. He stated he is not opposed to RP-4 but asked if it was premature to discuss deviations beyond RP-4 during this phase. He asked if the deviation request could wait until the preliminary plan stage to see who the developer is that wants to request RP-4. If they need a deviation, it can be granted at that time. His second issue is with truck traffic for Tract 7. He said if there are mitigating circumstances, the plans will be reviewed by the Planning Commission and City Council regarding the specific uses for the BP-2 rezoning. He stated, then, we do not have a big argument. They have a concern about trucks travelling up Canyon Creek Boulevard and 99<sup>th</sup> Street in order to reach that location.

Jerry Tanner said this is a concept plan and did not understand why we would grant a deviation at this time. There are no buildings here over three stories. There are a lot of elevation changes in the area. He thinks we are jumping the gun to allow a deviation on a concept plan. The bigger issue for Tract 7 is that if we don't have the interchange at Clare he doesn't think the site is feasible. He said there is a lot of traffic on Prairie Star Parkway and there are circles (roundabouts). He is concerned that 99<sup>th</sup> Street has bike lanes and could include tractor trailers. He has no objection on Tract 7 as long as the Clare interchange is complete. He said it would be a bad situation for traffic otherwise.

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

#### PLANNING COMMISSION DISCUSSION:

Chairman Poss said he does not have an issue with the height proposal for Tract 4. He was comfortable with RP-5 in the original proposal. He reviewed the potential truck routes on the graphic for the audience.



He asked Tim Collins which interchanges are planned along K-10. Tim Collins said there are future plans for Clare Road and Lone Elm Road to have interchanges. Chairman Poss asked if there are any plans to have an interchange at Monticello. Tim Collins replied no, there is not a plan to have an interchange at Monticello Road at K-10.

Commissioner Handley said that businesses may not be interested in the site if there isn't an interchange. A less traffic-heavy user would not select that site without good access. He was comfortable with Tract 4 being RP-5 when it was previously presented in November because of the significant grade change. Overall, he was more comfortable with the concept plan an RP-5 with the ability to say no if it came back with RP-4 and substantial deviations. He stated on the record that he is fine with the application as is.

Commissioner Woolf said a traffic study would be needed for Tract 7.

Commissioner Burson said that RP-4 with a deviation accomplishes the same thing as before. The project will be seen again in preliminary and final plan stages. He is okay with the height deviation because of the grade change. The four-story part is also adjacent to green space. He is not supportive of something like an Amazon warehouse on Tract 7 without the Clare interchange, but a lower-traffic use could be appropriate in BP-2 zoning. Although the public has voiced their concern, he thinks the potential condition provided by Staff tonight is appropriate. He is in support of Tract 7 with the condition proposed tonight.

Commissioner Leib said he agreed with other regarding Tract 4. He is trying to understand if there is any difference between the language provided in the original staff report and the condition currently presented. Scott McCullough said he believes that staff had not recommended a specific condition on Tract 7. It was information about the normal analysis of development projects. It brings focus and greater attention to the interchange itself and that is what the condition is meant to do. It is because of the attention brought to the matter that condition is worth placing on the concept plan. Commissioner Leib said that seeing "shall" on the report he assumed that was required. If it is not required and part of the process he does not think "shall" should be a part of the notes. He is supportive of the condition being there now.

Chairman Poss said the path that the project has to take to move forward should be clear. He supported this previously and thought that it was addressed well the first time, but this discussion should solidify their position.

## MOTION:

Chairman Poss entertained a motion to recommend **APPROVAL** for rezoning property from AG and CP-2 to CP-2, RP-2, RP-4, CP-O and BP-2 for **Cedar Canyon West** located at the northeast corner of Canyon Creek Boulevard and K-10 Highway.

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

Chairman Poss entertained a motion to recommend **APPROVAL** of the concept plan for **Cedar Canyon West** located at the northeast corner of Canyon Creek Boulevard and K-10 Highway in the proposed CP-2, RP-2, RP-4, CP-O and BP-2 Zoning Districts with the following deviation:

1. A building height deviation for the two easternmost buildings of Tract 4 to allow a maximum height of 48 feet (four stories) on the east sides of the buildings.

And the following condition:

1. The potential land uses for Tract 7 may generate heavy truck traffic that may require the construction of the Clare Road and K-10 Highway interchange. Any preliminary plan application for Tract 7 shall be accompanied by a traffic study and engineering review that reflects the amount and distribution

of trucks on the City's street network so that a determination can be made regarding the impact to the City's street network, uses along the network, and the necessity of the Clare Road and K-10 Highway interchange.

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

DRAFT

**10. Stone Ridge North - Consideration of rezoning and a preliminary plat for property located at the northeast corner of W. 83rd Street & Cedar Niles Road.**

*Consideration for rezoning property from the NP-O, Planned Neighborhood Office, RP-1, Planned Residential (Low Density), CP-1, Planned Neighborhood Commercial, and AG, Agricultural, Zoning Districts to the RP-2, Planned Residential (Intermediate Density) and RP-1, Planned Residential (Low Density), Zoning Districts. RZ22-05*

*Consideration of a preliminary plat for the development of 381 single-family and 53 two-family residential lots on 168.35 acres. PT22-01P*

**APPLICANT PRESENTATION:**

Austin Chamberlin of Arise Homes presented information about the proposed project. He provided a map showing several of their developments. He displayed a graphic of the site plan. The site is 168 acres and includes 381 dwellings. They worked with the Catholic Church to relocate them closer to 83<sup>rd</sup> and Cedar Niles. There may be a school and church there in the future.

Justin Milburn of Milburn Civil Engineering said that they had been working with staff for over a year. He thanked staff for their time and patience while working with them on the plan. He said that they request rezoning and approval of a preliminary plat. The rezoning request is for RP-1 and RP-2 for single-family and multi-family development. There will be street and utility improvements. Cedar Niles curves into Future 79<sup>th</sup> Street. There are multiple tracts for open space, stream buffers, detention, and BMPs. There are three access points along 83<sup>rd</sup> Street. The third connection, west of the church site, will not be necessary if other connections to adjacent developments are completed before the later phases. There have been seven to eight revisions of the plan throughout the design phase. They have talked to developers on both sides of the site. They worked with staff on the alignment of Cedar Niles and 79<sup>th</sup> Street. They also coordinated with Shawnee on the alignment in the northwest corner. They request approval of the rezoning and preliminary plan. He asked that the following additional comments be added for the record:

On page 6 of the Staff Report, they would like to include within the language that the improvements will be based on the approved traffic study they have presented to the city. Also, on page 8 of the Staff Report, they would like to add that if any of the additional connections at the specific points are not connected prior to beginning construction of phase two, the fire access lane will not be required.

Austin Chamberlin discussed the architecture and the requested deviations for front yard setback and lot width because of how they build and design their homes. He said there are no requests for side and rear yard deviations. They design all of the homes as single-story ranches. The average lot size is 8,868 square feet. Narrower lots result in savings of 20 to 30% on infrastructure and maintenance. The architecture is full brick and stone masonry and is virtually maintenance-free exterior around the home. They have a 1,350-point checklist for each home and four to five people build one home. The homes have a 10-year warranty. The twin homes range from 1,200-1,700 square feet.

Chairman Poss asked Justin Milburn to clarify his comments about the Staff Report. Mr. Milburn said the first paragraph on page 8 says "Due to code, fire code access restrictions, and access road along the western portion of the Roman Catholic Archdiocese property must be complete prior to permitting for phase two". What he was getting at was if there are additional connections at Future 79<sup>th</sup> Street, the connection to the east that goes over to Mise and the connection to the west prior to phase two, the access road is not needed. After Chairman Poss reread the statement from the report he asked Tim Collins if that was the intent. Tim Collins replied yes, they just need to have appropriate access. Chairman Poss then asked Tim Collins about page 6. That if any improvements at 83<sup>rd</sup> Street that are based upon their traffic study that was completed in July of 2022, it would be generally accepted. Tim Collins replied correct, that is why the language was added to the report so that is properly designed. Stephanie Kisler said she wanted to clarify



the point made concerning the access roads. The reason it is in the report as a phase two item is because the applicant does not have control over those other roads being extended to the east, but they would have control over the extension along the west property line through the Roman Catholic Archdiocese property.

### STAFF PRESENTATION:

Kim Portillo presented the Staff Report. She noted the request is for a single-family and two-family residential subdivision. She noted the rezoning considerations after showing an image of the site location within the City limits. She displayed a graphic showing the plat in black and white. The next graphic displayed the density calculation and a table of the calculation. The RP-1 property is 2.85 dwelling units per acre and the RP-2 property is 3.04 dwelling units per acre and the overall development density is 2.89 dwelling units per acre. She discussed the deviation requests. The requests include front yard setback, minimum lot size, minimum lot width, minimum corner lot width, minimum lot depth, and minimum site area per dwelling unit. Staff did take into consideration that the applicant is providing a unique product in Lenexa and there is considerable open space within the site. She showed a graphic of where the deviations are requested. She provided a graphic of the phasing plan and explained the different phases. The next slide included pedestrian connections. She provided context of the surrounding area and how the nearby developments interact with the site. She pointed out areas where there are sidewalks through the development. The next slide highlighted the location of the various storm shelters proposed for the subdivision.

She displayed a graphic of the access points along 83<sup>rd</sup> Street. Tim Collins noted the middle access point shown on the street will only be right-in-right-out and includes a “pork chop” island to direct traffic movements.

Kim Portillo displayed an sample image of the architecture and noted the four-sided architecture and quality materials. She noted that staff recommends approval of the rezoning and preliminary plat.

### PUBLIC HEARING:

Chairman Poss **OPENED** the Public Hearing and asked if anyone wished to speak on this item. Hearing no comments from the public, Chairman Poss entertained a motion to **CLOSE** the Public Hearing. Moved by Commissioner Handley, seconded by Commissioner Burson, and carried by a unanimous voice vote.

### PLANNING COMMISSION DISCUSSION:

Commissioner Horine asked the applicant about the amenity area shown on their maps by the two-family area. He asked what that amenity area was and asked if that was the only area for amenities. Austin Chamberlin said that they would distinguish more details about amenities during the final plan phase and they intend to carve out more space for amenities. Commissioner Horine said he appreciated that the small lots still had about 16' between houses. He asked what the storm shelter house would look like. Mr. Chamberlin said there are options for in-home shelters, but the standalone shelters will appear in-kind to the other home structures. Commissioner Horine noted that page 11 of the Staff Report shows floor plans and asked if they were accurate. Mr. Chamberlin said those are not correct and they have some 1,500 square foot plans selling elsewhere now.

Commissioner Harber asked about pedestrian cut throughs on the west side. Scott McCullough noted that code requires breaks for connections. He added that staff was also looking at destination points to connect to.

Commissioner Leib said he had concerns originally but also noted that other developments that the applicant has done in Lenexa are unique and successful. He appreciated that the applicant worked with staff to get to this point and that staff is supportive. This is the third or fourth project the Commission has seen in the last six months. He asked about when 83<sup>rd</sup> Street will be improved. Tim Collins said he can't

tell when all of the projects along 83<sup>rd</sup> Street will develop and the road improvements will be needed. He anticipates an incremental improvement due to the cost of the improvements to 83<sup>rd</sup> Street. Intersection improvements will likely be first. As developments are realized it will push 83<sup>rd</sup> Street closer to capacity. Commissioner Leib asked for clarification for incremental improvements. Tim Collins said the City will take a look and see what is needed as development progresses. Commissioner Leib said he is supportive of the project.

Commissioner Macke had concerns when she looked at the development plans originally but is now supportive of the plans after learning more. She likes the type of new development coming to Lenexa.

Chairman Poss echos the thoughts from other commissioners and said he also had concerns about the deviations prior to the discussion. He appreciated the graphics and explanation of the density calculations. He is supportive of the project.

#### **MOTION:**

Chairman Poss entertained a motion to recommend **APPROVAL** for rezoning property from AG, RP-1, NP-O, and CP-1 to RP-1 and RP-2 for **Stone Ridge North** located north of 83<sup>rd</sup> Street near Cedar Niles Road.

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

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plat for **Stone Ridge North** located north of 83<sup>rd</sup> Street near Cedar Niles Road in the proposed RP-1 and RP-2 Zoning Districts with the following deviations:

1. Lot width, lot depth, lot area, corner lot width, and front yard setback in the RP-1 Zoning District as noted within the Staff Report and the proposed plans.
2. Lot width and lot area in the RP-2 Zoning District as noted within the Staff Report and the proposed plans

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

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## STAFF REPORT

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Scott McCullough shared an update on the Comprehensive Plan. They are looking at task five of a seven-task program. He has a call with the consultant this week. They are currently working on land use and transportation.

Stephanie Kisler noted the changes within the staff reports and packet. She asked for feedback and ideas for additional improvements. The Commissioners said that the new format allowed them to read the reports more quickly. Commissioner Handley asked for more information to be added to the template regarding nearby nodes.

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## ADJOURNMENT

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Chairman Poss ended the regular meeting of the Lenexa Planning Commission at 8:34 pm. on Monday, January 9, 2023.