

#### Agenda

REGULAR MEETING GOVERNING BODY CITY OF LENEXA, KANSAS 17101 W. 87<sup>th</sup> STREET PARKWAY JANUARY 16, 2024 7:00 PM COMMUNITY FORUM

CALL TO ORDER

Pledge of Allegiance

**ROLL CALL** 

**APPROVE MINUTES** 

January 2, 2024 City Council meeting draft minutes (located in the Appendix)

MODIFICATION OF AGENDA

#### **CONSENT AGENDA**

#### Item Numbers 1 through 3

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

1. Acceptance of a sidewalk easement for property at 12345 W. 95th Street

This is a sidewalk easement provided by the developer as required by a condition placed on the approval of the rezoning and final plan of The Mint. The sidewalk easement is located southwest of the intersection of 95th Street & Monrovia Street and was needed to remove a sidewalk gap between two existing sidewalks located on Monrovia Street.

2. Resolution authorizing the Mayor to execute a permanent electric utility easement to Evergy Metro, Inc. to install power facilities to serve the Lenexa Justice Center

The dedication of a 10-foot-wide permanent easement to Evergy is necessary so that new electrical power can be extended to serve the Lenexa Justice Center.

 Resolution authorizing the Mayor to execute an agreement with Red Canary, Inc. for Information Technology Services The City's Information Technology Services is integral in providing core functions and services to staff and the public. This resolution will allow the City to enter a three-year agreement with Red Canary, Inc. for a cost not-to-exceed \$345,850.75.

#### **END OF CONSENT AGENDA**

### BOARD RECOMMENDATIONS

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

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

NEW BUSINESS None

COUNCILMEMBER REPORTS

STAFF REPORTS

#### **END OF RECORDED SESSION**

### BUSINESS FROM FLOOR

Comments will be accepted from the audience on items not listed on the agenda. Please limit remarks to a maximum of five (5) minutes per person/issue.

#### **ADJOURN**

#### **APPENDIX**

- 5. January 2, 2024 City Council meeting draft minutes
- 6. Item 2 -- Evergy Easement
- 7. Item 4 -- Powder Creek Exhibit

Dist. Governing Body; Management Team; Agenda & Minutes Distribution List

IF YOU NEED ANY ACCOMMODATIONS FOR THE MEETING, PLEASE CONTACT THE CITY ADA COORDINATOR, 913/477-7550. KANSAS RELAY SERVICE 800/766-3777. PLEASE GIVE 48 HOURS NOTICE

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



### CITY COUNCIL MEMORANDUM

#### ITEM 1

**SUBJECT:** Acceptance of a sidewalk easement for property at 12345 W. 95th Street

**CONTACT:** Stephanie Kisler, Planning Manager

**DATE:** January 16, 2024

#### **ACTION NEEDED:**

Accept the sidewalk easement for property at 12345 W. 95th Street.

#### PROJECT BACKGROUND/DESCRIPTION:

A sidewalk gap exists at 12345 W. 95th Street along the Monrovia Street frontage immediately adjacent to The Mint redevelopment. Dedication of a sidewalk easement was a condition of approval for the rezoning and final plan for The Mint.

Staff recommended an easement be provided so that a sidewalk could be constructed in the future at the City's cost. The sidewalk easement is 10-feet wide to allow for the sidewalk itself and for room to complete the sidewalk construction.

The Planning Commission recommended approval of this project on June 5, 2023 and the City Council approved the project on June 20, 2023.

The developer has provided the sidewalk easement and the easement is in the City's standard form.

#### STAFF RECOMMENDATION:

Acceptance of the easement.

#### **VISION / GUIDING PRINCIPLES ALIGNMENT:**

#### **Vision 2040**

Integrated Infrastructure & Transportation

#### **Guiding Principles**

Sustainable Policies and Practices

#### **ATTACHMENTS**

- 1. Map
- 2. Easement



Data Source: City of Lenexa and Johnson County Kansa For further information, please call 913-477-750

# Sidewalk Easement Dedication (Yellow Dash Line)





#### PERMANENT SIDEWALK EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that See Bournost, Johnson County, Kansas, hereinafter referred to as Grantor, does hereby grant, convey and sell to the CITY OF LENEXA, Johnson County, Kansas, hereinafter referred to as Grantee, a municipal corporation, its successors and assigns, a Permanent Sidewalk Easement over, under, and through the following described real estate, for the sum of One Dollar (\$1.00) and/or other valuable consideration, the receipt of which is hereby acknowledged.

TO WIT:

#### See Attachment "A"

The above described permanent sidewalk easement is to be used to locate, build, construct, maintain and repair for public access and walkway including all appurtenances thereto. The construction, maintenance and repairs to the above stated public access and walkway may result in grade changes.

Grantor agrees and understands that the Grantee is under no obligation to routinely maintain or repair the public access and walkway facilities placed within the limits of this easement, and in no event shall this easement be construed to impose any such obligation on the Grantee.

Grantor agrees it will not construct, plant or cause to be placed within the limits of this easement any obstacle of a permanent nature. If any obstacle or thing is placed within the limits of this easement by the Grantor, its representative or agent, the Grantor will in no way hold the Grantee or its assigns liable for any damage done thereto during any period of construction, maintenance or repair to the same sidewalk easement.

Grantor hereby agrees and understands that it is not being relieved of any present tax liability by the granting of this easement.

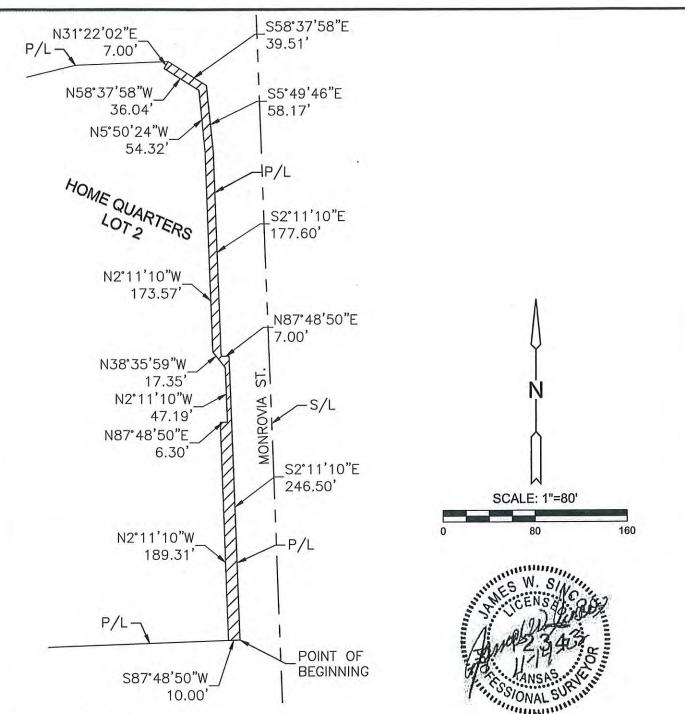
Grantor, its heirs, successors and assigns, hereby waive and release Grantee from any and all claims for damages or compensation either now or in the future arising by reason of the use of said land for the purposes described herein.

This Permanent Sidewalk Easement shall run with the land, is binding upon the heirs, executors, administrators, successors and assigns of Grantor, and shall apply to all interests now owned or hereafter acquired to the Permanent Sidewalk Easement. It shall be filed of record with the Register of Deeds, Johnson County, Kansas

TO THESE COVENANTS, the Grantor does hereby consent and agree.

[Signature Pages Follow]

| IN WITNESS WHEREOF, the parties above named have hereunto set their hands this, 2023.  |
|--|
|  |
| GRANTOR:   |
| By: Jon January  |
| Name: Steve Beaumont   |
| Title: President   |
|  |
| Section Section (Control of Control of Contr |
| ACKNOWLEDGMENT   |
| STATE OF KANSAS  |
| ]ss.<br>COUNTY OF JOHNSON  |
| BE IT REMEMBERED, that on this 13th day of Drumbor, 2013, before me the undersigned, a Notary Public in and for said County and State, came State Brunnt, who is known to me to be the same person, or whose identity I verified on the basis of credible evidence presented, who executed the within instrument of writing, and duly acknowledged the execution of same.  |
| IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.   |
| Bruela Holyes  |
| Notary Public  |
| My appointment Expires: 6-2-2026  BRANDON HODGES  Notary Public - State of Kansas  My Appt. Expires 6-2-2016   |



Permanent Sidewalk Easement

Beginning at the Southeast corner of Lot 2, Home Quarters, Book 88, Page 29; thence S87\*48'50"W, a distance of 10.00 feet; thence N02\*11'10"W, a distance of 189.31 feet; thence N87\*48'50"E, a distance of 6.30 feet; thence N02\*11'10"W, a distance of 47.19 feet; thence N38\*35'59", a distance of 17.35 feet; thence N02\*11'10"W, a distance of 173.57 feet; thence N05\*50'24"W, a distance of 54.32 feet; thence N58\*37'58"W, a distance of 36.04 feet; thence N31\*22'02"E, a distance of 7.00'; thence S58\*37'58"E, a distance of 39.51 feet; thence S05\*49'46"E, a distance of 58.17 feet; thence S02\*11'10"E, a distance of 177.60 feet; thence N87\*48'50"E, a distance of 7.00 feet; thence S02\*11'10"E, a distance of 246.50 feet to the POINT OF BEGINNING.

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| NO. | REVISION                                  | DATE    |

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## THE MINT PERMANENT SIDEWALK EASEMENT ATTACHMENT A

| or a comment of the second |                  |                  |                  |           |
|----------------------------|------------------|------------------|------------------|-----------|
| PROJECT NO. 2302010306     |                  | DATE: 10,25,2023 |                  | SHEET NO. |
| DRAWN BY: SEK              | DESIGNED BY: BLT |                  | APPROVED BY: JWS | 1 OF      |



### CITY COUNCIL MEMORANDUM

#### ITEM 2

**SUBJECT:** Resolution authorizing the Mayor to execute a permanent electric utility easement to Evergy

Metro, Inc. to install power facilities to serve the Lenexa Justice Center

**CONTACT:** Tim Green, Deputy Community Development Director

Todd Pelham, Deputy City Manager

**DATE:** January 16, 2024

#### **ACTION NEEDED:**

Adopt a resolution authorizing the Mayor to execute a permanent electric utility easement to Evergy Metro, Inc. ("Evergy") to install power facilities to serve the Lenexa Justice Center.

#### PROJECT BACKGROUND/DESCRIPTION:

The Lenexa Justice Center is being constructed on the south side of Prairie Star Parkway between Britton Street and Vahalla Street. To provide electric power, Evergy must extend their underground facilities 2,134 linear feet on City-owned property. Evergy has requested a 10-foot-wide permanent electric utility easement along the north, west, and south sides of the Justice Center site. Actual construction of the new power lines and facilities cannot begin until the permanent easement is approved and recorded.

#### STAFF RECOMMENDATION:

Adoption of the resolution.

#### VISION / GUIDING PRINCIPLES ALIGNMENT:

#### Vision 2040

Integrated Infrastructure & Transportation

#### **Guiding Principles**

**Superior Quality Services** 

#### **ATTACHMENTS**

- Map
- 2. Resolution
- 3. Easement located in the Appendix



### **Evergy Easement Dedication**

Lenexa Justice Center



0 300 600 1,200 Feet



| RESOLUTION NO  |
|--|
| A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PERMANENT ELECTRIC UTILITY EASEMENT TO EVERGY TO INSTALL POWER FACILITIES TO SERVE THE LENEXA JUSTICE CENTER.  |
| WHEREAS, the City of Lenexa ("City") is the owner of a parcel of property known as Lenexa Justice Center, Lot 1; and   |
| WHEREAS, the City has been requested to grant a permanent electric utility easement on Lot 1 to accommodate new Evergy power facilities to serve the proposed Lenexa Justice Center; and                   |
| WHEREAS, the City has reviewed the power easement attached hereto as Exhibit A and found it to be acceptable.  |
| NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LENEXA, KANSAS:  |
| <u>SECTION ONE</u> : The City of Lenexa, Kansas, a municipal corporation, does hereby approve and authorize the Mayor to execute a Permanent Easement with Evergy in a form approved by the City Attorney. |
| SECTION TWO: This resolution shall become effective upon adoption by the Governing Body.   |
| ADOPTED by the Governing Body this 16th day of January, 2024.  |
| SIGNED by the Mayor this 16 <sup>th</sup> day of January, 2024.  |
|  |
| [SEAL]   |
| Julie Sayers, Mayor  |
| ATTEST:  |

Jennifer Martin, City Clerk

| APPROVED AS TO FORM:           |  |
|--------------------------------|--|
|                                |  |
|                                |  |
| Sean McLaughlin, City Attorney |  |



### CITY COUNCIL MEMORANDUM

#### ITEM 3

**SUBJECT:** Resolution authorizing the Mayor to execute an agreement with Red Canary, Inc. for

Information Technology Services

**CONTACT:** Jerry Swingle, Director of Information Technology

**DATE:** January 16, 2024

#### **ACTION NEEDED:**

Adopt a resolution authorizing the Mayor to execute an agreement with Red Canary, Inc. for Information Technology Services.

#### PROJECT BACKGROUND/DESCRIPTION:

The City's Information Technology systems are crucial to conducting City business in a timely and efficient manner. Maintaining and protecting these systems from outside security threats is a continuous 24-hours-a-day, seven-days-a-week process. By outsourcing these functions to a specialized provider, the City can enhance its overall security posture and respond more effectively to evolving cyber threats.

#### FINANCIAL IMPLICATIONS/FUNDING SOURCES:

The total three-year cost is \$345,850.75. Funding for this project is in the Information Technology operating budget.

#### STAFF RECOMMENDATION:

Adoption of the resolution.

#### **VISION / GUIDING PRINCIPLES ALIGNMENT:**

Vision 2040

Integrated Infrastructure & Transportation

**Guiding Principles** 

Superior Quality Services

#### **ATTACHMENTS**

1. Resolution

| RESOLUTION NO   |
|---|
| A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH RED CANARY, INC., FOR INFORMATION TECHNOLOGY SERVICES   |
| WHEREAS, the City of Lenexa's ("City") Information Technology Services are integral in providing core functions and services to City staff and the public; and  |
| WHEREAS, the City's Information Technology systems are crucial to conducting City business in a timely and efficient manner; and  |
| WHEREAS, maintaining and protecting these systems from outside security threats is a continuous 24-hour-a-day, seven-day-a-week process; and  |
| WHEREAS, by outsourcing these functions to a specialized provider, the City can enhance its overall security posture and respond more effectively to evolving cyber threats; and  |
| WHEREAS, the City now desires to enter an agreement to outsource these functions to Red Canary, Inc.  |
| NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LENEXA, KANSAS:   |
| <u>SECTION ONE</u> : The City of Lenexa, Kansas, a municipal corporation, does hereby approve and authorize the Mayor to execute an agreement with Red Canary, Inc., for Information Technology Services in a form approved by the City Attorney. |
| SECTION TWO: This resolution shall become effective upon adoption by the Governing Body.  |
| ADOPTED by the Governing Body this 16 <sup>th</sup> day of January, 2024.   |
| SIGNED by the Mayor this 16 <sup>th</sup> day of January, 2024.   |

Julie Sayers, Mayor

[SEAL]

| ATTEST:                                       |
|---|
| Jennifer Martin, City Clerk                   |
| APPROVED AS TO FORM:                          |
| Spencer L. Throssell, Assistant City Attorney |



### CITY COUNCIL MEMORANDUM

#### ITEM 4

**SUBJECT:** Consideration of a rezoning and preliminary plan known as The Residences on Woodsonia

for a multifamily residential development located near the northeast and southeast corners of

future 86th Street & Woodsonia Drive

**CONTACT:** Stephanie Kisler, Planning Manager

**DATE:** January 16, 2024

#### **ACTION NEEDED:**

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

b. Approve the companion preliminary plan for The Residences on Woodsonia.

APPLICANT: OWNER:

Brian Hill, MKEC Sunflower Development Group, Jason Swords

#### PROPERTY LOCATION/ADDRESS:

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

#### PROJECT BACKGROUND/DESCRIPTION:

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

The Planning Commission completed a public hearing for the rezoning and preliminary plan applications on December 4, 2023, and submitted its recommendation for approval of all applications by a vote of 8 to 1 with Chairman Poss dissenting.

After the Planning Commission meeting, staff and the applicant discussed potential revisions to the plan. The applicant desires to replace the townhomes with twin villas (duplexes) in the south portion of the project and at the same unit count and requests that the applications be remanded to the Planning

Commission to allow for said revised plans to be considered by the Planning Commission at its March 4, 2024 meeting.

Staff supports the applicant's request to remand the applications to the March 4, 2024, Planning Commission meeting. If action is taken at that meeting, the applications will proceed to the March 19, 2024, City Council meeting.

#### STAFF RECOMMENDATION:

Remand the applications to the March 4, 2024 Planning Commission meeting.

#### PLANNING COMMISSION ACTION:

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

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

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

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

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan for The Residences on Woodsonia, for multifamily use. Moved by Commissioner Woolf, seconded by Commissioner Wagner, and carried by a vote of 8 to 1 with Chairman Poss dissenting.

#### VISION / GUIDING PRINCIPLES ALIGNMENT:

Vision 2040 Vibrant Neighborhoods <u>Guiding Principles</u>
Responsible Economic Development

#### **ATTACHMENTS**

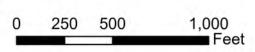
- 1. Мар
- 2.
- 3.
- 4.
- PC Staff Report and Exhibits
  Powder Creek Correspondence
  PC Draft Minutes Excerpt
  Powder Creek Exhibit located in the Appendix 5.



Data Source: City of Lenexa and Johnson County Kansas

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









#### PLANNING COMMISSION STAFF REPORT

December 4, 2023

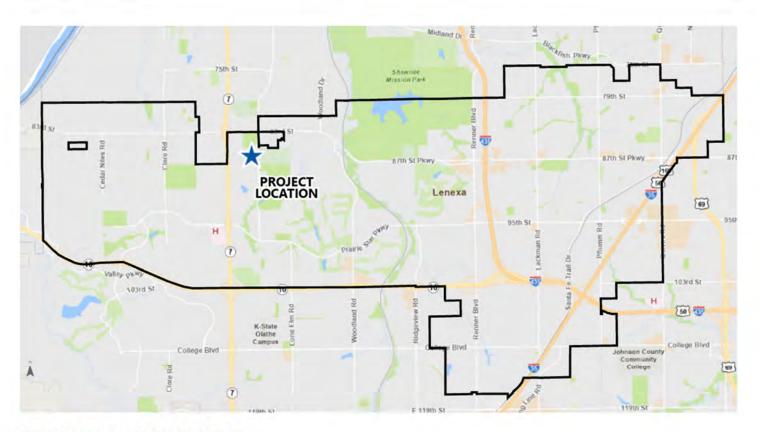
# THE RESIDENCES ON WOODSONIA (FKA K7 & 83<sup>RD</sup> STREET MULTIFAMILY DEVELOPMENT)

Project #: RZ23-08 & PL23-11P Location: Northeast corner of 86th Street (future) and

Woodsonia Drive

Applicant: Brian Hill, MKEC Project Type: Rezoning & Preliminary Plan

Staff Planner: Dave Dalecky Proposed Use: Multifamily Residential



#### PROJECT SUMMARY

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

STAFF RECOMMENDATION: APPROVAL



#### SITE INFORMATION

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

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

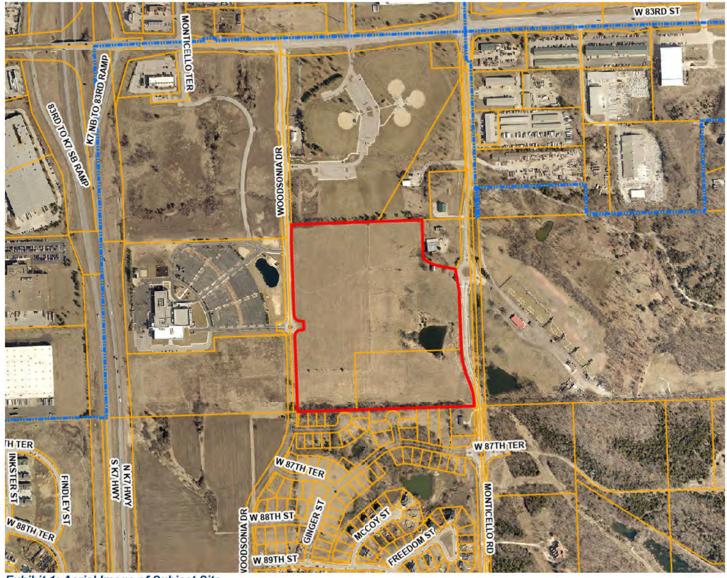
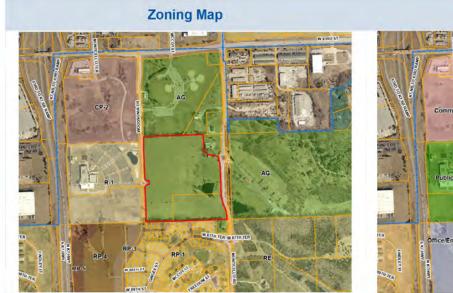


Exhibit 1: Aerial Image of Subject Site.



#### LAND USE REVIEW

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



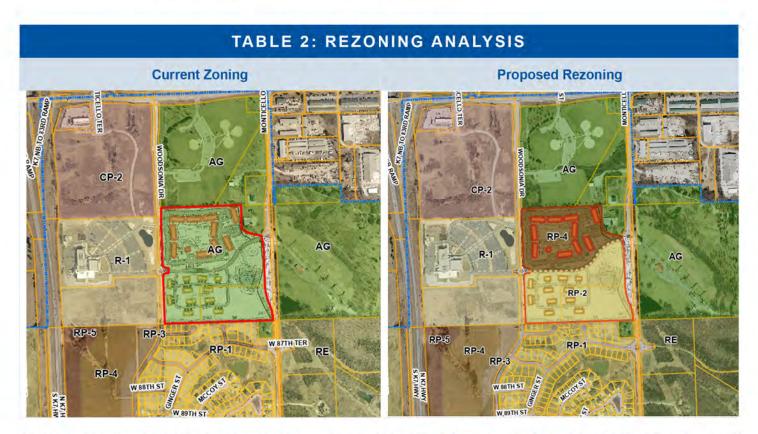


| TABLE 1: COMPARISON OF SURROUNDING PROPERTIES |                               |  |                            |  |  |
|---|-------------------------------|--|----------------------------|--|--|
| Vicinity                                      | Land Use Designation          | Zoning   | Current Use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



#### REZONING REVIEW

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



Staff provides the following analysis for the review criteria within <u>Section 4-1-G-5</u> of the Unified Development Code (UDC).

#### 1. The character of the neighborhood.

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



#### 2. The zoning and use of properties nearby.

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

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

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

| TABLE 3: DENSITY ANALYSIS |       |                         |                |  |
|---------------------------|-------|-------------------------|----------------|--|
| Zoning                    | Units | Acres (gross land area) | Density        |  |
| RP-4 (apartments)         | 240   | 16.08                   | 14.96          |  |
| RP-2<br>(townhomes)       | 62    | 21.89                   | 2.83           |  |
| TOTAL                     | 302   | 37.97                   | 7.95 (average) |  |



Exhibit 2: Density Distribution.



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

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

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

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

6. The relative gain to public health, safety, and welfare due to the denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

It is Staff's opinion that denial of this rezoning would have no gain to public health, safety, or welfare.

7. Recommendation of City's permanent professional staff.

See Staff's recommendation and the end of this report.

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

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

The availability and adequacy of required utilities and services to serve the proposed use. These
utilities and services include, but are not limited to, sanitary and storm sewers, water and
electrical service, police and fire protection, schools, parks and recreation facilities, etc.

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

10. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the street network influenced by the use, or present parking problems in the vicinity of the property.

It is Staff's opinion the proposed use will not adversely impact the capacity or the safety of the street network or present a parking problem in the vicinity of the site. The site abuts Woodsonia Drive, a collector street, to the west, and Monticello Road, a minor arterial street, to the east. Staff notes that one of the requirements for this project is that if it does not already exist at the time this project commences, Woodsonia Drive must be constructed along the entirety of the west property line from its current cul-desac termination south to the existing southern stub (roughly 600 to 700 feet south; see Exhibit 3).





Exhibit 3: Required Construction of Woodsonia Drive.

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

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

Off-street parking requirements are met per Table 4.

| Use                         | Requirement   | Required  | Provided |
|-----------------------------|---|-----------|----------|
| 030                         |   | ricquired | TTOTIGE  |
| Multifamily<br>(apartments) | 1 space per efficiency unit, 1.5 spaces per 1-bedroom unit, 1.75 spaces per 2-bedroom unit, 2 spaces per 3+-bedroom units and 0.25 spaces per unit for visitor parking if parking spaces are located in common parking area | 480       | 481      |
| Multifamily<br>(townhomes)  | 1 space per efficiency unit, 1.5 spaces per 1-bedroom unit, 1.75 spaces per 2-bedroom unit, 2 spaces per 3+-bedroom units and 0.25 spaces per unit for visitor parking if parking spaces are located in common parking area | 140       | 140      |
| TOTAL                       |   | 620       | 621      |

#### THE RESIDENCES ON WOODSONIA - RZ23-08 & PL23-11P





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

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

12. The extent to which the proposed development would adversely affect the capacity or water quality of the stormwater system, including without limitation, natural stream assets in the vicinity of the subject property.

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

13. The ability of the applicant to satisfy any requirements (e.g. site plan, etc.) applicable to the specific use imposed pursuant to the zoning regulations in this Chapter and other applicable ordinances.

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

8 of 13



#### PRELIMINARY PLAN REVIEW

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

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



Exhibit 4: Site Plan.

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



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

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

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

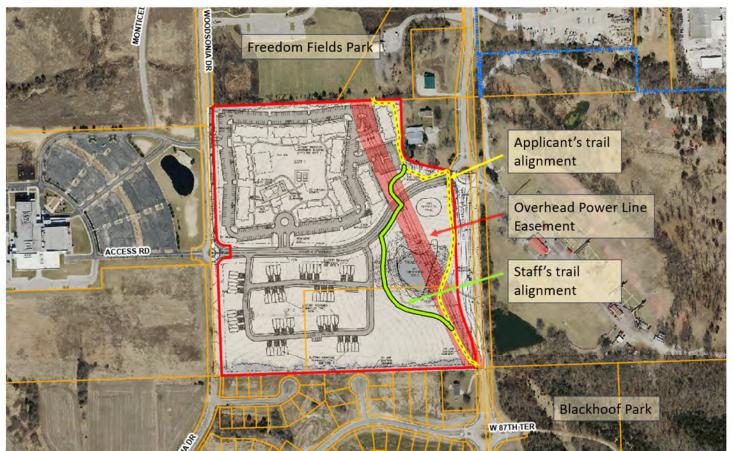


Exhibit 5: Trail Route.

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



#### DEVIATIONS

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

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

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

#### ARCHITECTURE

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





Exhibit 5: Apartment elevation.

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



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

#### LANDSCAPING

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

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

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



#### **REVIEW PROCESS**

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

#### RECOMMENDATION FROM PROFESSIONAL STAFF

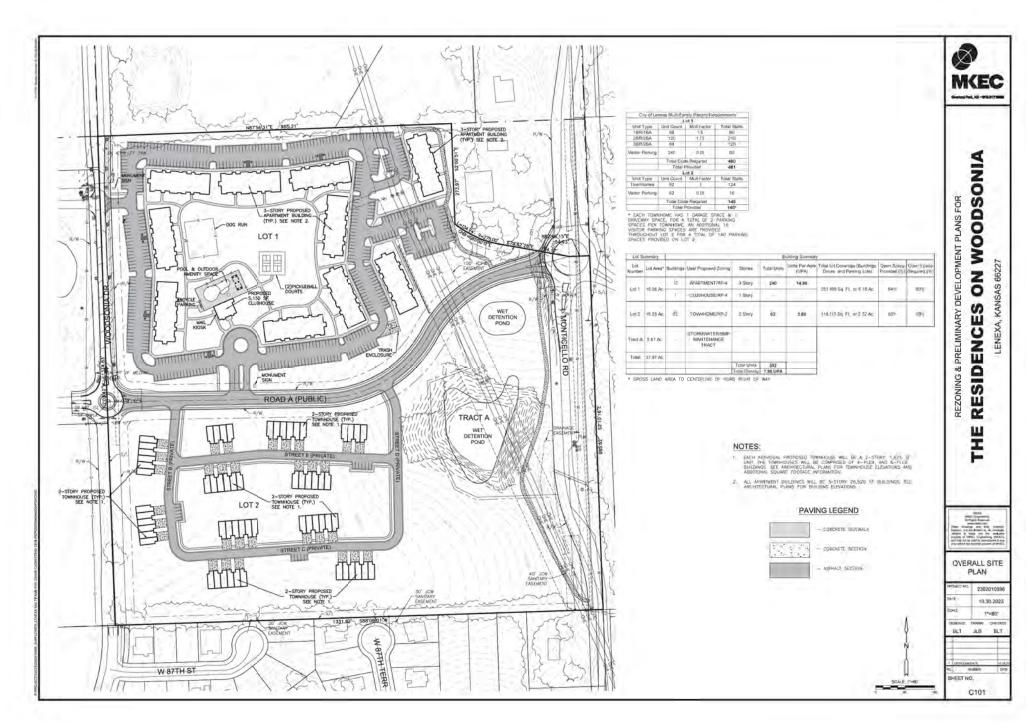
- ★ Conduct a Public Hearing for the rezoning request.
- ★ Staff recommends approval of the proposed rezoning and preliminary plan for The Residences on Woodsonia.
  - The project is consistent with Lenexa's goals through Responsible Economic Development to create Vibrant Neighborhoods and a Thriving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

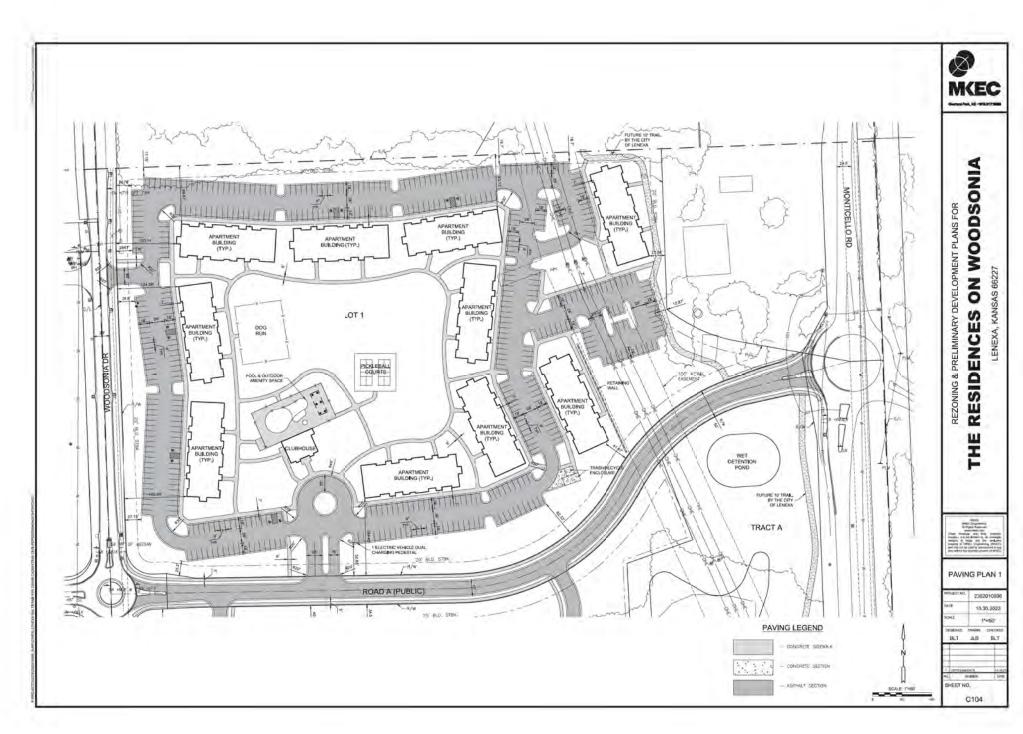
#### REZONING

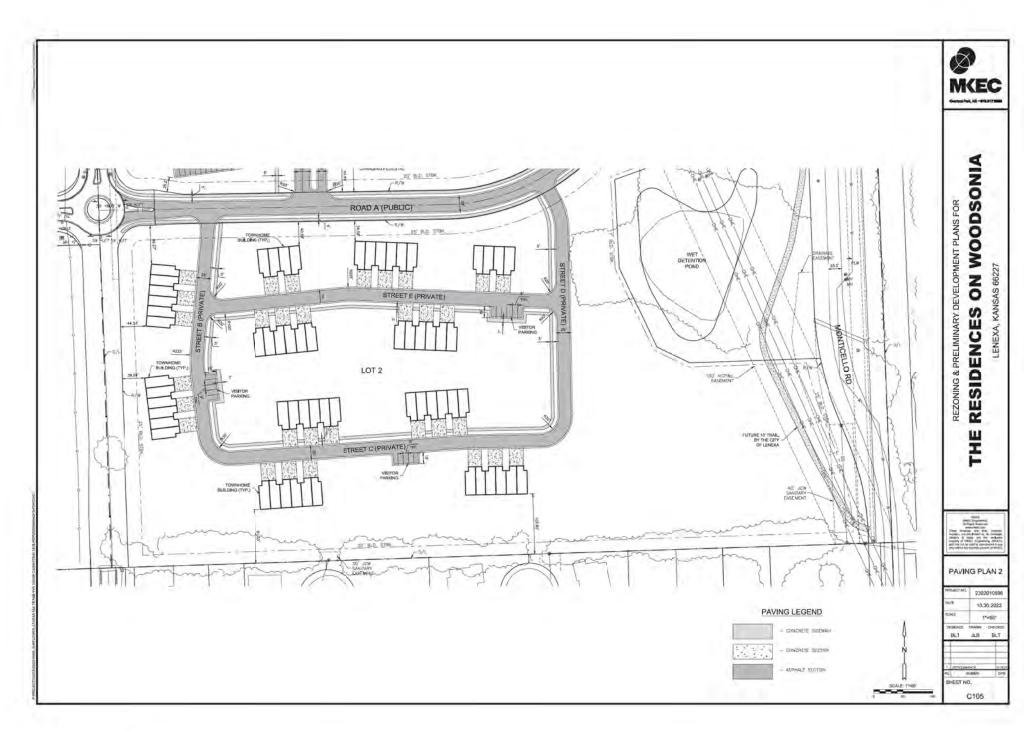
Staff recommends **approval** for rezoning property from AG to RP-4 and RP-2 for **The Residences on Woodsonia** located at the northeast corner of 86<sup>th</sup> Street (future) and Woodsonia Drive.

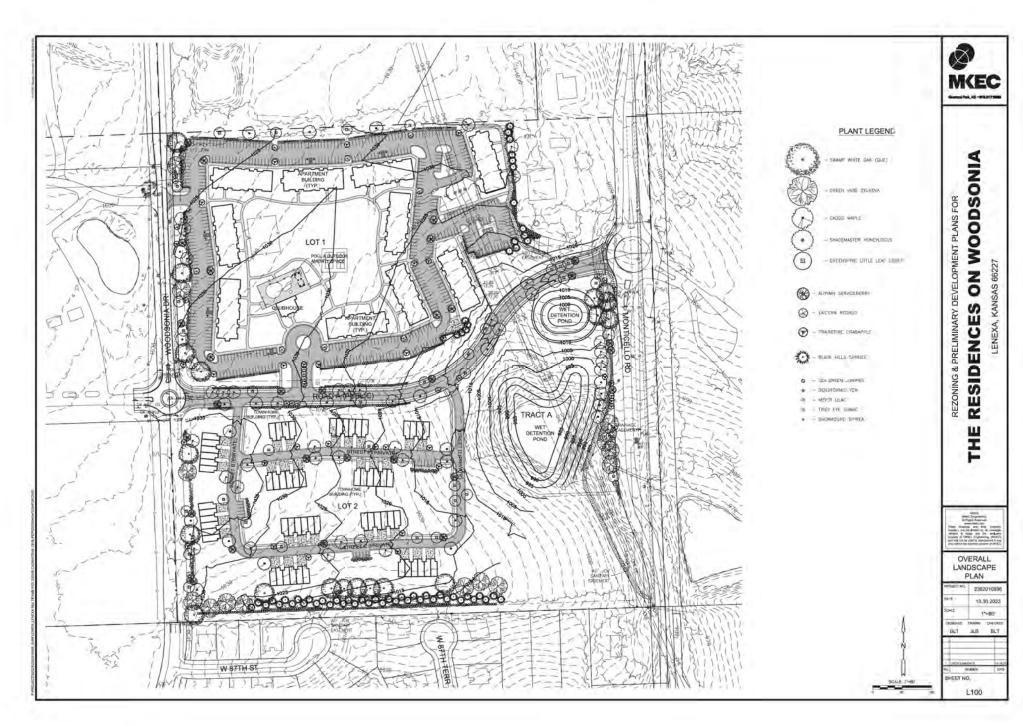
#### PRELIMINARY PLAN

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











**From:** <u>Jason@powdercreek.com</u> < <u>Jason@powdercreek.com</u>>

**Sent:** Wednesday, November 15, 2023 11:51 AM **To:** Gloria Lambert <glambert@lenexa.com>

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

<austinw@powdercreek.com>

Subject: Lenexa Planning Commission Meeting December 4th, 2023

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

Gloria,

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

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

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

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



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

## **APPLICANT PRESENTATION**

Jason Swords, Sunflower Development, explained that it is a two-phase project that includes townhomes and apartments. He displayed the site plan and said the project consisted of 240 apartments and 481 parking spaces. The dwelling units include 60 one-bedroom units, 120 two-bedroom units and 60 three-bedroom units. They will be adding a new public street going through the site and separating the townhomes from the apartments. There will be a park-like setting on the interior of the apartment homes. Amenities will be provided for both townhomes and apartments. They are aware that Woodsonia Drive needs to be completed along the west property line before they are granted a building permit for the residential developments. More detailed landscaping plans will be provided at final plan stage, but they plan to heavily landscape the site. He talked about the building height and noted they are note proposing to construct the taller buildings next to the single-family homes. He spoke further about the materials and architecture.

#### STAFF PRESENTATION

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

#### **PUBLIC HEARING**

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



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

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

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

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

#### PLANNING COMMISSION DISCUSSION

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

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

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

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

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



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

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

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

## MOTION

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

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

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

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



# MINUTES OF THE JANUARY 2, 2024 LENEXA CITY COUNCIL MEETING COMMUNITY FORUM, 17101 W 87th STREET PARKWAY LENEXA, KS 66219

#### **CALL TO ORDER**

Mayor Sayers called the meeting to order at 7 PM.

## **ROLL CALL**

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

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

## **APPROVE MINUTES**

Councilmember Denny made a motion to approve the December 19, 2023 City Council meeting draft minutes and Councilmember Eiterich seconded the motion. Motion passed unanimously.

# **MODIFICATION OF AGENDA**

There were no modifications to the agenda.

## **CONSENT AGENDA**

1. Acceptance for maintenance

funded.

- a. Acceptance of the Meritex Building 3 99th Street Turn Lane public improvements for maintenance

  This project constructed right-turn lane public improvements associated with Maritax Language Executive Park Surface. 2nd Plot. The work was privately
  - Meritex Lenexa Executive Park Surface, 2nd Plat. The work was privately funded.
- b. Acceptance of the Meritex Buildings 4 and 5 99th Street Turn Lane public improvements for maintenance

  This project constructed right-turn lane public improvements associated with Meritex Lenexa Executive Park Surface, 3rd Plat. The work was privately
- c. Acceptance of the Lenexa City Center North Street Extension Special Benefit District Project for maintenance

This project provides access to new development within Lenexa City Center North to serve the forthcoming Advent Health Wellness Campus. The project constructed Elmridge Street and Scarborough Street as two-lane roadways with a stormwater drainage system, sidewalks, curb and gutter, street lighting, pavement markings, signage, angled parking, and other appurtenances. The total cost of construction was \$4,975,827.21.

- d. Acceptance of the Widmer Road from 95th Street to Pennycross Road Stormwater Improvement Project for maintenance

  This project included rehabilitation of the stormwater system, which was prompted by reports of sinkholes and a high concentration of pipes in poor condition. Johnson County accepted the project for 2022 cost-share funding and the total cost of construction was \$1,576,641.63.
- 2. Resolution authorizing the Mayor to execute an agreement with Johnson County for 2024 County Assistance Road System Program funding for the Lackman Road 87th Street Parkway to North City Limits Public Improvement Project The City has received 2024 County Assistance Road Systems (CARS) Program funding for the Lackman Road from 87th Street Parkway to the North City Limits Public Improvements Project. The total CARS funding for the project is 50% of the project cost, not to exceed \$845,000.
- 3. Resolution authorizing the Mayor to execute Addendum No. 2 to the engineering consultant agreement with Braun Intertech Corporation to provide sampling and testing services for construction materials

  Braun Intertec Corporation was selected in February 2023 as the City's consultant to perform quality assurance testing for materials used during the construction of Capital Improvement Program projects and privately financed public improvements.

  Addendum No. 2 extends the current agreement by one additional year and sets the maximum fee for services at \$150,000.
- 4. Resolution authorizing the Mayor to execute an addendum to the Master Services Agreement with ConvergeOne, Inc. to purchase server infrastructure to replace and improve the City's technology infrastructure

  The City's server infrastructure, essential for its operational needs, has reached the end of its current maintenance agreement. Opting for the replacement of this aging hardware with current-generation counterparts proves to be a cost-effective solution compared to extending support for the existing equipment. This upgrade saves costs and facilitates additional growth opportunities over the next five years. The total not-to-exceed cost is \$643,569.91.
- 5. Resolution declaring it necessary to appropriate private property for the construction of the 81st Street to 81st Terrace, east of Maurer Road Stormwater Improvement Project

  This resolution will allow the City to proceed with the acquisition of private property associated with the construction of the 81st Street to 81st Terrace, east of Maurer Road Stormwater Improvement Project. The total estimated cost of the project, including acquisition, is \$985,425.
- 6. Resolution declaring it necessary to appropriate private property for the construction

of the 107th Street and 108th Street, west of Pflumm Road Stormwater Improvement Project

This resolution will allow the City to proceed with the acquisition of private property associated with the construction of the 107th Street and 108th Street, west of Pflumm Road Stormwater Improvement Project. The project's estimated cost, including acquisition, is \$1.87 million.

## **END OF CONSENT AGENDA**

Councilmember Williamson made a motion to approve items 1 through 6 on the consent agenda and Councilmember Eiterich seconded the motion. Motion passed unanimously.

## **NEW BUSINESS**

There was no new business.

#### **COUNCILMEMBER REPORTS**

There were no councilmember reports.

#### STAFF REPORTS

Beccy Yocham, City Manager, wished the Governing Body a Happy New Year and reminded them that there would be a group photo taken prior to the January 16th City Council meeting.

#### **END OF RECORDED SESSION**

## **BUSINESS FROM FLOOR**

David Ricketts, 9128 Tomashaw Lane, spoke about traffic speed concerns in his neighborhood, saying that different things have been tried through the years, but things haven't changed. He is concerned that rivers are going even faster now and are inattentive. He requested mitigation such as a speed hump. Mayor Sayers suggested providing detailed information in an email to staff to start the conversation.

Seth Graber, 9110 Twilight Lane, spoke about his concerns about Police communications being encrypted, saying he has spoken to Chief Layman. He said it is valuable for residents to know about police activity and shows transparency. He would like the Council to consider reversing the decision but if not, he would like activity details in the data feed that is provided to be more specific.

Tim McCabe, 7922 Hallet Street, said he agreed with Mr. Graber and wants to know why 13 municipalities suddenly decided to encrypt police communications and why now. He added that Chief Layman's comments about the encryption being in compliance with FBI requirements concerns him. He is concerned about transparency.

#### STUDENT INTRODUCTIONS

Luke Jansen, Scout Troop 324, attended the meeting for his Citizenship in the Community badge.

#### **ADJOURN**

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

The meeting adjourned at 7:14 PM.

S <u>6 | NW/NE</u>QQ/Q T <u>13South | Johnson County</u>

R 24 East | Kansas

#### **EASEMENT CONVEYANCE**

THIS **EASEMENT** made and entered into this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2024, by and between **City of Lenexa**,, a political subdivision of the State of Kansas, **"GRANTOR"** and **Evergy Metro, Inc., a Missouri corporation,** whose mailing address is PO Box 418679, Kansas City, MO. 64141-9679, and its and their affiliates, lessees, licensees, designees, successors and assigns, of Jackson County, Missouri **"GRANTEE"**.

After recording mail to: Evergy

Department PO Box 418679

Kansas City, MO 64141-9679

Legal Description: See Exhibit A

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, Grantor, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby GRANTS, BARGAINS, SELLS AND CONVEYS to Grantee, its lessees, successors and assigns, the right, privilege and perpetual non-exclusive easement to enter upon the "Grantor Real Property" as described below, to patrol, alter, conduct surveys, construct, erect, inspect, install, maintain, operate, rebuild, reconstruct, relocate, remove, renew, repair and replace electric and communication transmission and distribution lines and their appurtenances under varying conditions of operation, including the poles, towers, anchors, guys, crossarms, insulators, conductors, conduit, ducts, cables, and other fixtures and equipment appurtenant thereto for the transmission and/or distribution of electric energy and communications in, along, under, across, and over the Grantor Real Property, and in and upon all streets, roadways or highways abutting said lands, as described ("Easement Tract") in Exhibit "A" attached hereto and incorporated by reference herein (individually and in any combination referred to as the "Rights"), together with the right of ingress to and egress to and from the Easement Tract on the Grantor Real Property and contiguous land owned by Grantor for the purpose of Grantee

exercising the Rights ("Access Rights"). Grantee shall exercise the Rights and Access Rights in a reasonable and appropriate manner as determined in its good faith and when practicable, use existing roads and lanes. The "Grantor Real Property" is that certain real property owned by Grantor and described in Book <u>5982</u> at Page <u>417</u> in the <u>Johnson County Recorder of Deeds office</u>.

In the exercise of the Rights and Access Rights, Grantee shall have the further right to erect and use gates in all fences that cross or obstruct the Access Rights or that shall hereafter cross or obstruct the Access Rights on the Grantor Real Property or contiguous land owned by Grantor, and also have the right to trim, remove, eradicate, cut and clear away any trees, limbs, brush and vines ("Woody Vegetation") on or adjoining the Easement Tract or on routes exercised as Access Rights now or at any future time whenever in its judgment such Woody Vegetation will interfere with or endanger the exercise of the Rights or the Access Rights. All such Woody Vegetation shall be burned or removed by Grantee unless otherwise mutually agreed to by Grantor and Grantee. In the event Grantee causes damage to Grantor or the Grantor Real Property from the exercise of the Rights or Access Rights, Grantee shall either cause the physical, material damage to be repaired or pay Grantor the reasonable cost of such work.

Grantor, its heirs, successors, assigns and lessees, may cultivate, use and enjoy the Easement Tract, provided such use shall not, in the judgment of Grantee, interfere with or endanger the Rights, and provided further that no improvements, buildings or structures shall be located, constructed or otherwise placed on the Easement Tract.

#### LANDSCAPE CLAUSE

Grantor agrees to plant, install and maintain any and all landscaping required by city ordinance to screen utility structures located on the property.

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

**TO HAVE AND TO HOLD** said easement and rights aforesaid with all and singular, the rights, privileges, appurtenances, and immunities thereto belonging or in anyway appertaining unto Grantee its lessees, licensee, successors or assigns forever. This easement conveyance shall run with the land and shall be binding upon Grantor and Grantor's heirs, administrators, executors, successors and assigns. Grantor hereby covenants that Grantor is the owner(s) of the above-described land, subject to existing liens and right-of-way easements of record.

SIGNATURES ON FOLLOWING PAGE

**IN TESTIMONY WHEREOF,** Grantor has hereunto executed this Easement on the date first above written.

| CITY OF LENE                  | <u>ka. Kansas</u>                                  |              |             |            |           |                |               |
|-------------------------------|--|--------------|-------------|------------|-----------|----------------|---------------|
| Ву:                           |  |              |             | ATTEST     | :         |                |               |
| Print Name:                   | Julie Sayers                                       |              |             |            |           | CLERK          |               |
|                               | -  |              |             |            |           |                |               |
| Title:                        | <u>Mayor</u>                                       |              |             |            |           |                |               |
|                               |  |              |             |            |           |                |               |
|                               |  |              |             |            |           |                |               |
|                               |  |              |             |            |           |                |               |
| SEAL                          |  |              |             | =          |           |                |               |
|                               |  |              |             |            |           |                |               |
|                               |  | ACKNO        | WLEDGE      | MENT       |           |                |               |
| State of                      | )  |              |             |            |           |                |               |
|                               | ) SS<br>)  | 6.           |             |            |           |                |               |
| County of                     | )  |              |             |            |           |                |               |
| On this                       | day of,  | <u>2024,</u> | before      | me a       | a Nota    | ary Public     | c, appear     |
|                               | to me personally k                                 | known, (or   | proved to   | o me on    | the basis | s of satisfac  | ctory evidend |
|                               | son(s) described in ar<br>or of the City of Lenexa |              |             |            |           |                |               |
| seal of said m                | unicipality and that said                          | d instrume   | nt was sig  | ned and s  | sealed on | behalf of s    | aid municipa  |
| by aut                        | hority of  | its          | board       | pui        | rsuant    | to             | Resoluti      |
| on                            | duly<br>and the said                               | ac           | knowledge   | ed said in | strument  | to be the fre  | e act and de  |
| of said munici                | pality, executed for the                           | purposes     | therein sta | ated.      |           |                |               |
|                               |  |              |             |            |           |                |               |
| IN TESTIMON<br>year aforesaid | NY WHEREOF, I have<br>d                            | hereunto     | set my h    | and and    | affixed m | ny official se | al the day a  |
| your arorooan                 |  |              |             |            |           |                |               |
| My Commissis                  | on Evniroo   |              | Notonil     | Dublia     |           |                |               |
| wry Commissio                 | on Expires:  |              | Notary      | -ublic     |           |                |               |
|                               |  |              |             |            |           |                |               |
|                               |  |              |             |            |           |                |               |
| WR#:                          | Validation by                                      | y:           |             |            |           |                |               |

# EXHIBIT 'A'

#### **EASEMENT DESCRIPTION:**

A STRIP OF LAND IN LOT 1, LENEXA JUSTICE CENTER, A SUBDIVISION OF LAND IN THE CITY OF LENEXA, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY WAYNE E. MALNICOF, P.S. #1239, JANUARY 8, 2024, AS FOLLOWS:

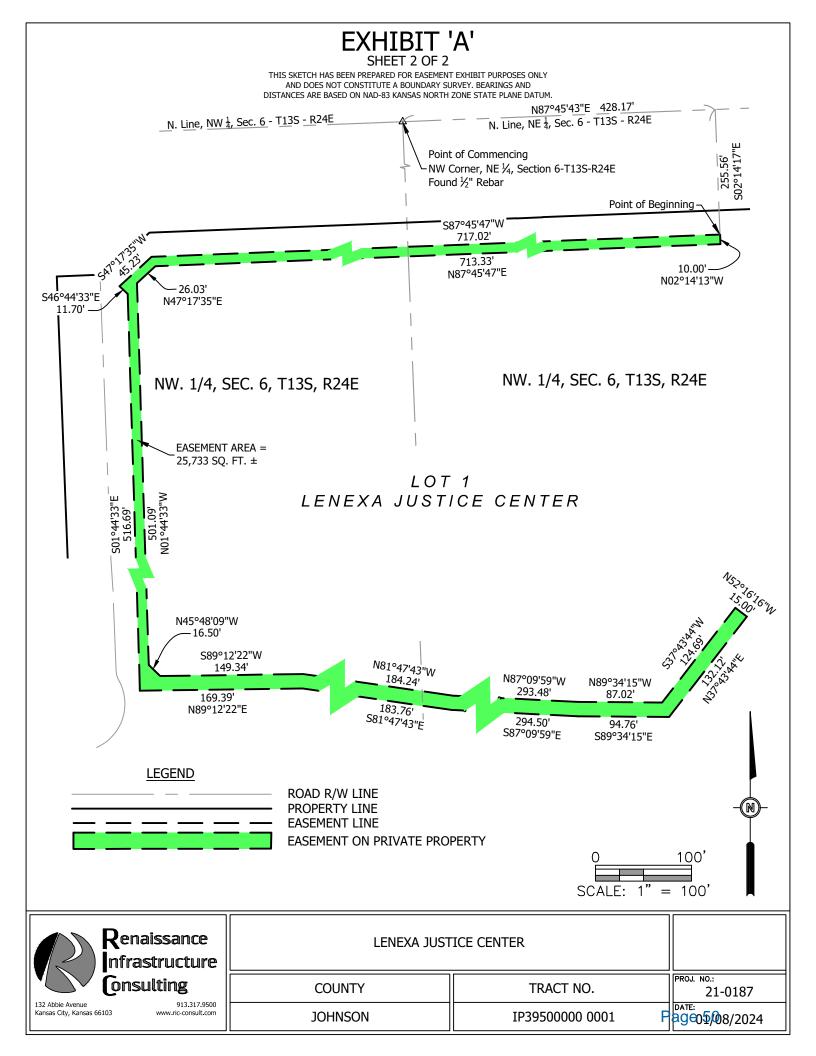
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 24 EAST OF THE 6TH PRINCIPAL MERIDIAN, JOHNSON COUNTY, KANSAS; THENCE NORTH 87°45'43" EAST AND ALONG THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 428.17 FEET; THENCE DEPARTING SAID NORTH LINE SOUTH 02°14'17" EAST, A DISTANCE OF 255.56 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87°45'47" WEST, A DISTANCE OF 717.02 FEET; THENCE SOUTH 47°17'35" WEST, A DISTANCE OF 45.23 FEET; THENCE SOUTH 46°44'33" EAST, A DISTANCE OF 11.70 FEET; THENCE SOUTH 01°44'33" EAST, A DISTANCE OF 516.69 FEET; THENCE NORTH 89°12'22" EAST, A DISTANCE OF 169.39 FEET; THENCE SOUTH 81°47'43" EAST, A DISTANCE OF 183.76 FEET, THENCE SOUTH 87°09'59" EAST, A DISTANCE OF 294.50 FEET; THENCE SOUTH 89°34'15" EAST, A DISTANCE OF 94.76 FEET; THENCE NORTH 37°43'44" EAST, A DISTANCE OF 132.12 FEET; THENCE NORTH 52°16'16" WEST, A DISTANCE OF 15.00 FEET, THENCE SOUTH 37°43'44" WEST, A DISTANCE OF 124.69 FEET; THENCE NORTH 89°34'15" WEST, A DISTANCE OF 87.02 FEET; THENCE NORTH 87°09'59" WEST, A DISTANCE OF 293.48 FEET; THENCE NORTH 81°47'43" WEST, A DISTANCE OF 184.24 FEET; THENCE SOUTH 89°12'22" WEST, A DISTANCE OF 149.34 FEET; THENCE NORTH 45°48'09" WEST, A DISTANCE OF 16.50 FEET; THENCE NORTH 01°44'33" WEST, A DISTANCE OF 501.09 FEET; THENCE NORTH 47°17'35" EAST, A DISTANCE OF 26.03 FEET; THENCE NORTH 87°45'47" EAST, A DISTANCE OF 713.33 FEET; THENCE NORTH 02°14'13" WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 25,733 SQUARE FEET, MORE OR LESS.

| nfr.                      | naissance<br>astructure<br>sulting |
|---------------------------|------------------------------------|
| 132 Abbie Avenue          | 913.317.9500                       |
| Kansas City, Kansas 66103 | www.ric-consult.com                |

| LENEXA JUSTICE CENTER |                   |                        |
|-----------------------|-------------------|------------------------|
| COUNTY                | TRACT NO.         | PROJ. NO.:<br>21-0187  |
| JOHNSON               | IP39500000 0001 P | DATE:<br>2Ge04/08/2024 |

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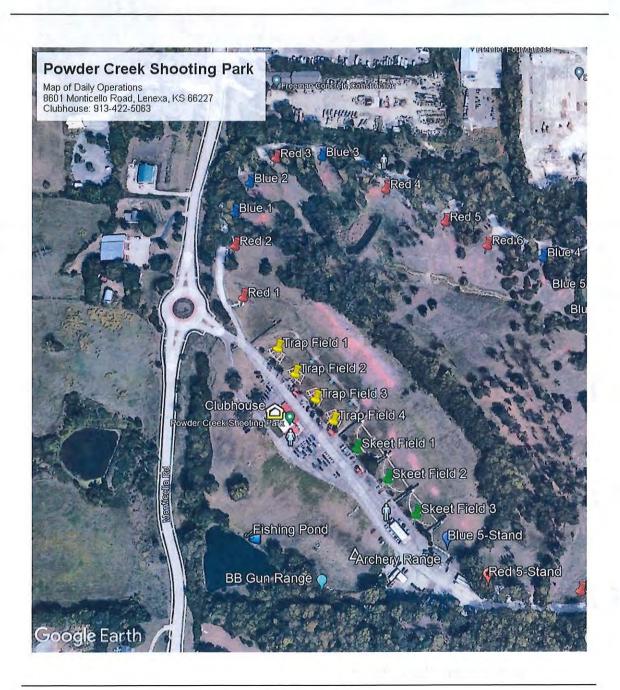
# AERIAL EXHIBIT





| COUNTY  | TRACT NO.       | PROJ. NO.:<br>21-0187 |
|---------|-----------------|-----------------------|
| JOHNSON | IP39500000 0001 | Page05/08/2024        |

# POWDER CREEK'S IMPACT ON THE RESIDENCES ON WOODSONIA









(913) 422-5063

www.powdercreek.com 8601 Monticello Rd, Lenexa, KS 66227



# OVERALL OBJECTIVE

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

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

# **About Powder Creek**

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

# **Daily Occurrences and Data**

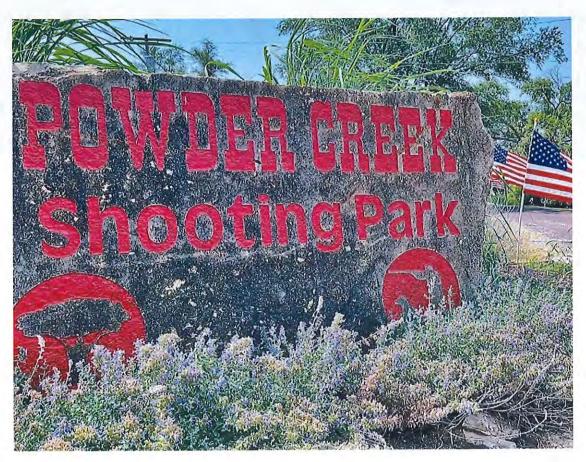
Check out the day-to-day of Powder Creek from an informational perspective. See how many shots are fired per day, how many events we have per year, and what landed us in the Guinness Book of World Records!

# **Powder Creek and The Community**

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

# **Important Take Aways**

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



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



# DAILY OCCURANCES & DATA

# Total of 3 Million Clays Shot per Year

# **NSCA Tournaments**

- Powder Creek is Recognized by the <u>N</u>ational <u>S</u>porting <u>C</u>lay <u>A</u>ssociation (NSCA)
- 14 NSCA Events Each Year.
- Most NSCA Events are 2 Day Events On the Weekends
- 1 State Championship a year.
  Powder Creek was 4 Shooters
  away from breaking the Kansas
  NSCA Attendance Record in 2023.
- About 70-110 Shooters on Average per Event
- Roughly 15,000 Clays Shot per Day, Each Day of Event

# **Corporate Events**

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

# **Sporting Clays**

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

# 5-Stand

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

# Trap

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

# Skeet

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



# POWDER CREEK & THE COMMUNITY

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

# **Charity**

01

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

02

# **Youth Programs**

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

James Academy as the Thunder Clays Team!

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

# **Donations**

03

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



# IMPORTANT TAKE-AWAYS



# **NOISE**

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

## TRAFFIC & PARKING

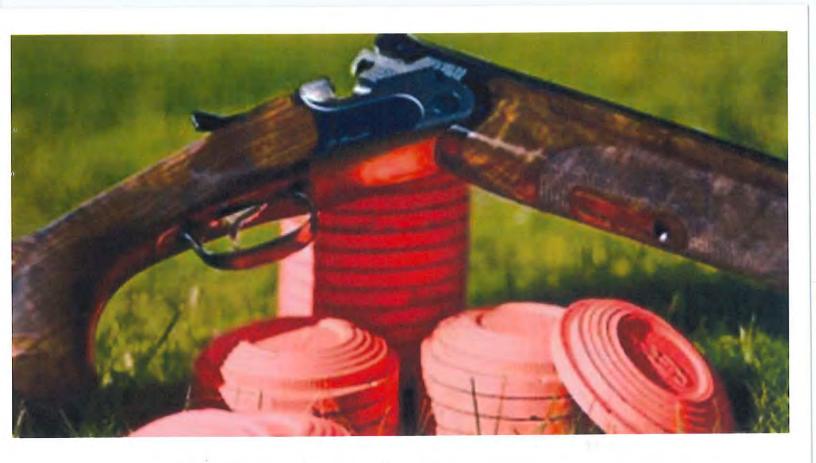
• Powder Creek utilizes the discussed roundabout on Monticello Road as our only entrance and exit. We also have regular deliveries from semis, golf cart drop offs, and food trucks.





## TRADITION

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



# THAT'S ALL FOLKS!!



Thank you!

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

## **Summer Hours**

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

## **Winter Hours**

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

**Hours Change at Daylight Savings Time** 

# **Welcome to Powder Creek!**

# NEW SHOOTER GUIDE

| TARGET CARDS                          | <ul> <li>This is where your targets are stored.</li> <li>You will need a target card to shoot at Powder Creek.</li> <li>THIS TARGET CARD IS YOURS TO KEEP- Your targets never expire on this card.</li> <li>DO NOT LOSE IT- If your target card gets lost or stolen, there is no reimbursement or refund.</li> </ul>  |
|---------------------------------------|---|
| SPORTING CLAY COURSE BLUE TARGET CARD | Sold in groups of 50 or 100 clays.  • 30 sporting clay stations & 3 difficulty levels. Map on back.  White = Introductory level (5 stations)  Blue = Intermediate level (12 Stations)  Red = Advanced / Expert level (13 Stations)  If there is a special event, some stations may be reserved and will NOT BE FOR DAILY USE.  • Two shells in your gun, and only 1 loaded gun at a time. |
| <u>TRAP</u><br>WHITE TARGET CARD      | Sold in rounds of 25 targets.  • We have 4 Trap Fields located near the parking lot/clubhouse.  • Yell PULL to throw your targets or use manual pull.  There are 5 positions to shoot from.  • Only 1 shell in your gun, and only 1 loaded gun at a time.  ***Trap is best for warm-ups and beginners.  |
| <u>SKEET</u><br>WHITE TARGET CARD     | <ul> <li>Sold in rounds of 25 targets.</li> <li>We have 3 Skeet Fields located near the parking lot/clubhouse.</li> <li>Yell PULL to throw your targets, or use manual pull.</li> <li>There are 8 positions to shoot from.</li> <li>Two shells in your gun, and only 1 loaded gun at a time.</li> </ul>   |
| <u>5-STAND</u><br>GREEN TARGET CARD   | Sold in rounds of 25 targets.  We have two 5-Stands available, with 2 different difficulty levels.  Blue = Intermediate (with Tower)  Red = More Difficult (with Trees)  You will need the 5-Stand remote to play this game, and we will need your ID as collateral.  Two shells in your gun, and only 1 loaded gun at a time.  |

