



**MINUTES OF THE
SEPTEMBER 19, 2023
LENEXA CITY COUNCIL MEETING
COMMUNITY FORUM, 17101 W 87th STREET PARKWAY
LENEXA, KS 66219**

CALL TO ORDER

Mayor Boehm called the meeting to order at 7 PM.

ROLL CALL

Councilmembers Karlin, Eiterich, Nicks, Nolte, Roh, Arroyo, Sayers, and Denny were present with Mayor Boehm presiding.

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

APPROVE MINUTES

Councilmember Roh made a motion to approve the August 22, 2023 Special City Council meeting and September 5, 2023 City Council meeting draft minutes and Councilmember Sayers seconded the motion. Motion passed unanimously.

MODIFICATION OF AGENDA

There were no modifications to the agenda.

PROCLAMATIONS

National Diaper Need Awareness Week Sept. 18-24
National Community Planning Month - October

CONSENT AGENDA

1. Acceptance of drainage and stormwater easements and rights-of-way as shown on Canyon Creek 100th Street, Final Plat
Canyon Creek 100th Street, Final Plat, will be a new public street between 99th Street and Canyon Creek Boulevard. Easements and rights-of-way are being dedicated to the City as part of the final plat.
2. Acceptance of utility, drainage, sidewalk, and landscape easements and rights-of-way as shown on Silverleaf, Second Plat
Silverleaf, Second Plat is a single-family residential development on 10.9 acres at the northeast corner of 95th Street & Monticello Road. Easements and rights-of-way are being dedicated to the City as part of the final plat.
3. Resolution approving the closure of Penrose Lane from eastbound 87th Street

Parkway to 88th Street for Friday Night Sound Bites on October 27, 2023

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

4. Resolution approving Addendum Five to the agreement with RubinBrown L.L.P. for professional auditing services
In 2018, the City entered into a professional auditing services agreement with RubinBrown, L.L.P. This agreement has been renewed in one-year increments, currently through October 2023. Addendum Five will extend the agreement for an additional year for an estimated \$80,500.
5. Resolution authorizing the Mayor to execute a Master Services and Purchasing Agreement with Axon Enterprise, Inc. for the purchase and maintenance of body-worn cameras, a digital evidence management system, electronic control devices, and interview rooms
The Lenexa Police Department is requesting to execute a new master services agreement (MSA) with Axon Enterprises, Inc. and add Axon Investigate to the current platform. Axon Investigate will enable interview room recording at the new Justice Center. With a new MSA, the City can take advantage of bundled pricing and benefit from technology upgrades. The total cost over five years is \$1,227,293.44.
6. Resolution approving and authorizing the Mayor to execute an agreement with Asset Health to administer the City's employee wellness program for a three-year period beginning January 1, 2024 and ending December 31, 2026
Cerner Health Connections, the City's current health and wellness program administrator, has stopped offering this service. Staff recommends entering a three-year agreement with Asset Health, at an estimated cost of \$36,556 annually, to administer the City's employee health and wellness program.
7. Ordinance incorporating by reference the 2023 Standard Traffic Ordinance and repealing existing City Code Section 3-8-A-1
The proposed ordinance will incorporate by reference the 2023 Standard Traffic Ordinance into the City Code, along with specific changes and additions previously adopted.

END OF CONSENT AGENDA

Councilmember Sayers made a motion to approve items 1 through 7 on the consent agenda and Councilmember Eiterich seconded the motion. Motion passed unanimously.

BOARD RECOMMENDATIONS

8. Ordinance approving a three-year special use permit for a personal instruction, general use for A Greater You located at 9900 Pflumm Road, Suite 44 in the BP-2, Planned Manufacturing District

The applicant proposes to operate a soccer training facility in a 7,700 square foot facility, which requires a special use permit.

Stephanie Kisler, Planning Manager, said this application is for a three-year SUP for A Greater You at 9900 Pflumm Road, Suite 44. The tenant will occupy 7,700 square feet for personal instruction. This location is in a BP-2 district.

Ms. Kisler presented photos of the exterior and interior of the building.

Ms. Kisler said that staff reviewed the SUP criteria in depth and responses to each of the criteria are contained in the staff report in the packet.

Ms. Kisler said both staff and the Planning Commission recommend approval. She added that there are partnering businesses that will share the space and the SUP covers all of the businesses.

Jason Belz, business owner, said has operated in the area for eight years. He explained how all of the businesses will work together in the space.

Councilmember Roh thanked Mr. Belz for his business, saying it fills a need for the community.

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

9. Ordinance approving a five-year special use permit for a medical clinic use for NeuroEdge Chiropractic, LLC located at 13100 W. 95th Street, Suite 3A, in the NP-O, Planned Neighborhood Office District

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

Ms. Kisler said this application is for a five-year SUP for NeuroEdge Chiropractic at 13100 W. 95th Street. The tenant will operate a medical clinic. This location is in the NP-O district.

Ms. Kisler presented photos of the building on the corner of 95th Street & Noland Road.

Ms. Kisler said that staff reviewed the SUP criteria in depth and responses to each of the criteria are contained in the staff report in the packet.

Ms. Kisler talked about existing property maintenance concerns on this site that would be required to be remedied as a condition of the SUP.

Ms. Kisler said both staff and the Planning Commission recommend approval with the condition to remedy code issues within 90 days.

Dr. Malloy said he is excited to be operating his own business in Lenexa.

Mayor Boehm asked if, since this is a multi-tenant building, only this one SUP would

get revoked. Scott McCullough, Community Development Director, said there are options to pursue compliance and after the 90 days staff would work through them if the relatively minor property maintenance issues remain.

Dr. Malloy talked about scheduling the work and working with the property manager and neighboring business to resolve the issues.

Councilmember Denny made a motion to approve Item 9 and Councilmember Sayers seconded the motion. Motion passed unanimously.

10. Ordinance approving a five-year special use permit for a medical clinic use for Headache Relief Center located at 8807 Long Street in the NP-O, Planned Neighborhood Office District
The applicant proposes to operate a chiropractic clinic within the NP-O District, which requires a special use permit.

Ms. Kisler said this application is for a five-year SUP for Headache Relief Center located at 8807 Long Street in a multi-tenant building. This property is in the NP-O district.

Ms. Kisler presented the zoning and future land use maps.

Ms. Kisler said that staff reviewed the SUP criteria in depth and responses to each of the criteria are contained in the staff report in the packet.

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

Scott Chorny, business owner, said he is a new Lenexa resident and has been practicing here for 31 years, treating only headaches and migraines. He said he is moving here from the 95th Street and Noland Road location.

Councilmember Nolte made a motion to approve Item 10 and Councilmember Roh seconded the motion. Motion passed unanimously.

11. Consideration of a preliminary plan/plat for a single-family residential subdivision known as Falcon Farm, located near the northeast corner of 101st Street & Lone Elm Road within the R-1, Single-Family Residential District
The applicant proposes a single-family residential development known as Falcon Farm near the northeast corner of 101st Street & Lone Elm Road. The preliminary plan/plat includes 66 single-family lots and 8 tracts on 30 acres.

Ms. Kisler said this preliminary plan/plat is for Falcon Farm, previously known as Raman 101st Street Single-Family, located at the northeast corner of 101st Street & Lone Elm Road. She presented the location map, the zoning map, and the future land use map, saying the area is zoned R-1 and designated as suburban residential.

Ms. Kisler said this preliminary plan/plat is for 66 single family lots and eight tracts on 30 acres with a density of 2.2 dwelling units per acre (DUA).

Ms. Kisler said there was a previous plat approved, Stoneview 3rd Plat, which expired

in 2010. She said Falcon Farm is similar to that plat, but the Sikh temple is no longer included. She pointed out where 99th Terrace will tie into Lone Elm Road and where Marion Street will connect to 101st Street with the houses facing west toward the Sikh Temple and the intersection of 101st Street & Lone Elm Road. She added that there is an easement with power lines that cuts diagonally across the plat.

Ms. Kisler presented the housing classifications for the area, showing Falcon Farm in classification A, Highland Crest in B, Falcon Ridge Meadows in D, and Kingston at Manchester Park in D. She explained how the classifications determine the minimum ground floor area required depending on the style of the house.

Ms. Kisler showed the landscape buffers that will be required along 101st Street, as well as along Lone Elm Road with some related conditions for the final plat. She said the width does not meet code and staff recommends widening it to meet the landscape buffer requirement.

Ms. Kisler said there is also a public trail planned and showed where it would cross the plat diagonally in the easement.

Ms. Kisler reviewed the recommended revisions for the final plat submittal. She said staff requests plat notes regarding the trail easement, the housing classification, the owner and responsible party for maintenance of tracts, and the responsible party for maintenance of all dedications and easements, as well as an increased width of the landscape buffer to meet the minimum requirement.

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

Mason Olson, Olsson Associates, said the developer is Raman Properties and they are excited to bring more single family homes to Lenexa.

Councilmember Karlin asked about stormwater facilities and Mr. Oldson said there is an existing storm pond and that two more would be added. Councilmember Karlin said he is excited to see more single family development and this is a challenging site to develop with the power lines running through it. He is glad to see this come forward.

Councilmember Roh asked about the home sizes. Mr. Olson said they would meet housing classification A with 2,400 square foot ground floor single story homes, but the grading could also suit split-level or full basement homes. Councilmember Roh asked for the price point and Mr. Olson said he believed they would be in the \$700,000 range.

Councilmember Sayers asked if there are any requirements for fencing or landscaping along the easement where the future trail will be. Ms. Kisler said that there is no landscaping easement between the trail and the properties and fences could go right on the property line. She added that Evergy has restrictions on what can go in the easement.

Councilmember Eiterich said she appreciated seeing the classification table, which was new to her.

Councilmember Nicks also thanked staff for providing the housing classification table. He asked if there would be three stormwater areas. Tim Green, Deputy Community Development Director/City Engineer, said yes, there is one existing basin that is being used and will have some work done to it, as well as one added in the northeast corner and one added in the northwest corner. Councilmember Nicks asked who would be required to maintain them since they serve different developments. Mr. Green said they are detention basins and can be left native with some mowing standards required. Councilmember Nicks said an expectation needs to be set since they abut properties and Mr. Green said staff would look at that. Councilmember Nicks asked about the trail easement and if the City will maintain it. Mr. Green confirmed the City would maintain it. Logan Wagler, Parks and Recreation Director, agreed that the City would maintain the trail easement.

Councilmember Roh asked if there were any renderings of the homes and Ms. Kisler said that would be later at final plan.

Mr. Olson said that nothing has been finalized on style yet.

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

12. Consideration of a preliminary plan/plat for a multi-family residential development known as Canyon Creek Apartment Homes, located near the northeast corner of K-10 Highway & Canyon Creek Boulevard within the RP-4, Residential Planned (High-Density) District and the RP-2, Residential Planned (Intermediate-Density) District *The applicant proposes a multi-family residential development known as Canyon Creek Apartment Homes near the northeast corner of K-10 Highway & Canyon Creek Boulevard. The preliminary plan/plat includes five multi-family buildings totaling 212 dwelling units and 205,000 square feet on 17.62 acres.*

Ms. Kisler said Canyon Creek Apartment Homes was previously known as Cedar Canyon West in the concept stage. This is a preliminary plan/plat for the apartments near the northeast corner of K-10 Highway and Canyon Creek Boulevard.

Ms. Kisler presented the location map. She said the installation of 100th Street, which is a separate project and plat, will complement this development. That street will provide access to the Canyon Creek Apartment Homes.

Ms. Kisler showed the Cedar Canyon West concept plan that was approved earlier this year. It was a plan that the Governing Body remanded back to the Planning Commission for review of the RP-5 zoning. The plan proposed was changed to RP-4 zoning with building height deviations.

Ms. Kisler showed that there are 16.58 acres zoned RP-4 and 1.04 acres zoned RP-2. There will no longer be townhomes or duplexes on the acre of RP-2; instead, there will be a dog park for the apartment residents at the corner of 99th Street & future 100th Street. She pointed out 8.04 acres of RP-4 zoned area remaining to the west of this development that is not included.

Ms. Kisler presented the zoning and future land use maps, saying this development is currently not compatible with the future land use designation of Office, Research, and Development, but it will be compatible once the map is updated as part of the updated Comprehensive Plan.

Ms. Kisler presented the site plan reflecting five buildings with 212 dwelling units in just over 200,000 square feet. The buildings will be three to four stories tall. She said there would be amenities for the residents such as a dog park, an exercise area, pavilions, hammocks, and trail/sidewalk.

Ms. Kisler said the RP-4 district allows 16 DUA, the concept plan showed 13.07 DUO, and the preliminary plan/plat shows 12.82 DUA.

Mayor Boehm asked if the acre for the dog park was included in the density calculation and Ms. Kisler said yes.

Ms. Kisler showed the site's connectivity with access from both future 100th Street and 99th Place, as well as sidewalks throughout the development and a trail to the east that will follow the stream corridor. She pointed out where the multi-family development will be on Lot 1, the stream buffer on the east, the rights-of-way for new streets, and tracts A and B (dog park) on the preliminary plat.

Ms. Kisler presented the architectural components, saying there would be quality building materials with siding and stone. She showed architectural renderings of the buildings and pointed out where some of the buildings are proposed to have a deviation allowing a lower fourth story. She noted that the site slopes toward the stream buffer, so the developer is requesting a deviation.

Ms. Kisler presented the landscape plan and talked about the preservation and reestablishment of existing trees and shrubs, in addition to new plantings that will be installed.

Ms. Kisler showed the building height deviation plan, explaining that the east sides of Buildings 4 and 5 were granted building height deviations at concept plan, a maximum of 48-feet tall. She said the applicant would like the same deviation for a portion of Building 2 and all of Building 3 with a maximum of 48-feet tall. She said all of Building 1, the west sides of Buildings 3, 4, and 5, and the west side and a portion of the east side of Building 2 would be three stories.

To provide additional perspectives, Ms. Kisler presented elevations and aerial views, as well as resident view of Building 3 from a lot in Canyon Creek by the Lake.

Ms. Kisler said there is also a deviation requested for freeway setback for the drive aisle and there would be no buildings in this area. She said there would be additional landscaping along the K-10 Highway buffer area for this setback.

Ms. Kisler said both staff and the Planning Commission recommend approval with the requested deviations.

Dan Sailer, MRE Capital, said they are a Kansas City-based firm and they are excited to be building their 35th development just down the street in the community where they live and raise their families.

Dan Foster, Schlagel and Associates, said the development would also have a playground in the amenity package, as well as a trail along the east side with some activity stations. He pointed out the amenity areas on the site map.

Mr. Foster presented an aerial photo of the site with plan overlay showing the existing trees being preserved, saying they will be adding evergreens and deciduous trees as well. He said that the setback request is similar to what has been done on other projects.

Mr. Foster said that after refining the project and better understanding the topography of the site, they decided to reduce the parking lot size and move the buildings toward the east. He said this works with the topography as the buildings step down, keeping the rooftops at the same level, whether there are three or four stories.

Mr. Foster talked about the building materials and showed the building floor plans.

Councilmember Sayers complimented the presentation graphics saying they put any concerns about the building heights to rest. She asked how soon the project would start. Mr. Foster said the final plat has already been submitted and the final plan will follow shortly. Councilmember Sayers said she supports this project.

Councilmember Arroyo said she appreciated that previous comments and concerns have been considered and seeing the team's collaboration. She asked if there would be EV charging stations and the applicant said they would need to talk to Evergy to see what is possible.

Councilmember Roh complimented everyone on their presentations, said it looks great and he is in support.

Councilmember Nolte said this is a strong application that has come a long way. He said it looks like there is an almost a 90-degree drop on the site that requires switchback sidewalks, which is similar to the Ozarks. He said he likes all the amenities integrated on the site with additional parking, landscaping, and the clubhouse. He said he appreciates the tremendous effort from everyone involved.

Councilmember Nicks talked about the building heights and how the previous plan had generated much discussion. He said he likes that the density has not increased, even though a fourth floor has been added in some areas. He thought that having the additional lower floor and parking made sense, in lieu of a retaining wall. He said he hoped future development of the remaining eight acres would be held to the 13.1 DUA.

Councilmember Eiterich said she loves the changes that have been made and the dog park will be a draw. She said she loves the amenity stations. She said she appreciated the work and creativity to work with the topography and she is in support.

Mayor Boehm talked about the City constructing infrastructure that works with the topography and how he appreciated that this project does that as well. He thanked the team for working with staff.

Councilmember Sayers made a motion to approve Item 12 and Councilmember Roh seconded the motion. Motion passed unanimously.

STUDENT INTRODUCTION

Ian Wakefield, Scout Pack #284, attended the meeting for his Citizenship in the Community badge.

NEW BUSINESS

There was no new business.

COUNCILMEMBER REPORTS

Councilmember Roh said there have been a lot of activities going on - the Spinach Festival was fantastic and the Rolling Magic grand opening was off the charts. He said that at the Fire Department Open House a resident shared with him that it was an incredible experience and that the Fire Department personnel were knowledgeable and enthusiastic and he felt safer having come to the event.

Councilmember Karlin agreed that there have been several really cool events lately. He complimented the Community Planning staff saying he has received nothing but rave reviews about working with this staff and that they always try to get to YES.

Councilmember Eiterich said that she really enjoyed the Spinach Festival and that a couple of the vendors shared with her that they liked how it was set up this year. She also said that the Rolling Magic grand opening was amazing.

Mayor Boehm shared an email he received from a resident who attended the Spinach Festival recognizing Eduardo, a Parks and Recreation employee, for doing a great job. Mayor Boehm thanked staff for making the Governing Body look good.

STAFF REPORTS

Beccy Yocham, City Manager, thanked the Governing Body for attending the many events and for all its support. She said Food Truck Frenzy at the Civic Campus will be this Saturday. She said there will be a mid-year Governing Body retreat next Tuesday, in lieu of a Committee of the Whole meeting; details are forthcoming this week.

END OF RECORDED SESSION

BUSINESS FROM FLOOR

There was no business from the floor.

ADJOURN

Councilmember Nolte made a motion to adjourn and Councilmember Roh seconded the

motion. Motion passed unanimously.

The meeting adjourned at 8:21 PM.

/s/ Jennifer Martin
City Clerk