AGENDA CITY OF ROELAND PARK, KANSAS CITY COUNCIL MEETING ROELAND PARK Roeland Park City Hall, 4600 W 51st Street December 5, 2022 6:00 PM

 Mike Kelly, Mayor Michael Poppa, Council Keith Moody, City Trisha Brauer, Council Member Administrator • Tom Madigan, Council Member Erin Winn, Asst, Admin. • Benjamin Dickens, Member Kelley Nielsen, City Clerk **Council Member** Kate Raglow, Council John Morris, Police Chief • Donnie Scharff. Public • Jan Faidley, Council Member Member Michael Rebne, Council Works Director • Jennifer Hill. Council Member Member

| Admin | Finance | Safety | Public Works |
|---------|---------|---------|--------------|
| Raglow | Rebne | Poppa | Brauer |
| Dickens | Hill | Madigan | Faidley |

Pledge of Allegiance

A. Instructions on Logging into Meeting Remotely

Roll Call

Modification of Agenda

Public Hearing

Public Hearing - TIF 4 Project Plan (10 min) Public Hearing - Creation of The Rocks CID (10 min)

I. Citizens Comments

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. Comments about items that appear on the agenda will be taken as each item is considered. Citizens Are Requested To Keep Their Comments Under 5 Minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

II. Consent Agenda

Consent agenda items have been studied by the Governing Body and will be acted on in a single motion. If a Council member requests a

separate discussion on an item, it can be removed from the consent agenda and placed on new business for further consideration.

- A. Appropriations Ordinance #1009
- B. City Council Meeting Minutes November 21, 2022
- C. 2023 Cereal Malt Beverage Renewals

III. Business From the Floor

- A. Applications / Presentations
- IV. Mayor's Report
- V. Workshop and Committee Reports

VI. Reports of City Liaisons

- A. Aquatic Center Advisory Committee
- B. MARC Bike & Pedestrian (Jan Faidley)
- C. Community Engagement

VII. Unfinished Business

VIII. New Business

- A. Accept Easement Dedications for Redhair Acres Final Plat (5 min)
- B. Approve Rezoning and Preliminary Development Plan for the Rocks Site (5 min)
- C. Approve Process for Filling Council Vacancy Seat (5 min)
- D. Leave of Absence Request (5 min)

IX. Ordinances and Resolutions:

- X. Workshop Items:
- XI. Reports of City Officials:

Welcome to this meeting of the City Council of Roeland Park. Below are the Procedural Rules of Council

The City Council encourages citizen participation in local governance processes. To that end, and in compliance with the Kansas Open meetings Act (KSA 45-215), you are invited to participate in this meeting. The following rules have been established to facilitate the transaction of business during the meeting. Please take a moment to review these rules before the meeting begins.

A. **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language; clapping; cheering; whistling; stomping; or any other acts that disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. Any

member(s) of the audience engaging in such conduct shall, at the discretion of the Mayor (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or removal from that meeting. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

- B. **Public Comment Request to Speak Form.** The request form's purpose is to have a record for the City Clerk. Members of the public may address the City Council during Public Comments and/or before consideration of any agenda item; however, no person shall address the Council without first being recognized by the Mayor (Chair). Any person wishing to speak, whether during Public Comments or on an agenda item, shall first complete a Public Comment or Request to Speak form and submit this form to the City Clerk before the Mayor (Chair) calls for Public Comments or calls the particular agenda item
 - 1. Public Comment on Non-Agenda Items. The Agenda shall provide for public comment about matters that are within the jurisdiction of the City but are not specifically listed on the Agenda. A member of the public who wishes to speak under Public Comments must fill out a Public Comment Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls for Public Comments.
 - 2. **Public Comment on Agenda Items.** Public comment will be accepted on Agenda items. A member of the public, who wishes to speak on an Agenda item, including items on the Consent Agenda, must fill out a Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls the Agenda item.
- C. **Purpose.** The purpose of addressing the City Council is to communicate formally with the Council regarding matters that relate to Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council.
- D. **Speaker Decorum.** Each person addressing the City Council, shall do so in an orderly, respectful, dignified manner and shall not engage in conduct or language that disturbs, or otherwise impedes the orderly conduct of the Council meeting. Any person, who so disrupts the meeting shall, at the discretion of the Mayor (Chair) or a majority of the Council Members present, be subject to removal from that meeting.
- E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the

City Council, each speaker shall limit comments to five minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available.

- F. **Speak Only Once.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law. No speaker will be allowed to yield part or all of his/her time to another, and no speaker will be credited with time requested but not used by another.
- G. Addressing the Council. Comment and testimony are to be directed to the Mayor (Chair). Dialogue between and inquiries from citizens at the lectern and individual Council Members, members of staff, or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor (Chair). Always speak from the microphone to ensure that all remarks are accurately and properly recorded. Only one speaker should be at the microphone at a time. Speakers are requested to state their full name, address and group affiliation, if any, before delivering any remarks.
- H. Agendas and minutes can be accessed at www.roelandpark.org or by contacting the City Clerk

The City Council welcomes your participation and appreciates your cooperation. If you would like additional information about the City Council or its proceedings, please contact the City Clerk at (913) 722.2600. Item Number: Committee Meeting Date: Pledge of Allegiance- -A. 12/5/2022



City of Roeland Park

Action Item Summary

| Date: | |
|-----------------------|---|
| Submitted By: | |
| Committee/Department: | |
| Title: | Instructions on Logging into Meeting Remotely |
| Item Type: | |

Recommendation:

See instructions to log in below.

Details:

The City Council Meeting will be held remotely. Below are instructions for joining the meeting by phone, online or both.

Kelley Nielsen is inviting you to a scheduled Zoom meeting.

Topic: City Council and Governing Body Workshop Meeting Time: This is a recurring meeting Meet anytime

Join Zoom Meeting https://zoom.us/j/97767592270?pwd=VWNXbjNkejIVb0JBaStWMDF5WXpoZz09

Meeting ID: 977 6759 2270 Passcode: council One tap mobile +16699006833,,97767592270# US (San Jose)

+12532158782,,97767592270# US (Tacoma)

Dial by your location +1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 929 205 6099 US (New York) +1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago) Meeting ID: 977 6759 2270 Find your local number: https://zoom.us/u/adPknyVL7e

Financial Impact



Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: Committee Meeting Date: Public Hearing- -12/5/2022



City of Roeland Park

Action Item Summary

| Date: | 11/30/2022 |
|-----------------------|--|
| Submitted By: | Keith Moody |
| Committee/Department: | Admin. |
| Title: | Public Hearing - TIF 4 Project Plan (10 min) |
| Item Type: | Other |
| | |

Recommendation:

A public hearing is required per state statute when considering adoption of a TIF Project Plan. This provides the public an opportunity to share opinions on the subject. The Planning Commission did make a finding of consistency between the TIF 4 Project Plan and the Comprehensive plan (attached are the minutes from that meeting).

Details:

Attached is a memo from Columbia Capital (special development counsel) providing an overview of the TIF project plan approval process as well as summarizing the use of TIF proceeds on this project.

TIF is not property tax abatement or tax exemption. Properties within a TIF district pay property taxes consistent with any other property. The increase in the property taxes collected on a property after redevelopment are however deposited into a special fund which is used to (in this case) reimburse a developer for authorized expenses associated with redevelopment of the site. The TIF 4 Project Plan reflects land, site grading, utilities, landscaping, retaining walls, streets, sidewalks, storm drainage and parking as the authorized expenses eligible for reimbursement. The apartments and retail buildings are not eligible for reimbursement. The structured and surface parking will make up the majority of the eligible costs.

Financial Impact

| Amount of Request: \$16.5 million in TIF Proceeds Estimated over the 20-year life of the TIF | | | | |
|--|----------------------|--|--|--|
| Budgeted Item? Budgeted Amount: | | | | |
| Line Ite | em Code/Description: | | | |

Additional Information

This is a pay as you go TIF, the City will not issue TIF Bonds, the developer will be reimbursed from TIF proceeds as they are collected each year. Incentives are capped at 25% of total project costs. The total estimated project cost is \$74 million.

Link to EPC Preliminary Development Plan:

https://www.roelandpark.org/DocumentCenter/View/4978/Roeland-Park_PrelimDevelopmentPlan_COMBINED_revised-221101-PM?bidId=

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

| | Description | Туре |
|---|---|------------|
| D | Columbia Capital Memo on Public Hearings | Cover Memo |
| D | TIF4 Project Plan | Cover Memo |
| D | EPC Presentation on Development Proposal | Cover Memo |
| D | 10-18-22 Planning Commission Meeting Minutes | Cover Memo |
| D | Planning Commission Finding of Consistency Staff Report | Cover Memo |



MEMORANDUM 1 1 . 3 0 . 2 2

Keith Moody City of Roeland Park

The purpose of this communication is to provide an overview of council actions scheduled for its December 5, 2022, regular meeting related to the proposed redevelopment of The Rocks.

TIF PROJECT PLAN

Tax increment financing (TIF) in Kansas is a two-step approval process: first, the creation of a district; second, within an established district, one or more project plans. Earlier this year, the Roeland Park City Council created TIF District #4 encompassing The Rocks site. At its October 24, 2022, special meeting, the City Council passed a resolution setting a public hearing on a TIF project plan proposed for TIF District #4 related to the construction of a mixed-use (multifamily plus commercial use) project. Staff does not seek any action on the proposed TIF project plan at the December 6 meeting.

COMMUNITY IMPROVEMENT DISTRICT

The developer of the mixed-use project requests the City also create a community improvement district (CID) at the site. A CID permits the imposition of an additional sales tax—in this case, an additional two (2) percent—on retail sales within the district boundaries. Proceeds of the CID, like proceeds of the TIF, can be used to reimburse the developer for certain eligible project costs.

Pursuant to Kansas law, the City Council is obligated to hold a public hearing with respect to the creation of a CID that will impose a sales tax, as is the case here. Staff does not seek any action on the proposed CID petition at the December 6 meeting.

OTHER INCENTIVES REQUESTED

In addition to reimbursement of certain eligible costs from proceeds of a TIF and a CID, the developer also seeks the City's issuance of industrial revenue bonds (IRBs) for the purpose of providing an exemption from sales taxes on construction materials related to the project. As of the date of this memorandum, the developer estimates the value of these three incentives to be approximately \$19 million over the life of the incentives.

SUBSEQUENT ACTIONS

Staff continues to negotiate with the developer with the intention of bringing a fullynegotiated incentivized development for final approvals by the City Council at its December 19 regular meeting.

CITY OF ROELAND PARK, KANSAS

REDEVELOPMENT DISTRICT NO. 4

THE ROCKS SITE NE CORNER OF 48TH AND ROE AVE

TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN

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Exhibit A Legal Description and Project Area Map

Exhibit B District Ordinance

Exhibit C Estimated Project Costs

Exhibit D Site Plan

Exhibit E Estimated Calculation of TIF Revenues

I. <u>INTRODUCTION</u>

Pursuant to the Kansas Tax Increment Financing Act, K.S.A. 12-1770 *et seq.*, as amended (the "TIF Act"), Kansas municipalities are authorized to establish redevelopment districts and tax increment financing ("TIF") redevelopment project plans for property within their jurisdiction. Redevelopment districts may be created in certain eligible areas, including property determined to be an "enterprise zone" (as defined in the TIF Act).

On February 21, 2022, the City Council of the City of Roeland Park, Kansas (the "City"), after conducting a duly noticed public hearing, found that the Property (defined herein) is located within an enterprise zone. Based in part on this finding, the City established the Property as a redevelopment district with a single project area.

In accordance with the TIF Act, RP Developers, LLC, a Kansas limited liability company, (the "Developer") has delivered this project plan (the "Plan") to the City. This Plan contemplates the development of a mixed-use development containing a multifamily community consisting of approximately 285 units, approximately 3,500 square feet of retail/restaurant space, parking improvements, and other various site amenities and improvements on the Property, all as further described herein.

II. <u>PROJECT DESCRIPTION</u>

A. <u>The Developer</u>

RP Developers, LLC c/o Brendon O'Leary EPC Real Estate Group 8001 Metcalf Ave. Ste #300 Overland Park, KS 66204

B. <u>The Property</u>

The proposed redevelopment project described herein and in the Development Agreement (defined herein) (the "Project") encompasses approximately six (6) acres generally located at the northeast corner of 48th St. and Roe Ave (the "Property"; see Project area map and legal description of the Property attached as **Exhibit A**). Developer has filed an application requesting that Property be rezoned MXD to enable the Project to be constructed.

C. <u>The Project</u>

The Property is included within the redevelopment district (the "Redevelopment District") approved by the City Council of the City on February 21, 2022, by Ordinance No. 1027

(the "District Ordinance," attached hereto as **Exhibit B**). The City's Public Works facility is currently located on the northern portion of the Property. The remainder of the Property is undeveloped.

In accordance with the Redevelopment District plan set forth in the District Ordinance, the Redevelopment District contains one project area contiguous with the boundaries of the Redevelopment District and devoted to the construction of a mixed-use development consisting of some or all of the following uses and improvements, without limitation: one or more commercial or residential facilities and all related infrastructure improvements, consisting of an approximately 296,000 square foot multifamily community containing approximately 285 units and an approximately 3,500 square foot retail/restaurant space, including site work, parking facilities, storm water, streets, sidewalks, sanitary sewers, water lines, gas lines, electric lines, landscaping, rock excavation, grading, retaining walls, and all related expenses to redevelop and finance the Project, and all other associated public and private infrastructure and other items allowable under the Act (collectively, as set forth in more detail on **Exhibit C**, the "Developer Improvements"). The proposed site plan depicting the Developer Improvements is attached hereto as **Exhibit D**.

D. <u>Project Schedule</u>

Construction of the Developer Improvements is expected to commence in the third quarter of 2023. Completion of the Developer Improvements is expected by the end of 2025.

III. <u>REDEVELOPMENT PROJECT COSTS</u>

A. <u>Project Financial Overview</u>

The Developer estimates that the total cost of the Developer Improvements is approximately \$75 million (excluding sales tax as a result of the City's issuance of industrial revenue bonds proposed by Developer) as set forth in detail in **Exhibit C**. Developer will initially finance the costs of acquiring and constructing the Project, and a portion of such costs will be reimbursed to Developer on a pay-as-you-go basis from TIF revenues, subject to the TIF Cap (defined below) and certain other requirements and agreements contained in the Development Agreement.

The Developer's projections estimate that the Redevelopment District will generate approximately \$16,500,000 of revenues that may be used to reimburse the Developer for Project costs that are "redevelopment project costs" as defined by the TIF Act and pursuant to the terms of the Development Agreement (the "Development Agreement") to be entered into between the City and the Developer (the "Reimbursable Expenditures"), as shown in **Exhibit C**. Per the TIF Act, the collection of TIF revenues for payment of Reimbursable Expenditures is limited to 20 years following the effective date of this Plan, or such shorter period as set forth in the Development Agreement.

B. <u>TIF Financing for the Project</u>

1. <u>TIF Act</u>

The TIF Act allows for TIF revenues to be generated from both incremental ad valorem property taxes and sales taxes. However, the TIF revenues will only be generated from one hundred percent (100%) of the Project's TIF-eligible incremental ad valorem property taxes, and no TIF revenues will be generated by sales tax.

2. <u>Amount of Requested Reimbursable Expenditures</u>

The Developer will advance all costs of construction of the Project. The Developer is requesting that the City reimburse the Developer for certain Reimbursable Expenditures subject to the terms of the following paragraph and the limitations set forth in the Development Agreement (the "TIF Cap"). The City and Developer acknowledge that the amount reimbursed for the cost of relocating an electrical duct bank, as more specifically described in the Development Agreement, shall not count towards calculating the limitation on reimbursement of Reimbursable Expenditures to Developer set by the TIF Cap. A projection of such Reimbursable Expenditures is shown in the column labeled "Requested TIF Reimbursement" in the **Exhibit C**. The City shall be entitled to collect an administrative fee in an amount set forth in the Development Agreement. The City's administrative fee shall not decrease or be applied against the TIF Cap.

The costs in the "Requested TIF Reimbursement" column in **Exhibit C** are the only types of expenditures for which TIF reimbursement may be paid to Developer. However, the amounts listed in **Exhibit C** are not intended to be caps on each eligible line item in **Exhibit C**; rather, Developer may be reimbursed with TIF proceeds for any statutorily allowable TIF eligible cost within any of such eligible line items, all subject to the terms of the Development Agreement.

3. Funding of Costs and Methodology for Reimbursement

The Developer will be reimbursed for Reimbursable Expenditures up to the TIF Cap, subject to the terms of Section III.B.2. above and the Development Agreement. The Reimbursable Expenditures will be paid to Developer from 100% of the eligible incremental real property taxes (less the City administrative fee described in Section III.B.2. above) generated by the Project until the earlier of (a) reimbursement paid to the Developer in the amount of the TIF Cap, or (b) 20 years from the effective date of this Plan. If Developer is fully reimbursed in the amount of the TIF Cap prior to the 20th anniversary of the effective date of this Plan, the City may continue utilizing incremental real property taxes captured by the Redevelopment District to finance Reimbursable Expenditures in accordance with the TIF Act.

The Developer will be reimbursed from TIF revenues on a pay-as-you-go basis. No special obligation or general obligation bonds will be issued by the City in relation to the Project unless the City elects to do so in its sole discretion.

That portion of the total Project costs not reimbursed by TIF revenues will be funded by the Developer through private debt or equity.

IV. SUMMARY OF FEASIBILITY STUDY

K.S.A. 12-1770a(k), as amended, requires that before any redevelopment project is undertaken, a feasibility study must be completed. The feasibility study must demonstrate that the redevelopment project's benefits and tax increment revenue and other available revenues under K.S.A. 12-1774(a)(1), as amended, are expected to exceed or be sufficient to pay for the redevelopment project's costs. The City's financial advisor, Columbia Capital Management, LLC, prepared the feasibility study, as summarized below:

RP Developers, LLC, a Kansas limited liability company (the "Developer"), requests the City of Roeland Park ("City") approve a tax increment financing project plan at the northeast corner of 48th St. and Roe Ave (the "Plan"). The Plan would be part of a tax increment financing district created by the City in February 2022 (the "District") having boundaries coterminous with the project plan and would result in the development of a mixed-use development containing a multifamily community consisting of approximately 285 units, approximately 3,500 square feet of retail/restaurant space, parking improvements, and other various site amenities and improvements (the "Project"). According to the records of the Kansas Secretary of State, the Developer is in good standing as of October 13, 2022.

The Plan contemplates the capture of tax increment financing ("TIF") incremental property taxes within the District to reimburse eligible project costs in a pay-as-you-go structure. As a result, the Developer will be responsible initially for the financing of the Project in its entirety. The City reports its intention to limit total incentives to 25% of the costs of the Project. In addition to TIF, the Project contemplates the City's issuance of one or more series of taxable industrial revenue bonds to provide a sales tax exemption on construction materials and the creation of a coterminous community improvement district ("CID") to impose an additional two (2) cent sales tax within the District. The Developer reports a **\$76,749,377 total development cost** for the Project (before incentives).

Based upon information provided to us by the Developer, the sources of the funds for the Project are as follows:

| SOURCE | |
|-------------------------------|---------------|
| Developer/Bank Loans | \$ 48,647,486 |
| Developer/Equity | 25,952,493 |
| Estimated Sales Tax Exemption | 2,149,398 |
| TOTAL SOURCES OF FUNDS | \$ 76,749,377 |

Over the life of the Project, the Developer anticipates CID proceeds will be produced in the amount of approximately \$1,000,000 and TIF proceeds will be produced in the amount of approximately \$16,443,129. The Developer anticipates reimbursement of eligible Project costs from a combination of such TIF and CID proceeds, all subject to the 25% public-to-private ratio referenced above.

Based upon our review of the information provided by the Developer, we find the following:

- the estimated costs of the Project are \$76,749,377
- the costs of the Project will be initially paid through a combination of Developer equity and private financing totaling at least \$74,599,979, with approximately \$2,149,398 in sales tax exemptions offsetting a portion of the Project cost
- the Developer expects to receive approximately \$17.4 million in TIF and CID proceeds over time to offset its development costs, with the amount of incentives (TIF, CID and sales tax exemption) limited by contract to approximately 25% of actual development costs, which is estimated, without limitation, at approximately \$19.1 million.

As such, the Plan's benefits and TIF revenue and other available revenues under subsection (a)(1) of K.S.A. 12-1774, and amendments thereto, are expected to exceed or be sufficient to pay for the Plan's project costs. The Plan will have no effect on any outstanding special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto.

V. <u>RELOCATION ASSISTANCE PLAN</u>

No businesses or occupants will be relocated as a result of this redevelopment which require relocation assistance. The City's Public Works facility will be relocated from the Property to an alternative location at the City's expense.

VI. CONCLUSION

Based on the foregoing, the Plan proposes to utilize a portion of the incremental real property taxes to finance the Reimbursable Expenditures of the Project. More specific terms and conditions related to the City's obligation to reimburse the Developer shall be set forth in a Development Agreement to be entered into by the City and the Developer contemporaneously with the City's approval of this Plan.

The Developer hereby submits this Plan for public hearing and due consideration in accordance with the TIF Act.

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EXHIBIT A

LEGAL DESCRIPTION AND PROJECT AREA MAP



Legal description:

All of that part of the North Half of Section 4, Township 12 South, Range 23 East, situate in the City of Roeland Park, Johnson County, Kansas, being described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 2°31'58" East, along the East line of the Northwest Quarter of said Section 4, a distance of 594.35 feet to the Point of Beginning; thence North 78°00'03" East, departing the East line of the Northwest Quarter of said Section 4, a distance of 247.12 feet to a point on the Western right-of-way line of Roe Lane, as now established; thence South 12°03'57" East, along the Western right-of-way line of said Roe Lane, a distance of 317.23 feet to a point of intersection in the Western right-of-way line of said Roe Lane; thence South 12°03'57" East, departing the Western right-of-way line of said Roe Lane, a distance of 100.00 feet; thence South 63°47'03" West a distance of 79.73 feet; thence Southwesterly, along a curve to the left that is non-tangent with the exit of the last described course, having a radius of 300.00 feet, a central angle of 25°01'43", and an arc distance of 131.05 feet to a point on the Northwestern right-of-way line of W. 48th Street, as now established; thence along the Northwestern right-of-way line of said W. 48th Street the following (5) courses: 1) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 38°45'18" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet; 2) South 36°46'32" West a distance of 112.40 feet; 3) South 52°33'03" West a distance of 4.61 feet; 4) Southwesterly along a curve to the right that in non-tangent with the exit of the last described course, having an initial tangent bearing of South 43°02'55" West, a radius of 210.00 feet, a central angle of 19°00'11", and an arc distance of 69.65 feet; 5) South 52°33'03" West a distance of 34.42 feet to the intersection with the Northeastern right-of-way line of Roe Boulevard, as now established; thence along the Northeastern right-of-way line of said Roe Boulevard the following three (3) courses: 1) North 20°45'27" West a distance of 8.36 feet; 2) Westerly and Northwesterly along a curve to the right that in non-tangent with the exit of the last described course, having a radius of 210.00 feet, a central angle of 76°28'50", and an arc distance of 280.32 feet; 3) thence North 32°26'59" West a distance of 275.64 feet; thence North 44°06'13" East, departing the Northeastern right-of-way line of said Roe Boulevard, a distance of 396.21 feet; thence North 78°00'03" East a distance of 126.88 feet to the Point of Beginning. Containing 322,276 square feet, or 7.40 acres, more or less.

The bearings in this description are based on the Kansas State Plane Coordinate System, North Zone, NAD83.

This description prepared by: Kellan M. Gregory, KS PLS #1577 Lamp Rynearson 9001 State Line Road Kansas City, Missouri 64114 Kansas CLS-350

EXHIBIT B

DISTRICT ORDINANCE

(Published in *The Legal Record* on March 1, 2022)

ORDINANCE NO. 1027

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS MAKING FINDINGS AND ESTABLISHING A REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO.

WHEREAS, pursuant to the provisions of K.S.A. 12-1770 *et seq.*, as amended (the "Act"), the City of Roeland Park, Kansas (the "City") is authorized to establish redevelopment districts within a defined area of the City which is an area within the City that was designated as an enterprise zone prior to July 1, 1992, and is therefore an "eligible area" as said term is defined in the Act; and

WHEREAS, the City Council (the "Governing Body") adopted Resolution No. 695 on January 18, 2022, calling for a public hearing considering the establishment of a redevelopment district to be held by the Governing Body on February 21, 2022; and

WHEREAS, notice of the public hearing was given as required by the Act; and

WHEREAS, the public hearing was opened on February 21, 2022, and closed on the same date.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

SECTION 1. The Governing Body hereby finds that the real property described in **Exhibits A** and **B** (the "Redevelopment District") attached hereto is an eligible area for being designated as a redevelopment district pursuant to the Act because the real property is an area within the City that was designated as an enterprise zone prior to July 1, 1992.

SECTION 2. The Governing Body hereby finds that the real property described in **Exhibits A** and **B** is the same real property designated in the notice of public hearing given as required by the Act and Resolution No. 695.

SECTION 3. The Governing Body hereby finds that the conservation, development or redevelopment of the Redevelopment District is necessary to promote the general and economic welfare of the City.

SECTION 4. The Governing Body hereby establishes the Redevelopment District, which shall consist of a single project area, depicted on the map attached hereto as **Exhibit A**. The district plan is hereby approved, and consists of buildings and facilities to be constructed within the Redevelopment District generally described as follows:

A redevelopment district containing up to two project areas consisting of some or all of the following uses: one or more commercial or residential facilities and all related infrastructure improvements, including site work, parking facilities, storm water, streets, sidewalks, traffic signals, sanitary sewers, water lines, gas lines, electric lines, landscaping, rock excavation, grading, retaining walls, and all related expenses to redevelop and finance the project, and all other associated public and private infrastructure and other items allowable under the Act.

SECTION 5. This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

PASSED by the Governing Body and SIGNED by the Mayor this February 21, 2022.

(SEAL)

Mike Kelly, Mayor

Kelley Nielsen, City Clerk

Steve E. Mauer, City Attorney

EXHIBIT A

MAP OF REDEVELOPMENT DISTRICT



EXHIBIT B

LEGAL DESCRIPTION OF REDEVELOPMENT DISTRICT

All of that part of the North Half of Section 4, Township 12 South, Range 23 East, situate in the City of Roeland Park, Johnson County, Kansas, being described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 2°31'58" East, along the East line of the Northwest Quarter of said Section 4, a distance of 594.35 feet to the Point of Beginning; thence North 78°00'03" East, departing the East line of the Northwest Quarter of said Section 4, a distance of 247.12 feet to a point on the Western right-of-way line of Roe Lane, as now established; thence South 12°03'57" East, along the Western right-of-way line of said Roe Lane, a distance of 317.23 feet to a point of intersection in the Western right-of-way line of said Roe Lane; thence South 12°03'57" East, departing the Western right-of-way line of said Roe Lane, a distance of 100.00 feet; thence South 63°47'03" West a distance of 79.73 feet; thence Southwesterly, along a curve to the left that is non-tangent with the exit of the last described course, having a radius of 300.00 feet, a central angle of 25°01'43", and an arc distance of 131.05 feet to a point on the Northwestern right-of-way line of W. 48th Street, as now established; thence along the Northwestern right-of-way line of said W. 48th Street the following (5) courses: 1) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 38°45'18" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet; 2) South 36°46'32" West a distance of 112.40 feet; 3) South 52°33'03" West a distance of 4.61 feet; 4) Southwesterly along a curve to the right that in non-tangent with the exit of the last described course, having an initial tangent bearing of South 43°02'55" West, a radius of 210.00 feet, a central angle of 19°00'11", and an arc distance of 69.65 feet; 5) South 52°33'03" West a distance of 34.42 feet to the intersection with the Northeastern right-of-way line of Roe Boulevard, as now established; thence along the Northeastern right-of-way line of said Roe Boulevard the following three (3) courses: 1) North 20°45'27" West a distance of 8.36 feet; 2) Westerly and Northwesterly along a curve to the right that in non-tangent with the exit of the last described course, having a radius of 210.00 feet, a central angle of 76°28'50", and an arc distance of 280.32 feet; 3) thence North 32°26'59" West a distance of 275.64 feet; thence North 44°06'13" East, departing the Northeastern right-of-way line of said Roe Boulevard, a distance of 396.21 feet; thence North 78°00'03" East a distance of 126.88 feet to the Point of Beginning. Containing 322,276 square feet, or 7.40 acres, more or less.

The bearings in this description are based on the Kansas State Plane Coordinate System, North Zone, NAD83.

This description prepared by: Kellan M. Gregory, KS PLS #1577 Lamp Rynearson 9001 State Line Road Kansas City, Missouri 64114 Kansas CLS-350

EXHIBIT C

ESTIMATED PROJECT COSTS

| Rocks Site With Incentives | | | | | 10/14/2022 |
|---------------------------------|----|--------------------------|--------------------------------|----------|------------|
| | | TIF Development Budg | get | | |
| Category | | Total Cost | Requested TIF Reimbursement | | Private |
| | | REAL PROPERTY ACQUISITIO | N | | |
| Land Land Acquisition | \$ | 3,450,000 \$ | 3,450,000 | ¢ | |
| Title Commitment / Closing Cost | \$ | 60,000 \$ | 60,000 | | - |
| SUBTOTAL LAND COSTS | \$ | 3,510,000 \$ | 3,510,000 | \$ | - |
| | | HARD COSTS | | | |
| Building Construction | | HARD COSTS | | | |
| Building | \$ | 46,558,073 \$ | - | \$ | 46,558,073 |
| Parking Garage | \$ | 6,776,000 \$ | 6,776,000 | \$ | - |
| BUILDING CONSTRUCTION | \$ | 53,334,073 \$ | 6,776,000 | \$ | 46,558,073 |
| Site Construction | | | | | |
| Utilities | \$ | 250,000 \$ | 250,000 | | |
| Utility Relocations | \$ | 550,000 \$ | 550,000 | \$ | - |
| Site Work | \$ | 4,115,200 \$ | , , | \$ | - |
| ON-SITE CONSTRUCTION | \$ | 4,915,200 \$ | 4,915,200 | \$ | - |
| Owner Hard Cost Contingency | \$ | 1,333,352 \$ | - | \$ | 1,333,352 |
| SUBTOTAL HARD COSTS | \$ | 59,582,625 \$ | 11,691,200 | \$ | 47,891,425 |
| | | SOFT COSTS | | | |
| | | | | - | |
| PLANNING & DESIGN | \$ | 2,220,984 \$ | 557,711 | \$ | 1,663,273 |
| GENERAL DEVELOPMENT | \$ | 4,641,680 \$ | 1,165,573 | \$ | 3,476,108 |
| LEGAL | \$ | 250,000 \$ | - | \$ | 250,000 |
| MARKETING | \$ | 81,000 \$ | | \$ | 81,000 |
| MARKETING | Ŷ | 01,000 9 | | , | 51,000 |
| LEASING COSTS | \$ | 356,059 \$ | - | \$ | 356,059 |
| REAL ESTATE TAXES | \$ | 250,000 \$ | - | \$ | 250,000 |
| INSURANCE | \$ | 25,000 \$ | - | \$ | 25,000 |
| FINANCING | \$ | 5,080,144 \$ | 1,061,741 | \$ | 4,018,404 |
| SOFT COST CONTINGENCY | \$ | 387,146 \$ | | \$ | 387,146 |
| | Ý | 507,140 9 | | Ŷ | 557,140 |
| INCOME FROM OPS DURING LEASE UP | \$ | (1,784,659) | | \$ | (1,784,659 |
| SUBTOTAL SOFT COSTS | \$ | 11,507,354 \$ | 2,785,025 | \$ | 8,722,330 |

| 1 | | | |
|---|------------------|------------------|------------------|
| ESTIMATED TIF REIMBURSABLE EXPENSES | | \$ 17,986,225 | |
| TOTAL DEVELOPMENT INVESTMENT NO SALES TAX | \$ 74,599,979 | | \$ 56,613,754 |
| TOTAL DEVELOPMENT WITH SALES TAX | \$ 76,749,377 | | |
| ESTIMATED SALES TAX EXEMPTION | | \$ 2,149,398 | |

EXHIBIT D

SITE PLAN



| S | ITE | PLAN | I LEGE | | |
|---------------------------------------|--|-------------|------------------|--|--|
| · · · · · · · · · · · · · · · · · · · | | STANDARD | DUTY ASPHAL | | |
| | | HEAVY DUT | Y CONCRETE F | | |
| | en an air an an 1910 - An An An 1917 - Angelen An An | CONCRETE | SIDEWALK | | |
| | | STANDARD | CURB & GUTTE | | |
| | | | | | |
| | | Developme | nt Summary Ta | | |
| Α | | | Zoning | | |
| | Existing | 9 | | | |
| | Propos | ed | | | |
| В | | | Total Land Ar | | |
| С | Existing |] | 5.79 | | |
| | Evicting | N | Right-of-wa | | |
| | Existing Propos | - | 0.00 | | |
| D | Fiopos | eu | 0.00 | | |
| | Existing | <u>י</u> | Net Land Ar | | |
| | Propos | | 5.79 | | |
| E | | | Proposed Us | | |
| | Mi | xed-Use (Mu | Iti-Family, Rest | | |
| F | | Struct | ure Height & # | | |
| | | Number | of Floors | | |
| | | Structure | e Height | | |
| G | | Gross | Floor Area & | | |
| | | Total Build | • | | |
| | Total Gross Floor Area (SF) | | | | |
| | Total Unit Count | | | | |
| н | Vehicle Parking Stalls Required* | | | | |
| | Parking Stalls Required* Private Garage Stalls Provided | | | | |
| | Public Surface Stalls Provided | | | | |
| | | | Stalls Provided | | |
| l | | | Bike Parkin | | |
| | | Stalls Re | equired* | | |
| | | Stalls P | rovided | | |
| J | | | Timeline | | |
| | | Estimated | | | |
| | E | | mpletion Date | | |
| K | | Re | equested Devia | | |
| | *Der'' | | None | | |
| | | ng Notes: | tall/ 1 Bed Dw | | |
| | | - | tall/ 1 Bed Dw | | |
| | Restau | I.5 S | | | |
| | | | all/ 10 Require | | |
| L | | | | | |



GRAPHIC SCALE II 0 15 30

| END PAVEMENT AVEMENT R ble CP-2 MXD Pa Acres Acres Acres Acres Acres Acres Acres Acres Acres Acres Acres | OWON Solution Solutio |
|--|---|
| 8 95 ft of Units 1 306,500 280 280 330 330 9 330 395 33 33 33 33 | Kimley » Horn Bos pennsylvania avenue, suite 150 Rasas city, mo 64105 PHONE: 816–652–0350 www.kimley-Horn.com Mo certificate of Authority #001512, Expires 12/31/21 |
| 6/1/2023 12/1/2024 tions | D PARK MIXED-USE PROJECT GROUP, LLC |
| | ARA BARA BARA BARA BARA BARA BARA BARA |

EXHIBIT E

ESTIMATED CALCULATION OF TIF REVENUES

Rocks Site With Incentives Multifamily *TIF - CID PROJECTIONS*

| Year of TIF | Assessment | Distribution Year | Total Assessed Value | Base Year Assessed Value | Captured Assessed Value | Projected Property Tax Increment | | | CID |
|-------------------|------------------|----------------------|----------------------------|--------------------------------|-------------------------------|--|-----------------|-----------------------|-------------------|
| (1) | Year | | 2.5% YoY | | | | % Captured | | |
| 0 | 2024 | | | 40 | | 6642 704 | 1000/ | | |
| 1 | 2025 | 1 | \$6,590,775 | \$0 | \$6,590,775 | \$643,701 | 100% | | \$45,455 |
| 2 | 2026 | 2 | \$6,755,544 | \$0 | \$6,755,544 | \$659,794 | 100% | | \$45,455 |
| 3 | 2027 | 3 | \$6,924,433 | \$0 | \$6,924,433 | \$676,289 | 100% | | \$45,455 |
| 4 | 2028 | 4 | \$7,097,544 | \$0 | \$7,097,544 | \$693,196 | 100% | | \$45,455 |
| 5 | 2029 | 5 | \$7,274,983 | \$0 | \$7,274,983 | \$710,526 | 100% | | \$45,455 |
| 6 | 2030 | 6 | \$7,456,858 | \$0 | \$7,456,858 | \$728,289 | 100% | | \$45,455 |
| 7 | 2031 | 7 | \$7,643,279 | \$0 | \$7,643,279 | \$746,496 | 100% | | \$45,455 |
| 8 | 2032 | 8 | \$7,834,361 | \$0 | \$7,834,361 | \$765,159 | 100% | | \$45,455 |
| 9 | 2033 | 9 | \$8,030,220 | \$0 | \$8,030,220 | \$784,287 | 100% | | \$45 <i>,</i> 455 |
| 10 | 2034 | 10 | \$8,230,976 | \$0 | \$8,230,976 | \$803,895 | 100% | | \$45,455 |
| 11 | 2035 | 11 | \$8,436,750 | \$0 | \$8,436,750 | \$823,992 | 100% | | \$45,455 |
| 12 | 2036 | 12 | \$8,647,669 | \$0 | \$8,647,669 | \$844,592 | 100% | | \$45 <i>,</i> 455 |
| 13 | 2037 | 13 | \$8,863,861 | \$0 | \$8,863,861 | \$865,707 | 100% | | \$45 <i>,</i> 455 |
| 14 | 2038 | 14 | \$9,085,458 | \$0 | \$9,085,458 | \$887,349 | 100% | | \$45,455 |
| 15 | 2039 | 15 | \$9,312,594 | \$0 | \$9,312,594 | \$909,533 | 100% | | \$45 <i>,</i> 455 |
| 16 | 2040 | 16 | \$9,545,409 | \$0 | \$9,545,409 | \$932,271 | 100% | | \$45,455 |
| 17 | 2041 | 17 | \$9,784,044 | \$0 | \$9,784,044 | \$955 <i>,</i> 578 | 100% | | \$45,455 |
| 18 | 2042 | 18 | \$10,028,645 | \$0 | \$10,028,645 | \$979,468 | 100% | | \$45,455 |
| 19 | 2043 | 19 | \$10,279,361 | \$0 | \$10,279,361 | \$1,003,954 | 100% | | \$45 <i>,</i> 455 |
| 20 | 2044 | 20 | \$10,536,345 | \$0 | \$10,536,345 | \$1,029,053 | 100% | | \$45,455 |
| 21 | 2045 | 21 | | | | | | | \$45,455 |
| 22 | 2046 | 22 | | | | | | | \$45,455 |
| otal Projected P | roperty Tax Incr | ement | | | | \$16,443,129 | | | \$1,000,000 |
| urrent Estimate | d Assessment: | | | Appraisal Value (b) | Assessment Rate | Assessed Value | 100% R E Tax | Special Assessment | 100% RE Tax |
| | | | Residential | \$- | | \$- | \$0 | \$0 | \$0 |
| nticipated Asse | ssed and Apprais | sed Values: | | 75% | | | | | |
| | | | Year of | Appraisal | Assessment | Assessed | | | TIF |
| Us | | | Completion | Value | Rate | Value | | 100% RE Tax | Increment |
| Apartn | | | 2025 | \$55,259,864 | 11.5% | \$6,354,884 | | \$808,132 | \$0 |
| Ret | | | 2025 | \$943,563 | 25.0% | \$235,891 | | \$29,998 | \$0 |
| Tot | als | | | \$56,203,426 | | \$6,590,775 | | \$838,129 | \$0 |
| Total Res | idential | | | | | | | \$808,132 | |
| | | | | | | | | . , | |
| Total Con | nmercial | | | | | | | \$29,998 | |

| Allowable Levy 2021 | | |
|-----------------------------|--------|--|
| Total Mill Per Tax Bill | 127.17 | |
| General Education Levy | -20.00 | |
| State Mill Levy | -1.50 | |
| School Capital Outlay | -8.00 | |
| Minus state and school levy | 97.67 | |
| Minus state and school levy | 97.67 | |

THE ROCKS 4800 WEST ROE PARKWAY ROELAND PARK, KS

CONFIDENTIAL





Site Plan





Grading Plan









CONFIDENTIAL





CONFIDENTIAL








Level 6-7 (3&4 Above Grade)





FLOOR PLAN LEVEL +/- 1006 SCALE 1' - 50'0'

FLOOR PLAN LEVEL +/- 995 SCALE 1' - 50'-0'







South Elevation





North West Corner



VIEW OF COMMERCIAL SPACE FROM NORTHWEST VEHICULAR ACCESS





VIEW OF CORNER FROM ROE BLVD & 48TH STREET



PLANNING COMMISSION MINUTES

CITY OF ROELAND PARK 4600 W 51st Street, Roeland Park, KS 66205 October 18, 2022, 6:00 P.M.

The Roeland Park Planning Commission met on October 18, 2022.

| Commissioners Present: | Lisa Brunner (Ward 1) Matthew Lero (Ward 4) Darren Nielsen (Mayoral Appt) Haile Sims (Mayoral Appt.) |
|------------------------|---|
| Commissioners Absent: | Josey Shaw (Ward 2) Mark Kohles (Ward 3) Macrina Abdouch (Mayoral Appt.) |

Staff: Keith Moody, City Administrator John Jacobson, Building Official Steve Mauer, City Attorney

I. ROLL CALL

Commissioner Nielsen called the Planning Commission meeting to order at 6:02 p.m.

Mr. Jacobson called the roll. Commissioners Lero, Nielsen, Sims, and Abdouch were present. Commissioners Brunner, Shawn, and Kohles were absent. Staff present was City Administrator Moody, City Attorney Mauer, and Building Official John Jacobson.

II. Approval of Minutes

There were no minutes for approval.

III. Public Hearing 1. Finding of Consistency for The Rocks TIF Project Plan

Commissioner Nielsen opened the public hearing.

City Administrator Moody provided background for The Rocks project. He said the process to move forward is set out in state statute. The Planning Commission is charged with hearing the project plan and finding whether or not it is consistent with the City's Comprehensive Plan. It will then be referred on to the City Council. The project plan was attached to the agenda packet and provides an overview of what is proposed and also contains a plan site. The Future Land Use Map was also attached for reference and reflects the site is anticipated to be a mixed-use development.

Brendon O'Leary from EPC gave a presentation on the proposed development, what is to be included, and spoke to the grade challenges and how their design is contoured to maximize the

highest and best use for the site. The modern mountain architecture style will also complement the theme of The Rocks.

As there were no public comment, Commissioner Nielsen closed the public hearing.

Commissioner Lero asked if the project would include commercial spots in addition to the restaurant and apartments. Mr. O'Leary said there is 3,500 square feet set aside for restaurant space, but there could potentially be a retail component. Commissioner Lero commented the leasing office and common areas look like retail space.

Commissioner Brunner asked the residential split of units. Mr. O'Leary said that 30 percent are studio, 50 percent are one bedroom, and 20 percent are two bedrooms for approximately 285 total units. There is also a parking garage for the residents.

Commissioner Nielsen asked about the green space and delivery services to the restaurant. Mr. O'Leary responded the courtyard will have a pool, grill, and firepit amenities for the residents only. The space to the north will be a public/private courtyard that is not fully programmed yet but may be a place for restaurant users to walk around. The area will be heavily landscaped. Deliveries to the restaurant will be made on the north side of the building.

Commissioner Brunner asked about the access from Roe to the restaurant. EPC said the existing drive is a right in/right out off of Roe, and that will remain. The main access will be on 48th Street. City Administrator Moody added that there is a proposed extension of Roe Parkway to intersect with Roe Boulevard.

Commissioner Nielsen stated they are looking for consistency with the Comprehensive Plan. Mr. Jacobson said a lot of the questions they are asking will be addressed by the preliminary development plan at that public hearing.

Commissioner Nielsen also asked about the percentage of affordable housing in the project. City Administrator Moody said that will be 5 percent and is incorporated into an MOU as well as being reflected in the development agreement.

Commissioner Nielsen also asked Mr. Jacobson if when they did their evaluation were there any judgment calls or was everything black and white. Mr. Jacobson responded that for him it is black and white because the area is slated to be mixed use. And as long as they have a residential and commercial component, it meets that proposed use.

Commissioner Brunner said as part of the Comprehensive Plan it should be environmentally friendly and asked whether they are contemplating solar or electric vehicle charging stations. Mr. O'Leary said that EPC is contemplating those things and are committed to the Green Globes protocol which is comparable to the LEED environmental standard. Mr. Jacobson added that they are required to comply with the City's solar-ready ordinance, and set aside for future use.

Commissioner Brunner also asked about views of the skyline. Mr. O'Leary said EPC did a drone shot from what it would look like from the highest point at various spots. He said they will be bringing that back to show them. Commissioner Brunner said it would be nice for the project to have a rooftop view.

Commissioner Nielsen asked management of the site and EPC will be both owner and operator.

The Planning Commissioners found the project was consistent with the City's Comprehensive Plan and recommended forwarding it on to the City Council.

IV. Discussion Items

1. Townhome Development Concept Discussion

Mr. Jacobson said staff is looking for feedback from the Planning Commission on how they can take advantage of vacant properties and undeveloped land.

Tony Krsnich from Flint Hills Holdings Group said they have purchased the church site at 5015 Buena Vista for redevelopment. He said the site is currently obsolete. In developing a project, he looked at homes in the City to help design something that will fit in with the neighborhood. They went door to door asking for feedback and it was important to the residents that the buildings not be too large, and that the façade match the neighborhood. Their development proposes to keep the back yard area as large as possible for low maintenance.

Adam Anthony Pfeifer from NCARB said they looked at a number of different situations for the site. The group feels confidentially that a rowhome would achieve the density but not overcrowd the site. It would be a combination of 20, 25, and 28-feet wide units as they try to maximize the land. He said they would also like to preserve the alleyway and streetscape along Clark and Buena Vista.

Mr. Jacobson asked the Planning Commission for their feedback and whether they would support this type of use and architecture in a single-family neighborhood. He also asked if the concepts shown complement the adjoining portions of the neighborhood as far as design, access, visual, and use standpoints.

Mr. Pfeifer said current the City's zoning does not have anything that would support this project currently. They also expect these to be ownership properties and not rentals.

Mr. Jacobson said currently the only vehicle would be multi-family zoning. The project would need to go through the development plan process, and if submitted, they must build what their plan states. As the Commission begins to go through the City's zoning classifications there will be one added for this type of element. They have anticipated the need, but for now they do have a vehicle by which they can move forward with this project.

Commissioner Lero said he would like to see the higher density units on the side facing the school and the lower density units facing the residential. He said the setbacks are good but would like to potentially see them remove a unit to break up the larger building. He also suggested having a porch face on the front to break up the space.

Mr. Pfeifer said the feedback from residents was that they didn't want them to build a McMansion as done elsewhere in the City. The Planning Commissioners discussed with the developments team building aesthetics and placement.

Commissioner Brunner said her brother lives close to the property and is concerned that something is going to be plopped in there. She said it is a front porch kind of neighborhood and would like to see the entry be more inviting. She did like the modern look.

(Inaudible conversation; talking over one another)

Commissioner Nielsen said losing the on-street parking on Clark concerns him. He suggested the developer look at the buildings at 60th Terrace and Roeland Drive as an idea he feels would be suitable for this site.

Mr. Jacobson said from a staff perspective they see the Planning Commission supports this type of development and economic element, but they would like to see some architectural changes. He added that the developer is trying to incorporate the citizen comments. The Commissioners do approve of this type of use and would support it.

There was some discussion about incorporating universal design for accessibility and access. Mr. Jacobson said there are incentives that could be of substantial benefit to the developer.

V. Other Matters Before the Planning Commission

Mr. Jacobson said the Planning Commission agendas will be full for the foreseeable future and asked the Commissioners to let him know if they cannot attend as it is important that they have a quorum as they have deadlines to meet.

The next meeting is scheduled for November 15th with a Special Call tentatively scheduled for December 12th.

VI. Adjournment

MOTION: COMMISSIONER NIELSEN MOVED AND COMMISSIONER LERO SECONDED TO ADJOURN. (THE MOTION CARRIED 4-0.)

(Roeland Park Planning Commission Meeting Adjourned at 7:18 p.m.)

Item Number: Committee Meeting Date: Action Items- -1. 10/18/2022



City of Roeland Park

Action Item Summary

| Date: | 10/12/2022 |
|-----------------------|---|
| Submitted By: | John Jaocbson |
| Committee/Department: | Neighborhood Services |
| Title: | Finding of Consistency for The Rocks TIF Project Plan |
| Item Type: | Presentation |

Recommendation:

Staff recommends a finding that The Rocks TIF Project Plan is consistent with the intent of the City's Comprehensive Plan for development.

Details:

Per TIF statute, the Planning Commission shall consider if a TIF Project Plan is consistent with the intent of the City's Comprehensive Plan for development. The Commission shall make a finding and that finding shall be referred to the City Council.

Attached is the TIF Project Plan for The Rocks site for your consideration. The site is contained within TIF 4, an area that was removed from TIF 3 by the City Council in February of 2022 in anticipation of redevelopment of the Rocks site (ordinance establishing TIF4 attached).

The Future Landuse Map contained within the Comprehensive Plan (page 57) identifies the area at the northeast corner of Roe Boulevard and 48th Street (referred to as The Rocks) to be Mixed-Use Commercial. The TIF Project Plan for this site reflects a multistory multi-family residential use as the anchor with a retail/restaurant component endcap on the Roe Boulevard building elevation. Business office space supporting the multi-family land use is also contemplated on this same elevation. This type of land use mix is consistent with the "Mixed-Use Commercial" definition reflected in the City's Comprehensive Plan (page 53).

Link below to the City's Comprehensive Plan: Roeland-Park-Final-Report_2020-09-09_Reduced (roelandpark.org)

Financial Impact

| Amount of Request: 0 | | | |
|---------------------------------|--------------------|--|--|
| Budgeted Item? | Budgeted Amount: 0 | | |
| Line Item Code/Description: N/A | | | |

Additional Information

The developer will be available to answer questions related to the plan.

How does item relate to Strategic Plan?

Compliant with the general goals of the comprehensive plan and future land use projections.

How does item benefit Community for all Ages?

Adds to Roeland Park housing stock and provides additional housing options for the residents of the community. Provides diversification of dining/retail land use within the city.

ATTACHMENTS:

Description

บธรรมหายา

- D Future Land Use Plan
- D Ordinance Establishing TIF4

гурс Cover Memo Cover Memo Item Number: Committee Meeting Date:

Public Hearing- -12/5/2022



City of Roeland Park

Action Item Summary

| Date: | 11/30/2022 |
|-----------------------|---|
| Submitted By: | Keith Moody |
| Committee/Department: | Admin. |
| Title: | Public Hearing - Creation of The Rocks CID (10 min) |
| Item Type: | Other |
| | |

Recommendation:

A public hearing is required per state statute when considering creation of a Community Improvement District (CID). This provides the public an opportunity to share opinions on the subject.

Details:

Attached is a memo from Columbia Capital (special development counsel) providing an overview of the CID creation process as well as summarizing the use of CID proceeds on this project.

In the case of The Rocks CID, the developer is requesting to impose a 2% overlay (or additional) sales tax on goods sold in the district. Patrons pay the additional sales tax on items purchased, the retailer collects and remits the CID funds to the state, just as they do regular sales tax and those funds are then returned to the City and kept in a special CID fund to use in reimbursing the Developer for authorized development expenses. CID statute is flexible in what expenses may be reimbursed with CID funds, therefore the improvements noted as eligible for TIF reimbursement are also eligible for CID reimburse, in addition the buildings are also eligible as are ongoing operational expenses.

| | Decender Estimated source the 22 source life of the CID | | | |
|---------------------------------------|---|--|--|--|
| Amount of Request: \$1 million in C11 | Proceeds Estimated over the 22-year life of the CID | | | |
| Budgeted Item? | Budgeted Amount: | | | |
| Line Item Code/Description: | | | | |

Financial Impact

Additional Information

This is a pay as you go CID, the City will not issue CID Bonds, the developer will be reimbursed from CID proceeds as they are collected each year. Incentives are capped at 25% of total project costs. The total estimated project cost is \$74 million.

Link to EPC Preliminary Development Plan:

https://www.roelandpark.org/DocumentCenter/View/4978/Roeland-Park_PrelimDevelopmentPlan_COMBINED_revised-221101-PM?bidId=

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

| | Description | Туре |
|---|--|------------|
| D | Columbia Capital Memo on Public Hearings | Cover Memo |
| D | Petition to Create CID for The Rocks | Cover Memo |
| D | EPC Presentation on Development Proposal | Cover Memo |



MEMORANDUM 1 1 . 3 0 . 2 2

Keith Moody City of Roeland Park

The purpose of this communication is to provide an overview of council actions scheduled for its December 5, 2022, regular meeting related to the proposed redevelopment of The Rocks.

TIF PROJECT PLAN

Tax increment financing (TIF) in Kansas is a two-step approval process: first, the creation of a district; second, within an established district, one or more project plans. Earlier this year, the Roeland Park City Council created TIF District #4 encompassing The Rocks site. At its October 24, 2022, special meeting, the City Council passed a resolution setting a public hearing on a TIF project plan proposed for TIF District #4 related to the construction of a mixed-use (multifamily plus commercial use) project. Staff does not seek any action on the proposed TIF project plan at the December 6 meeting.

COMMUNITY IMPROVEMENT DISTRICT

The developer of the mixed-use project requests the City also create a community improvement district (CID) at the site. A CID permits the imposition of an additional sales tax—in this case, an additional two (2) percent—on retail sales within the district boundaries. Proceeds of the CID, like proceeds of the TIF, can be used to reimburse the developer for certain eligible project costs.

Pursuant to Kansas law, the City Council is obligated to hold a public hearing with respect to the creation of a CID that will impose a sales tax, as is the case here. Staff does not seek any action on the proposed CID petition at the December 6 meeting.

OTHER INCENTIVES REQUESTED

In addition to reimbursement of certain eligible costs from proceeds of a TIF and a CID, the developer also seeks the City's issuance of industrial revenue bonds (IRBs) for the purpose of providing an exemption from sales taxes on construction materials related to the project. As of the date of this memorandum, the developer estimates the value of these three incentives to be approximately \$19 million over the life of the incentives.

SUBSEQUENT ACTIONS

Staff continues to negotiate with the developer with the intention of bringing a fullynegotiated incentivized development for final approvals by the City Council at its December 19 regular meeting.

PETITION

FOR THE CREATION OF A COMMUNITY IMPROVEMENT DISTRICT

TO: The Governing Body of the City of Roeland Park, Kansas (the "Governing Body")

The undersigned, being the owners of record, whether resident or not, of all of the land area contained within the proposed community improvement district hereinafter described (the "District") to be located within the City of Roeland Park, Kansas (the "City"), do hereby request that the Governing Body create such District and authorize the construction of the Projects (defined herein), all in the manner provided by K.S.A. 12-6a26 *et seq.* (the "Act"). In furtherance of such request, the petitioners state as follows:

General Nature of the Proposed District Projects

The general nature of the proposed District project (the "Projects") to be constructed within the District includes but is not limited to:

(1) within the district, the acquisition, improvement, construction, demolition, removal, renovation, reconstruction, rehabilitation, maintenance, restoration, replacement, renewal, repair, installation, relocation, furnishing, equipping or extension of:

(A) buildings, structures and facilities;

(B) sidewalks, streets, roads, interchanges, highway access roads, intersections, alleys, parking lots, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, pedestrian amenities, abandoned cemeteries, drainage systems, water systems, storm systems, sewer systems, lift stations, underground gas, heating and electrical services and connections located within or without the public right-of-way, water mains and extensions and other site improvements;

(C) parking garages;

(D) streetscape, lighting, street light fixtures, street light connections, street light facilities, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls and barriers;

(E) parks, lawns, trees and other landscape;

(2) within or without the district, costs for infrastructure located outside the district but contiguous to any portion of the district and such infrastructure is related to a project within the district or substantially for the benefit of the district.

Estimated Costs of the Proposed District Project

The total estimated cost of the proposed Project is \$76,749,377 of which \$1,000,000 plus the City's administrative fees is estimated to be funded by the District ("Reimbursable Project Costs").

Proposed Method of Financing the Proposed Project

The Project will be privately financed. The Reimbursable Project Costs will be financed on a pay as you go basis, i.e., the Reimbursable Project Costs will be paid for by the Developer without the issuance of notes or bonds, and the Developer may be reimbursed for the Reimbursable Project Costs as moneys are deposited in the District fund through the imposition of a the District sales tax (the "CID Sales Tax"), as further set forth in a development agreement to be entered into between the City and the developer named therein.

Proposed Amount and Method of Assessment

There will be no District special assessments on property within the boundaries of the proposed District to pay the costs of the Projects described by this Petition.

Proposed Amount of Community Improvement District Sales Tax

A CID Sales Tax will be imposed in the amount of two percent (2.00%) on the selling of tangible personal property at retail or rendering or furnishing of taxable services within the proposed District for a maximum term of up to 22 years.

Boundaries of Proposed Community Improvement District

The legal description of the proposed District is set forth on $\underline{\text{Exhibit A}}$ attached hereto and incorporated by reference herein.

A map generally outlining the boundaries of the proposed District is attached as $\underline{Exhibit}$ **B** hereto and incorporated by reference herein.

Notice to Petition Signers

The names of the signers of this Petition may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the undersigned petitioners have executed the above foregoing Petition to create the District on the dates recorded below:

CITY OF ROELAND PARK, KANSAS

KELLEY NIELSEN

Notary Public-State of Kansas

My Appt. Expires 4110

By: Keith Moody, City Administrator

STATE OF KANSAS)) ss. COUNTY OF JOHNSON)

On this day of day of 2022, before me personally appeared Keith Moody, who being by me duly sworn did say that he is City Administrator of the City of Roeland Park, Kansas, and that said instrument was signed and delivered on behalf of said City and acknowledged to me that he executed the same as the free act and deed.

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

Notary Public

My Commission expires:

CONTRACT PURCHASER:

| | eal Estate Group as Limited Liability Company |
|--------|--|
| By: | 671 |
| Name: | AUGTIN Benfusy |
| Title: | Monder |

ACKNOWLEDGMENT

COUNTY OF Johnson) ss.

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

(Seal)

My Commission Expires:

27/2026

Notary Public in and for said County and State



EXHIBIT A

LEGAL DESCRIPTION

All of that part of the North Half of Section 4, Township 12 South, Range 23 East, situate in the City of Roeland Park, Johnson County, Kansas, being described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 2°31'58" East, along the East line of the Northwest Quarter of said Section 4, a distance of 594.35 feet to the Point of Beginning; thence North 78°00'03" East, departing the East line of the Northwest Quarter of said Section 4, a distance of 247.12 feet to a point on the Western right-ofway line of Roe Lane, as now established; thence South 12°03'57" East, along the Western rightof-way line of said Roe Lane, a distance of 317.23 feet to a point of intersection in the Western right-of-way line of said Roe Lane; thence South 12°03'57" East, departing the Western right-ofway line of said Roe Lane, a distance of 100.00 feet; thence South 63°47'03" West a distance of 79.73 feet; thence Southwesterly, along a curve to the left that is non-tangent with the exit of the last described course, having a radius of 300.00 feet, a central angle of 25°01'43", and an arc distance of 131.05 feet to a point on the Northwestern right-of-way line of W. 48th Street, as now established; thence along the Northwestern right-of-way line of said W. 48th Street the following (5) courses: 1) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 38°45'18" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet; 2) South 36°46'32" West a distance of 112.40 feet; 3) South 52°33'03" West a distance of 4.61 feet; 4) Southwesterly along a curve to the right that in non-tangent with the exit of the last described course, having an initial tangent bearing of South 43°02'55" West, a radius of 210.00 feet, a central angle of 19°00'11", and an arc distance of 69.65 feet; 5) South 52°33'03" West a distance of 34.42 feet to the intersection with the Northeastern right-of-way line of Roe Boulevard, as now established; thence along the Northeastern right-of-way line of said Roe Boulevard the following three (3) courses: 1) North 20°45'27" West a distance of 8.36 feet; 2) Westerly and Northwesterly along a curve to the right that in non-tangent with the exit of the last described course, having a radius of 210.00 feet, a central angle of 76°28'50", and an arc distance of 280.32 feet; 3) thence North 32°26'59" West a distance of 275.64 feet; thence North 44°06'13" East, departing the Northeastern right-of-way line of said Roe Boulevard, a distance of 396.21 feet; thence North 78°00'03" East a distance of 126.88 feet to the Point of Beginning. Containing 322,276 square feet, or 7.40 acres, more or less.

The bearings in this description are based on the Kansas State Plane Coordinate System, North Zone, NAD83.

This description prepared by: Kellan M. Gregory, KS PLS #1577 Lamp Rynearson 9001 State Line Road Kansas City, Missouri 64114 Kansas CLS-350



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MAP
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THE ROCKS 4800 WEST ROE PARKWAY ROELAND PARK, KS





Site Plan





Grading Plan





















Level 6-7 (3&4 Above Grade)





FLOOR PLAN LEVEL +/- 1006 SCALE 1' - 50'0'

FLOOR PLAN LEVEL +/- 995 SCALE 1' - 50'-0'







South Elevation





North West Corner



VIEW OF COMMERCIAL SPACE FROM NORTHWEST VEHICULAR ACCESS





VIEW OF CORNER FROM ROE BLVD & 48TH STREET



Item Number: Committee Meeting Date: Consent Agenda- II.-A. 12/5/2022



City of Roeland Park

Action Item Summary

| Date: | |
|-----------------------|--------------------------------|
| Submitted By: | |
| Committee/Department: | |
| Title: | Appropriations Ordinance #1009 |
| Item Type: | |

Recommendation:

Details:

Financial Impact

| Amount of Request: | | | |
|-----------------------------|------------------|--|--|
| Budgeted Item? | Budgeted Amount: | | |
| Line Item Code/Description: | | | |

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description

Type Cover Memo

□ Appropriations Ordinance #1009

Appropriation Ordinance - 12/5/2022 - #1009

4600 West Fifty-First Street Roeland Park, Kansas 66205 City Hall (913) 722-2600 – Fax (913) 722-3713

Thursday, December 1, 2022

Appropriation Ordinance - 12/1/2022 - #1009

An Ordinance making Appropriation for the payment of certain claims. Be it ordained by the Governing Body of the City of Roeland Park, Kansas:

Section 1: That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the City Treasury the sum required for each claim.

Section 2: This Ordinance shall take effect and be in force from and after its passage. Passed and approved this December 5, 2022.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance

649,624.54

\$

Appropriation Ordinance - 12/5/2022 - #1009

| Vandar | Dept | Acct # | Description | Invesion Description | Check /EFT Date | Amount | Chk # | Check Amoun |
|-----------------------------------|-------|----------|--------------------------------|----------------------|--------------------|--------------|---------|-------------|
| Vendor | Dept | ACCI # | Description | Invoice Description | Duic | Distribution | CNK# | Check |
| Vendor | Dept | Account | Account Description | Reference | Date | Amount | Check # | Amount |
| AB May Company | 101 | | Business Occupational Licenses | 11/7/22 OverPmnt | 11/22/22 | 3.00 | 74307 | 3.00 |
| ADP, Inc. | 101 | | Other Contracted Services | 619582956 | 11/30/22 | 242.76 | 74316 | 242.76 |
| All City Management Services, Inc | . 102 | 5214.102 | Other Contracted Services | 81121 | 11/30/22 | 488.20 | | 488.20 |
| All Copy Products, Inc. | 102 | 5214.102 | Other Contracted Services | 78196076 | 11/30/22 | 322.50 | 74318 | 645.00 |
| All Copy Products, Inc. | 105 | 5214.105 | Other Contracted Services | 78196076 | 11/30/22 | 322.50 | | |
| American Fidelity Assurance | 101 | 2052.101 | Supplemental Inusrance Payable | D525782 | 11/30/22 | 666.98 | 74319 | 666.98 |
| Balls Food Stores | 106 | 5219.106 | Meeting Expenses | 42715 | 11/22/22 | 36.45 | 74308 | 36.45 |
| Balls Food Stores | 101 | 5267.101 | Employee Related Expenses | 56595 | 11/30/22 | 22.90 | 74320 | 22.90 |
| Boelte-Hall, LLC | 101 | 5205.101 | Postage & Mailing Permits | 2245064 | 11/30/22 | 971.96 | 74321 | 971.96 |
| Breeden Holdings, LLC | 102 | 5260.102 | Vehicle Maintenance | 1075516 | 11/30/22 | 942.80 | 74322 | 1,703.55 |
| Breeden Holdings, LLC | 102 | 5260.102 | Vehicle Maintenance | 1075598 | 11/30/22 | 760.75 | | |
| City of Fairway | 220 | 4275.220 | Program Fees - Season Pass | 202201 | 11/22/22 | 4,848.61 | 74309 | 7,001.94 |
| City of Fairway | 101 | 5292.101 | Fireworks | 202202 | 11/22/22 | 2,153.33 | | |
| Occupational Health Centers of th | ŧ 102 | 5207.102 | Medical Expense & Drug Testing | 1014371799 | 11/30/22 | 150.00 | 74323 | 150.00 |
| Crime Scene Cleaners, LLC | 102 | 5211.102 | Maintenace & Repair Equipment | 7615 | 11/30/22 | 97.85 | 74324 | 97.85 |
| E. Edwards, Inc. | 106 | 5308.106 | Clothing & Uniforms | 9012212052 | 11/30/22 | 89.10 | 74325 | 89.10 |
| Galls, LLC | 102 | | Clothing & Uniforms | 22569166 | 11/30/22 | 66.95 | 74326 | 66.95 |
| Frank Gilman | 103 | 5214.103 | Other Contracted Services | Recurring Check | 12/01/22 | 1,166.67 | | 1,166.67 |
| The Goodyear Tire & Rubber Co. | 106 | 5260.106 | Vehicle Maintenance | 431288532 | 11/30/22 | 321.40 | 74327 | 321.40 |
| INSCO Industries | 550 | 5442.550 | Building Improvement | J028741 | 11/30/22 | 62,284.00 | 74328 | 62,284.00 |
| Johnson County Wastewater | 101 | | Waste Water | 11/3/22 Multi | 11/22/22 | 243.51 | 74310 | 1,468.79 |
| Johnson County Wastewater | 106 | 5288.106 | Waste Water | 11/3/22 Multi | 11/22/22 | 158.43 | | |
| Johnson County Wastewater | 220 | 5288.220 | Waste Water | 11/3/22 Multi | 11/22/22 | 1,066.85 | | |
| Johnson County Government | 106 | 5210.106 | Maintenace & Repair Building | 202645 | 11/30/22 | 78.24 | 74329 | 78.24 |
| Johnson County Government | 101 | 5218.101 | IT & Communication | 202298 | 11/22/22 | 7,671.00 | 74311 | 7,671.00 |
| Johnson County Treasurer | 101 | 5257.101 | Property Tax Payments | R145154 2022 | 11/30/22 | 419.67 | 74330 | 23,069.00 |
| Johnson County Treasurer | 101 | 5257.101 | Property Tax Payments | R146607 2022 | 11/30/22 | 301.72 | | |
| Johnson County Treasurer | 101 | 5257.101 | Property Tax Payments | R146608 2022 | 11/30/22 | 8,276.15 | | |
| Johnson County Treasurer | 101 | 5257.101 | Property Tax Payments | R146609 2022 | 11/30/22 | 7,390.44 | | |
| Johnson County Treasurer | 101 | 5257.101 | Property Tax Payments | R550641 2022 | 11/30/22 | 6,681.02 | | |
| Jorge Blanco Sculpture, Inc. | 101 | 5216.101 | Special Prosecuter Fees | 11/14/22 | 11/22/22 | 460.00 | 74312 | 460.00 |
| Kansas City First Aid | 106 | 5207.106 | Medical Expense & Drug Testing | 8230 | 11/30/22 | 125.75 | 74331 | 257.15 |
| Kansas City First Aid | 102 | 5301.102 | Office Supplies | 8231 | 11/30/22 | 131.40 | | |
| League of Kansas Municipalities | 101 | 5305.101 | Dues, Subscriptions, & Books | 5552 | 11/30/22 | 112.00 | 74332 | 112.00 |
| The Legal Record | 101 | | Legal Printing | L99522 | 11/30/22 | 82.46 | 74333 | 82.46 |
| Lynda Leonard | 101 | | Art Commissioner | Recurring Check | 12/01/22 | 100.00 | 74351 | 100.00 |
| McConnell & Associates Corp | 106 | 5421.106 | Street Maintenance | 21482 | 11/30/22 | 116,525.92 | | 116,525.92 |
| Midwest Public Risk | 107 | 5126 107 | Health/Dental/Vision Insurance | 11/22/22 | 11/30/22 | 39,612.00 | | 39,612.00 |
| Missouri Organic 115 | 5235.115 Disposal Fees | 48127 | 11/30/22 | 108.15 743 | 336 6,489.00 |
|--|--|------------------|----------------------|------------------|-----------------|
| Missouri Organic 115 Missouri Organic 115 | 5235.115 Disposal Fees | 48218 | 11/30/22 | 432.60 | 550 0,409.00 |
| | * | 48308 | , , | | |
| Missouri Organic 115 Missouri Organic 115 | 5235.115 Disposal Fees 5235.115 Disposal Fees | 48419 | 11/30/22 11/30/22 | 757.05 865.20 | |
| 8 | 5235.115 Disposal Fees | 48470 | , , | | |
| Missouri Organic 115 Missouri Organic 115 | 5235.115 Disposal Fees | 48540 | 11/30/22 | 648.90 | |
| 0 | 1 | | 11/30/22 | 865.20 | |
| Missouri Organic 115 | 5235.115 Disposal Fees | 48643 | 11/30/22 | 973.35 | |
| Missouri Organic 115 | 5235.115 Disposal Fees | 48716 | 11/30/22 | 757.05 | |
| Missouri Organic 115 | 5235.115 Disposal Fees | 48785 | 11/30/22 | 540.75 | |
| Missouri Organic 115 | 5235.115 Disposal Fees | 48931 | 11/30/22 | 540.75 | 20F 2000 |
| Murphy Tractor & Equipment Co. 115 | 5302.115 Motor Fuels & Lubricants | 1936389 | 11/30/22 | 39.83 743 | |
| NAPA Auto Parts 106 | 5260.106 Vehicle Maintenance | 2138140540 | 11/30/22 | 36.99 743 | |
| Nextran Truck Centers 106 | 5211.106 Maintenace & Repair Equipment | | 11/30/22 | 1,381.12 743 | |
| Kelley Nielsen 105 | 5206.105 Travel Expense & Training | 8/18-11/3/22 Exp | 11/30/22 | 70.00 743 | |
| Adam Peer 103 | 5209.103 Professional Services | 11/22/22 | 11/30/22 | 150.00 743 | |
| Phillips Paving Company, Inc. 270 | 5463.270 2023 CARS - Elledge b/t Roe Ln & | | 11/30/22 | 362,533.45 743 | |
| Pitney Bowes Global Financial Ser 101 | 5205.101 Postage & Mailing Permits | 7903 11/20/22 | 11/30/22 | 201.00 743 | 343 375.24 |
| Pitney Bowes Global Financial Ser 101 | 5205.101 Postage & Mailing Permits | 3316622689 | 11/30/22 | 174.24 | |
| Principal Life Insurance Co. 107 | 5130.107 City Paid Life/ST Disability | 10001 11/16/22 | 11/30/22 | 847.02 743 | 344 847.02 |
| T2 Holdings, LLC 102 | 5214.102 Other Contracted Services | 1070400 | 11/22/22 | 26.77 743 | 313 53.54 |
| T2 Holdings, LLC 105 | 5214.105 Other Contracted Services | 1070400 | 11/22/22 | 26.77 | |
| Kate Raglow 108 | 5206.108 Travel Expense & Training | 11/18/22 Man Ck | 11/18/22 | 855.00 322 | 796 855.00 |
| Rejis Commission 102 | 5214.102 Other Contracted Services | 496557 | 11/30/22 | 238.88 743 | 345 238.88 |
| Donnie Scharff 106 | 5211.106 Maintenace & Repair Equipment | 11/14/22 Reim | 11/22/22 | 1,601.24 32 | 798 1,601.24 |
| Staples 101 | 5301.101 Office Supplies | 8068232210 | 11/30/22 | 155.57 743 | 346 249.37 |
| Staples 101 | 5304.101 Janitorial Supplies | 8068232210 | 11/30/22 | 93.80 | |
| Strasser True Value 115 | 5302.115 Motor Fuels & Lubricants | 419719 | 11/30/22 | 28.48 743 | 347 650.77 |
| Strasser True Value 106 | 5425.106 Other Capital Outlay | 419613 | 11/30/22 | 622.29 | |
| Terminix Processing Center 106 | 5214.106 Other Contracted Services | 426809236 | 11/22/22 | 76.00 743 | 314 76.00 |
| Karen Torline 103 | 5214.103 Other Contracted Services | Recurring Check | 12/01/22 | 1,416.67 743 | 352 1,416.67 |
| Capital One 102 | 5254.102 Miscellaneous Charges | 7511 11/19/22 | 11/30/22 | 35.68 743 | 348 35.68 |
| Water District No 1 of Johnson Coi 101 | 5287.101 Water | 11/22/22 Multi | 11/30/22 | 150.67 743 | 349 1,155.41 |
| Water District No 1 of Johnson Coi 106 | 5287.106 Water | 11/22/22 Multi | 11/30/22 | 780.14 | |
| Water District No 1 of Johnson Coi 220 | 5287.220 Water | 11/22/22 Multi | 11/30/22 | 224.60 | |
| Greg Welch 106 | 5211.106 Maintenace & Repair Equipment | 679792 | 11/21/22 | 120.00 322 | 797 120.00 |
| Winter Illuminations Inc. 101 | 5237.101 Community Events | 11/15/22 | 11/22/22 | 1,775.00 743 | 315 1,775.00 |
| Evergy 101 | 5201.101 Electric | 11/28/22 Multi | 11/28/22 | 1,408.52 EF | |
| Evergy 106 | 5201.106 Electric | 11/28/22 Multi | 11/28/22 | 434.64 EF | |
| Evergy 220 | 5201.220 Electric | 11/28/22 Multi | 11/28/22 | 182.76 EF | |
| Evergy 101 | 5222.101 Traffic Signal Expense | 11/28/22 Multi | 11/28/22 | 101.14 EF | T 101.14 |
| Miller Management Systems, LLC 101 | 5214.101 Other Contracted Services | Recurring EFT | 11/20/22 | 1,952.00 EF | T 1,952.00 |
| - · · | | - | . , | · | |

Item Number: Committee Meeting Date: Consent Agenda- II.-B. 12/5/2022



City of Roeland Park

Action Item Summary

| Date: | |
|-----------------------|--|
| Submitted By: | |
| Committee/Department: | |
| Title: | City Council Meeting Minutes November 21, 2022 |
| Item Type: | |

Recommendation:

Details:

Financial Impact

| Amount of Request: | | |
|---------------------------------|--|--|
| Budgeted Item? Budgeted Amount: | | |
| Line Item Code/Description: | | |

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description

Type Cover Memo

City Council Meeting Minutes November 21, 2022

CITY OF ROELAND PARK, KANSAS CITY COUNCIL MEETING MINUTES Roeland Park City Hall 4600 W 51st Street, Roeland Park, KS 66205 Monday, November 21, 2022, 6:00 P.M.

| Mike Kelly, Mayor Trisha Brauer, Council Member Benjamin Dickens, Council Member Jan Faidley, Council Member Jennifer Hill, Council Member | | Member er | Tom Madigan, Council Member Michael Poppa, Council Member Kate Raglow, Council Member Michael Rebne, Council Member | Keith Moody, City Administrator Erin Winn, Asst. City Administrator Kelley Nielsen, City Clerk John Morris, Police Chief Donnie Scharff, Public Works Director |
|--|--------------|----------------|--|--|
| | Admin | Finance | Safety | Public Works |
| | Raglow | Rebne | Poppa | Brauer |
| | Dickens | Hill | Madigan | Faidley |

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

Pledge of Allegiance

Mayor Kelly called the City Council meeting to order and led everyone in the Pledge of Allegiance.

Roll Call

City Clerk Nielsen called the roll. CMBR Dickens was absent, and all other Governing Body members were present. Staff members present were City Administrator Moody, City Attorney Felzien, Public Works Director Scharff, Police Chief Morris, and City Clerk Nielsen.

Modification of Agenda

There were no modifications to the agenda.

I. Citizen Comments

There were no citizen comments.

II. Consent Agenda

- A. Appropriations Ordinance #1008
- B. Council Minutes October 17, 2022
- C. Special Called City Council Minutes October 24, 2022
- D. Special Called City Council Minutes November 1, 2022
- **MOTION:** CMBR MADIGAN MOVED AND CMBR POPPA SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 7-0.)

III. Business from the Floor - Proclamations/Applications/Presentation

There was no Business from the Floor.

IV. Mayor's Report

A. Holiday Kindness Project Update

Mayor Kelly said that Roeland Park never ceases in showing their generosity and kindness to their neighbors. The Holiday Kindness Project purchases gift cards that their police officers then hand out to people they see have a need.

CMBR Faidley asked where to deliver purchased gift cards and City Clerk Nielsen said they can be taken to City Hall.

Cash donations can be taken to City Hall or made through Venmo at @NeighborsBRP.

B. Holiday Family Adoption Update

City Clerk Nielsen said Roeland Park has six families in the program and three have been adopted. Those families have picked up their Thanksgiving meals. They are now collecting non-perishables at City Hall and the Community Center. If anyone is interested in more information, purchasing gifts or gift cards for the families, please email or call City Clerk Nielsen and she will send the wish lists.

Mayor Kelly thanked everyone for their continued generosity, and also to the staff for their time in administering the project. He said it is a direct reflection of their community service and spirit. Mayor Kelly said he is proud to be able to represent that to the greater metro area.

V. Reports of City Liaisons and Committees

A. MARC - First Tier Suburbs

CMBR Faidley's report from the October meeting is in the agenda packet and includes some interesting links.

VI. Unfinished Business

There was no Unfinished Business discussed.

VII. New Business

A. Approve Change Order Adding the Women's Locker Room Renovations to Aquila Contract

Mayor Kelly said this was discussed at a previous Workshop and staff was asked to contact Aquila to determine if there were any efficiencies adding this project to the Phase 1 Community Center renovations contract. There was some benefit and staff is recommending the locker room renovations be added to the contract.

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE CHANGE ORDER ADDING THE WOMEN'S LOCKER ROOM RENOVATION TO THE AQUILA INDUSTRIES CONTRACT FOR THE PHASE 1 RENOVATIONS AT THE COMMUNITY CENTER. (THE MOTION CARRIED 7-0.)

B. Reappoint Judge, Prosecutor, City Attorney, City Engineer

Mayor Kelly said the City has been lucky to partner with these professionals. He also noted there is a modest pay increase and said it is well worth it.

CMBR Faidley asked about translator services for municipal court and whether that fee has been reviewed. City Administrator Moody said he would look into what that process is and return with the information to the Governing Body.

MOTION: CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE REAPPOINTMENTS OF CITY ATTORNEY STEVE MAUER AND THE MAUER LAW FIRM; CITY ENGINEER DAN MILLER AND LARKIN; MUNICIPAL JUDGE KAREN TORLINE; AND CITY PROSECUTOR FRANK GILMAN. (THE MOTION CARRIED 7-0.)

C. Approve 2023 CARS Agreement with Johnson County for 48th Street

Mayor Kelly said the 2023 CARS agreement on 48th Street is from Roe Boulevard to Roe Lane. The project will include sidewalk replacement, mill and overlay, and spot curb repairs all to be done within the City right-of-way.

CMBR Faidley asked if the project would be designed and constructed in 2023. Public Works Director Scharff said it is currently designed and will be constructed in 2023.

CMBR Faidley also wanted to know if there were concerns over impacts, conflicts, or overlap in at The Rocks site and the 48th Street project. Public Works Director Scharff said he did not believe there would be.

City Engineer Dan Miller said there are actually a number of simultaneous projects going on in that area alongside the CARS project. There's a big pipe repair underneath the CARS project. They will work with scheduling and timelines with EPC and The Rocks. There's also an Evergy duct bank move that needs to take place. There is a lot of coordination ongoing, but they will make sure it does not impact 48th Street.

MOTION: CMBR REBNE MOVED AND CMBR RAGLOW SECONDED TO APPROVE THE 2023 CARS AGREEMENT WITH JOHNSON COUNTY FOR THE 48th STREET PROJECT. (THE MOTION CARRIED 7-0.)

D. Approve 2023 IT Service Agreement with DTI

Mayor Kelly said the agreement with Johnson County Department of Technology and Innovation reflects a 2 percent increase.

City Administrator Moody commented the 2 percent increase is mostly inflationary.

CMBR Madigan asked how it is that they have more laptops in inventory than people. City Administrator Moody said they have laptops in the patrol cars, one is kept at City Hall for use as well as for the committees and Parks.

CMBR Faidley asked if there have been any issues with the service that's been provided by DTI. City Administrator Moody said it has been very good.

MOTION: CMBR MADIGAN MOVED AND CMBR BRAUER SECONDED TO APPROVE THE INFORMATION TECHNOLOGY SERVICE AGREEMENT WITH JOHNSON COUNTY DTI FOR 2023. (THE MOTION CARRIED 7-0.)

VIII. Ordinances and Resolutions

There were no ordinances or resolutions presented.

IX. Reports of City Officials

A. 3rd Quarter Financial Report

City Administrator Moody spoke to the City's revenue sources noting that property taxes are doing well and have largely been collected. They are on track to meet their budget goals. They have collected 92 percent of the budgeted sales tax and the City is in a good financial position. He said he expects them to exceed the budget in sales tax revenue. Franchise fees are also on target to meet budget. Gas and electric franchise fees have increased and have made up the difference from declining cable and landline fees. Court fines have been lower than anticipated.

Mr. Moody also reviewed the individual fund balances. He said the Street and Highway Fund is waiting on CARS and CDBG reimbursements. Also, CID #1 is all interest revenue and will be accounted for at the end of the year.

City Administrator Moody reviewed expenses noting bond payments and payments to contractors will be made before the end of the year. This will bring them close to 100 percent of budgeted expenses. There will also be some ARPA expenses before the end of December, but they will not get to the budgeted \$500,000 and they will roll that over and use it the following year.

CERI statistics were also provided in the report. A ten-year average for retail sales notes a steep increase in for Roeland Park since 2020, which is an anomaly for them. City Administrator Moody noted that the growth is more sales at their businesses and not due to an increase in population. He does project the trend to return to pre-COVID numbers.

Mayor Kelly said their sales track alongside the county. City Administrator Moody said the county has an opportunity to bring in new development and retailers to increase their growth whereas Roeland Park does not.

CMBR Faidley asked what portion can be related to inflationary causes. City Administrator Moody said part of it would due to increasing prices of retail goods, but he cannot answer what portion is the increase in product versus an increase in volume.

City Administrator Moody noted that their building permit applications have declined, but the value of them has been constant and has helped to offset the decrease in applications.

Upcoming Events:

November 30 - Holiday Tree Lighting at the Community Center. 6:00 p.m. Refreshments will be served.

MOTION: CMBR MADIGAN MOVED AND CMBR POPPA SECONDED TO ADJOURN. (THE MOTION CARRIED 7-0.)

(Roeland Park City Council Meeting Adjourned at 6:33 p.m.)

Kelley Nielsen, City Clerk

Mike Kelly, Mayor

Item Number: Committee Meeting Date: Consent Agenda- II.-C. 12/5/2022



City of Roeland Park

Action Item Summary

| Date: | 12/1/2022 |
|-----------------------|------------------------------------|
| Submitted By: | Kelley Nielsen |
| Committee/Department: | Admin. |
| Title: | 2023 Cereal Malt Beverage Renewals |
| Item Type: | Other |
| | |

Recommendation:

To approve Cereal Malt Beverage renewals for Aldi, Minit Mart, Price Chopper, QuikTrip, St. Agnes, Walgreens and Walmart.

Details:

Financial Impact

| Amount of Request: | | |
|---------------------------------|--|--|
| Budgeted Item? Budgeted Amount: | | |
| Line Item Code/Description: | | |

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description

D Aldi

Type Cover Memo

| D | Minit Mart | Cover Memo |
|---|---------------------------|------------|
| D | Price Chopper | Cover Memo |
| D | QuikTrip | Cover Memo |
| D | St. Agnes Catholic Parish | Cover Memo |
| D | Walgreens | Cover Memo |
| D | Walmart | Cover Memo |

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

No.

DEALER'S RETAIL LICENSE

From: 01/01/2023

To: 12/31/2023

To All Whom it May Concern:

License is hereby granted to Aldi to sell at retail

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

4801 ROE Boulevard

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto. This License will expire on 12/31/2023, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date: 12/05/2022

Mayor

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

DEALER'S RETAIL LICENSE

From: 01/01/2023

To: 12/31/2023

To All Whom it May Concern:

License is hereby granted to Minit Mart to sell at retail

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

4815 ROE Boulevard

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2023, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date: 12/05/2022

Mayor

No.

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

'No.

DEALER'S RETAIL LICENSE

From: 01/01/2023

To: 12/31/2023

To All Whom it May Concern:

License is hereby granted to **Price Chopper** to sell at retail

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

4950 ROE Boulevard B

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2023, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date: 12/05/2022

Mayor

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

DEALER'S RETAIL LICENSE

From: 01/01/2023

To: 12/31/2023

To All Whom it May Concern:

License is hereby granted to QuikTrip to sell at retail

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

5055 ROE Boulevard

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2023, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date: 12/05/2022

Mayor

No.

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

No.

DEALER'S RETAIL LICENSE

From: 01/01/2023

To: 12/31/2023

To All Whom it May Concern:

License is hereby granted to St. Agnes Catholic Parish to sell at retail

CEREAL MALT BEVERAGES

For sale in original and unopened containers and for consumption on premises

5250 and 5130 MISSION Road

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2023, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date: 12/05/2022

Mayor

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

No.

DEALER'S RETAIL LICENSE

From: 01/01/2023

To: 12/31/2023

To All Whom it May Concern:

License is hereby granted to Walgreens to sell at retail

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

4951 ROE Boulevard

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2023, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date: 12/05/2022

Mayor

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

No.

DEALER'S RETAIL LICENSE

From: 01/01/2023

To: 12/31/2023

To All Whom it May Concern:

License is hereby granted to Walmart to sell at retail

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

5150 ROE Boulevard

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2023, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date: 12/05/2022

Mayor

Item Number: Committee Meeting Date: Reports of City Liaisons- VI.-A. 12/5/2022



City of Roeland Park

Action Item Summary

Date: Submitted By: Committee/Department: Title: Item Type: 11/29/2022

Aquatic Center Advisory Committee Aquatic Center Advisory Committee Aquatic Center Advisory Committee Report

Recommendation:

Informational only. Michael Calovich to provide update.

Details:

Financial Impact

| Amount of Request: | | |
|---------------------------------|--|--|
| Budgeted Item? Budgeted Amount: | | |
| Line Item Code/Description: | | |

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: Reports of City Liaisons- VI.-B. Committee 12/5/2022 Meeting Date:



City of Roeland Park

Action Item Summary

Date: Submitted By: Committee/Department: Title: Item Type:

Council Member Faidley Bike & Pedestrian **MARC – Bike & Pedestrian (Jan Faidley)** Report

Recommendation:

Informational only. Council member Faidley to provide update.

11/29/2022

Details:

MARC's Bicycle/Pedestrian Advisory Committee (BPAC) met virtually on Wednesday, November 9 at 1:30 PM.

- Anna Tang with the League of American Bicyclists gave a presentation on their "Bicycle Friendly Community" certification. More information on applying can be found at: https://www.bikeleague.org/community There are many resources made available on the already certified communities. The biggest issue to date has been funding for maintenance of amenities - principally found in larger cities.
- 2. Gunnar Hand with the Unified Government in Wyandotte County presented their goDotte county-wide transportation plan. Mr. Hand had a few updates since the plan was presented to RP Council and stated that he was also presenting at the upcoming NLC City Summit in KCMO.
- 3. Patrick Trouba with MARC gave an update on the Regional Bikeway Plan report. The 2023 Report will include a revision of elements to be covered.
- 4. Mr. Trouba also updated the committee on the bicycle/pedestrian counters that are available through MARC to borrow. Three of the six are currently down because of expired batteries. As the units are 10 years old already, MARC will be looking to replace them.

The meeting ended with a roster update of current committee members. Next meeting will be January 11, 2023.

Financial Impact

| Amount of Request: | | |
|---------------------------------|--|--|
| Budgeted Item? Budgeted Amount: | | |
| Line Item Code/Description: | | |

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: Committee Meeting Date: Reports of City Liaisons- VI.-C. 12/5/2022



City of Roeland Park

Action Item Summary

Date: Submitted By: Committee/Department: Title: Item Type:

Community Engagement Community Engagement **Community Engagement** Report

Recommendation:

Informational only. Council member Dickens to provide update.

12/5/2022

Details:

Financial Impact

| Amount of Request: | | |
|---------------------------------|--|--|
| Budgeted Item? Budgeted Amount: | | |
| Line Item Code/Description: | | |

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: Committee Meeting Date: New Business- VIII.-A. 12/5/2022



City of Roeland Park

Action Item Summary

Date: Submitted By: Committee/Department: Title: 11/29/2022 John Jacobson Neighborhood Services Accept Easement Dedications for Redhair Acres Final Plat (5 min)

Item Type:

Recommendation:

Accept public easements for the Final Plat of Redhair Acres

Details:

The final plat of Redhair Acres is a single lot subdivision located on Nall. The purpose for platting is to be compliant with minimum requirements for a building permit in the future (our regulations require a lot be platted before a building permit may be issued). No changes in public infrastructure are anticipated with the final plat. Customary utility easements are being established via the final plat and city code requires council accept/approve these easements.

Financial Impact

| Amount of Request: 0 | | |
|------------------------------------|--|--|
| Budgeted Item? Budgeted Amount: NA | | |
| Line Item Code/Description: NA | | |

Additional Information

The owners are platting the area in which they currently own/live as the property is simply a meets and bounds description.

Local code requires any lot applying for a building permit to be platted. This platting action will accomplish that for a future application.

The city engineer and staff have reviewed the plats submittals. The surveyor has made revisions to

address staff comments.

The planning commission approved the plat at the November 15, 2022 meeting.

How does item relate to Strategic Plan?

NA

How does item benefit Community for all Ages?

NA

ATTACHMENTS:

| | Description | Туре |
|---|--|------------|
| ۵ | Redhair Acres Final Plat | Cover Memo |
| D | 11-15-22 Planning Commission Meeting Minutes | Cover Memo |



PLANNING COMMISSION MINUTES

CITY OF ROELAND PARK 4600 W 51st Street, Roeland Park, KS 66205 November 15, 2022, 6:00 P.M.

The Roeland Park Planning Commission met on November 15, 2022.

| Commissioners Present: | Lisa Brunner (Ward 1) Josey Shaw (Ward 2) Mark Kohles (Ward 3) Matthew Lero (Ward 4) Haile Sims (Mayoral Appt.) |
|------------------------|---|
| Commissioners Absent: | Darren Nielsen (Mayoral Appt) Macrina Abdouch (Mayoral Appt.) |

Staff: Keith Moody, City Administrator John Jacobson, Building Official Steve Mauer, City Attorney

I. ROLL CALL

Vice-Chair Commissioner Brunner called the meeting to order.

Mr. Jacobson called the roll noting that Commissioners Nielsen and Abdouch were absent. Staff present was City Administrator Keith Moody, Building Official John Jacobson, and City Attorney Steve Mauer.

II. Approval of Minutes

There were no minutes for approval.

III. Public Hearing 1. Redhair Acres

Commissioner Brunner opened the public hearing.

There is a request to plat the property to meet City regulations and make it permissible to apply for a building permit in the future.

Commissioner Brunner asked if there were plans to build an accessory dwelling unit. The applicant responded that currently the land is unplatted and there is no current development plan. In order to obtain a permit, they will need to have the property platted.

There were no public comments made with regard to this item.

2. Rezoning and Preliminary Development Plan for The Rocks Site

Brendon O'Leary from EPC gave an updated presentation on the proposed 280 multi-family project at The Rocks site that will include a structured parking garage, restaurant space, plaza outdoor seating for the restaurant patrons and residents, a residents-only courtyard, a clubhouse area, and a leasing office. Mr. O'Leary reviewed the grading plan and how the buildings will be constructed. The design plans are included in the agenda packet and include different angle views of the residential units. Mr. O'Leary also spoke to the quality materials that will be used.

The Commissioners asked for a view of the parking garage. Mr. O'Leary said it will be a concrete garage structure, but the design renderings are not complete as they are still deciding on what treatments to use.

Commissioner Brunner asked about retail spaces on the site. Mr. O'Leary said retail space would be conditional on the size of the restaurant. If the restaurant is under 5,000 square feet, they would have some retail space available, and they are still working on who those tenants would be.

Commissioner Brunner followed up asking about the views from the drone. Mr. O'Leary responded they weren't as impactful as they had hoped.

A Commissioner asked if they need to do a traffic study. Mr. O'Leary said they have started a traffic study which will be part of the final development plan. Mr. Jacobson said there is an initial report complete with the engineer's comments that will be available with the larger traffic study.

There were no public comments made.

Commissioner Brunner closed the public hearing.

IV. Action Items

1. Redhair Acres

MOTION: COMMISSIONER KOHLES MOVED AND COMMISSIONER LERO SECONDED TO APPROVE THE PRELIMINARY AND FINAL PLATS OF THE REDHAIR ACRES SUBDIVISION. (THE MOTION CARRIED 4-0.)

2. Rezoning and Preliminary Development Plan for EPC Mixed Use Development

Mr. Jacobson said there are two variances to consider in their discussion. One is to allow the developer to construct parking between the street and retail along Roe Boulevard. The second is to allow the east façade of the parking garage to face the street. Mr. Jacobson said a future conversation could entail incorporating art into the façade of the structure.

There was more Commission discussion about the 1 percent for art requirement. City Administrator Moody said that City regulations state structured parking shall not have a side that fronts a building, so the parking garage cannot have a façade that faces a right-of-way. He noted the developer has done a good job obscuring it on three sides. When the final development plan comes forward, they will be asked to employ screening to address the issue. This is difficult because the property has three rights-of-way adjacent to it.

There was Commission discussion about access to the restaurant from the parking garage. Mr. Jacobson said there is pedestrian access to the restaurant from the garage but not vehicle access. There will be designated parking access outside the restaurant.

Commissioner Sims asked for clarification on the second variance. Mr. Jacobson said they will need to screen the parking, but they need to be able to have that parking to make the restaurant a marketable property.

MOTION: COMMISSIONER LERO MOVED AND COMMISSIONER LERO SECONDED TO APPROVE THE REZONING FROM CP2 TO MXD AND PRELIMINARY DEVELOPMENT PLAN FOR THE EPC MIXED USE DEVELOPMENT AT THE ROCKS TO INCLUDE VARIANCE REQUEST 1: THE ABILITY TO CONSTRUCT PARKING FACILITIES BETWEEN THE STREET AND THE RETAIL AREA ALONG ROE BOULEVARD; AND VARIANCE REQUEST 2: TO ALLOW THE FAÇADE OF THE PARKING GARAGE TO FACE A STREET ON THE EAST ELEVATION. (THE MOTION CARRIED 5-0.)

3. Final Plat: The Rocks Subdivision

Mr. Jacobson said that once the preliminary plat is approved, they need to look to the final plat which is for subdivision of the land.

City Administrator Moody said the property must include no more than 10 percent of the site for parkland or in lieu of land dedication payment can be made at fair market value for the land, which is figured to be 0.726 acres.

The following three options were discussed by the Planning Commissioners:

- Consider the gathering space included in the EPC project site as parkland.
- Accept the lot east of Roe Parkway to satisfy the parkland requirement, although there are significant elevation changes and a stormwater detention facility that will limit the use of the land.
- Payment in lieu of parkland dedication in which those resources can be used for improvements to existing parks or to purchase more park land.

Staff is recommending Option 3 as the best choice to meet the requirements of the City's regulations. The options were also presented to the Parks Committee and their preference was Option 3.

Commissioner Lero stated he is on the Parks Committee and in their conversations, they discussed the upcoming improvements to Nall Park and that the monies would be better suited on parks the City currently has versus trying to wedge in a park that would have an accessibility issue.

Commissioner Shaw suggested some nice plantings for the area but not as a park but instead for a greenspace.

Mr. Jacobson said there is substantial landscaping planned for around the site. Also, where the stormwater detention facility is no structures can be built and would by default remain a greenspace.

Mr. Jacobson said the Planning Commission's role is to make a recommendation to the Governing Body for their final decision.

Commissioner Shaw asked if the area is still a TIF district. City Administrator Moody said this area was placed into its own TIF district in anticipation of this development. The resources from the TIF will pay for the site development and parking structure. The payment for the parkland will come out of the proceeds when the City sells the ground. That anticipated dollar amount is included in the agenda packet.

MOTION: COMMISSIONER LERO MOVED AND COMMISSIONER SHAW SECONDED TO RECOMMEND APPROVAL BY THE GOVERNING BODY THE FINAL PLAT FOR THE ROCKS SUBDIVISION AND TO ACCEPT OPTION 3 TO ACCEPT PAYMENT IN LIEU OF PARKLAND DEDICATION. (THE MOTION CARRIED 5-0.)

V. Discussion Items

1. Roe House Concept Revisions

THE 5015 Buena Vista concept was presented to the Commissioners for their review. This will be discussed in depth at their Special Call Planning Commission meeting on December 6, 2022. Mr. Jacobson wanted to get this information to the Planning Commissioners so they can prepare for the meeting. There are also noted changes to the garages and their elevations.

Certified notices will be sent to surrounding property owners and there will be time for a protest period. They do anticipate public comments to be made at the public hearing. Once they pass that step, they will move on to the final development plan and plat.

Commissioner Shaw asked about art considerations for the site. Mr. Jacobson said that is something that goes before the Council, and is an area that is designated in the development plan. Commissioner Shaw said it would be nice to make some recommendations to have the art facing Roe. Mr. Jacobson said there are different options such as the art being incorporated into the structure versus a freestanding structure. They are anticipating seeing that on the development plan.

City Administrator Moody added that the 1 percent for art of a \$70 million is a large amount, and they never considered that large of an amount, noting there may be a combination of techniques that could be considered, but the final decision is that of the Council.

VI. Other Matters Before the Planning Commission

Mr. Jacobson reminded everyone of the Special Call Planning Commission meeting and said it is important that they have quorum, and to let him know if they are unable to attend the meeting.

VII. Adjournment

MOTION: COMMISSIONER SHAW MOVED AND COMMISSIONER KOHLES SECONDED TO ADJOURN. (THE MOTION CARRIED 5-0.)

(Roeland Park Planning Commission Meeting Adjourned at 7:53 p.m.)

Item Number: New Business- VIII.-B. Committee Meeting 12/5/2022 Date:



City of Roeland Park

Action Item Summary

| Date: | 11/8/2022 |
|-----------------------|--|
| Submitted By: | John Jacobson |
| Committee/Department: | Neighborhood Services |
| Title: | Approve Rezoning and Preliminary Development Plan for the Rocks Site (5 min) |
| Item Type: | Ordinance |

Recommendation:

The Planning Commission recommends approval of Rezoning from CP-2 to MXD and Preliminary Development Plan for the EPC Mixed Use Development at the Rocks (11-15-22 meeting minutes attached).

Details:

The Preliminary Development Plan is too large of a file to attach in NOVUS, the link below takes you to the plan on the City website:

https://www.roelandpark.org/DocumentCenter/View/4978/Roeland-

Park_PrelimDevelopmentPlan_COMBINED_revised-221101-PM?bidId= Roeland-Park_PrelimDevelopmentPlan_COMBINED_revised-221101-PM (roelandpark.org) The area being rezoned is consistent with the boundary of the Final Plat (document attached).

STAFF REPORT

Completed By: John Jacobson, Building Official

REQUEST:

The applicant, EPC Real Estate Group is requesting a Zoning amendment/Preliminary Development plan approval changing zoning from CP-2 to MXD. This change is to facilitate the construction of mixed-use, multi-family and retail structure(s) at Roe Boulevard and 48th Street.

BACKGROUND: The site has been a focal point of re-development for the city for over 30 years. This proposal addresses a market need and provides housing options for those that are searching for an alternative to single family housing. The site, market need, and scale of this proposal make this development unique in the northeast Johnson county area.

The developer EPC is functioning as the applicant for the rezoning and development plan components of the proposal, while the city is acting as its own agent for platting actions.

Staff has reviewed the preliminary development plan and provided comment. The developer has responded and revised submittals accordingly. The review and responses are included as supporting documents. Preliminary technical studies have been submitted by the developer and reviewed by the City Engineer. Those comments have been attached for your review.

Proposed Land Use: 280-unit multi family structure with 3500 sq. foot retail/commercial space. **Requested Variance from performance standards:**

- 1. The ability to construct parking facilities between the street and the retail area along Roe Boulevard.
- 2. To allow the façade of the parking garage to face a street on the east elevation

ANALYSIS:

CHAPTER XVI – ZONING and SUBDIVISION REGULATIONS

- Section 16-316. Consideration of Zoning Text Amendments
- Section Sec. 16-322. Preliminary Development Plans—When Required
- Sec. 16-323. Preliminary Development Plans—Submission Requirements and Contents
- Sec. 16-1436. Final Plats—Contents and Submission Requirements.
- Sec. 16-316. Consideration of Zoning Text Amendments.
- a. *Public hearing required.* Consideration of zoning text amendments shall require a public hearing before the Planning Commission following publication notice as provided in Section 16-312.
 - b. Action by Planning Commission. A majority of the members of the Planning Commission present and voting at the hearing shall be required to recommend approval, approval with conditions or denial of the zoning text amendment to the Governing Body. The Planning Commission's recommendation shall include a statement of the reasons for the recommendation.

Sec. 16-322. - Preliminary Development Plans—When Required.

(a) A preliminary development plan which meets the requirements of Section 16-322 shall be submitted in support of all applications for:

(1) **Rezoning**, pursuant to Section 16-317, except applications for rezoning to a single-family residence district and a duplex residence district;

(2) A special use permit, pursuant to Section 16-318, with the exception of applications for in-home daycare facilities; and

(3) A building permit for a project, which involves the construction of buildings on undeveloped land, or the redevelopment of previously developed land, in all zoning districts, excepts the single-family and duplex residence districts.

(b) A preliminary development plan shall be required as to Subsection (3) above only when a final development plan has not previously been approved for the project for which the building permit is being sought or if a final development plan has been approved and then abandoned, pursuant to Section 16-330.

(c) The Governing Body may waive the requirement for submission of a preliminary development plan for Subsection (3) above if it determines, in its sole discretion, that the nature or the content of the redevelopment does not warrant plan review.

Sec. 16-323. - Preliminary Development Plans—Submission Requirements and Contents

(a) Eight copies of the preliminary development plan shall be submitted in support of the application. The preliminary development plan shall contain the following information:

- (1) North arrow and scale.
- (2) With regard to the subject property only:

(i) Existing topography with contours at five-foot intervals and delineating any land areas within the 100-year flood plain.

(ii) Proposed location of buildings and other structures, parking areas, drives, walks, screening, drainage patterns, public streets and easements. The parking Garage

Elevations will be detailed on the final development plan

(iii) Sufficient dimensions to indicate relationship between buildings, property lines, parking areas and other elements of the plan.

(iv) General extent and character of proposed landscaping.

(3) With regard to areas within 200 feet of the subject property:

(i) Any public streets which are of record;

(ii) Any drives which exist or which are proposed to the degree that they appear on plans on file with the City, except those serving single-family houses.

(iii) Any buildings which exist or are proposed to the degree that their location and size are shown on plans on file with the City. Single- and two-family residential buildings may be shown in approximate location and general size and shape.

(IV) The location and size of any drainage structures, such as culverts, paved or earthen ditches or storm water sewers and inlets.

(4) Preliminary sketches depicting the general style, size and exterior construction materials of the buildings proposed. Where several building types are proposed on the plan, a separate sketch shall be prepared for each type. These sketches shall include elevation drawings, but detailed drawings and perspectives are not required.

(5) A schedule shall be included indicating total floor area, land area, parking spaces and other quantities relative to the submitted plan in order that compliance with requirements of this chapter can be determined.

(6) Name and address of landowner.

(7) Name and address of architect, landscape architect, planner, engineer, surveyor, or other person involved in the preparation of the plan.

(8) Date of preparation of the plan.

(b) The following information shall be submitted in support of the application for the preliminary development plan approval:

(1) All studies as may reasonably be required pursuant to section 16-304.

(2) Assurances of adequate public facilities as required by section 16-305

This proposal envisions a large multi-family use with a commercial component with intent of a restaurant use. The plan calls for several commons areas to provide open recreation areas or gathering spots for tenants and attempts to utilize the existing topography to provide an architectural "Gateway" on the north end of the community.

IMPACTS: The development proposal adds diversity to current housing options, an issue raised by residents during the Comprehensive Plan update in 2020 and the Planning Sustainable Places process of 2019. The design incorporates pedestrian interconnectivity, greenspace and energy conservation elements that reflect goals in the current comprehensive plan. The location is within walking distance to dining, shopping and commercial services as well as being located adjacent to public transit. The building layout takes advantage of the 50' of elevation change on the site, reducing the amount of material to be hauled off or on site. This approach results in 8 floors that step up from the lower to the upper level of the site.

POLICY ISSUES: There are some details to the plans that will be addressed in the final development plan submittal such as the façade of the parking garage. Because this site is owned by the City, the Council has authority over final exterior design and finishes. There are required minimum criteria such as art placement that are being incorporated into the final design. In staff's opinion, there is no direct conflict with the minimum policy requirements. The submittal meets the spirit and intent of the ordinance.

RECOMMENDATION: The rezoning request and preliminary development plan are compliant with the current comprehensive plan's future land use map and are in line with the development goals for the site Staff recommends approval of zoning CP-2 to MXD and approval of the preliminary development plan as submitted for 4800 West Roe Parkway.

Financial Impact

| Amount of Request: NA | |
|--------------------------------|---------------------|
| Budgeted Item? | Budgeted Amount: NA |
| Line Item Code/Description: NA | |

Additional Information

Please note variances to parking location and parking garage elevation

How does item relate to Strategic Plan?

Compliant with future land use plan

How does item benefit Community for all Ages?

-

ATTACHMENTS:

| | Description | Туре |
|---|---|------------|
| D | Rezoning Area- Consistent with Final Plat Boundary | Cover Memo |
| D | EPC Presentation on Preliminary Development Plan | Cover Memo |
| D | Application and Submittals | Cover Memo |
| D | Notificatioon | Cover Memo |
| D | Certified List and Zoning Publication | Cover Memo |
| D | Will Serve Evergy | Cover Memo |
| D | Will Serve JCW | Cover Memo |
| D | Will Serve Kansas Gas | Cover Memo |
| D | Future Land Use Map | Cover Memo |
| D | Proof of Publication | Cover Memo |
| D | PDP Review Response | Cover Memo |
| D | Planning Commission Meeting Minutes November 15, 2022 | Cover Memo |



KELLAN M. GREGORY, KS PLS #1577 LAMP RYNEARSON, KS CLS #350

THE ROCKS

PART OF THE NE QTR. OF THE NW QTR. AND PART OF THE NW QTR. OF THE NE QTR., SECTION 4. TOWNSHIP 12 SOUTH. RANGE 25 EAST. SITUATE IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS



NE 1/4 & NW 1/4 SECTION 4, T12S, R25E



| LEGEND | |
|------------|---|
| | BOUNDARY LINE |
| | PLATTED EASEMENT LINE |
| | EXISTING LOT LINE |
| | RIGHT-OF-WAY LINE |
| | SECTION LINE |
| | EXISTING EASEMENT |
| (M) | MEASURED DIMENSIONS |
| (R) | RECORD DIMENSIONS |
| (CM) | CALCULATED FROM MEASUREMENTS |
| R/W | RIGHT-OF-WAY |
| JCW | JOHNSON COUNTY WASTEWATER |
| • | MONUMENT FOUND (ACCEPTED IN-PLACE UNLESS OTHERWISE NOTED) |
| Δ | SET 5/8"x24" REBAR W/ 3–1/4" DIA. ALUMINUM CAP STAMPED "SURVEY MARKER LAMP RYNEARSON KS CLS 350" |
| lacksquare | SECTION CORNER |

DEDICATION

THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL HEREAFTER BE KNOWN AS: 'THE ROCKS'

IN TESTIMONY THEREOF, WE THE UNDERSIGNED OWNER AND PROPRIETOR HAVE CAUSED THIS INSTRUMENT TO BE EXECUTED THIS

____, 2022 CITY OF ROELAND PARK, KANSAS, OWNER

MAYOR, MIKE KELLY

| STATE OF |))ss |
|--------------------------------|----------|
| COUNTY OF |) |
| BE IT REMEMBERED, THAT ON THIS | |
| DAY OF | , 2022, |

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME MIKE KELLY, MAYOR OF THE CITY OF ROELAND PARK, KANSAS WHO IS PERSONALLY KNOWN TO BE TO BE THE SAME PERSONS WHO EXECUTED THE WITHIN INSTRUMENT, AND SUCH PERSONS DULY ACKNOWLEDGES THE EXECUTION OF THE SAME TO BE THE ACT AND DEED OF SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY APPOINTMENT EXPIRES _____

NOTARY PUBLIC:

PRINT NAME:

LEGAL DESCRIPTION

All that part of the Northeast Quarter of the Northwest Quarter and all that part of the Northwest Quarter of the Northeast Quarter of Section 4, Township 12 South, Range 25 East, situate in the City of Roeland Park, Johnson County, Kansas, as prepared by Kellan M. Gregory, Kansas PLS #1577 on October 13, 2022, being described as follows:

Commencing at the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 4, said corner monumented by a found, aged 1/2" rebar; thence South 87*33'31" West, along the South line of the Northeast Quarter of the Northwest Quarter of said Section 4. a distance of 3.63 feet to the intersection with the Southerly prolongation of the East right-of-way line of Roe Boulevard (formerly 18th Street Expressway) as established by a Deed of Dedication of Right of Way, filed with the Johnson County, Kansas Recorder of Deeds on November 11, 1993 in Book 4140 at Page 334, as now established; thence North 20°45'26" West, along the East right-of-way line of said Roe Boulevard and its Southerly prolongation, a distance of 89.20 feet to a found 1/2" rebar with a cap stamped "SKW KS LS 61", said point being the Point of Beginning; thence North 20°45'26" West, continuing along said East right-of-way line of Roe Boulevard, a distance of 8.56 feet to a set 5/8" rebar with a 3-1/4" dia. aluminum cap stamped "SURVEY MARKER LAMP RYNEARSON KS CLS-350"; thence Westerly and Northwesterly, departing the former East right-of-way line of said Roe Boulevard, on a curve that is non-tangent with the exit of the last-described course, having an initial tangent bearing of South 71°06'25" West, a radius of 210.00 feet, a central angle of 76°26'33", and an arc distance of 280.18 feet to a set 5/8" rebar with a 3-1/4" dia. aluminum cap stamped "SURVEY MARKER LAMP RYNEARSON KS CLS-350" in the new Easterly right-of-way line of Roe Boulevard; thence North 32°27'02" West, continuing along said new Easterly right-of-way line of Roe Boulevard, a distance of 275.51 feet to the intersection with the Southwesterly prolongation of the South line of a tract of land described in a Special Warranty Deed filed with said Recorder of Deeds on January 5, 2009 in Book 200901 at Page 000627, said point monumented with a set 5/8" rebar with a 3-1/4" dia. aluminum cap stamped "SURVEY MARKER LAMP RYNEARSON KS CLS-350"; thence North 44°06'17" East, along the Southwesterly prolongation of the South line of said tract of land and also said new Easterly right-of-way line of Roe Boulevard. a distance of 126.63 feet to the intersection with the East right-of-way line of said Roe Boulevard, said point monumented by a found 1-1/2" dia. aluminum cap stamped "LS 145"; thence North 44°06'17" East, continuing along the South line of said tract of land, a distance of 269.42 feet to a found 1-1/2" dia. aluminum cap stamped "LS 145"; thence North 77°59'31" East, continuing along the South line of said tract of land and also along the South line of a tract of land described in a Kansas Special Warranty Deed filed with said Recorder of Deeds on January 7, 2015 in Book 201501 at Page 000844, a distance of 374.46 feet to a point on the West right-of-way line of Roe Lane, as now established and also monumented by a found 1/2" rebar with a cap stamped "LS 1118"; thence South 11*59'59" East, along the West right-of-way line of said Roe Lane, a distance of 317.58 feet to a found 1-1/2" dia. aluminum cap stamped "LS 145"; thence South 7°27'38" West, continuing along the West right-of-way line of said Roe Lane, a distance of 30.11 feet to the intersection with the Northwest right-of-way line of W. 48th Street, as described in Johnson County, Kansas Condemnation Case No. 95C1229 and also now established, being monumented by a found 1-1/2" dia. aluminum cap stamped "LS 145"; thence along the Northwest right-of-way line of said W. 48th Street the following four (4) courses: 1) South 38'49'04" West a distance of 236.58 feet to a found 1-1/2" dia. aluminum cap stamped "LS 145"; 2) Southwesterly along a curve to the left that is non-tangent with the exit of the last-described course, having an initial tangent bearing of South 38°45'17" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet to a found 1-1/2" dia. aluminum cap stamped "LS 145"; 3) South 36'46'54" West a distance of 112.35 feet to a found 1-1/2" aluminum cap stamped "LS 145"; 4) South 52°34'57" West a distance of 108.36 feet to the Point of Beginning.

Containing 316,110 square feet or 7.26 acres, more or less.

The bearings in this description are based on the Kansas State Plane Coordinate System, North Zone. NAD83.

AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONSTRUCT AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION OR MAINTENANCE AND USE OF CONDUITS, WATER, GAS, SEWER PIPES, POLES, WIRES, DRAINAGE FACILITIES, DUCTS AND CABLES, AND SIMILAR FACILITIES, UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "U/E." IS HEREBY GRANTED TO THE CITY OF ROELAND PARK, KANSAS, AND OTHER GOVERNMENTAL ENTITIES AS MAY BE AUTHORIZED BY STATE LAW TO USE THE EASEMENT FOR THESE PURPOSES.

AN EASEMENT FOR DRAINAGE, INGRESS, EGRESS AND MAINTENANCE PURPOSES (HEREINAFTER REFERRED TO AS "DRAINAGE EASEMENT" OR "D/E") INCLUSIVE OF BORING, CONSTRUCTING, RECONSTRUCTING, REPAIRING, OPERATING, UPGRADING AND FOREVER MAINTAINING THEREON A STORMWATER QUALITY TREATMENT BASIN AND/OR FLOOD CONTROL DETENTION BASIN, TOGETHER WITH ALL NECESSARY APPURTENANCES APPERTAINING THERETO, A PERPETUAL RIGHT-OF-WAY OVER, UNDER, UPON AND ACROSS ALL THAT REAL PROPERTY SHOWN HEREON AND DESIGNATED.

AN EASEMENT OR LICENSE TO LAY, CONSTRUCT, MAINTAIN, ALTER, REPAIR, REPLACE AND OPERATE ONE OR MORE SEWER LINES AND ALL APPURTENANCES CONVENIENT FOR THE COLLECTION OF SANITARY SEWAGE, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, OVER AND THROUGH THOSE AREAS DESIGNATED AS "SANITARY SEWER EASEMENT" OR "S/E" ON THIS PLAT, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER AND THROUGH ADJOINING LAND AS MAY BE REASONABLY NECESSARY TO ACCESS SAID EASEMENT AND IS HEREBY DEDICATED TO JOHNSON COUNTY WASTEWATER OF JOHNSON COUNTY, KANSAS OR THEIR ASSIGNS. ALTERATION OF LAND CONTOURS WILL BE PERMITTED ONLY WITH THE EXPRESS WRITTEN APPROVAL OF JCW. ANY PLACING OF IMPROVEMENTS OR PLANTING OF TREES ON SAID PERMANENT RIGHT-OF-WAY WILL BE DONE AT THE RISK OF SUBSEQUENT DAMAGE THERETO WITHOUT COMPENSATION THEREOF.

THE UNDERSIGNED PROPRIETOR OF THAT PROPERTY SHOWN ON THIS PLAT DOES HEREBY DEDICATE FOR PUBLIC USE AND PUBLIC WAYS AND THOROUGHFARES, ALL PARCELS AND PARTS OF LAND INDICATED ON THAT PLAT AS STREETS, TERRACES, PLACES, ROADS, DRIVES, LANES, AVENUES AND ALLEYS NOT HERETOFORE DEDICATED. WHERE PRIOR EASEMENT RIGHTS HAVE BEEN GRANTED TO ANY PERSON, UTILITY OR CORPORATION ON THOSE PARTS OF THE LAND SO DEDICATED, AND ANY PIPES, LINES, POLES AND WIRES, CONDUITS, DUCTS OR CABLES HERETOFORE INSTALLED THEREUPON AND THEREIN ARE REQUIRED TO BE RELOCATED, IN ACCORDANCE WITH PROPOSED IMPROVEMENTS AS NOW SET FORTH. THE UNDERSIGNED PROPRIETOR HEREBY ABSOLVES AND AGREES TO INDEMNIFY THE CITY OF ROELAND PARK, KANSAS, FROM ANY EXPENSE INCIDENT TO THE RELOCATION OF ANY EXISTING UTILITY INSTALLATIONS WITHIN THE PRIOR EASEMENT.

THE UNDERSIGNED PROPRIETOR OF THE ABOVE DESCRIBED LAND HEREBY CONSENTS AND AGREES THAT THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, SHALL HAVE THE POWER TO RELEASE SUCH LAND PROPOSED TO BE DEDICATED FOR PUBLIC WAYS AND THOROUGHFARES, OR PART THEREOF, FOR PUBLIC USE, FROM THE LIEN AND EFFECT OF ANY SPECIAL ASSESSMENTS, AND THAT THE AMOUNT OF UNPAID SPECIAL ASSESSMENTS ON SUCH LAND DEDICATED, SHALL BECOME AND REMAIN A LIEN ON THE REMAINDER OF THIS LAND FRONTING OR ABUTTING ON SUCH DEDICATED PUBLIC WAY OR THOROUGHFARE.

THE FORMER RIGHT-OF-WAY OF ROE BOULEVARD HAS HEREBY BEEN VACATED BY WAY OF THIS PLAT. THE LIMITS OF DIRECT ACCESS DEFINED IN BOOK 390, PAGE 409 AND BOOK 3287, PAGE 797 (AS FILED WITH THE JOHNSON COUNTY, KANSAS RECORDER OF DEEDS) HAVE ALSO HEREBY BEEN VACATED BY WAY OF THIS PLAT.

APPROVALS

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS.

_____ DAY OF _____ __, 2022

CHAIRMAN, DARREN NIELSEN APPROVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS

_____ DAY OF _____ _, 2022

MAYOR, MIKE KELL

ATTEST CITY CLERK, KELLEY NIELSEN

| LAMP RYNEAR | <u>S O N</u> |
|---|--|
| LAMPRYNEARSO OMAHA, NEBR, 14710 W. DODGE RD, STE. 100 FORT COLLINS, CC 4715 INNOVATION DR., STE. 10 KANSAS CITY, MI 9001 STATE LINE RD., STE. 200 | ASKA (402)496.2498 DLORADC 0 (970)226.0342 SSOURI |
| | |
| KELLAN M. GREGORY, KS PL LAMP RYNEARSON, KS CLS | |
| FIAT | THE ROCKS ROELAND PARK, JOHNSON COUNTY, KANSAS |
| Available T Available T THERE IS N AVAILABLE T THERE IS N THE LOCATION SIZE OF EAA CORRECT. RESPONSIBLE LINES PRIOF Know what's below. Call before you dig. REVISIONS | S ARE SHOWN THE INFORMATION O THE ENGINEER. O GUARANTEE ALL RE SHOWN OR THAT NN, DEPTH, AND CH FACILITY IS THE CONTRACTOR IS E FOR LOCATING S AND SERVICE R TO CONSTRUCTION. |
| DESIGNER / DRAFTER KMG / RER DATE 10/21/2022 PROJECT NUMBER 0322001.06 BOOK AND PAGE | |
| SHEET | |

THE ROCKS 4800 WEST ROE PARKWAY ROELAND PARK, KS

CONFIDENTIAL





Site Plan




Grading Plan





















Level 6-7 (3&4 Above Grade)





FLOOR PLAN LEVEL +/- 1006 SCALE 1' - 50'0'

FLOOR PLAN LEVEL +/- 995 SCALE 1' - 50'0'







South Elevation





North West Corner



VIEW OF COMMERCIAL SPACE FROM NORTHWEST VEHICULAR ACCESS





VIEW OF CORNER FROM ROE BLVD & 48TH STREET



| Fee: | |
|-----------|--|
| Rec'd By | |
| Date Paid | |
| | |

18 × 14 1

APPLICATION FOR DEVELOPMENT PLAN APPROVAL City of Roeland Park, Kansas PLEASE PRINT

| Case No.: | |
|---------------------|---|
| Planning Commission | |
| Date 11-15-22 | _ |
| | |

| Reque | sted Action: | Fee |
|-------|---|----------|
| X | Preliminary Development Plan | \$400.00 |
| | Revised Preliminary Development Plan | \$400.00 |
| | Final Development Plan | \$650.00 |
| | Revised Final Development Plan | \$650.00 |
| X | Landscaping Plan | \$125.00 |
| | Site Plan (non-residential development in residential district) | \$150.00 |

Name of Development: ROELAND PARK MIXED-USE

| Location: GENERALLY LOCATED AT NE CORNER OF | F ROE AVE & W. 48TH STREET |
|---|--|
| Range <u>25E</u> Township <u>12S</u> Section: <u>4</u> | Quadrant NW |
| Existing Zoning. CP-2 | Present use of Property: ROELAND PARK PUBLIC WORKS DEPT |
| Is Property subject to rezoning? Yes No Applicant: EPC REAL ESTATE GROUP | Is Property subject to Special Use Permit? Yes No |
| Address: 8001 METCALF AVE, SUITE #300 | Phone: 913-558-1014 |
| City:OVERLAND PARKState: | KS Zip: 66204 |
| Property Owner: <u>CITY OF ROELAND PARK</u> | |
| Address: 4600 W. 51ST STREET | Phone: 913-722-2600 |
| City: ROELAND PARK State: | KS Zip: 66205 |
| Engineer/Surveyor/Architect: DLR GROUP Address: 7290 W. 133RD STREET | Phone: 913-897-7811 |
| City: OVERLAND PARK State:_State:_State | KS Zip: 66213 |
| Applicant signature | Date 10 3 22 |
| To be completed by the City: Fee Paid \$ 575.01 | Date 10-4-22 Received by: D.C. |
| Proof of ownership and/or authorization of agent affidavit(s) submit Rezoning Case No Special Use Permit No City Engineer review and comment submitted | |
| Technical studies required? I Yes I No If yes, what type and whe | en submitted? Thatfyic, Maringer, Cooncinvic |
| Assurances of adequate public facilities received. If Yes I No If ye Supporting materials required: | Date Submitted: |
| Date application deemed complete:ID-7-22 | |
| Surrounding property owners notified: 10-18-22 | Date of publication: <u>10-18-22</u> Sign Posted <u>10-18-22</u> |
| Date notices sent: 16-18-22 | Public Hearing date: |
| Planning Commission recommendation: City Council Action: | Date: |
| | Date: |

PRELIMINARY DEVELOPMENT PLANS CHECKLIST [CODE 16-323]

Date Submitted

Name of Project ROELAND PARK MIXED-USE

__Case #_

Description/Type of Project: NEW MIXED-USE BUILDING WITH 280 RESIDENTIAL UNITS & 5K SF RESTAURANT

I, BRIAN CRAWFORD , (Contact Person's Name - Printed), hereby certify the attached and completed application contains the information as specified in accordance with the Roeland Park City Code. I understand the submission of incomplete or inaccurate information may result in a delay in processing and action on this application.

10/03/22

Date

Signature of Contact Person

NOTE: Some plans, because of their scale and complexity may require additional information not indicated on this checklist. You are encouraged to work closely with the Staff in advance of your actual application submittal. Please submit ONLY THOSE DRAWINGS necessary to provide information required by this checklist. Submission of construction drawings or other nonessential drawings may delay the review process. Please check appropriate boxes (I = Included or N/I = NotIncluded) as the form is completed.

XI 🗆 N/I

ré .

- 1. Application form
- 2. Eight copies of the preliminary site development plan that must include the following information:
- XI □ N/I GENERAL INFORMATION
 - a. North arrow:
 - b. Scale;
 - c. Date of plan preparation;
 - d. Name and address of landowner.
- XI IN/I SITE DEVELOPMENT
 - a. Location and dimension of buildings and other structures;
 - b. Location and dimensions of parking areas;
 - c. Location and dimensions of drives and walks;
 - d. Location and dimension of public streets and all easements;
 - e. General extent and character of proposed landscaping and screening;
 - f. Proposed drainage patterns.
 - g. Adjacent development (property within 200 feet) including lot lines, building footprints, access points and parking areas;
 - h. Existing topography with contours at 5-foot intervals, and delineating any land areas within the 100-year flood plain;
 - i. Location and size of any drainage structures, such as culverts, paved or earthen ditches or storm water sewers and inlets;
 - j. Preliminary sketch drawings of elevations and floor plans depicting the general style, size and exterior construction materials of the buildings.
- XI IN/I ADDITIONAL INFORMATION
 - a. Schedule indicating total floor area and land area;
 - b. Parking Schedule showing the number of space provided and required for all existing buildings, and all spaces required for proposed buildings;
 - c. Name and address of architect, landscape architect, planner, engineer, surveyor, or other person involved in the preparation of the plan.
 - 3. All required studies pursuant to section 16-304.
- XI II N/I TECHNICAL STUDIES
 - a. Traffic Study; (INCLUDED)
 - b. Parking Study; (INCLUDED AS PART OF TRAFFIC MEMO)
 - c. Lighting Study; (INCLUDED)
 - d. Drainage Study; (INCLUDED)
 - e. Geo-technical Study;(NOT INCLUDED)
 - f. Other (specify)_
 - Assurances of adequate public facilities as required by section 16-305.
 - 5. Assurances of proof of ownership and/or authorization of agent as required by section 16-302.

| Fee: Rec'd By Date Paid | City of Roe | ON FOR REZONI Land Park, Kansas ASE PRINT | | Case No.: Planning Commission Date |
|--|---|--|-----------------------|--|
| Applicant/Agent's Name(s) E | PC REAL ESTATE G | ROUP Phone: | 913-558-101 | 4 |
| Mailing Address 8001 METCALF Street | AVE, SUITE #300 | OVERLAND PARK | KS State | 66204 _{Zip} |
| Property Owner's Name(s) | CITY OF ROELAND | PARK Phone: | 913-722-26 | 600 |
| Mailing Address 4600 W. 51ST S | TREET ROE | LAND PARK | KS | 66205 |
| 30 EEL | | City | State | Zip |
| Requested Rezoning From: | CP-2 Present Zoning Distric | to | MX Proposed Zoning | |
| | Lot: N/A ^N | A Block: N/A | | |
| Legal description Current Land Use ROELAND PARKS F Reasons for requesting zoning ZONI | PUBLIC WORKS DEPT Pro | (A | - | cription must be type |
| Current Land Use ROELAND PARKS F | PUBLIC WORKS DEPT Pro | (A posed Land Use: MIXED-L NEW DEVELOPMENT | USE BUILDING | cription must be type |
| Current Land Use ROELAND PARKS F Reasons for requesting zoning ZONII Applicant signature Note: For rezoning procedure, see To Be Filled in by the City: Proof of ownership and/or authoriz | PUBLIC WORKS DEPT Prop NG TO MEET CRITERIA FOR e application form for D Fee Paid \$ ation of agent affidavit(s | (A posed Land Use: MIXED-U NEW DEVELOPMENT Date Date Development Plan Appro Date) submitted. Date: | USE BUILDING | |
| Current Land Use ROELAND PARKS F Reasons for requesting zoning ZONII Applicant signature Note: For rezoning procedure, see To Be Filled in by the City: Proof of ownership and/or authoriz Technical studies required? □ Yes Assurances of adequate public facilit | PUBLIC WORKS DEPT Prop NG TO MEET CRITERIA FOR e application form for D Fee Paid \$ ation of agent affidavit(s ID No If yes, what type ties received. ID Yes ID | (A posed Land Use: MIXED-L NEW DEVELOPMENT Date Date Pevelopment Plan Appro Date) submitted. Date: and when submitted? No. If yes, date received | val. | |
| Current Land Use ROELAND PARKS F Reasons for requesting zoning ZONII Applicant signature Note: For rezoning procedure, see To Be Filled in by the City: Proof of ownership and/or authoriz Technical studies required? □ Yes Assurances of adequate public facilit Date application deemed complete: | PUBLIC WORKS DEPT Prop NG TO MEET CRITERIA FOR e application form for D Fee Paid \$ ation of agent affidavit(s I No If yes, what type ties received. I Yes I | (A: posed Land Use: MIXED-L NEW DEVELOPMENT Date Date Pevelopment Plan Appro Date) submitted. Date: and when submitted? No If yes, date received | val. | ру: |
| Current Land Use ROELAND PARKS F Reasons for requesting zoning ZONII Applicant signature Note: For rezoning procedure, see To Be Filled in by the City: Proof of ownership and/or authoriz Technical studies required? □ Yes Assurances of adequate public facilit Date application deemed complete: Surrounding property owners notifi | PUBLIC WORKS DEPT Prop NG TO MEET CRITERIA FOR e application form for D Fee Paid \$ ation of agent affidavit(s I No If yes, what type cies received. I Yes I ed: | Date Date Date Date Pevelopment Plan Appro Date) submitted. Date: and when submitted? No If yes, date received Date of publ | val. | |
| Current Land Use ROELAND PARKS F Reasons for requesting zoning ZONIA Applicant signature Note: For rezoning procedure, see | PUBLIC WORKS DEPT Prop NG TO MEET CRITERIA FOR e application form for D Fee Paid \$ ation of agent affidavit(s ID No If yes, what type cies received. I Yes II ed: | (A: posed Land Use: MIXED-L NEW DEVELOPMENT Date Date Pevelopment Plan Appro Date) submitted. Date: and when submitted? No If yes, date received Date of public Hearing | Val. | py:Sign Posted |

REZONING CHECKLIST [CODE 16-317]

Name of Project ROELAND PARK MIXED-USE

Description/Type of Project: NEW MIXED-USE BUILDING WITH 280 RESIDENTIAL UNITS & 5K SF RESTAURANT

BRIAN CRAWFORD ____ (Contact Person's Name - Printed), hereby certify the attached and Ī,= completed application contains the information as specified in accordance with the Roeland Park City Code, I understand the submission of incomplete or inaccurate information may result in a delay in processing and action on this application.

Signature of Contact Person

NOTE: Some plans, because of their scale and complexity may require additional information not indicated on this checklist. You are encouraged to work closely with the Staff in advance of your actual application submittal. Please submit ONLY THOSE DRAWINGS necessary to provide information required by this checklist. Submission of construction drawing's or other nonessential drawings may delay the review process. Please check appropriate boxes (I = Included or N/I = Not Included) as the form is completed.

The following items shall be submitted in support of any application for rezoning:

н 3°,

- 1. Legal description of the property;
- 2. A statement of the reasons why rezoning is being requested;
- 3. The written comments of the Redevelopment Committee on the concept plan, if applicable pursuant to section 16-322;
- 4. A preliminary development plan, except for rezonings to a Single-Family Residence District and Duplex Residence District;
- 5. All studies as may reasonably be required pursuant to section 16-304;
- Assurances of adequate public facilities as required by section 16-305. 6.

10/03/22

Date

Date Submitted

Case #

PROOF OF OWNERSHIP AFFIDAVIT

| STATE O | F <u>Kansas</u>) OF <u>Johnson</u>) SS |
|------------|---|
| | follows: |
| (1) | [FILL IN ONLY IF APPLICATION SUBMITTED ON BEHALF OF THE LEGAL OWNER] |
| | That |
| (2) | [FILL IN ONLY IF APPLICATION SUBMITTED ON BEHALF OF A CONTRACT PURCHASER] |
| | That |
| Subscribed | and sworn to before me this <u>3vd</u> day of <u>UCtOber</u> , 2022. Motary Public |
| My commis | sion expires: |
| 1/27/2 | O20 January 27, 2026 |

20. S. S.

Kimley»Horn

MEMORANDUM

- To: Austin Bradley EPC Real Estate Group
- From: Jeff Wilke, PE, PTOE Kimley-Horn and Associates, Inc.
- Date: September 30, 2022
- Subject: Roe Boulevard Mixed Use Traffic Assessment Roeland Park, Kansas

INTRODUCTION

Kimley-Horn has prepared the following traffic assessment for the proposed Roe Avenue Mixed Use development located at 4800 Roe Parkway, Roeland Park, Kansas. This study includes a description of the site, discussion of site access points and circulation, trip generation estimates for the proposed land uses, and traffic count data for roadways adjacent to the site.

PROPOSED DEVELOPMENT

The proposed development includes demolishing the existing Roeland Park Public Works Department Building in the northern portion of the site. A new multi-story building with 280 dwelling units will be constructed. A 5,000 square foot restaurant will be located at ground level in the northwest corner of the building. The new building will have a courtyard in the center of the building and a parking garage along the east side. There will be surface parking on the north and west edges of the site.

Access to the site is proposed via four driveways, one on Roe Boulevard and three driveways on Roe Parkway. The Right-In/Right-Out (RIRO) access on Roe Boulevard is to be located roughly 400 feet north of 48th Street. The RIRO access on Roe Boulevard will provide access to the surface lot on the northwest side of the site which serves the restaurant, leasing office, and residential guests. The three driveways on Roe Parkway will all provide full access. The south driveway is located approximately 70 feet north of 48th Street and will provide access to the parking garage. The middle driveway will be a trash and service driveway, located approximately 330 feet north of 48th Street. The north driveway will connect to the surface parking lot on the north side of the site and is located approximately 460 feet north of 48th Street.

The limited access driveway at Roe Boulevard will affect how drivers access the site. Most site traffic is expected to be traveling to/from I-35. Because of the RIRO access restriction at Roe Boulevard and the location of the parking garage access, the majority of site traffic is anticipated to access the development via Roe Parkway. Northbound traffic on Roe Boulevard may enter the site at the RIRO driveway if they are destined for the restaurant or surface parking. When exiting the site, drivers may use the RIRO access to travel north on Roe Boulevard to I-35. Traffic exiting the site to travel south on Roe Boulevard will follow Roe Parkway to 48th Street.

The parking garage driveway is in close proximity to the Roe Parkway & 48th Street intersection. If southbound left-turn drivers experience delays at the intersection, queues could develop. Queues of three vehicles would block the parking garage driveway. For this reason, a southbound right-turn lane is

Kimley **»Horn**

TRIP GENERATION

Trip generation estimates were prepared for the proposed land use and the proposed land uses using *Trip Generation Manual*, 11th Edition published by the Institute of Transportation Engineers (ITE). The trip generation for the proposed land use is shown in **Table 1**. An internal capture reduction was calculated using the *Trip Generation Handbook*, 3rd Edition methodology due of the mixed use nature of the proposed development. Internal capture for this site would consist of residents and visitors at the apartments who are customers at the restaurant.

| You diffee Decembrilian | ITE | ITE Intensity / | Daila | AM Peak Hour | | | PM Peak Hour | | |
|--|--------|-----------------|-------|--------------|-----|-------|--------------|-----|-------|
| Land Use Description | LUC | Units | Daily | In | Out | Total | In | Out | Total |
| Multifamily Housing (Mid-Rise) | 221 | 280 DU | 1,289 | 26 | 86 | 112 | 67 | 43 | 110 |
| High Turnover (Sit Down) Restaurant | 932 | 5,000 SF | 536 | 26 | 22 | 48 | 27 | 18 | 45 |
| Total Trip Generation | | 1,825 | 52 | 108 | 160 | 94 | 61 | 155 | |
| Internal Capture Reduction | | -150 | -6 | -6 | -12 | -7 | -7 | -14 | |
| Net Trip Gene | ration | | 1,675 | 46 | 102 | 148 | 87 | 54 | 141 |

TABLE 1: PROPOSED TRIP GENERATION

The internal capture reduction results in a reduction of 8.2% daily trips, 7.5% AM peak hour trips, and 9.0% PM peak hour trips. The proposed development plan is anticipated to generate 1,675 net daily trips, 148 AM peak hour trips, and 141 PM peak hour trips.

TRAFFIC COUNTS

Traffic count data was provided by the City of Roeland Park. **Table 2** provides daily traffic volumes for the various roadways near the proposed site. There has not been significant development in the area in the last six years, it is anticipated that the 2016 and 2017 AADTs are an adequate approximation for existing conditions.

TABLE 2: AADTs

| Roadway | Location | AADT (vpd) | Year |
|---------------|--|------------|------|
| Roe Boulevard | County Line to 48th Street | 25,000 | 2017 |
| Roe Boulevard | 48 th Street to 55 th Street | 18,350 | 2017 |
| 48th Street | Roe Boulevard to Roe Lane | 10,300 | 2016 |
| Roe Lane | Roe Boulevard to County Line | 4,100 | 2016 |



3-31-17

Geotechnical Memorandum

| TO: | Jeff Shoemaker – Pyramid Contractors, Inc. |
|----------|---|
| FROM: | Steven M. Levorson, Ph.D., P.E Senior Principal |
| | Kole C. Berg, P.E. – Senior Associate 🎉 |
| SUBJECT: | Roeland Park Mine Reclamation |
| DATE: | March 31, 2017 |

1.0 DESCRIPTION

This Geotechnical Memorandum presents our summary of the backfill placement and compaction operations completed to date for the Roeland Park Mine Reclamation project.

This Design Memorandum is based on:

- Terracon's understanding of the planned construction
- Plans and cross sections provided by the City
- Subsurface exploration and laboratory test results performed by others for the City

2.0 PROPOSED CONSTRUCTION

The project consists of removing the overburden soils and existing mine ceiling, stockpiling materials to be used in the mine reclamation, and backfilling the mined area to the grades shown in the City's proposed redevelopment grading plan. The grading plan provides for a permanent slope down from the north to the base of the mine on the south at an approximately 3:1 (H:V) slope. The reclaimed mine/permanent slope will be redeveloped by the City of Roeland Park for a proposed zip line park.

A large block retaining wall is planned to be constructed along the eastern boundary of the mine footprint to retain fill for future building pads between the eastern boundary of the mine and Roe Avenue. The planned retaining wall and fills for the future building pad sites have not yet been built and are not addressed in this memorandum.

The contractor's mine reclamation plan consisted of:

- Stripping and removing all existing vegetation within and above the mine.
- Stripping and stockpiling all overburden soils within the mine footprint along the eastern boundary of the site for use in final grading and slope dressing.
- Excavating and breaking the limestone mine roof using hydraulic rock breakers to approximately 2 foot, maximum sized, rock fragments, and stockpiling the broken limestone within the mine footprint. Existing limestone pillars within the mine footprint were to be left in place.

Terracon Consultants, Inc. 13910 West 96th Terrace, Lenexa, KS 66215 P [913] 492-7777 F [913] 492-7443 terracon.com **Geotechnical Memorandum**



Roeland Park Mine Reclamation Roeland Park, KS March 31, 2017 Terracon Project No. 02165402

- Excavating to the mine floor elevation and removing the existing, unsuitable fill materials that had been previously placed in the mine. Unsuitable fill materials encountered during excavation were to be removed from the site.
- Demolishing and removing all existing, previous structures within the mine.
- Backfilling the mine footprint with sound, durable, limestone rock fill in lifts, staging the backfilling operations in cells.

3.0 MINE BACKFILL AND CONSTRUCTION OBSERVATION

3.1 Backfill Material Specification

Based on our conversations with the contractor and our observations during construction, all overburden soils and any weathered shale materials that were encountered above the limestone mine roof were to be stockpiled for future use outside of the footprint of the mine reclamation backfill. The on-site backfill materials that were used to backfill the mine footprint consisted primarily of durable, moderately hard to hard limestone rock fragments with less than 20% clay soils.

The specification used for rock fill placement was based on the KDOT Standard Specifications for State Road and Bridge Construction, Section 205 (Excavation and Embankment for Highways) and guidance in USACE design manuals for rock fill dam construction. This specification was judged to be suitable for the materials planned for use as mine backfill and the intended purpose of providing a permanent, stable slope within the mine footprint.

Rock fill, for purposes of this project, was defined as sound, durable rock (limestone) fragments, compacted to produce interparticle contact within the rock fragment matrix, with no intervening layers of soil or non-durable shale. Rock fill was to be placed the full width of the mine excavation to avoid pockets of undrained rock fragments within the fill. The maximum particle size (D100) of rock fill was to be 2 feet. No more than 20% of the material shall be finer than 3/4 inch (D20).

Rock fill was placed in loose lifts, approximately 2 feet in thickness. Rock fill materials were typically dumped on the surface of the layer being placed and spread with a large crawler bulldozer by pushing the material over the advancing face of the lift. This dumping and spreading procedure created segregation within the lift, with the larger rock fragments in the bottom of the lift and smaller rock and fines at the surface. Segregation of the fill during placement was visually evaluated to assess that it was not excessive and that there were no large voids that would allow migration of fines. This method assists in maintaining the required lift thickness as the dozer operator maintains a level surface during spreading. It also promotes strong particle to particle contact of the larger rock fragments, increasing fill stiffness and frictional strength.

Compaction of the rock fill was accomplished by multiple passes of the dozer and other construction traffic until the lift exhibited no further consolidation and the fragments in the lift exhibited strong interparticle contact.





3.2 Backfill Zoning

The contractor prepared a backfill zoning plan to guide backfill placement prior to commencement of backfill operations. The intent of the zoning plan was to provide horizontal layer continuity of the various, available soil and rock materials and mixtures and to avoid random zones of fill with significant differences in compressibility. The zoning plan consisted of excavating and backfilling the mine in a sequence of cells defined by the existing mine pillars that remained in place.

3.3 Observation and Testing

All foundation preparation, removal of unsuitable existing fill materials, fill placement, and compaction was observed full-time by the Engineer's representative. Oversized material from the stockpiles was identified and further broken down prior to placement within the fill. Discrepancies with the planned placement specification and zoning plan were brought to the attention of the contractor's representative and rectified as they occurred.

Based on our observations during construction, the rock fill placed within the limits of the mine has been constructed in accordance with our recommendations and any outstanding discrepancies have been resolved.

3.4 Post-Construction Settlement Monitoring

Following completion of backfill operations, at least three survey monuments should be installed across the deeper fill sections. The monuments should be at least 1.5 feet by 1.5 feet in plan view, placed at a depth of at least 2 feet below grade and extending at least 4 inches above grade. A bolt or similar object should be cast into the top of concrete to use as the measuring point. Elevations of the survey monuments should be obtained at least weekly for a period of 2 months and submitted to the Engineer for review.

4.0 LIMITATIONS

Recommendations contained in this memorandum are applicable only for the portions of the project as described in this report. The enclosed recommendations are based upon the basis of design as presented in Sections 1.0 and 2.0, and on Terracon Consultants, Inc. present knowledge of the proposed construction.

If the scope of the proposed construction or the intended use of the project changes from that described in this report, Terracon should be consulted to review and update the enclosed recommendations and conclusions.

This report may be used only by Pyramid Contractors, Inc. and only for the purposes stated, within a reasonable time from its issuance, but in no event later than the contractual project completion date. Land or facility use, on and off-site conditions, regulations, or other factors may change over time, which would require additional work with the passage of time. Any party other than the client who wishes to use this report shall notify Terracon of such intended use. Based on the

Geotechnical Memorandum

1

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Roeland Park Mine Reclamation - Roeland Park, KS March 31, 2017 Terracon Project No. 02165402

intended use of the report, Terracon may require that additional work be performed and that an updated report be issued. Non-compliance with any of these requirements, or use by an unauthorized party, will release Terracon from liability associated with such unauthorized use.

October 4th, 2022

SUBJECT:

15

Roeland Park Mixed-Use 4800 Roe Parkway Roeland Park, KS 66205 Johnson County, KS Kansas Uniform Parcel #: 0460620401006002000

PROJECT AREA: 5.79 Acres

INTRODUCTION:

This drainage memorandum (memo) provides a summary of the existing and proposed conditions, related to the development of the site located at 4800 Roe Parkway in Roeland Park, Kansas. The project is anticipated to include multi-family units, a restaurant, a structured parking garage, as well as surface parking. Additionally, it will include sew private access drives, storm sewer, erosion control, sanitary sewer, and waterline. The site will be served by an underground detention facility which was constructed by the city to account for future development of this site. The detention facility is located to the east of Roe Parkway. The overall project site is approximately 5.79 acres, and the project limits (disturbed area) will be approximately the same.

EXISTING CONDITIONS:

The site is located on the northeast corner of Roe Avenue and West 48th Street. The existing drainage areas can be found in the calculations section below. The site generally drains northwest to southeast, collecting at a low point in the southeast corner of the site and then entering an existing storm sewer system through curb inlets found along Roe Parkway. The storm sewer system connects to the existing underground detention that was designed to serve future development, as well as, a portion of the existing development directly north of the site along 18th Street Expressway. The underground detention consists of 6 rows of 60inch perforated HDPE pipe placed on a suitable foundation and surrounded by clean stone wrapped in a geotextile fabric. The water is detained within the perforated pipes and allowed to slowly release into the surrounding fill. It is then routed through the system's underdrains to a flow control structure, which ensures peak flows during the 2-,10-, and 100-year storms in the post-development condition will be at or below the peak flows in the pre-development condition. Prior to entering the underground detention system, the drainage is filtered through a debris-separating baffle box. The baffle box promotes water quality by routing a treatment flow (typically the first-flush volume) through a non-clogging screen and hydrodynamic separator to capture sediments and other pollutants. The sediment and other undesirable materials are filtered out of the runoff and removed during regular maintenance.

PROPOSED CONDITIONS:

The proposed development and associated site improvements will maintain the existing drainage patterns. Runoff will generally drain from west to east across the site. The water will be routed through new catch basins and private storm sewer system toward the existing storm inlets along Roe Parkway and into the existing detention facility. The volume and intensity of flow of the runoff from the proposed mixed-use development is adequately detained and released by the existing underground detention system. This is achieved by keeping the impervious area in the "actual" proposed development at or below the impervious area the underground detention facility was designed to treat from the "expected" proposed development. The runoff coefficient for the actual proposed development is **0.64**, while the runoff coefficient for the detention facility was designed for is **0.78**. Furthermore, the underground detention facility design accounts for water quality treatment by providing upstream baffle boxes and infiltration. Thus, additional water quality treatment measures are not necessary and are not provided as part of our design. The proposed area breakdowns for the proposed site can be found in the calculations section below.

| | Exis | ting | Proposed | | |
|------------------------|------------------------|------|--------------|--------------|--|
| Parameter | Area Area (SF) (AC) | | Area (SF) | Area (AC) | |
| Impervious Area | 48,776 | 1.12 | 62,295 | 1.43 | |
| Building | 9,867 | 0.23 | 82,239 1.89 | | |
| Pervious Area | 193,551 | 4.44 | 107,660 2.47 | | |
| Total | 252,194 | 5.79 | 252194 5.79 | | |
| Runoff Coefficient "C" | 0. | 44 | 0.64 | | |

CALCULATIONS:

CLOSURE

-4

As discussed above, the site impacts due to the proposed project are within the scope of what was planned during the design of the underground detention facility. The amount of impervious surface area for the proposed development is lower than what was expected, resulting in reduced stormwater peak flow rates and volume that were expected to be exiting the site. The existing storm sewer and adjacent underground detention provide sufficient water quality treatment for the site; thus, no additional water quality treatment measures are provided as part of the proposed design. Because impervious surface area is not increasing compared to expected development, and drainage patterns as a whole remain unchanged, no additional stormwater management facilities or improvements are being proposed.

KIMLEY-HORN AND ASSOCIATES, INC.

Matthew Kist, P.E.

LEGAL DESCRIPTION:

PER FIRST AMERICAN TITLE INSURANCE COMPANY, LLC. COMMITMENT NUMBER: NCS-1107019-OMHA EFFECTIVE DATE: JANUARY 04, 2022, AT 8:00 A.M.

TRACT 1:

ALL THAT PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 12, RANGE 25, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4, THENCE NORTH 18° 09' 30" WEST ALONG THE KANSAS HIGHWAY RIGHT-OF-WAY, A DISTANCE OF 155.52 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN TO BE DESCRIBED; THENCE NORTH 18° 09' 30" WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 135.48 FEET; THENCE NORTH 43° 15' 30" WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 330 FEET; THENCE NORTH 46° 42' 10" EAST, A DISTANCE OF 269.38 FEET; THENCE NORTH 80° 36' EAST, A DISTANCE OF 374 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY OF ROE BOULEVARD AS SAID BOULEVARD NOW EXISTS; THENCE SOUTH 09° 28' EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 623.37 FEET; THENCE DUE WEST AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4, A DISTANCE OF 399.19 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART IN STREETS AND ROADS, AND EXCEPT:

A PARCEL OF GROUND SITUATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 12 SOUTH, RANGE 25 EAST, IN JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 17° 313' 08" WEST, ALONG THE EASTERLY RIGHT-OF-WAY OF 18TH STREET EXPRESSWAY, AS ESTABLISHED AUGUST 31, 1956, BY A DEED FOR STREET AND HIGHWAY PURPOSES, FILED IN THE JOHNSON COUNTY REGISTER OF DEEDS OFFICE IN BOOK 389, PAGES 335-342, A DISTANCE OF 155.52 FEET; THENCE SOUTH 89° 21' 39" EAST AND PARALLEL WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 208.33 FEET. TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE NORTH 40° 05' 53" EAST, A DISTANCE OF 68.07 FEET; THENCE ON A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 215.00 FEET, AN ARC DISTANCE OF 137.05 FEET: THENCE SOUTH 54° 46' 51" EAST, A DISTANCE OF 17.73 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF ROE BOULEVARD AS SAID BOULEVARD NOW EXISTS: THENCE SOUTH 08° 49' 38" EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 20.66 FEET; THENCE SOUTH 53° 31' 37" WEST, A DISTANCE OF 138.20 FEET; THENCE SOUTH 40° 01' 22" WEST, A DISTANCE OF 13.83 FEET; THENCE NORTH 89° 21' 39" WEST, AND PARALLEL WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 56.18 FEET, TO THE TRUE POINT OF BEGINNING, AND EXCEPT:

A PARCEL OF GROUND SITUATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 12 SOUTH, RANGE 25 EAST, IN JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 17° 31' 08" WEST, ALONG THE EASTERLY RIGHT-OF-WAY OF 18TH STREET EXPRESSWAY, AS ESTABLISHED AUGUST 31, 1956, BY A DEED FOR STREET AND HIGHWAY PURPOSES, FILED IN THE JOHNSON COUNTY REGISTER OF DEEDS OFFICE IN BOOK 389, PAGES 335-342, A DISTANCE OF 155.52 FEET; THENCE SOUTH 89° 21' 39" EAST, AND PARALLEL WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 264.51 FEET, TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE NORTH 40° 01' 22" EAST, A DISTANCE OF 13.83 FEET; THENCE NORTH 53° 31' 37" EAST, A DISTANCE OF 138.20 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF ROE BOULEVARD AS SAID BOULEVARD NOW EXISTS; THENCE SOUTH 08° 49' 38" EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 95.38 FEET; THENCE NORTH 89° 21' 39" WEST AND PARALLEL TO THE SOUTH LINEO F THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4, A DISTANCE OF 134.68 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT ANY PART USED OR DEDICATED FOR STREETS, ROADS OR PUBLIC RIGHT OF WAY.

TRACT 2:

A TRACT OF LAND IN THE NORTH ONE-HALF (N 1/2) OF THE NORTH ONE-HALF (N 1/2) OF SECTION 4, TOWNSHIP 12 SOUTH (T12S), RANGE 25 EAST (R25E), CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, MORE PARTICULARY DESCRIBED AS FOLLOW:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 4, TOWNSHIP 12 SOUTH (T12S), RANGE 25 EAST (R25E), CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS; THENCE NORTH 18 DEGREES 09 MINUTES 30 SECONDS WEST ON THE EASTERLY RIGHT-OF-WAY-LINE OF THE 18TH STREET EXPRESSWAY, AS NOW ESTABLISHED, 36.86 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 18 DEGREES 09 MINUTES 30 SECONDS WEST ON SAID RIGHT-OF-WAY LINE, 119.59 FEET TO A POINT; THENCE SOUTH 89 DEGRESS 01 MINUTES 38 SECONDS EAST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 4, TOWNSHIP 12 SOUTH (T12S) RANGE 25 EAST (R25E), 134.58 FEET TO A POINT; THENCE SOUTH 40 DEGREES 20 MINUTES 06 SECONDS WEST, 107.31 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 394.89 FEET, 40.61 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PART DEDICATED FOR PUBLIC STREET BY BOOK 4140 AT PAGE 334.

AND EXCEPT ANY OTHER PART USED OR DEDICATED FOR STREETS, ROADS AND PUBLIC RIGHTS OF WAY.

THE ABOVE TRACTS TO BE PLATTED AS THE ROCKS, A SUBDIVISION IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS.

CONFIRMATION

L99379

The Legal Record

1701 E. Cedar St., Ste. 111 Olathe, KS 66062-1775 Phone: (913) 780-5790

Attention: John Jacobson

Mailing Address:

ATTN: KELLEY NIELSEN CITY OF ROELAND PARK 4600 W 51ST STREET ROELAND PARK KS 66205-3500

Phone: 913-722-2600

We received the following legal notice for publication in The Legal Record. Please look over the publication dates below and the contact information above. Let us know if you have any changes.

Received By: Jayma Hetherington

Date Received: 10/14/22

Publication: Hearing - Rezoning, Preliminary Development Plan and Platting of the "Rocks" Subdivision

Case Number:

File Number:

Publication Dates: 10/18/22

EMAIL YOUR PUBLICATION TO US AT notices@thelegalrecord.net

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We apprecíate your busíness!

The Legal Record

1701 E. Cedar St., Ste. 111 Olathe, KS 66062-1775

> JOHN JACOBSON CITY OF ROELAND PARK 4600 W 51ST STREET ROELAND PARK KS 66205-3500



Kimley»Horn

October 17, 2022

Re: Property located at 4800 Roe Property. Roeland Park, KS proposed rezoning from Planned General Business District to MXD Mixed Use Development and Preliminary / Final Development Plan to allow for the constriction of building(s) and site for the purpose of operating a Multi-Family development with future commercial uses.

Dear Property Owner,

This letter is to notify you that the Roeland Park Planning Commission will hold a public hearing at 6:00 pm on November 15, 2022, at Roeland Park City Hall, 4600 W. 51st St., Roeland Park, KS to consider approval of the above referenced rezoning / Preliminary Development Plan and platting.

Attachment:

AL TA Survey and legal description for the subject property.

All interested property owners are invited to attend and be heard. More information on this application and copies of any submitted plans are available from the City or by contacting the undersigned.

Please do not hesitate to contact me if you have any questions concerning this matter.

Sincerely,

Jyle Wyrong

Tyler Wysong, P.E. Project Manager <u>Tyler.Wysong@kimley-horn.com</u> O) 816-652-2334















October 14, 2022

Tyler Wysong, P.E. Kimley-Horn 805 Pennsylvania Avenue, Suite 150 Kansas City, MO 64105

RE: Roeland Park Mixed Use Roe Ave and W 48th Street Roeland Park, KS, 66205

To Whom It May Concern:

At your request, Evergy is providing this acknowledgement that the above-mentioned property is within Evergy's service territory and, consequently, Evergy will serve the project consistent with its General Rules and Regulations. This correspondence is not a guarantee of service on any specific timeline. Changes, delays, or additions to the project's design, timeline, and installation may result in delays or additional equipment necessary to ensure service upon completion of the project. Additionally, Evergy is subject to the availability of distribution equipment and any supply chain disruptions may affect Evergy's ability to provide service.

All projects must conform to Evergy's Electrical Service Standards and service is dependent upon a timely application for electrical service and supporting information. Upon submission of updated project information, Evergy will work with you to provide information regarding our timeline for provision of service.

Sincerely,

Given Corches

Gwen Corches Field Design Supervisor Evergy 16215 W 108th St. Lenexa, KS, 66219 816-652-1842



October 14, 2022

Tyler Wysong, PE Kimley-Horn 805 Pennsylvania Avenue Suite 150 Kansas City, MO 64105

RE: Sanitary Sewer Availability for the Northeast Corner of 48th Street and Roe Avenue PID PF251204-3014

Dear Tyler,

Collection of sanitary sewer flows for parcel PID PF251204-3014 located at the northeast corner of 48th Street and Roe Avenue is available. However, JCW does not treat the sanitary flows at this area. Confirmation that flows can be treated from this development by the Unified Government of Wyandotte County will need to be provided before JCW will release sanitary connection permits for this site.

Sanitary main extension(s) and/or modification of the existing system may be required to be completed prior to the issuance of sanitary connection permits. Sanitary extensions and/or modifications required to serve this site must be completed by the developer or owner of the property in accordance with Johnson County Wastewater (JCW) procedures, standards, and specifications. Plans for extensions and/or modifications are reviewed and approved by JCW before construction can proceed.

Information on the sanitary main extension and/or modification plan review and permitting process, including fees, procedures, standards, and specifications are available on the Privately-Financed Sewer Main Projects page at https://www.jocogov.org/department/wastewater/developers-engineers-contractors/privately-financed-sewer-main-development. Documents required for review shall meet JCW's Minimum Plan Requirements for Gravity Sewer Main Projects.

A JCW sewer connection permit is required prior to construction of the building sewers. Requirements for JCW commercial building permitting are available on the commercial permitting page at https://www.jocogov.org/department/wastewater/developers-engineers-contractors/commercial-permitting. For commercial building construction and all tenant finish projects, complete the JCW online Commercial Connection Permit application and provide a copy of the completed JCW online application with a complete set of project plans (including all site and building plans) to JCW's

Commercial Plan Review Group to initiate the review process. The commercial permit submittals are to be made no later than the submittal to the City for building permitting. A connection fee schedule is also available on the Commercial Permitting page.

If you have any questions, please contact me at 913-715-8542.

Sincerely,

Shannon Parks, PE New Development Compliance Engineer



11401 West 89th Street Overland Park, KS 66214 kansasgasservice.com

October 17, 2022

Mr. Tyler Wysong Kimley-Horn 805 Pennsylvania, Suite 150 Kansas City MO 64105

Re: "Will Serve" Letter - W. 48th & Roe Parkway, Roeland Park, KS

Dear Mr. Wysong,

This letter is to confirm Kansas Gas Service has gas main facilities in the vicinity of . 48th & Roe Parkway, Roeland Park, KS. The best route to get service to the site, installation of new gas main, easements, relocation of existing pipe location or size, grade changes, location of gas meters, termination of old services, or any cost associated would still need to be determined. Please consult with us prior to finalizing your plans so Kansas Gas Service can determine the best route to provide service to the project, adequate space and safe locations for all gas meters. A map of our facilities is attached for your information.

Feel free to contact me if you have any questions.

Sincerely,

Bill Ahrens Project Manager III
GONE Gas

ONE Gas Map



Legend

| Le | gena |
|---------------------|---|
| | Designer Utility Easement |
| | Designer Abandon Service Line |
| | ** to be Removed (Contains Gas) |
| | ** to be Abandoned (Contains Gas) |
| | Removed (No Longer Contains Gas |
| | Abandoned (No Longer Contains G |
| | Designer Service Line |
| | Status Not Available |
| | New Design - Status Pending |
| | Proposed |
| | Approved |
| | Under Construction |
| | Operating |
| | Designer Abandon Mains |
| | |
| | |
| | |
| | |
| | 5 |
| | Designer Mains |
| | Status Not Available |
| | New Design - Status Fending |
| | Proposed |
| | Approved |
| | Under Construction |
| | Operating |
| | Service Point |
| R | Regulator Station |
| Town Border Station | |
| | Distribution Main by Material |
| | Bare Steel, Unprotected |
| | Bare Steel, Anode Protected |
| | Bare Steel, Rectifier Protected |
| | Bare Steel, Undefined Protected |
| | Coated Steel, Unprotected |
| | Coated Steel, Anode Protected |
| | Coated Steel, Rectifier Protected |
| | Coated Steel, Undefined Protected |
| | — PE |
| | — ABS |
| | Cast Iron |
| | - Copper |
| | - PVC |
| | Wrought Iron |
| | Transmission Main - Main Line |
| | Transmission |
| | — HPD |
| | Production |
| | Service Line by Material |
| | - Null/Other |
| | Decommissioned |
| 1 | Pending |
| 1 | — ABS |
| 1 | — BS |
| 1 | Protected BS |
| 1 | — CI |
| 1 | — CS |
| 1 | Protected CS |
| 1 | — CU |
| 1 | — DI |
| | — EXT |



Future Land Use Map

September 2020

CONFLUENCE



The Legal Record

1701 E. Cedar St., Ste. 111 Olathe, KS 66062-1775 (913) 780-5790

ATTN: KELLEY NIELSEN CITY OF ROELAND PARK 4600 W 51ST STREET ROELAND PARK KS 66205-3500

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS; Maureen Gillespie, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Clerk for The Legal Record which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any) for 1 consecutive week(s), as follows:

HEARING - PRELIMINARY DEVELOPMENT PLAN APPPLICATION AND REZONING ACTION FOR "THE ROCKS" SUBDIVISION 10/18/22

Maureen Gillespie, Legal Notices Billing Clerk Subscribed and sworn to before me on this date:

October 18, 2022 Notary Public

DEBRA VALENTI Notary Public-State of Kansas My Appt. Expires Aug. 21, 2023 First published in The Legal Record, Tuesday, Cricher 18, 2022. PUBLIC HEARING NOTICE

Notice is hereby given to any and all persons that a preliminary development plan, platting and a rezoning action affecting specific parcels located in the City of Roeland Park, Johnson County, Kansas, will be considered at a public hearing of the City of Roeland Park Planning Commission.

The developer has submitted a preliminary development plan application in compliance with the zoning regulations and as part of a rezoning action for "The Rocks" Subdivision, Roeland Park, Kansas. The properties are located at the north of 48th Street and West of Roe Lane, Roeland Park, Kansas. The request is to rezone the properties from CP-2 Planned General Business District to MXD Planned Mixed Use District. A legal description of the properties involved is:

Legal Desc. (abbreviated)

4-12-25 TR IN NW1/4 NE1/4 & NE1/4 NW1/4 BG SE CR NE1/4 NW1/4 NW 155.52' TO BG NW 135.48' NW 330' NE 269.38' NELY 374' SE ON RTWY 623.37' W 399.19' TO POB EX .1397 AC EX .1946 AC EX .16 AC & EX .6155 AC 5.2865 ACS M/L RPC 81 BTAO 4035 0

A formal legal description of the effected properties is available for public viewing in City Hall, Roeland Park, Kansas.

The public hearing will be held November 15, 2022, at 6:00 p.m. in the Council Chamber of Roeland Park City Hall, 4600 W.51st Roeland Park Kansas. At that time and place, all interested persons will be granted a hearing by the city of Roeland Park Planning Commission. 10/18

L99379 Publication Fees: \$12.17



DLR Group inc. a Kansas corporation

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7290 West 133rd Street Overland Park, KS 66213

November 1, 2022

John Jacobson Building Official City of Roeland Park Kansas 4600 W 51st Street Roeland Park, KS 66205

Re: Project Name: EPC Roeland Park Mixed Use Development- 4800 Roe Parkway DLR Group Project No.: 12-22109-00

Dear Mr. Jacobson:

This letter is written in response to your comments to the Preliminary Development Plan Submission issued on October 16, 2022. We have formatted this letter in a way that shows your comments with our response below in *blue bold/italics*.

<u>General</u>

- 1) Please show any proposed signage in the project area. *DLR Group Response:* The signage has not been designed for the project and will be submitted with the Final Development Plan or under separate cover as a sign permit.
- 2) Indicate right of way width on both Roe Lane and Roe Parkway. Kimley-Horn Response: See revised plan sheet C1 & C2. Several locations were noted with the R/W width along Roe Lane, Roe Parkway, and other adjacent roadways. An additional note was added indicating where the R/W width varies.
- 3) Indicate width of planned extension of public sidewalk along the west side of Roe Parkway. *Kimley-Horn Response:* See revised plan sheet C2. Leader added denoting sidewalk width & sidewalk to be designed by others.
- 4) Show or provide a pedestrian network within the development area. *Kimley-Horn Response:* See revised plan sheet C2. A red dashed line is shown to dictate the pedestrian network within & around the development.
- 5) Please label any commons/park areas that will be available to the public. *DLR Group Response:* All outdoor common spaces are intended to be used by the residents and patrons of the development and are not considered public.

6) Please indicate Trash Enclosure locations.

Kimley- Horn Response: See revised plan sheet C2. Commercial & residential trash locations have been noted.

7) Please show parking garage elevations/materials.

DLR Group Response: The Façade of the parking garage is being developed to hopefully achieve the required open area to be a naturally ventilated garage. The design team is studying opportunities to incorporate public art on this façade to add visual interest, but also allow air to flow through it.

- 8) Indicate phasing (if proposed) of the uses on site- Specifically, the commercial component. DLR Group Response: The project is proposed to be built in a single phase. The commercial space will be built as exterior shell space, and the tenant will be responsible for the design and permitting within their interior space.
- 9) Indicate location for required art in the development area.

DLR Group Response: The location of the public art has not been determined yet, but the parking garage façade is one area that is being considered. More information will be provided with the Final Development Plan Submittal.

10) Submit a material board for exterior finishes.

DLR Group Response: The exterior materials and colors are conceptual in nature to provide the general character of the building per the submittal requirements. The final material palette will be submitted with the Final Development Plan.

Parking

- 1) Show bicycle racks within 50' of the main entrance. Kimley-Horn Response: See revised plan sheet C2. Bicycle racks noted, including long-term bicycle parking stalls for the residents within the parking garage structure.
- 2) Indicate variance request on plan sheet to request parking between the structure and right of way. Kimley-Horn Response: Acknowledged. See revised plan site plan summary table on sheet C2 which notes the requested variance.
- 3) Identify accessible stalls on plan sheet and in total counts. Kimley-Horn Response: See revised plan sheet C2 for clearly marked accessible stalls & aisles. Parking counts updated to reflect this change.
- Submit fire apparatus access report with approval from Fire District #2. Kimley-Horn Response: Evidence of exhibit prepared & email sent to Fire District #2 has been included. The exhibit shows fire truck turning movements & acceptable fire apparatus.
- 5) Show loading berths for commercial use. Kimley-Horn Response: See revised plan sheet C2 for commercial loading berth area.

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FROM Lamp Rynearson letter dated October 20, 2022

Stormwater Memo

1) We concur with the memo's findings and have no comments.

Response: Acknowledged.

Traffic Impact Assessment

1) See attached review letter from Merge Midwest dated October 19, 2022. A traffic impact study is warranted for the project. The study may be submitted during the final development plan review process.

Response: Acknowledged, see note below from Merge Midwest

Engineering.

Preliminary Development Plan

- 1) The traffic impact assessment comments and subsequent traffic impact study recommendations may impact proposed driveway connection locations along Roe Parkway. *Kimley-Horn Response: Acknowledged.*
- 2) Include accessible parking spaces in the vehicle parking calculations and show accessible parking spaces and associated unloading spaces on the plan.

Kimley-Horn Response: See revised plan sheet C2 for clearly marked accessible stalls & aisles. Parking counts updated to reflect this change.

- All private service connections and locations must be reviewed and approved by utility providers during final design.
 Kimley-Horn Response: Acknowledged.
- 4) Proposed grading appears to add approximately 10.5 feet of fill at the existing Johnson County wastewater manhole at the southwest corner of the site. Any required manhole and main improvements due to the fill shall be reviewed and approved by JCW. Kimley-Horn Response: Acknowledged. Design team is currently having our preliminary grading plans reviewed by JCW to determine site development impacts would have to their sewer.
- 5) For final design, ensure runoff from project is distributed evenly to the existing water quality units to the east of Roe Parkway.

Kimley-Horn Response: Acknowledged.

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FROM MERGE MIDWEST ENGINEERING letter dated October 19, 2022

- The traffic assessment letter is very basic. Without volumes and capacity analyses, it is difficult to judge the impacts of the development on the roadway network. I would suggest requiring a full traffic study that would analyze the following:
 - a. Existing Peak-Hour Counts at the intersections of W 48th Street & Roe Parkway and W 48th Street & Roe Lane at a minimum. If operations for the westbound approach at the intersection of Roe Blvd & W 48th Street currently back-up, we may want to include that intersection as well.

Kimley-Horn Response: KH discussed need for full TIS with Merge Midwest. Merge Midwest was to discuss further with City. KH understood a brief traffic memo with trip generation is all that was required based on developer's conversations with the City.

b. Capacity analysis for the above-mentioned intersections as well as the driveway connections onto the public streets. I think we could get by with just an Existing and Existing + Site scenario. A future scenario may not be necessary. However, I would like to see the Existing + Site scenario analyzed with and without the proposed Roe Parkway extension to Roe Boulevard.

Kimley Horn Response: KH discussed need for full TIS with Merge Midwest. Merge Midwest was to discuss further with City. KH understood a brief traffic memo with trip generation is all that was required based on developer's conversations with the City.

2) The spacing of the proposed driveway into the parking garage is concerning as it is only 70' from the W 48th Street intersection. This could create issues with northbound traffic trying to turn into the site, especially if southbound queues block access. There would only be room to store 2 passenger cars before the queue would back into the W 48th Street intersection. Vehicles trying to turn right out of the parking garage could also have issues finding a gap if there are more than 2 vehicles queued southbound. Is there a way to reroute traffic to the connection north of the garage? Not sure if grades would prohibit that but it should strongly be considered.

Kimley Horn Response: Acknowledged. Traffic memo states Roe Parkway southbound right turn lane should be considered. KH to correspond with City engineer regarding Roe Parkway improvements to consider this turn lane.

3) Given the horizontal and vertical topography, intersection sight distance should be measured for the proposed driveways onto Roe Parkway.

Kimley Horn Response: Acknowledged. We recommend making this a condition of approval for building permit as grading & access locations may be adjusted throughout final design.

END OF COMMENTS AND RESPONSES

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Please contact Brian Crawford if you have any questions regarding DLR Group's response. You can reach him at 913-685-5695 or bcrawford@dlrgroup.com

Sincerely, DLR Group

Bn Co

Brian Crawford, AIA, NCARB Project Manager | Senior Associate

PLANNING COMMISSION MINUTES

CITY OF ROELAND PARK 4600 W 51st Street, Roeland Park, KS 66205 November 15, 2022, 6:00 P.M.

The Roeland Park Planning Commission met on November 15, 2022.

| Commissioners Present: | Lisa Brunner (Ward 1) Josey Shaw (Ward 2) Mark Kohles (Ward 3) Matthew Lero (Ward 4) Haile Sims (Mayoral Appt.) | |
|------------------------|---|--|
| Commissioners Absent: | Darren Nielsen (Mayoral Appt) Macrina Abdouch (Mayoral Appt.) | |

Staff: Keith Moody, City Administrator John Jacobson, Building Official Steve Mauer, City Attorney

I. ROLL CALL

Vice-Chair Commissioner Brunner called the meeting to order.

Mr. Jacobson called the roll noting that Commissioners Nielsen and Abdouch were absent. Staff present was City Administrator Keith Moody, Building Official John Jacobson, and City Attorney Steve Mauer.

II. Approval of Minutes

There were no minutes for approval.

III. Public Hearing

1. Redhair Acres

Commissioner Brunner opened the public hearing.

There is a request to plat the property to meet City regulations and make it permissible to apply for a building permit in the future.

Commissioner Brunner asked if there were plans to build an accessory dwelling unit. The applicant responded that currently the land is unplatted and there is no current development plan. In order to obtain a permit, they will need to have the property platted.

There were no public comments made with regard to this item.

2. Rezoning and Preliminary Development Plan for The Rocks Site

Brendon O'Leary from EPC gave an updated presentation on the proposed 280 multi-family project at The Rocks site that will include a structured parking garage, restaurant space, plaza outdoor seating for the restaurant patrons and residents, a residents-only courtyard, a clubhouse area, and a leasing office. Mr. O'Leary reviewed the grading plan and how the buildings will be constructed. The design plans are included in the agenda packet and include different angle views of the residential units. Mr. O'Leary also spoke to the quality materials that will be used.

The Commissioners asked for a view of the parking garage. Mr. O'Leary said it will be a concrete garage structure, but the design renderings are not complete as they are still deciding on what treatments to use.

Commissioner Brunner asked about retail spaces on the site. Mr. O'Leary said retail space would be conditional on the size of the restaurant. If the restaurant is under 5,000 square feet, they would have some retail space available, and they are still working on who those tenants would be.

Commissioner Brunner followed up asking about the views from the drone. Mr. O'Leary responded they weren't as impactful as they had hoped.

A Commissioner asked if they need to do a traffic study. Mr. O'Leary said they have started a traffic study which will be part of the final development plan. Mr. Jacobson said there is an initial report complete with the engineer's comments that will be available with the larger traffic study.

There were no public comments made.

Commissioner Brunner closed the public hearing.

IV. Action Items

1. Redhair Acres

MOTION: COMMISSIONER KOHLES MOVED AND COMMISSIONER LERO SECONDED TO APPROVE THE PRELIMINARY AND FINAL PLATS OF THE REDHAIR ACRES SUBDIVISION. (THE MOTION CARRIED 4-0.)

2. Rezoning and Preliminary Development Plan for EPC Mixed Use Development

Mr. Jacobson said there are two variances to consider in their discussion. One is to allow the developer to construct parking between the street and retail along Roe Boulevard. The second is to allow the east façade of the parking garage to face the street. Mr. Jacobson said a future conversation could entail incorporating art into the façade of the structure.

There was more Commission discussion about the 1 percent for art requirement. City Administrator Moody said that City regulations state structured parking shall not have a side that fronts a building, so the parking garage cannot have a façade that faces a right-of-way. He noted the developer has done a good job obscuring it on three sides. When the final development plan comes forward, they will be asked to employ screening to address the issue. This is difficult because the property has three rights-of-way adjacent to it.

There was Commission discussion about access to the restaurant from the parking garage. Mr. Jacobson said there is pedestrian access to the restaurant from the garage but not vehicle access. There will be designated parking access outside the restaurant.

Commissioner Sims asked for clarification on the second variance. Mr. Jacobson said they will need to screen the parking, but they need to be able to have that parking to make the restaurant a marketable property.

MOTION: COMMISSIONER LERO MOVED AND COMMISSIONER KOHLES SECONDED TO APPROVE THE REZONING FROM CP2 TO MXD AND PRELIMINARY DEVELOPMENT PLAN FOR THE EPC MIXED USE DEVELOPMENT AT THE ROCKS TO INCLUDE VARIANCE REQUEST 1: THE ABILITY TO CONSTRUCT PARKING FACILITIES BETWEEN THE STREET AND THE RETAIL AREA ALONG ROE BOULEVARD; AND VARIANCE REQUEST 2: TO ALLOW THE FAÇADE OF THE PARKING GARAGE TO FACE A STREET ON THE EAST ELEVATION. (THE MOTION CARRIED 5-0.)

3. Final Plat: The Rocks Subdivision

Mr. Jacobson said that once the preliminary plat is approved, they need to look to the final plat which is for subdivision of the land.

City Administrator Moody said the property must include no more than 10 percent of the site for parkland or in lieu of land dedication payment can be made at fair market value for the land, which is figured to be 0.726 acres.

The following three options were discussed by the Planning Commissioners:

- Consider the gathering space included in the EPC project site as parkland.
- Accept the lot east of Roe Parkway to satisfy the parkland requirement, although there are significant elevation changes and a stormwater detention facility that will limit the use of the land.
- Payment in lieu of parkland dedication in which those resources can be used for improvements to existing parks or to purchase more park land.

Staff is recommending Option 3 as the best choice to meet the requirements of the City's regulations. The options were also presented to the Parks Committee and their preference was Option 3.

Commissioner Lero stated he is on the Parks Committee and in their conversations, they discussed the upcoming improvements to Nall Park and that the monies would be better suited on parks the City currently has versus trying to wedge in a park that would have an accessibility issue.

Commissioner Shaw suggested some nice plantings for the area but not as a park but instead for a greenspace.

Mr. Jacobson said there is substantial landscaping planned for around the site. Also, where the stormwater detention facility is no structures can be built and would by default remain a greenspace.

Mr. Jacobson said the Planning Commission's role is to make a recommendation to the Governing Body for their final decision.

Commissioner Shaw asked if the area is still a TIF district. City Administrator Moody said this area was placed into its own TIF district in anticipation of this development. The resources from the TIF will pay for the site development and parking structure. The payment for the parkland will come out of the proceeds when the City sells the ground. That anticipated dollar amount is included in the agenda packet.

MOTION: COMMISSIONER LERO MOVED AND COMMISSIONER SHAW SECONDED TO RECOMMEND APPROVAL BY THE GOVERNING BODY THE FINAL PLAT FOR THE ROCKS SUBDIVISION AND TO ACCEPT OPTION 3 TO ACCEPT PAYMENT IN LIEU OF PARKLAND DEDICATION. (THE MOTION CARRIED 5-0.)

V. Discussion Items

1. Roe House Concept Revisions

THE 5015 Buena Vista concept was presented to the Commissioners for their review. This will be discussed in depth at their Special Call Planning Commission meeting on December 6, 2022. Mr. Jacobson wanted to get this information to the Planning Commissioners so they can prepare for the meeting. There are also noted changes to the garages and their elevations.

Certified notices will be sent to surrounding property owners and there will be time for a protest period. They do anticipate public comments to be made at the public hearing. Once they pass that step, they will move on to the final development plan and plat.

Commissioner Shaw asked about art considerations for the site. Mr. Jacobson said that is something that goes before the Council, and is an area that is designated in the development plan. Commissioner Shaw said it would be nice to make some recommendations to have the art facing Roe. Mr. Jacobson said there are different options such as the art being incorporated into the structure versus a freestanding structure. They are anticipating seeing that on the development plan.

City Administrator Moody added that the 1 percent for art of a \$70 million is a large amount, and they never considered that large of an amount, noting there may be a combination of techniques that could be considered, but the final decision is that of the Council.

VI. Other Matters Before the Planning Commission

Mr. Jacobson reminded everyone of the Special Call Planning Commission meeting and said it is important that they have quorum, and to let him know if they are unable to attend the meeting.

VII. Adjournment

MOTION: COMMISSIONER SHAW MOVED AND COMMISSIONER KOHLES SECONDED TO ADJOURN. (THE MOTION CARRIED 5-0.)

(Roeland Park Planning Commission Meeting Adjourned at 7:53 p.m.)

Item Number: Committee Meeting Date: New Business- VIII.-C. 12/5/2022



City of Roeland Park

Action Item Summary

| Date: | 12/15/2022 |
|---------------------------------|--|
| Submitted By: | Keith Moody |
| Committee/Department: | Admin. |
| Title: | Approve Process for Filling Council Vacancy Seat (5 min) |
| Item Type: | Other |
| Committee/Department: Title: | Admin. Approve Process for Filling Council Vacancy Seat (5 min) |

Recommendation:

Staff recommends adoption of a formal procedure to fill a vacant council seat. The attached process was reviewed by Council and suggested edits incorporated.

Details:

Per direction from Council at the 11/21 workshop edits have been incorporated into the attached procedure outline for filling a vacant council seat.

Per Charter Ordinance 38 a vacant council seat is to be filled with a person recommended by the Mayor and approved by a majority of the remaining Council members. It also notes an application process.

Attached is a draft procedure developed by staff after reviewing procedures from other JOCO cities. The City has a volunteer application portal in place on the City web site that can be used to collect applications. Other cities use their social media outlets to advertise the opportunity.

Review of applications and interviews are handled in a variety of ways among other cities. This draft makes a committee of three (the Mayor, the Council President and the other Council person from the ward with the vacancy) responsible for this task but also notes all elected officials will be provided the applications received. The draft process is streamlined and keeps all officials informed.

Staff is looking for direction on a process to be followed. A council vacancy is anticipated on 1/3/23 when a new mayor is selected from the council members. If Council can provide direction on a process at this time, staff can prepare for and implement the selected process following the 1/3/23 meeting. This should allow enough time for a candidate to be identified for consideration by the 2/6/23 meeting.

Financial Impact

| Amount of Request: No cost. | | | | |
|-----------------------------|----------------------|--|--|--|
| Budgeted Item? | Budgeted Amount: N/A | | | |
| Line Item Code/Description: | | | | |

Additional Information

Lenexa Procedure: No formal selection procedure. Typically advertise for those interested to apply on website and via social media, then Mayor reviews the applications and interviews. Depending upon number of applicants, Mayor will likely interview everyone and in the past has included our Chamber president in the interviews for a second opinion/perspective. The selection criteria is specific to that Mayor. Mayor makes a recommendation to the Council and Council approves.

Fairway Procedure is attached.

Prairie Village Procedure: Advertise and then the mayor interviews. The mayor then usually has the candidate meet with staff and then resume is put in the council packet for consideration.

Mission Procedure: Advertise for anyone interested in being considered for the position; interview all applicants and then make the appointment. No formal policy for who is on the interview panel, but it has typically been the other Ward Councilmember, City Administrator, and the Mayor (for a council seat vacancy).

Mission Hills Procedure: no procedure other than the language included in Section 1-301.D of their city code, link below.

https://www.missionhillsks.gov/DocumentCenter/View/5721/Chapter-1---Administration

Olathe Procedure: Link to procedure belowhttps://olathe.municipal.codes/Code/1.02

Merriam Procedure:

Sec. 2-27. - Councilmember vacancy; procedure for filling.

Whenever a vacancy occurs in the position of councilmember, including when a councilmember moves from the ward from which elected, or whenever the council president becomes mayor leaving a vacancy in the office of councilmember, the city council shall appoint an elector of the ward where the vacancy occurs to be councilmember for the balance of the unexpired term and a notice of vacancy shall be announced at the first regular council meeting following the occurrence of such vacancy. The vacancy shall be filled by the city council pursuant to the following procedures:

1. The deadline for individuals to submit a letter of interest and statement of qualifications for the vacant council position shall be 30 days from the date the notice of vacancy is announced. If such 30th day is a weekend or holiday, the deadline shall be the next regular business day following the expiration of such 30-day period.

2. Letters of intent and statements of qualifications for the vacant council position shall only be considered by the city council if submitted to the city clerk's office by 4:30 p.m. on the deadline specified by the city council as set forth in subsection (1) of this section. 3. The city council may use whatever publicity forum it chooses to disseminate information regarding the vacancy and the associated selection process.

4. All letters of intent and statements of qualifications and associated documents received for the vacant council position shall be treated as open records pursuant to the provisions of the Kansas Open Records Act, K.S.A. 45-215 et seq.

5. The city council shall interview all qualified candidates (electors of the ward where the vacancy occurred who have timely submitted letters of intent and statements of qualifications) within 30 days following the deadline specified by the city council as set forth in subsection (1) of this section. Interviews shall be conducted as open meetings of the city council according to the provisions of the Kansas Open Meetings Act, K.S.A. 45-215 et seq. Nothing herein shall be construed as to limit the number of interview sessions the city council may conduct, so long as each remaining candidate has the opportunity to be interviewed in each subsequent set of interview sessions.

6. In the event that eight or more candidates have submitted a letter of intent and statement of qualifications for the vacant council position, following the completion of candidate interviews, the city council, in an open meeting and by written ballot, shall narrow the list of candidates to five. Each city council member shall vote for not more than five candidates and may cast no more than one vote per candidate. Each ballot shall include the name of the city council member casting such ballot and shall be considered an open record. The votes will be tabulated by the city clerk and announced at the open meeting at which the ballots are cast. Those five candidates receiving the greatest number of votes shall be considered as set forth in subsection (7) of this section at the same or a subsequent meeting.

7. Whenever more than two, but less than eight, candidates have submitted a letter of intent and statement of qualifications for the vacant council position, or whenever the number of candidates has been reduced as set forth in subsection (6) of this section, the city council, in an open meeting and by written ballot, shall narrow the list of candidates to two. Each city council member shall vote for not more than two candidates and may cast no more than one vote per candidate. Each ballot shall include the name of the city council member casting such ballot and shall be considered an open record. The votes will be tabulated by the city clerk and announced at the open meeting at which the ballots are cast. Those two candidates receiving the greatest number of votes shall be considered as set forth in subsection (h) of this section at the same or a subsequent meeting.

8. Whenever two or fewer candidates have submitted a letter of intent and statement of qualifications for the vacant council position, or whenever the number of candidates has been reduced to two as set forth in subsection (7) of this section, each city council member shall, in an open meeting and by written ballot, cast not more than one vote for the purpose of selecting a candidate to fill the vacant council position. Each ballot shall include the name of the city council member casting such ballot and shall be considered an open record. The votes will be tabulated by the city clerk and announced at the open meeting at which the ballots are cast. The candidate receiving a majority vote of the city council shall be appointed as councilmember for the balance of the unexpired term. In the event the city council vote results in a tie, the mayor, at the same meeting as the tie vote, shall cast a vote in favor of one of the two candidates to serve the balance of the unexpired term.

How does item relate to Strategic Plan?

ATTACHMENTS:

Description

- Procedure for Filling Vacant Council Seat
- D Ordinance for Filling Vacant Seats
- Fairway Procedure

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Procedure for Filling a Vacant Council Seat

Approved by Council on 12/5/22

Interview Committee will consist of the Mayor, Council President, and remaining Council person from the Ward with the council vacancy.

Staff will advertise vacancy and solicit applications through customary channels for a minimum of 15 days. The closing date shall be on a business day.

- Constant Contact
- On website
- On social media

Applications submitted through the city's volunteer portal on the city website shall be accompanied by a Letter of Interest and Resume. Applications will be shared with all elected officials as informational.

Link to volunteer application portal: <u>https://www.roelandpark.org/FormCenter/Volunteering-</u> <u>8/Committee-Volunteer-Form-48</u>

Interview Committee will review applications and select candidates to interview. Interview Committee shall consider a candidate's ability to carry out the duties of a council person (link to city council duties below). The Mayor, with the consultation and advice of the interview committee, will present a candidate to the Council for consideration.

https://library.municode.com/ks/roeland_park/codes/code_of_ordinances?nodeId=CHIAD_ART2GOBO______S1-204.1COPUPODU______

A majority of the city Council must vote in favor of a candidate recommended by the Mayor to confirm appointment.

The process is anticipated to take 30 to 45 days from the time a seat is vacant until a candidate is presented for Council consideration.

CHARTER ORDINANCE NO. 38

A CHARTER ORDINANCE AMENDING THE PROCEDURE TO FILL A VACANT GOVERNING BODY SEAT.

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas (the "Act"), provides that cities may exercise certain home rule powers, including passing charter ordinances which exempt such cities from non-uniform enactments of the Kansas Legislature; and

WHEREAS, the City of Roeland Park, Kansas (the "City") is a city, as defined in the Act, duly created and organized, under the laws of the State of Kansas; and

WHEREAS, K.S.A. 12-104a(c) states that a vacancy in the City's governing body is to be filled by a special election; and

WHEREAS, K.S.A. 12-104a(d) allows for the City to enact a different procedure for filling governing body vacancies other than by special election; and

WHEREAS, the governing body of the City (the "Governing Body") desires, by Charter Ordinance, to amend Charter Ordinance 32, Sections 6, and 7.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

SECTION 1. Existing Section 6 of Charter Ordinance No. 32 is hereby amended to read as follows:

6. "In the event that a vacancy in the office of Councilmember should occur by reason of resignation, with or without acceptance by the Mayor, death, removal from office for cause, promotion to Mayor pursuant to Section 6-101(f) or change of residency to outside the ward from which said Councilmember was elected, the vacancy shall be filled in the following manner: At the next regular City Council meeting, the vacancy shall be filled by appointment of the Mayor, after an application process, with the advice and consent of a majority of the remaining members of the City Council. The Councilmember appointment shall be effective until the next general election, as defined in K.S.A. § 25-2102. Any appointment made after 12:00 P.M. on June 1 of any given year will serve until the general election occurring in the following year."

SECTION 2. Existing Section 7 of Charter Ordinance No. 32 is hereby amended to read as follows:

7. "In the event that a vacancy in the office of the Mayor should occur because of death, resignation, removal from office for cause, or change of residency to outside the limits of the City, then, the Council shall appoint, by a majority of those Councilmembers present, a new mayor from those Councilmembers serving at the time of the vacancy. In the case where there is a tie among two (2) Councilmembers, a coin flip shall determine the winner. A Mayoral vacancy shall be filled within thirty (30) days of the date the vacancy becomes effective. The vacancy in the Council created by the Council appointing a new Mayor will

be filled in accordance with Section 6 of Charter Ordinance No. 38. The Mayoral appointment shall be effective until the next general election, as defined in K.S.A. § 25-2102. Any appointment made after 12:00 P.M. on June 1 of any given year will serve until the general election occurring in the following year."

SECTION 3. Chapter 6, Article 1, Section 6-101(e) and Section 6-101(f) of the Roeland Park Municipal Code are hereby amended to read as follows in Section 1 and Section 2 of this Charter Ordinance, respectively.

SECTION 4. This Charter Ordinance shall take effect after its publication in the official City newspaper, and shall have an effective date of December _____, 2022.

PASSED by the Governing Body, not less than two-thirds of the elected members voting in favor thereof, this _____ day of _____, 2022.

Mike Kelly, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM

Steven E. Mauer, City Attorney

City of Fairway Process for Filling a Vacant Council Seat

COMMITTEE FORMED - @ CITY COUNCIL MEETING following vacancy

Members: Mayor, Council President, remaining Ward representative

Following communications to advertise vacancy:

- Constant Contact email
- On website
- On social media

Letters of Interest/Resumes accepted

Committee to set up interviews if more than 2 applicants

Two chosen by committee to be interviewed by entire Council at next meeting

Full Council to approve appointment of candidate by way of public vote following interview

Item Number: Committee Meeting Date: New Business- VIII.-D. 12/5/2022



City of Roeland Park

Action Item Summary

| 11/28/2022 |
|----------------------------------|
| Chief Morris |
| Police |
| Leave of Absence Request (5 min) |
| Other |
| |

Recommendation:

To approve a leave of absence request for Officer Foley before his military deployment in January 2023.

Details:

Officer Foley is being deployed by his National Guard military unit in January 2023 and he is requesting a leave of absence prior to leaving so he can finish up on some personal items. He does not have enough vacation or other time available and is requesting a leave of absence from December 20, 2022 until his deployment on January 18, 2023. His deployment will last approximately one year.

Per section E.10.b of the Roeland Park Employee Handbook an employee, uon written request, and with the recommendation of his or her department head, may be granted a leave of absence without pay for a period of up to six months, subject to the approval of the Governing Body. Chief Morris, his supervisor recommends approval of a leave of absence for the period of 12/20/22 to 1/18/23, where Officer Foley will have exhausted his available vacation and comp time. The balance of time Officer Foley is absent due to military deployment is covered by "Military Leave" (section E.8 of the employee handbook). The Leave of Absence period and Military Leave periods are unpaid leave.

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| • | | | - P | aor |

| Amount of Request: n/a | | | | |
|---------------------------------|----------------------|--|--|--|
| Budgeted Item? | Budgeted Amount: n/a | | | |
| Line Item Code/Description: n/a | | | | |

Additional Information

see attached documents

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description

D Foley request

Type Cover Memo Dear Chief Morris and Governing Body,

I'm writing this regarding my request for an unpaid leave of absence due to not having enough vacation, sick, or comp time to fulfill the requested dates of absence. I would like to request a leave of absence prior to my military deployment date of January 18th, 2023.

I'm requesting the unpaid leave date to start on December 20th, 2022 and continue until deployment on January 18th 2023.

I just recently got married. I am needing to get all our affairs in order to get my wife into my military records. I also need to get her name on all my belongings, will, military insurance, and all other benefits. We're also opening bank accounts and trying to figure out how all our bills will be paid, lawn mowed, dog sitting, and other miscellaneous things I will not be able to help with while overseas.

We recently got our marriage license back and going through the slow process of changing her driver's license and social security card. These need to be completed before we can even setup an appointment for the military process of integrating her into my benefits.

We both have been working a lot of overtime at our part-time jobs and work a full work week on midnight shifts. Due to this, it has slowed our process down.

I would also like to spend time with family and be sure that all my affairs, bills, home maintenance, and vehicle maintenance are taken care of prior to departure.

Sincerely,

Seth Foley



NGMO-ENA-E

-

31 October 2022

TO: SPC Seth W. Foley

FOR WHOM IT MAY CONCERN

I would like to take this opportunity to inform you that SPC Seth Foley is a member of the Missouri National Guard. SPC Foley is scheduled to mobilize with the 1135th Engineer Company starting 17 January 2023 – TBD December 2023. SPC Foley will be out of state starting on 17 January 2023 and will be out of country starting on 8 March 2023.

If you have any immediate questions, you may contact me at (816) 776-3300 x14804. Thank you for your support!

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KEITH D.J. CUMMINGS SSG, USA Unit Admin NCO