

**City of Overland Park
Mayor and Council**

**Monday, May 9, 2022
7:30 PM**

City Hall - 8500 Santa Fe Drive, Council Chamber

View a live stream of this meeting at opkansas.civicweb.net
Please silence cell phones while the meeting is in progress.

Mayor Curt Skoog

Council President Paul Lyons

Thomas Carignan
Melissa Cheatham
Jeff Cox
Faris Farassati

Holly Grummert
Scott Hamblin
Logan Heley
Jim Kite

Scott Mosher
Sam Passer
Fred Spears

CALL TO ORDER

PLEDGE OF ALLEGIANCE

OPEN PUBLIC COMMENT PERIOD

The Open Public Comment Period will be conducted for a maximum of 30 minutes.

Persons wishing to speak during the Open Public Comment Period should register by 3 p.m. in advance of the meeting using [this form](#). Each speaker will have one 3-minute speaking opportunity.

Speakers are required to follow the Code of Conduct for Public Comments.

Individuals may submit written comments by 3 p.m. in advance of the meeting using [this form](#).

PUBLIC HEARING

1. Consideration of Substantial Amendment to the City's Community Development Block Grant (CDBG) - Federal Fiscal Year (FFY) 2020-2024 Consolidated Plan

Resolution No. 4806 - Approving a substantial amendment to the City's Community Development Block Grant FFY 2020-2024 Consolidated Plan for economic development, neighborhood improvement projects, and recapture of unspent funds; and its submission to the Department of Housing and Urban Development.

- [Council Staff Report - Html](#)
- [Resolution No. 4806](#)
- [Proposed Amendments CDBG FFY2020 2024 Consolidated Plan](#)

2. Consideration of Issuance of Federally Taxable Private Activity Economic Development Revenue Bonds

in an amount not to exceed \$51,687,000 and Granting a Property Tax Abatement - CityPlace Corporate Centre IV (Parcel XI) for the acquisition, construction and equipping of a commercial facility, including real estate, buildings, improvements and equipment within the CityPlace development generally located on the southwest corner of College Boulevard and U.S. 69 Highway (CityPlace Corporate Centre IV Project).

- Resolution No. 4815 - Declaring the intent of the City to issue Federally Taxable Private Activity Revenue Bonds in the aggregate principal amount not to exceed \$51,687,000 for the purpose of financing the acquisition, construction and equipping of a commercial facility (CityPlace Corporate Centre IV Project).
- Resolution No. 4816 - Declaring the intent of the City to enter into a Payment-in-Lieu-of-Taxes Agreement relating to the issuance of Federally Taxable Private Activity Revenue Bonds for CityPlace Corporate Centre IV, generally located on the southwest corner of College Boulevard and U.S. 69 Highway (CityPlace Corporate Centre IV Project).
- [Council Staff Report - Html](#)
- [Resolution No. 4815](#)
- [Resolution No. 4816](#)
- [CityPlace Corporate Centre IV Cost Benefit Analysis](#)
- [Summary of PILOT Agreement - CityPlace Corporate Centre IV](#)
- [PILOT Agreement - CityPlace Corporate Centre IV](#)

MAYOR CURT SKOOG

3. Proclamation - Proclaiming May 2022, as Asian American and Pacific Islander Heritage Month.
 - [Proclamation](#)

COUNCIL PRESIDENT PAUL LYONS

INTERIM CITY MANAGER KRISTY STALLINGS

CONSENT AGENDA

Community Development - Committee Report

4. Resolution No. 4800 - Endorsing the Regional Climate Action Plan.
 - [Committee Report to Council - Html](#)
 - [Resolution No. 4800](#)
5. Resolution No. 4811 - Declaring that the 3rd Annual Advocacy and Awareness Peace March and Rally shall be a City sponsored public event.
 - [Committee Report to Council - Html](#)
 - [Resolution No. 4811](#)
6. Resolution No. 4810 - Enlargement of Consolidated Main Sewer District, located in the vicinity of 177th Street and Pflumm.
 - [Committee Report to Council - Html](#)
 - [Resolution No. 4810](#)
 - [Letter of Request and Location Map](#)
7. Bid Tabulation - Westport Pools, Inc., for the pump room filter replacement for the Matt Ross Community Center, in the amount of \$254,632.22, and authorization for the City Manager to enter into an agreement

for the same.

- [Committee Report to Council - Html](#)
- [Bid Tabulation - MRCC Replacement Pump Filter \[Project No. MP-2072\]](#)

Public Works – Committee Report

8. Interlocal Agreement - City of Lenexa, for the public improvement of 103rd Street between Noland and Quivira, as part of the ultra-thin bonded asphalt (UBAS) overlay and concrete repair, with an estimated cost to Overland Park in the amount of \$322,000.
 - [Committee Report to Council - Html](#)
 - [Interlocal Agreement - City of Lenexa \[Project No. MR-2807\]](#)
9. Bid Tabulation - VF Anderson Builders, LLC, for the 2021 Major Storm Sewer Repair Project - Johnson Drive (Phase 2), in the amount of \$1,864,779.
 - [Committee Report to Council - Html](#)
 - [Bid Tabulation - VF Anderson Builders, LLC \[Project No. MS-1654\]](#)
10. Request Approval of Public Works Policy Resolutions - Regarding policies and procedures; to update, format, terminology, adoption dates and signatures.

Resolution No. 4782 - Regarding sidewalk construction and maintenance.

Resolution No. 4788 - Regarding changing private streets to public street classification.

Resolution No. 4794 - Regarding school crossings and traffic control.

Resolution No. 4796 - Regarding general traffic control and signing.

- [Committee Report to Council - Html](#)
- [Resolution No. 4782](#)
- [Resolution No. 4788](#)
- [Resolution No. 4794](#)
- [Resolution No. 4796](#)

11. Traffic Calming Project - Authorizing the installation of two speed humps on 157th Terrace, between Ballentine and Switzer, and a corresponding change order to the 2022 Street Improvement (Overlay) Project in the estimated amount of \$16,000.
 - [Committee Report to Council - Html](#)
 - [Presentation - 157th Terrace Traffic Calming](#)
 - [Attachment A - Traffic Calming Program](#)
 - [Attachment B - Traffic Calming Tool Box](#)

Finance, Administration and Economic Development - Committee Report

12. Approval of Vendor Selection and Agreement - Lan-Tel Communications Services, Inc., for the purchase of Fiber Optic Infrastructure Services, for a one-year term, with three optional one-year renewals, in an annual amount not to exceed \$104,000.
 - [Committee Report to Council - Html](#)
 - [Agreement - Lan-Tel Communications Services, Inc.](#)

Finance, Administration and Economic Development - Staff Report

13. Council Minutes - [February 7](#), [March 7](#), and [April 4, 2022](#).
14. Expenditure Ordinance No. 4A - Outlining the expenditures from the General Operating Fund and the Capital Projects Fund for April 1 through April 14, 2022.

- [Expenditure Ordinance No. 4A](#)

15. [Expenditure Ordinance No. 4B](#) - Outlining the expenditures from the General Operating Fund and the Capital Projects Fund for April 15 through April 28, 2022.

- [Expenditure Ordinance No. 4B](#)

REGULAR AGENDA

Community Development - Committee Report

Logan Heley, Chair

Sam Passer, Vice Chair; Melissa Cheatham; Scott Hamblin; Jim Kite; Fred Spears

Community Development - Planning & Development Services - Staff Report

Director

Jack Messer

Community Development - Parks & Recreation Services - Staff Report

Director

Jermel Stevenson

Public Safety – Committee Report

Holly Grummert, Chair

Scott Mosher, Vice Chair; Thomas Carignan; Faris Farassati; Scott Hamblin; Paul Lyons

Public Safety - Police Department - Staff Report

Chief of Police

Frank Donchez

Public Safety - Fire Department - Staff Report

Fire Chief

Bryan Dehner

Public Works – Committee Report

Jim Kite, Chair

Melissa Cheatham, Vice Chair; Jeff Cox; Faris Farassati; Logan Heley; Scott Mosher

17. [Public Works Infrastructure Program Assessment & Infrastructure Advisory Group](#) - Plan for Presentation of Final Report and Recommendations.

- [Memorandum - Infrastructure Program Assessment and IAG Report and Recommendations](#)

18. [Partial Median Break](#) - Denial of applicant's request for variance to accommodate a southbound left turn on Metcalf into the Metcalf 127 Development. (Continued from the April 18, 2022, Council meeting)

- [Committee Report to Council - Html](#)
- [Attachment A - Resolution 3816](#)

- [Attachment B - Variance Request](#)
- [Attachment C - Site Plan](#)
- [Attachment D - Traffic Impact Study](#)
- [Attachment E - Minutes - November 15, 2021, Public Works Meeting](#)

Public Works – Staff Report

Director, Public Works
Tony Hofmann

Finance, Administration and Economic Development - Committee Report

Fred Spears, Chair
Thomas Carignan, Vice Chair; Jeff Cox; Holly Grummert; Paul Lyons; Sam Passer

19. Report from Special Finance, Administration and Economic Development Committee Meeting held May 9, 2022:

- [First Amendment to the Agreement](#) - Visit Overland Park, Inc., to provide a grant to assist in the recovery of Overland Park's Tourism, Travel and Hospitality Industries, in an amount not to exceed \$500,000, funded with American Rescue Funds.
- [Committee Report to Council - Html](#)
- [Visit OP Summary Memo](#)
- [First Amendment to ARPA Agreement to Support Tourism, Travel & Hospitality Industries - VisitOP](#)
- [First Amendment to ARPA Agreement to Support Tourism, Travel & Hospitality Industries - VisitOP \(redline\)](#)

Finance, Administration and Economic Development - Staff Report

Deputy City Manager
Kristy Cannon Stallings

ECONOMIC DEVELOPMENT PUBLIC-PRIVATE PARTNERSHIP PROJECTS

Economic Development Public-Private Partnership Projects - Regular Agenda

20. Resolution No. 4813 - Consenting to a Transfer and Assignment and Assumption Agreement, authorizing the execution and delivery of an Estoppel Certificate and releasing HMMU1, Inc., from its obligations under a redevelopment agreement, all related to an economic development project at the southeast corner of Marty and West 80th Street (The Vue Project).
 - [Assignment and Assumption Agreement](#) – Between HMMU1, Inc., and JVM Vue Apartments, LLC.
 - [Estoppel Certificate](#) - JVM Vue Apartments, LLC, and PNC Bank, N.A.
 - [Committee Report to Council - Html](#)
 - [Resolution No. 4813](#)
 - [Assignment and Assumption Agreement – HMMU1, Inc. and JVM Vue Apartments, LLC](#)
 - [Estoppel Certificate - JVM Vue Apartments, LLC and PNC Bank, N.A.](#)
21. Resolution No. 4814 – Consenting to a Transfer and Assignment and Assumption Agreement related

to the Jack Stack Redevelopment Agreement for an economic development project generally located within the City at 9000 W. 137th Street (9000 W. 137th Street (Jack Stack) CID Project).

- [Assignment and Assumption Agreement](#) - Rise Above for Christ, Inc., and J-DOR Real Estate, LLC, and JA-DEL, Inc.
- [Committee Report to Council - Html](#)
- [Resolution No. 4814](#)
- [Assignment and Assumption Agreement - Rise Above for Christ, Inc. and J-DOR Real Estate, LLC, and JA-DEL, Inc.](#)

RECOMMENDATIONS FROM THE PLANNING COMMISSION

Director, Planning & Development Services
Jack Messer

Planning Commission - Consent Agenda

22. [Special Event Permit No. SEP2022-00153](#) - 5661 West 135th Street. A special event permit is requested to allow a summer concert series on Thursdays from May 26 through September 1, 2022. Application made by Libby Rosenfeld, representing MC Prairiefire, LLC.
 - [Staff Report](#)
 - [Maps](#)
23. [Special Event Permit No. SEP2022-00163](#) - 8909 West 179th Street. A special event permit is requested to allow the Stems - A Garden Soiree event at the Overland Park Arboretum and Botanical Gardens on June 25, 2022. Application made by Dan Vater, representing The Arts and Recreation Foundation of Overland Park.
 - [Staff Report](#)
 - [Maps and Event Summary](#)
24. [Special Event Permit No. SEP2022-00171](#) - 7401 West 91st Street. A special event permit is requested to allow a temporary generator from June 1 through December 1, 2022. Application made by Caitlyn Logan, representing Dr. Vince Clinical Research.
 - [Staff Report](#)
 - [Maps](#)
25. [Special Event Permit No. SEP2022-00175](#) - 11200 Antioch. A special event permit is requested to allow detached signs from May 3 through July 3, 2022. Application made by Kelly Ediger, representing Westlake Ace Hardware.
 - [Staff Report](#)
 - [Maps and Banners](#)
26. [Acceptance of Right-of-Way - Final Plat No. PLT2022-00010](#) - Galleria 115 Third Plat - Vicinity of the northwest corner of 115th Street and Nall. Application made by Block, LLC. The Planning Commission approved this item on April 11, 2022, by a vote of 10 to 0. (Related Case No. PLT2018-00024)
 - [Staff Report](#)
 - [Maps](#)
27. [Preliminary Development Plan No. PDP2021-00057](#) - Wycliff West - Vicinity of the southwest corner of 103rd Street and Mastin. Application made by Security Bank of Kansas City. The Planning Commission approved this item on April 11, 2022, by a vote of 10 to 0. (Related Case No. REZ1972-00039)
 - [Staff Report](#)
 - [Maps](#)

28. Revised Preliminary Plan No. PDP2022-00002 - 138th and Metcalf - 13801 Metcalf. Application made by MedCraft Healthcare Real Estate. The Planning Commission approved this item on April 11, 2022, by a vote of 10 to 0. (Related Case No. REZ2008-00013)
- [Staff Report](#)
 - [Maps](#)
 - [Meeting Minutes](#)
29. Special Use Permit No. SUP2022-00002 - 16350 Kenneth Road. A special use permit is requested for a three-year period of time to allow a drinking establishment and renewal of a commercial use. This property is currently zoned RUR-J, Rural District, Johnson County. Application made by Aubrey Farms, LLC. The Planning Commission approved this item on April 11, 2022, for a three-year period of time, by a vote of 10 to 0. Ordinance No. Z-4217
- [Staff Report](#)
 - [Maps](#)
 - [Previously Approved Noise Letter](#)
 - [Previously Approved Phase 1 Site](#)
 - [Previously Approved Phase 1 Buildings](#)
 - [Previously Approved Phase 4](#)
 - [Ordinance No. Z-4217](#)
 - [Criteria for Rezonings and Special Use Permits](#)
30. Special Use Permit No. SUP2022-00003 - 7932 Foster. A special use permit is requested for a five-year period of time to allow renewal of a tow lot and temporary storage. This property is currently zoned DFD, Downtown Form District. Application made by Johnson County Tow Service. The Planning Commission approved this item on April 11, 2022, for a five-year period of time, by a vote of 10 to 0. Ordinance No. Z-4218
- [Staff Report](#)
 - [Maps](#)
 - [Ordinance No. Z-4218](#)
 - [Criteria for Rezonings and Special Use Permits](#)
31. Special Use Permit No. SUP2022-00004 - 19201 Hardy. A special use permit is requested for a 10-year period of time to allow renewal of a daycare/preschool. This property is currently zoned RN-1J, Residential Neighborhood 1 District, Johnson County. Application made by Marilyn Ryun. The Planning Commission approved this item on April 11, 2022, for a 10-year period of time, by a vote of 10 to 0. Ordinance No. Z-4219
- [Staff Report](#)
 - [Maps](#)
 - [Ordinance No. Z-4219](#)
 - [Criteria for Rezonings and Special Use Permits](#)
32. Special Use Permit No. SUP2022-00005 - 9205 West 75th Street. A special use permit is requested for a five-year period of time to allow a temporary commercial use for a barber/salon. This property is currently zoned CP-O, Planned Office Building District. Application made by Nicholas Brown, representing KC Barber Co. The Planning Commission approved this item on April 11, 2022, for a five-year period of time, by a vote of 10 to 0. Ordinance No. Z-4220
- [Staff Report](#)
 - [Maps](#)
 - [Ordinance No. Z-4220](#)
 - [Criteria for Rezonings and Special Use Permits](#)
33. Special Use Permit No. SUP2022-00007 - 11310 West 89th Street. A special use permit is requested for a 10-year period of time to allow a sports or recreation facility. This property is currently zoned M-1, Industrial Park District. Application made by MK Youth Foundation. The Planning Commission approved this item on April 11, 2022, for a 10-year period of time, by a vote of 10 to 0. Ordinance No. Z-4222

- [Staff Report](#)
- [Maps](#)
- [Ordinance No. Z-4222](#)
- [Criteria for Rezonings and Special Use Permits](#)

34. Rezoning No. REZ2022-00002 - 9901 West 175th Street. Rezoning is requested from RUR-J, Rural District, Johnson County, to R-1, Single-Family Residential District, to allow a single-family subdivision. Application made by Bonita Investors, LLC. The Planning Commission approved this item on April 11, 2022, by a vote of 10 to 0. Ordinance No. Z-4216
- [Staff Report](#)
 - [Maps](#)
 - [Ordinance No. Z-4216](#)
 - [Criteria for Rezonings and Special Use Permits](#)
35. Unified Development Ordinance Amendment No. PLM2022-00005 - Amendments to the Unified Development Ordinance sections: 18.370.020 Special Uses Designated, 18.370.040 SUP Development and Performance Standards, 18.160.060 Ag Development and Performance Standards, 18.300.050 M-1 Development and Performance Standards. Application made by the City of Overland Park. The Planning Commission approved this item on March 14, 2022, by a vote of 7 to 0. Ordinance No. ZRR-3357
- [Staff Report](#)
 - [Ordinance No. ZRR-3357 \(Redline\)](#)
 - [Ordinance No. ZRR-3357 \(Clean\)](#)

Planning Commission - Regular Agenda

36. Right-of-Way Easement Vacation No. VAC2022-00001 - Wilshire Hills - Vicinity of the southwest corner of 167th Street and Antioch. Application made by Phelps Engineering, Inc. Ordinance No. VAC-3359
- [Staff Report](#)
 - [Maps](#)
 - [Ordinance No. VAC-3359](#)
37. Special Use Permit No. SUP2022-00006 - 11231 Mastin. A special use permit is requested for an indefinite period of time to allow a recycling facility. This property is currently zoned CP-3, Planned Commercial District. Application made by Johnson County. The Planning Commission approved this item on April 11, 2022, for an indefinite period of time, by a vote of 9 to 1. Ordinance No. Z-4221 (A valid protest petition has been submitted.)
- [Staff Report](#)
 - [Maps](#)
 - [Additional Information](#)
 - [Ordinance No. Z-4221](#)
 - [Criteria for Rezonings and Special Use Permits](#)

OLD BUSINESS

NEW BUSINESS

38. Resolution No. 4812 - Setting a time and place and providing for notice of a public hearing on June 6, 2022, to consider the revocation of SUP1978-00013 to allow a tennis court and associated parking at the southeast corner of 127th Terrace and Ballentine; SUP1984-00063 to allow a lighted riding arena at the southeast corner of 132nd Street and Antioch; SUP1985-00081 to allow new car storage at 7700 Metcalf Avenue; SUP1988-00025 to allow an offsite parking area at 15225 Broadmoor; SUP1991-00034 to allow a rooster on site until the rooster passed at 2396 West 151st Street; SUP2002-00026 to

allow a hospital use at 12101 and 12201 West 110th Street; SUP2011-00026 to allow an assisted living facility at 12101 and 12201 West 110th Street; SUP1969-00001 to allow an expanded parking area for a McDonald's restaurant at 7721 Floyd Street; and SUP1971-00020, for an expanded parking area for a McDonald's restaurant at 7723 Floyd.

- [Staff Report](#)
- [Resolution No. 4812](#)
- [Maps](#)

If you need accommodations for the meeting, or the live video stream of the meeting, call 913-895-6155 (Kansas Relay Service 1-800-766-3777). Please give 48 hours' notice.