

CITY OF MISSION, KANSAS
COMMUNITY DEVELOPMENT COMMITTEE

WEDNESDAY, AUGUST 1, 2018

7:30 P.M.

(or immediately following 6:30 p.m. Finance & Administration Committee Meeting)

Mission City Hall

PUBLIC COMMENTS

PUBLIC PRESENTATIONS / INFORMATIONAL ONLY

1. Special Use Permit - 5612 Johnson Drive, Sandhills Brewing Company KC,- Brian Scott [\(page 3\)](#)

Mr. Jonathan Williamson, representing Sandhills Brewing Company KC, has made an application for a special use permit to operate a drinking establishment at 5612 Johnson Drive. In particular, the drinking establishment will be associated with a “nano-brewery” where the applicant will produce a variety of craft beer for sale and consumption on site. The Planning Commission will hold a public hearing and consider the case at their July 30, 2018 meeting.

2. Special Use Permit - 5880 Beverly, Rockcreek Brewing Company - Brian Scott [\(page 14\)](#)

Ms. Sara Charlson, representing Rockcreek Brewing Company, has made an application for a special use permit to operate a drinking establishment at 5880 Beverly Avenue. In particular, the drinking establishment will be associated with a “nano-brewery” where the applicant will produce a variety of craft beer for sale and consumption on site. The Planning Commission will hold a public hearing and consider the case at their July 30, 2018 meeting.

ACTION ITEMS

3. Lincolnshire Street Acceptance - Laura Smith [\(page 27\)](#)

The City has historically treated the streets in Lincolnshire as private, making the property owner (HOA) responsible for upkeep and maintenance. Last year, staff discovered correspondence which suggested the City had agreed to take on street maintenance responsibilities in 1988-89. Staff has worked with Olsson Associates to survey the streets and develop appropriate legal descriptions to allow the City to formally accept and record the street network within the subdivision. Approval of the ordinance and recording at the County will complete the City’s acceptance of the streets.

4. 5960 Dearborn Parking Lot Lease Extension - Laura Smith [\(page 40\)](#)

In 2008, following sale of a portion of the Community Center Parking Lot for the Mission Square project, the City entered into a lease agreement for use of a parking lot at 5960 Dearborn. The agreement, which included a ten year term, was to provide additional parking when there were large

events which might strain parking capacity for the Center. The current lease expires August 31, 2018. Staff requested an extension through December 31, 2018 in order to more fully evaluate longer term parking needs for the area. The property owner has agreed to extend the lease to allow more comprehensive conversations regarding parking in the area to occur.

5. 2018 Geotechnical Services - John Belger ([page 51](#))

In 2013, geotechnical analysis (core sampling) was added to the annual Street Program. The reports generated by these investigations provide detailed subsurface information on the condition of each street and whether the current assigned maintenance category is feasible. Approximately 47% of the streets in Mission have been tested. The proposed task order would complete geotechnical exploration for the remaining streets. As the residential street program is reviewed and updated in late 2018 - early 2019, this data will help provide a complete picture of the street condition and which treatments will be most cost effective. The total cost to complete analysis of the remaining streets is \$130,000.

6. 2018 Traffic Striping Program - John Belger ([page 57](#))

In several locations, traffic markings have weathered or faded to the point they are illegible. This program would remove the old striping and reapply a more durable material in its place. The proposal of Twin Traffic to replace striping at five high traffic locations at a total cost not to exceed \$61,763.55 is recommended for approval.

DISCUSSION ITEMS

7. Improvements to Johnson Drive Park and Capitol Federal Greenspace - Emily Randel ([page 65](#))

Capitol Federal has approached the City with the prospect of creating a community amenity in the greenspace west of their building at Nall and Johnson Drive. In order to arrive at a collective vision for what the space will be and how it will be used, the City has retained Confluence landscape architects. Confluence led an initial brainstorming meeting in July with representation from Capitol Federal and other Mission stakeholders. The leading concepts are for a place where people could come and sit, with shade, tables, and a small bandstand/stage area allowing for flexible programming throughout the year. Following additional meetings and review, potential design concepts will be ready to share with the public in late August.

OTHER

8. Department Updates - Laura Smith

Kristin Inman, Chairperson
Sollie Flora, Vice-Chairperson
Mission City Hall, 6090 Woodson St
913-676-8350

City of Mission	Item Number:	1.
INFORMATIONAL ITEM	Date:	July 20, 2018
COMMUNITY DEVELOPMENT	From:	Brian Scott

Informational items are intended to provide updates on items where limited or no discussion is anticipated by the Committee.

RE: Case #18-06 - Special Use Permit for a Drinking Establishment at 5612 Johnson Drive

DETAILS: Jonathan Williamson, representing Sandhills Brewing Company KC, has made an application with the City of Mission’s Community Development Department for a special use permit to operate a drinking establishment at 5612 Johnson Drive.

5612 Johnson Drive is a retail space located within a larger retail building on the north side of Johnson Drive between Reeds Road and Maple Avenue. Other retailers in this area include Bearde Salon and Mission Board Games. The property is zoned “MS-1” Main Street District 1.

Mr. Williamson is interested in opening a nano-brewery (a scaled down microbrewery) at this location where he would produce approximately 150 barrels a year of craft beer on premises to be sold by the drink in the tap room on premises.

Kansas State statutes provides for the regulation of microbreweries. These regulations stipulate that the microbrewery must be licensed with the Director of Alcoholic Beverage Control, and that if the microbrewery is to sell beer for consumption on premises, it must also have a licenses to operate a drinking establishment.

The Mission Municipal Codes stipulate that drinking establishments are permitted in the MS-1 zoning district with the issuance of special use permit. There are fourteen criteria, or “findings of fact,” that must be identified as part of the consideration process for a special use permit. These are detailed in the attached staff report. Once issued, the special use permit remains with the property for as long as the use remains.

Staff recommends the issuance of a special use permit for the operation of a drinking establishment at 5612 Johnson Drive with the following conditions:

1. The holder(s) of this special use permit for a drinking establishment, and any future assignees, will maintain in good standing all licensures for a drinking establishment as required by the State of Kansas and the City of Mission.
2. The holder(s) of this special use permit will be required to meet the stipulation of a drinking establishment in that sales of food for consumption on the premises exceeds thirty percent (30%) of the annual gross income for the establishment.
3. The subject address of the special use permit will be kept in a clean and orderly manner and not present or cause to be presented any nuisances and/or violations of the Municipal codes of the City of Mission.

Related Statute/City Ordinance:	K.S.A 41-102 & 41-308 / Mission Municipal Code Section 410
Line Item Code/Description:	NA
Available Budget:	NA

City of Mission	Item Number:	1.
INFORMATIONAL ITEM	Date:	July 20, 2018
COMMUNITY DEVELOPMENT	From:	Brian Scott

Informational items are intended to provide updates on items where limited or no discussion is anticipated by the Committee.

4. Hours of operation for the drinking establishment will be limited to 40 hours or less a week.

This application will be considered by the Planning Commission at their meeting on Monday July 30th. The results of their consideration will be made known at the Community Development Committee meeting on August 1st.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	K.S.A 41-102 & 41-308 / Mission Municipal Code Section 410
Line Item Code/Description:	NA
Available Budget:	NA

STAFF REPORT
Planning Commission Meeting July 30, 2018

AGENDA ITEM NO.: 3A

PROJECT NUMBER / TITLE: Application # 18-06

REQUEST: Special Use Permit (SUP) for Operation of a Drinking Establishment

LOCATION: 5612 Johnson Drive
Parcel KP27500000-0081
Vacant retail space on the north side of Johnson Drive between Reeds Road and Maple Street.

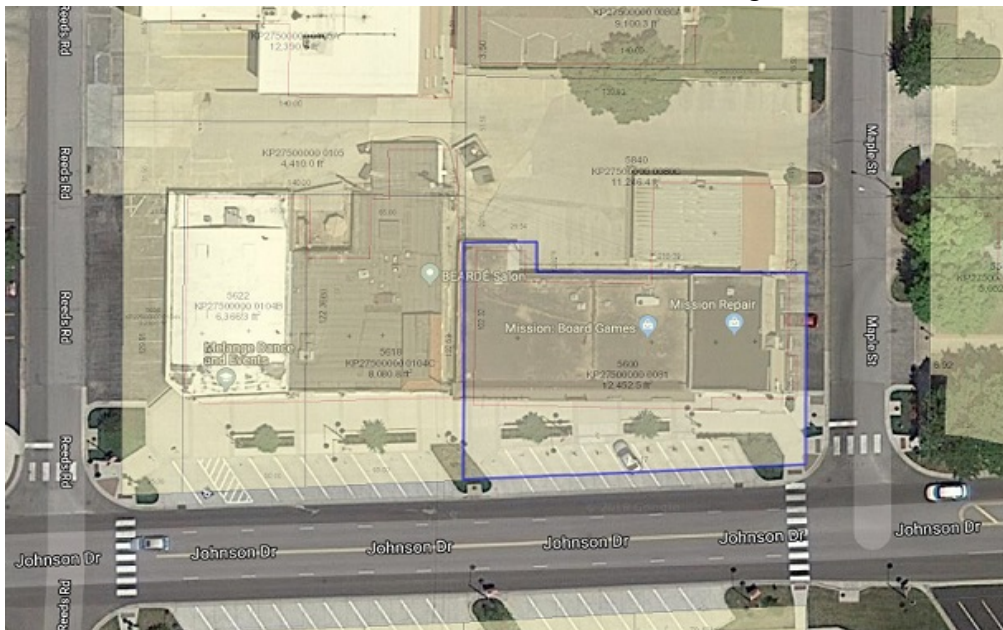
APPLICANT: Jonathan Williamson
Sandhill Brewing Company KC
13723 W. 81st Terrace
Lenexa, KS 66215

PROPERTY OWNER: Betty Benson
Benson Living Trust
6511 Dearborn
Mission, KS 66202

STAFF CONTACT: Brian Scott, Assistant City Administrator

ADVERTISEMENT: 7/10/2018 - The Legal Record Newspaper

PUBLIC HEARING: 7/30/2018 - Planning Commission



Property Information:

The subject address is 5612 Johnson Drive, a 1,750 square foot tenant space within a larger building that is located on the north side of Johnson Drive, mid-block between Reeds Road and Maple Street. The property is zoned as “MS-1” Main Street District 1.

Surrounding properties are zoned and developed as follows:

North: “PBP” Planned Business Park - ScriptPro Corporate Campus

East: “MS-1” Main Street District 1- Bearde’s Salon, Brian’s Bakery, and Melange Studio

West: “MS-1” Main Street District 1 - Mission Board Games and former Twisted Sister

South: “MS-1” Main Street District 1 - City Park Land, site of Mission Farmer’s Market

Background:

The applicant is seeking a special use permit (SUP) to operate a drinking establishment at the subject address. In particular, the drinking establishment will be associated with a “nano-brewery” where the applicant will produce a variety of craft beer for sale and consumption on site.

A microbrewery is generally defined as a brewery operation that produces less than 15,000 barrels of beer a year. A nano-brewery is considered to be a scaled-down version of a microbrewery, often operated by a sole entrepreneur. The generally accepted industry definition of a nano-brewery is an operation that produces beer in small batches of three barrels or less, one barrel being 31 gallons.

Section 41-102 of the Kansas state statutes defines microbreweries as a brewery licensed by the Director of Alcoholic Beverage Control to manufacture, store and sell domestic beer and hard cider. A microbrewery is not considered to be a retailer [Subsection (y)(2) of K.S.A. 41-102]. And, a microbrewery is not considered to be a manufacturer [Subsection (p)(2) of K.S.A. 41-102]. The state statutes do not provide a distinct definition for nano-breweries, thus the legal notice for this application references “microbrewery.”

The applicant is associated with Sandhills Brewing Company, which currently operates a nano-brewery in Hutchinson, Kansas. The applicant intends to reproduce this concept under the same name at the subject address in Mission. The applicant will produce approximately 150 barrels of beer a year on premises for consumption in the tap room that will also be on premises. There may be limited retail sales of the product over the counter in the form of growlers and packaged beer.

Hours of production will be during normal business days. The applicant intends to receive deliveries of products one or twice a week through a backdoor behind the subject address. There will be no distribution of the product from this location.

Waste byproducts will be primarily spent grains, which the applicant will keep in a sealed container inside the premises until time of disposal. Disposal will be through donations to local farmers as animal feed or compost. Other waste products (general trash) will be disposed of in dumpsters provided by the landlord behind the building. Rinse water will be deposited in floor drains that connect to the sanitary sewer. Any

odors that may emanate from the brewing process will be limited and, in the words of the applicant, “create aromas similar to that of baking bread.”

The taproom is intended to accommodate approximately 50 patrons and will be open to the public in the afternoon and early evening hours on Thursdays, Fridays, and Saturdays.

It is anticipated that there will be as many as three (3) employees on site at peak times of operations. There are no parking requirements in the MS-1 zoning district. There are 38 on-street parking spaces in this block of Johnson Drive.

Section 41-308b of the Kansas state statutes provides that a microbrewery may sell domestic beer and other alcoholic liquor for consumption on the licensed premises as authorized by the Club and Drinking Establishment Act. Subsection (a)(6) of K.S.A. 41-308b states that such sales to consumers shall only take place during times when clubs and drinking establishments are authorized to serve and sell alcoholic liquor (9 a.m. to 2 a.m. the following day). The applicant will be required to obtain a licenses from both the State of Kansas and the City of Mission to operate a drinking establishment in order to comply with the SUP.

The state statute further stipulates that in certain counties, Johnson County being one of them, food must be offered in addition to domestic beer and alcoholic liquor, and that the food sales must be at least 30% of the total gross sales for the drinking establishment. This will also be a requirement of the SUP. The applicant intends to meet this requirement by collaborating with local restaurants to offer a menu to patrons that is facilitated through the tap room. In addition, food trucks may be utilized on occasion to meet this requirement.

Code review:

Municipal Code Section 410, Article V stipulates zoning regulations for properties located in the MS-1 zoning district. In particular, Municipal Code Section 410.170 - Permitted Uses - Subsection (F) states, “*clubs and drinking establishments shall be allowed after issuance of a special use permit as prescribed in Chapter 445, Article III, Section 445.180 et seq* (emphasis added).” Section 410.200 - Development Standards - Subsection (H)(2) further states, “*Food service establishments serving cereal malt beverages and clubs or drinking establishments serving alcoholic liquor shall be allowed where the sales of food for consumption on the premises exceeds thirty percent (30%) of the annual gross income for the establishment, provided that the exterior walls of clubs and drinking establishments are at least two hundred (200) feet from the nearest residentially zoned property line. A special use permit shall be required for clubs and drinking establishments within two hundred (200) feet of residentially zoned property* (emphasis added).”

While the subject address of this application is not within 200 feet of a residentially zoned area, staff believes that the requirement of a SUP as stipulated in Subsection (F) is still applicable.

Municipal Code Section 445.180(C) provides that the Planning Commission and City Council may designate such other uses as appropriate for a SUP upon a finding that the use is appropriate in a certain location, but is not listed as allowed in any district or is only allowed in a district which contains other uses inappropriate in this subject location.

According to Section 445.190 special uses may be approved by action of the City Council after recommendation from the Planning Commission. Special uses may be approved with conditions including, but not limited to, the following:

1. Requirements for special yards, open spaces, density, buffers, fences, walls and screening.
2. The installation of landscaping and maintenance.
3. Provisions for erosion control.
4. Limitations on ingress and egress movements into and out of the site and traffic circulation.
5. Limitation on signage.
6. Limitation on hours of operation and other characteristics of operation.
7. Conditions specifically listed under the individual special use.
8. Other conditions deemed necessary to ensure compatibility with surrounding land uses.

In addition, Section 445.220 of the Municipal Code states that special use permits generally run with the use of the property. Conditions placed must be clearly spelled out in the motion for approval. Section 445.230 of the City Code allows for the termination of a SUP at any time for several reasons. This includes non-compliance with any special conditions placed or if conditions in the neighborhood have changed to the extent that approval of the permit would be clearly unwarranted if being applied for at the time of revocation.

Special Use Permit:

Section 440.140.E, Criteria for Considering (SUP) applications, lists the criteria to be used by the Planning Commission and City Council in the consideration of this application. An evaluation of these criteria is as follows:

1. The character of the neighborhood.

The subject address for this proposed SUP is located along the Johnson Drive retail corridor. There is dance studio and hair salon to the east of the subject address and a retail game shop and former coffee shop to the west. Across the street to the south is a public park, and the site of the City's farmer market. To the north is the corporate campus of ScriptPro.

The proposed special use permit for a drinking establishment would be within keeping of the retail nature of Johnson Drive and would not have an adverse impact on the character of the existing neighborhood.

2. The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses.

Properties that surround the subject address are all either “MS-1” Main Street District 1 or “PBP” Planned Business Park District. There is no residential zoned area nearby nor any schools or churches. The proposed special use permit for a drinking establishment would be in harmony with the existing zoning districts and permitted uses.

Furthermore, the proposed special use permit is in keeping with the vision for the Johnson Drive corridor as envisioned by the City of Mission’s Comprehensive Plan, the Johnson Drive Guidelines and other master plans for this district. The proposed use associated with the SUP will add to the retail and economic viability of the corridor by attracting visitors to the area. The applicant has described the proposed use as “family friendly environment...not a late-night or party establishment.” The hours that the tap room will be open are limited to the afternoon and early evening hours.

The zoning and uses of nearby properties are in harmony with the proposed special use permit and will not be adversely impacted by the proposed special use permit.

3. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.

The property that this proposed SUP will be tied to is suitable for the proposed use as a drinking establishment. It is currently a retail building with three retail spaces, of which one had been a coffee shop until recently. There is a bakery in the building to the west.

The existing property that is the subject of the proposed special use permit is suitable for the restricted use under the applicable MS-1 zoning district that would require a special use permit.

4. The extent to which approval of the application would detrimentally affect nearby properties.

As stated above, the proposed use for the special use permit will be a “family friendly environment,” and will be open to the public for only limited hours.

There proposed special use permit will have no detrimental effects on nearby property.

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

The subject address was a retail clothing accessory shop until this past winter when it was closed. The address has been vacant for approximately six months. There have been several retailers that have closed along Johnson Drive in the past year.

The property has been vacant for approximately six months.

6. The relative benefit to the public health, safety and welfare by retaining applicable restrictions on the property as compared to the destruction of the value of the property or hardship to the owner association with denying its request.

The proposed SUP for a drinking establishment will have no negative impact on the surrounding properties. The hours of operation will be limited to the afternoon and early evening hours for a few days out of the week. In addition the production of beer would not be any more detrimental than the production of other food products in a restaurant or bakery type setting, which is a permitted use in this zoning district. Consequently, the benefit to public health, safety and welfare by retaining the applicable restrictions is limited. The applicant, however, has undertaken a significant investment in time and financial resources to make this property useable as a nano-brewery and drinking establishment. This investment would be lost if the application for a SUP is not granted. In addition, the landlord of the subject property would be without a tenant and the space not readily usable for another retail tenant without considerable investment.

The relative benefit to the public health, safety and welfare by retaining the applicable restriction would be minimal as compared to the loss of economic value if the restrictions were to remain.

7. The master plan or comprehensive plan.

Section 410.160 Statement of Intent for the "MS-1" Main Street District 1 states, "The zoning of property as "MS1" Main Street District 1 is intended to provide development opportunities consistent with the existing character within the core of Downtown Mission. Downtown Mission is the original commercial district within the City. The majority of buildings in the core of downtown have been constructed to the public right-of-way. Public parking lots are available and on-street parking is present to serve the downtown businesses. The result is a character unique to downtown that is not found elsewhere in the City. The "MS1" District provides for the majority of retail uses, while encouraging an active streetscape with a pedestrian friendly shopping environment. This district restricts automobile oriented uses and does not allow offices on the ground floor level. The district is also intended to allow multi-story buildings with office and residential uses above the ground floor level. Multi-story buildings with top-floor setbacks are encouraged within this district as described in the Mission/Rock Creek Redevelopment Masterplan. In addition, the district is intended to allow flexibility from the normal development standards found elsewhere in the City." There are variety of permitted uses within this zoning including retail and speciality retail, prepared food, food for home, and entertainment.

The Comprehensive Plan, and subsequent master plans and guiding documents speak to a pedestrian oriented environment along Johnson Drive with a mix of uses and activities that provides for a lively downtown environment.

This application for a SUP to operate a drinking establishment would be in keeping with that vision. This will be a unique retail experience in that patrons will be partaking in speciality craft beers not normally found in bars or restaurants in the

area. This will be something of a destination use in that those that are interested in craft beer will come from throughout the region. Patrons will most likely take advantage of their time in Mission and frequent other shops and restaurants while here.

The proposed special use permit for a drinking establishment associated with a nano-brewery is compatible with the vision of the City of Mission's Comprehensive Plan and various master plans for the Johnson Drive corridor.

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

The proposed SUP will not have any adverse impact on the capacity or safety of the surround road network. The applicant is anticipating creating a tap room space that will accommodate upwards of 50 patrons. This number of potential patrons is not unusual and will not create an adverse impact on traffic patterns in the area. There are 38 on-street parking spaces along Johnson Drive in the block of the subject address of the proposed special use permit. There are more in the adjoining blocks. The proposed use will be open primarily in the early evening hours, when other uses along Johnson Drive may be closed. Thus, there should not be a high demand for on street parking.

The proposed special use permit will not have any adverse impact on the capacity or safety of the surrounding network or present parking problems in the vicinity.

9. The recommendation of the professional staff.

The City' professional staff believes that the proposed application for a special use permit to operate a drinking establishment conforms with the intent of the "MS-1" zoning district, the City of Mission's Comprehensive Plan, and master plans guidelines for this area.

10. The extent to which utilities and services, including but not limited to, sewers, water service, police and fire protection, and parks and recreation facilities, are available and adequate to serve the proposed use.

The applicant is seeking a SUP to operate a drinking establishment that will be associated with a nano-brewery. The nano-brewery will produce a total of 150 or less barrels of beer a year in small batches. This production will have no negative impacts on existing utility services including electric, water and sanitary sewer. In addition, there will be no impact on existing public services including public safety services.

The proposed special use permit will not have any impact on utility services or public safety services of the City.

11. The extent to which the proposed use would create excessive stormwater runoff, air pollution, water pollution, noise pollution or other environmental harm.

The proposed special use permit is associated with an existing building. There will

be no additional stormwater runoff associated with this use. The brewing process will be during normal business hours and will have no negative environmental impact in terms of water pollution or noise pollution. The applicant has indicated that any odors from the brewing process will be minimal and similar to baking bread.

The proposed special use permit will not create any excessive stormwater runoff, air pollution, water pollution, noise pollution, or other environmental harm.

12. The extent to which there is a need for the use in the community.

There is no defined “need” for the proposed special use in the community. However, the proposed special use will have a positive economic impact on the community. Please see below.

13. The economic impact of the proposed use on the community.

As previously stated, the subject address is currently a vacant retail space along the Johnson Drive corridor. The proposed SUP for a drinking establishment will be associated with the operation of a nano-brewery. This is a unique use that plays into the “makers” movement, which has become a strong component of the post recession economy. The makers movement emphasizes individual entrepreneurs utilizing their creativity and skills to produce products on a small scale for sale and consumption to the general public in the area. These types of entrepreneurs seek out inexpensive locations to establish their businesses and often become the fabric of a unique economic renaissance for the area.

There is an application for a SUP currently in the process of consideration that is very similar in concept to this application. If approved both concepts can work in tandem to create an economic synergy of sorts for those that like to partake in specialty craft beer. This could be an opportunity to attract visitors from areas beyond Mission to spend time and financial resources in the Mission community. In addition, there may be other opportunities that result from this “synergy” including dining and unique retailing.

The completion of the Mission Trails apartment building at 6201 Johnson Drive and the Gateway apartment building at 4801 Johnson Drive will result in as many as 500 additional residents living in this corridor. These residents will mostly likely prefer to walk or bicycle to nearby shops and restaurants in the area. This will support the economic vibrancy that the City has been actively seeking for this corridor. And, this application for a proposed SUP for a drinking establishment associated with a nano-brewery will complement this environment.

The proposed application for a special use permit for a drinking establishment to be associated with a nano-brewery will support and enhance the economic environment of the Johnson Drive corridor and the Mission community.

14. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the zoning district regulations.

The applicant will be able to satisfy the requirements that are applicable to the specific use imposed pursuant to the zoning district regulations.

Staff Recommendation

Staff recommends the Planning Commission recommend approval of Case #18-06 to the City Council for a special use permit for the use of 5612 Johnson Drive as a drinking establishment. The special use permit would run with the use of the property with the following conditions:

1. The holder(s) of this special use permit for a drinking establishment, and any future assignees, will maintain in good standing all licensures for a drinking establishment as required by the State of Kansas and the City of Mission.
2. The holder(s) of this special use permit will be required to meet the stipulation of a drinking establishment in that sales of food for consumption on the premises exceeds thirty percent (30%) of the annual gross income for the establishment.
3. The subject address of the special use permit will be kept in a clean and orderly manner and not present or cause to be presented any nuisances and/or violations of the Municipal codes of the City of Mission.
4. Hours of operation for the drinking establishment will be limited to 40 hours or less a week.

Planning Commission Action

To be determined at the time of consideration.

City Council Action

To be determined at the time of consideration.

City of Mission	Item Number:	2.
INFORMATIONAL ITEM	Date:	July 20, 2018
COMMUNITY DEVELOPMENT	From:	Brian Scott

Informational items are intended to provide updates on items where limited or no discussion is anticipated by the Committee.

RE: Case #18-07 - Special Use Permit for a Drinking Establishment at 5880 Beverly Ave.

DETAILS: Ms. Sara Charlson, representing Rockcreek Brewing Company, has made an application with the City of Mission’s Community Development Department for a special use permit to operate a drinking establishment at 5880 Beverly Avenue.

5880 Beverly Avenue is currently the location of an automotive repair shop doing business as Run-Rite Automotive Repair and Machine Shop. This location is one-half block north of Johnson Drive. Other businesses in this area include Mission Kitchen and Bath, Dearborn Animal Clinic, and Mission Fresh Fashion. The property is zoned “MS-2” Main Street District 2.

Ms. Charlson and her partners are interested in opening a nano-brewery (a scaled down microbrewery) at this location where they would produce approximately 300 barrels a year of craft beer on premises to be sold by the drink in the tap room on premises.

Kansas state statutes provides for the regulation of microbreweries. These regulations stipulate that the microbrewery must be licensed with the Director of Alcoholic Beverage Control, and that if the microbrewery is to sell beer for consumption on premises, it must also have a licenses to operate a drinking establishment.

The Mission Municipal Codes stipulate that drinking establishments are permitted in the MS-2 zoning district with the issuance of special use permit. There are fourteen criteria, or “findings of fact,” that must be identified as part of the consideration process for a special use permit. These are detailed in the attached staff report. Once issued, the special use permit remains with the property for as long as the use remains.

Staff recommends the issuance of a special use permit for the operation of a drinking establishment at 5880 Beverly Avenue with the following conditions:

1. The holder(s) of this special use permit for a drinking establishment, and any future assignees, will maintain in good standing all licensures for a drinking establishment as required by the State of Kansas and the City of Mission.
2. The holder(s) of this special use permit will be required to meet the stipulation of a drinking establishment in that sales of food for consumption on the premises exceeds thirty percent (30%) of the annual gross income for the establishment.
3. The subject address of the special use permit will be kept in a clean and orderly manner and not present or cause to be presented any nuisances and/or violations of the Municipal codes of the City of Mission.

Related Statute/City Ordinance:	K.S.A 41-102 & 41-308 / Mission Municipal Code Section 410
Line Item Code/Description:	NA
Available Budget:	NA

City of Mission	Item Number:	2.
INFORMATIONAL ITEM	Date:	July 20, 2018
COMMUNITY DEVELOPMENT	From:	Brian Scott

Informational items are intended to provide updates on items where limited or no discussion is anticipated by the Committee.

- Hours of operation for the drinking establishment will be limited to 40 hours or less a week.

This application will be considered by the Planning Commission at their meeting on Monday, July 30th. The results of their consideration will be made known at the Community Development Committee meeting on August 1st.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	K.S.A 41-102 & 41-308 / Mission Municipal Code Section 410
Line Item Code/Description:	NA
Available Budget:	NA

STAFF REPORT
Planning Commission Meeting July 30, 2018

AGENDA ITEM NO.: 3B

PROJECT NUMBER / TITLE: Application # 18-07

REQUEST: Special Use Permit (SUP) for Operation of a Drinking Establishment

LOCATION: 5880 Beverly Avenue
Parcel KF251208-3015
Currently Run-Rite Automotive

APPLICANT: Sara Charlson
Rockcreek Brewing Company
411 w. 46th Terrace, Suite 304
Kansas City, MO 64112

PROPERTY OWNER: Greg & Kelli Pesch
5880 Beverly Avenue
Mission, KS 66202

STAFF CONTACT: Brian Scott, Assistant City Administrator

ADVERTISEMENT: 7/10/2018 - The Legal Record Newspaper

PUBLIC HEARING: 7/30/2018 - Planning Commission



Property Information:

The subject property is 5880 Beverly Avenue, a 5,706 square foot building located one half block north of Johnson Drive. The building is currently being utilized as an automotive repair shop doing business as Run-Rite Automotive. The property is zoned “MS-2” Main Street District 2.

Surrounding properties are zoned and developed as follows:

North: “MS-2” Main Street District 2 -Brazilian Jiu Jitsu

“DND” Downtown Neighborhood District - residential properties

East: “MS-2” Main Street District 2- Mission Kitchen and Bath

West: “MS-2” Main Street District 2 - Signature Logo Embroidery

South: “MS-1” Main Street District 1 - Dearborn Animal Clinic, Mission Fresh Fashion, and Flatlanders Ski Shop

Background:

The applicant is seeking a special use permit (SUP) to operate a drinking establishment at the subject property. In particular, the drinking establishment will be associated with a “nano-brewery” where the applicant will produce a variety of craft beers for sale and consumption on site.

A microbrewery is generally defined as a brewery operation that produces less than 15,000 barrels of beer a year. A nano-brewery is considered to be a scaled-down version of a microbrewery, often operated by a sole entrepreneur. The generally accepted industry definition of a nano-brewery is an operation that produces beer in small batches of three barrels or less, one barrel being 31 gallons.

Section 41-102 of the Kansas state statutes defines microbreweries as a brewery licensed by the Director of Alcoholic Beverage Control to manufacture, store and sell domestic beer and hard cider. A microbrewery is not considered to be a retailer [Subsection (y)(2) of K.S.A. 41-102]. And, a microbrewery is not considered to be a manufacturer [Subsection (p)(2) of K.S.A. 41-102]. The state statutes do not provide a distinct definition for nano-breweries, thus the legal notice for this application references “microbrewery.”

The applicant is associated with Rockcreek Brewing Company, which intends to purchase the subject property for the purpose of developing a nano-brewery and associated tap room. The applicant will produce approximately 300 barrels of beer a year on premises for consumption in the tap room that will also be on premises. There may be limited retail sales of the product over the counter in the form of growlers and packaged beer.

Hours of production will be during normal business days. The applicant intends to receive deliveries of products once or twice a week. There will be no distribution of the product from this location.

Waste byproducts will be primarily spent grains, which the applicant will keep in a sealed container inside the premises until time of disposal. Other waste products

(general trash) will be disposed of in dumpsters located on the property. Rinse water will be deposited in floor drains that connect to the sanitary sewer.

The taproom is intended to accommodate approximately 50 patrons and will be open to the public Wednesday, 4 p.m. to 9 p.m.; Thursday 4 p.m. to 9 p.m.; Friday 11 a.m. to 10 p.m.; Saturday 11 a.m. to 10 p.m.; and Sunday 12 a.m. to 7 p.m.

It is anticipated that there will be as many as five (5) employees on site at peak times of operations.

Section 41-308b of the Kansas state statutes provides that a microbrewery may sell domestic beer and other alcoholic liquor for consumption on the licensed premises as authorized by the Club and Drinking Establishment Act. Subsection (a)(6) of K.S.A. 41-308b states that such sales to consumers shall only take place during times when clubs and drinking establishments are authorized to serve and sell alcoholic liquor (9 a.m. to 2 a.m. the following day). The applicant will be required to obtain a license from both the State of Kansas and the City of Mission to operate a drinking establishment in order to comply with the special use permit.

The state statute further stipulates that in certain counties, Johnson County being one of them, food must be offered in addition to domestic beer and alcoholic liquor, and that the food sales must be at least 30% of the total gross sales for the drinking establishment. This will also be a condition of the SUP. The applicant intends to meet this requirement by offering limited menu items from a small kitchen on the premises. In addition, food trucks may be utilized on occasion to meet this requirement. The trucks would be parked on the property on the south side of the building, away from the residential area to the north.

Code review:

As previously identified, the property is located in the MS-2 zoning district. Section 410.220 of the City of Mission Municipal Code provides the following statement of intent for the MS-2 zoning district.

“The zoning of property as "MS2" Main Street District 2 is intended to provide development opportunities consistent with the existing character surrounding the core of downtown Mission (emphasis added). The objectives for this district are similar to "MS1", except residential and office uses are permitted on the ground floor level of mixed-use buildings or complexes in order to support the businesses in the downtown area. This district promotes multi-story structures with top-floor setbacks as described by the Mission/Rock Creek Redevelopment Masterplan.”

Section 410.220 (A) states, “No building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one (1) or more of the following uses, subject to the development and performance standards set forth in Section 410.260: 1) Any use permitted in District "MS-1", subject to the applicable development and performance standards.”

Thus, those uses that are permitted in the MS-1 zoning district are also permitted in the MS-2 zoning district with the same performance standards.

Municipal Code Section 410, Article V stipulates zoning regulations for properties located in the MS-1 zoning district. In particular, Municipal Code Section 410.170 - Permitted Uses - Subsection (F) states, "*clubs and drinking establishments shall be allowed after issuance of a special use permit as prescribed in Chapter 445, Article III, Section 445.180 et seq* (emphasis added)." Section 410.200 - Development Standards - Subsection (H)(2) further states, "*Food service establishments serving cereal malt beverages and clubs or drinking establishments serving alcoholic liquor shall be allowed where the sales of food for consumption on the premises exceeds thirty percent (30%) of the annual gross income for the establishment, provided that the exterior walls of clubs and drinking establishments are at least two hundred (200) feet from the nearest residentially zoned property line. A special use permit shall be required for clubs and drinking establishments within two hundred (200) feet of residentially zoned property* (emphasis added)."

The subject property of this application is within 200 feet of the "DND" Downtown Neighborhood District. This is a zoning district that is intended to "offer a unique living environment that offers a variety of housing styles that supports the downtown businesses and stabilize the surrounding single-family neighborhoods." Staff believes that the requirement of a special use permit as stipulated in Subsection (H)(2) of Section 410.200 is applicable.

Municipal Code Section 445.180(C) provides that the Planning Commission and City Council may designate such other uses as appropriate for a SUP upon a finding that the use is appropriate in a certain location, but is not listed as allowed in any district or is only allowed in a district which contains other uses inappropriate in this subject location.

According to Section 445.190 special uses may be approved by action of the City Council after recommendation from the Planning Commission. Special uses may be approved with conditions including, but not limited to, the following:

1. Requirements for special yards, open spaces, density, buffers, fences, walls and screening.
2. The installation of landscaping and maintenance.
3. Provisions for erosion control.
4. Limitations on ingress and egress movements into and out of the site and traffic circulation.
5. Limitation on signage.
6. Limitation on hours of operation and other characteristics of operation.
7. Conditions specifically listed under the individual special use.
8. Other conditions deemed necessary to ensure compatibility with surrounding land uses.

In addition, Section 445.220 of the Municipal Code states that special use permits generally runs with the use of the property. Conditions placed must be clearly spelled

out in the motion for approval. Section 445.230 of the City Code allows for the termination of a SUP at any time for several reasons. This includes non-compliance with any special conditions placed or if conditions in the neighborhood have changed to the extent that approval of the permit would be clearly unwarranted if being applied for at the time of revocation.

Special Use Permit:

Section 440.140.E, Criteria for Considering (SUP) applications, lists the criteria to be used by the Planning Commission and City Council in the consideration of this application. An evaluation of these criteria is as follows:

1. The character of the neighborhood.

The subject property for this proposed SUP is located just off the Johnson Drive retail corridor and within the area designated as the downtown core. There is a kitchen and bath business to the east of the subject property and a embroidery shop to the west. To the south are various retail and services oriented businesses along Johnson Drive. To the immediate north is a jiu jitsu studio. Further north are single-family homes within a DND zoned district.

The proposed special use permit for a drinking establishment would be within keeping of the retail nature of this are and would not have an adverse impact on the character of the existing neighborhood.

2. The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses.

Properties that surround the subject address are all either “MS-1” Main Street District 1 or “MS-2” Main Street District 2. There is a residential zoned area further north that is zoned “DND” Downtown Neighborhood District and is intended to serve as a transition area between the downtown core and more traditional, single-family residentially zoned areas. There are no schools or churches in the area. The proposed special use permit for a drinking establishment would be in harmony with the existing zoning districts and permitted uses.

Furthermore, the proposed SUP is in keeping with the vision for the Johnson Drive corridor and downtown core as envisioned by the City of Mission’s Comprehensive Plan, the Johnson Drive Guidelines and other master plans for this district. The proposed use associated with the SUP will add to the retail and economic viability of the corridor by attracting visitors to the area. The applicant has described the proposed use as a “family/neighborhood friendly environment with limited hours, not open past 10 p.m.”

The zoning and uses of nearby properties are in harmony with the proposed special use permit and will not be adversely impacted by the proposed special use permit.

3. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.

The subject property of this special use permit is suitable for the proposed use as a drinking establishment. It is currently an automotive repair shop, and has been for several years. With a moderate conversion, it will offer the space needed to operate a nano-brewery producing 300 barrels a year and associated tap room.

The existing property that is the subject of the proposed special use permit is suitable for the restricted use under the MS-2 zoning district that would require a special use permit.

4. The extent to which approval of the application would detrimentally affect nearby properties.

As stated above, the proposed use for the special use permit will be a “family friendly environment,” and will be open to the public for only limited hours. It should not have any negative impact on nearby property. The proposed use of the property will not be any more intensive than the existing use. There may be an occasional food truck parked on the property, but this will be on the south side of the building.

There proposed special use permit will have no detrimental effects on nearby property.

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

The subject property is not currently vacant. The property is an automotive repair shop and has been for many years. The owner is interested in selling though.

The property is not nor has been vacant.

6. The relative benefit to the public health, safety and welfare by retaining applicable restrictions on the property as compared to the destruction of the value of the property or hardship to the owner association with denying its request.

The proposed SUP for a drinking establishment will have little to no impact on the surrounding properties. The hours of operation will be limited to the afternoon and evening hours for a few days out of the week. In addition the production of beer would not be any more detrimental than the production of other food products in a restaurant or bakery type setting, which is a permitted use in this zoning district, nor the existing automotive repair shop. Consequently, the benefit to public health, safety and welfare by retaining the applicable restrictions is limited.

The owner of the property is interested in selling the property, and it has been on the market for several months. If the proposed application for a special use permit is denied, the property could remain on the market for several more months. As an automotive repair shop, it is a unique property to sell and one that will require considerable investment to be made ready for another type of use.

In addition, Section 410.340 of the Municipal Codes speaks to Development standards and prohibited uses within the Downtown Overlay District. Body shops, auto glass installation shops, tire shops, and similar auto service establishments are

prohibited uses when located within 100 feet of a residentially zoned district. This would be the case with the current business, which has been grandfathered under this provision as legal non-conforming use. This stipulation offers another layer of complexity in the owner being able to sell his building to another individual for a similar use.

The relative benefit to the public health, safety and welfare by retaining the applicable restriction would be minimal as compared to the loss of economic value if the subject property is not sold.

7. The master plan or comprehensive plan.

Municipal Code Section 410.220, Statement of Intent for the “MS-2” Main Street District 1 states, “The zoning of property as “MS2” Main Street District 2 is *intended to provide development opportunities consistent with the existing character surrounding the core of downtown Mission* (emphasis added). The objectives for this district are similar to “MS1”, except residential and office uses are permitted on the ground floor level of mixed-use buildings or complexes in order to support the businesses in the downtown area.”

The statement of intent for the “MS-1” zoning district states “The zoning of property as “MS1” Main Street District 1 is intended to provide development opportunities consistent with the existing character within the core of Downtown Mission. Downtown Mission is the original commercial district within the City. The majority of buildings in the core of downtown have been constructed to the public right-of-way. Public parking lots are available and on-street parking is present to serve the downtown businesses. The result is a character unique to downtown that is not found elsewhere in the City. The “MS1” District provides for the majority of retail uses, while encouraging an active streetscape with a pedestrian friendly shopping environment. In addition, the district is intended to allow flexibility from the normal development standards found elsewhere in the City.” There are variety of permitted uses within this zoning including retail and speciality retail, prepared food, food for home, and entertainment.

The Comprehensive Plan, and subsequent master plans and guiding documents speak to a pedestrian oriented environment along Johnson Drive with a mix of uses and activities that provides for a lively downtown environment.

This application for a SUP to operate a drinking establishment would be in keeping with that vision. This will be a unique retail experience in that patrons will be partaking in speciality craft beers not normally found in bars or restaurants in the area. This will be something of a destination use in that those that are interested in craft beer will come from throughout the region. Patrons will most likely take advantage of their time in Mission and frequent other shops and restaurants while here.

The proposed special use permit for a drinking establishment associated with a nano-brewery is compatible with the vision of the City of Mission’s Comprehensive Plan and various master plans for the Johnson Drive corridor

and downtown core.

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

The proposed special use permit will not have any adverse impact on the capacity or safety of the surround road network. The applicant is anticipating creating a tap room space that will accommodate upwards of 50 patrons. This number of potential patrons is not unusual and will not create an adverse impact on traffic patterns in the area. There are approximately 30 on-street parking spaces along Johnson Drive within 150 feet of the subject property of the proposed special use permit. Fifty spaces of public parking will be available in the parking structure one block south of this property once the Mission Trails project is complete. The proposed use will be open primarily in the early evening hours, when other surrounding uses may be closed. Thus, there should not be a high demand for on street parking.

The proposed special use permit will not have any adverse impact on the capacity or safety of the surrounding network or present parking problems in the vicinity.

9. The recommendation of the professional staff.

The City' professional staff believes that the proposed application for a special use permit to operate a drinking establishment conforms with the intent of the "MS-2" zoning district, the City of Mission's Comprehensive Plan, and master plans guidelines for this area.

10. The extent to which utilities and services, including but not limited to, sewers, water service, police and fire protection, and parks and recreation facilities, are available and adequate to serve the proposed use.

The applicant is seeking a SUP to operate a drinking establishment that will be associated with a nano-brewery. The nano-brewery will produce a total of 300 or less barrels of beer a year in small batches. This production will have no negative impacts on existing utility services including electric, water and sanitary sewer. In addition, there will be no impact on existing public services including public safety services.

The proposed special use permit will not have any impact on utility services or public safety services of the City.

11. The extent to which the proposed use would create excessive stormwater runoff, air pollution, water pollution, noise pollution or other environmental harm.

The proposed SUP is associated with an existing building. There will be no additional stormwater runoff associated with this use. The brewing process will be during normal business hours and will have no negative environmental impact in terms of water pollution or noise pollution.

The proposed special use permit will not create any excessive stormwater

runoff, air pollution, water pollution, noise pollution, or other environmental harm.

12. The extent to which there is a need for the use in the community.

There is no defined “need” for the proposed special use in the community. However, the proposed special use will have a positive economic impact on the community. Please see below.

13. The economic impact of the proposed use on the community.

The proposed SUP for a drinking establishment will be associated with the operation of a nano-brewery. This is a unique use that plays into the “makers” movement, which has become a strong component of the post recession economy. The makers movement emphasizes individual entrepreneurs utilizing their creativity and skills to produce products on a small scale for sale and consumption to the general public in the immediate area. These types of entrepreneurs seek out inexpensive locations to establish their businesses and often become the fabric of a unique economic renaissance for the area.

There is an application for a SUP currently in the process of consideration, that is very similar in concept to this application. If approved both concepts can work in tandem to create an economic synergy of sorts for those that like to partake in specialty craft beer. This could be an opportunity to attract visitors from areas beyond Mission to spend time and financial resources in the Mission community. In addition, there may be other opportunities that result from this “synergy” including dining and unique retailing.

The completion of the Mission Trails apartment building at 6201 Johnson Drive and the Gateway apartment building at 4801 Johnson Drive will result in as many as 500 additional residents living in this corridor. These residents will mostly likely prefer to walk or bicycle to nearby shops and restaurants in the area. This will support the economic vibrancy that the City has been actively seeking for this corridor. And, this application for a proposed SUP for a drinking establishment associated with a nano-brewery will complement this environment.

The proposed application for a special use permit for a drinking establishment to be associated with a nano-brewery will support and enhance the economic environment of the Johnson Drive corridor and the Mission community.

14. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the zoning district regulations.

The applicant will be able to satisfy the requirements that are applicable to the specific use imposed pursuant to the zoning district regulations.

Parking

The MS-2 zoning district stipulates that four (4) off-street parking spaces shall be provided on the premises for each one thousand (1,000) square feet of gross floor area; provided however, that properties whose nearest property line is within two hundred (200) feet of the nearest public off-street parking lot, two and one-half (2½) off-street parking spaces shall be provided on the premises for each one thousand (1,000) square feet of gross floor area. This would equate to 23 parking spaces required on site.

There is no proposed change to the existing property other than the use. The property is not currently striped for parking. In looking at an aerial photo of the property, it would appear that there would be enough space available for 15-18 vehicles to be parked on the property. In addition, the applicant has indicated that the current owner of the property, who will continue to own the commercial property to the immediate north, is willing to allow the applicant to utilize parking on his property.

There are also approximately 30 on-street parking spaces along Johnson Drive within 150 feet of the subject property. If the applicant is able to utilize the on-street parking along Johnson Drive, they will then be able to accommodate 14 parking space on site given the stipulation of two and one-half parking spaces on the premises for each 1,000 square feet of gross floor area.

There will also be a public parking lot available one block south in the parking structure to be built with the Mission Trails apartment complex. This structure is to provide up to 50 parking spaces for general public parking.

Staff would recommend that the stipulation that an off-street public parking lot be waived in lieu of public on-street parking.

Staff Recommendation

Staff recommends the Planning Commission recommend approval of Case #18-07 to the City Council for a special use permit for the use of 5880 Beverly Avenue as a drinking establishment. The special use permit would run with the use of the property with the following conditions:

1. The holder(s) of this special use permit for a drinking establishment, and any future assignees, will maintain in good standing all licensures for a drinking establishment as required by the State of Kansas and the City of Mission.
2. The holder(s) of this special use permit will be required to meet the stipulation of a drinking establishment in that sales of food for consumption on the premises exceeds thirty percent (30%) of the annual gross income for the establishment.
3. Hours of operation for the drinking establishment will be limited to 40 hours or less a week.
4. The subject property of the special use permit will be kept in a clean and orderly

manner and not present or cause to be presented any nuisances and/or violations of the Municipal codes of the City of Mission.

Staff also recommends that a waiver be granted to the stipulation that properties whose nearest property line is within two hundred (200) feet of the nearest **public off-street parking lot**, be be allowed to reduce their required parking to two and one-half (2½) off-street parking spaces for each one thousand (1,000) square feet of gross floor area. Specifically, such waiver would allow the applicant to count **public on-street parking** within 200 feet of the property in order to meet this provision.

Planning Commission Action

To be determined at the time of consideration.

City Council Action

To be determined at the time of consideration.

City of Mission	Item Number:	3.
ACTION ITEM SUMMARY	Date:	July 24, 2018
Public Works	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Acceptance of ROW from Lincolnshire, Inc.

RECOMMENDATION: Approve the Ordinance accepting dedication of ROW from Lincolnshire, Inc.

DETAILS: When the plat for the Lincolnshire Townhomes was accepted and recorded in 1981 it did not include the streets. As a result, the City has historically treated these streets as private - making the property owner (HOA) responsible for upkeep and maintenance.

The question of street maintenance has come up repeatedly over the years, with the HOA looking to the City to take on ongoing maintenance of the streets in the subdivision. As part of a clean out of records maintained in the Public Works facility last year, staff discovered correspondence which suggested the City had agreed to take on street maintenance responsibilities in 1988 -89 (see correspondence attached).

During late 2017 and early 2018, staff worked with Olsson Associates to survey the streets and develop appropriate legal descriptions which would allow the City to formally accept and record the street network within the Lincolnshire subdivision.

The current board of Lincolnshire, Inc. submitted a letter requesting acceptance of the streets. The attached ordinance would complete the City's acceptance of the streets. The ordinance and corresponding legal descriptions will be recorded with the County.

This action makes the streets "public" and allows them to be considered as a part of the City's ongoing residential street maintenance program.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	
Line Item Code/Description:	
Available Budget:	

LINCOLNSHIRE, INC.

Homeowners Association
PO Box 275
Mission KS 66201

July 24, 2018

Laura Smith
City Administrator
City of Mission
6090 Woodson Road
Mission, KS 66202

Re: Dedication of Private Streets within the Lincolnshire, Inc. HOA community located in Mission, KS

The purpose of this letter is to formally request, on behalf of Lincolnshire, Inc. dedication of existing private streets to the City of Mission, Kansas.

Point of contact is Ellen Hoerle, President of Lincolnshire, Inc. Board of Directors, at 952-270-7870 or the address listed above.

Please refer to previous letters sent to the city concerning this issue, including the following:

- Initial letter from Lincolnshire to City, dated August 3, 1988, requesting same dedication
- Letter from Lincolnshire to City, dated May 18, 1989, agreeing to install curbing and make other street improvements
- Letter from City to Lincolnshire, dated May 30, 1989, stating that City will accept the dedication of the streets to the City

Since this correspondence happened so long ago, we are assuming the improvements Lincolnshire, Inc. agreed to do in 1989 were completed and that we will not be required to make additional improvements to the streets before the dedication of the streets to the City can be completed.

Our community of homeowners looks forward to this dedication. Please let me know if there is anything else we need to do to facilitate this process.

Sincerely,

Ellen Hoerle
President, Lincolnshire, Inc. HOA Board of Directors
952-270-7870

Lincolnshire, Inc. Board of Directors:

- President: Ellen Hoerle, 5147 Russell St., ellen_hoerle@mac.com •Vice President: Adelia Moyano, 6418 W 51st Terr, adeliacm@gmail.com
- Secretary: Carolyn Coleman, 6422 W 51st Terr. goldens4ever@earthlink.net •Treasurer: Cale Errebo, 6427 W 51st Terr, cterrebo@gmail.com
- Member at Large: Heidi Coates, 6443 W 51st Terr, coates.heidi@gmail.com •Member at Large: James Haley, 5121 Russell St, ksjim08@yahoo.com
- Member at Large: Michael Mackie, 6447 W 51st Terr, mbob52@hotmail.com



City of MISSION

City Hall - 6090 Woodson Road - Mission, Kansas 66202

Public Works Department 722-3066

May 30, 1989

Mr. Jerry Crown
First Kansas Management, Inc.
P. O. Box 11115
Kansas City, KS 66111

RE: Street Dedication
Lincolnshire Homes Association to City of Mission

Dear Mr. Crown:

I am in receipt of your letter of May 18 outlining construction phasing for the referenced project.

This arrangement is satisfactory to the City and will not interfere with our acceptance of street maintenance/repair responsibility. Any other details can be worked out at your convenience.

Please let me know if you have any questions.

Very truly yours,

Stephen L. Weeks
Public Works Director

SLW:ban

5-18-49

LINCOLNSHIRE, INC.
51st and Lamar, Mission, Ks.
c/o First Kansas Management, Inc.
P.O. Box 11115
Kansas City, Ks. 66111

Mgmt. (913)451-4747
Billing (913)299-6061

TO: Mr. Steve Week
Director of Public Works
City of Mission
6090 Woodson Road
Mission, KS 66202

SUBJECT: Dedication of Lincolnshire Homes Assoc. Streets
to City of Mission

The purpose of this letter is to confirm the arrangement between the City of Mission and Lincolnshire Inc. for street dedication.

As per the agreements worked out at our various meetings with City officials, we are preparing to install curbing on approximately 50% of the streets this June, and over the remaining 50% next April (1999). The Association has written a contract with Holiday Construction for the first phase this June, contingent on confirmation of acceptability from the city.

We request your offices' confirmation that this phasing arrangement is satisfactory, and that our streets can be turned over to the city as agreed. A copy of the contract is attached. (Some details, such as removal of trees, etc, require further coordination.)

Sincerely,


LINCOLNSHIRE BOARD OF DIRECTORS

Contact: EKM, INC. Jerry Crown 451-4747

HOLIDAY CONCRETE CO.
5830 WOODSON
MISSION, KANSAS 66202
262-7728

PROPOSAL SUBMITTED TO: PHONE DATE
First Kansas Management Inc. 451-4747 April 19, 1989
P.O. BOX 11115 JOB NAME
Kansas City, Ks. 66111 Lircolinshire Homes Assoc.
JOB LOCATION
51st & Lamar, Mission, Ks.

We hereby submit specifications and estimates for:

Excavate & place new concrete curb & gutter on existing street.
(approx. 1600 l

WORK TO CONSIST OF:

- Excavate for new curb
- Pour new curb
- Patch in front of curb with asphalt

COST PER C. FT. \$13.80 + SALES TAX \$23,294.

Driveway replacement if required at \$3.75 per sq. ft.

TOTAL COST BILLED PER UNIT PRICE PER FOOT.

Work to be accomplished in phases. First phase to be approximately 711 ft. at north end of complex, including entrance way, and up to point where the street forks. Exact positioning as discussed with First Kansas Management. Work to commence approximately June 15, 1989 and to be completed, weather permitting, by July 1, 1989. The second and any subsequent phases to be initiated at option of First Kansas Management as funds become available. Cost of first phase approximately \$10,000, with minimum payment as follows: \$7,000 on July 1st or completion, \$1,500 on July 30, and balance, if any, on August 30.

Contract contingent on approval by City of Mission for construction.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

As indicated above.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, labor and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance and General Liability.

AUTHORIZED SIGNATURE



note: This proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

SIGNATURE



August 3, 1988

From: Lincolnshire, Inc.
Mission, KS

To: City of Mission, KS
Division of Public Works
Mission, KS 66202

Subject: Dedication of Private Streets
Lincolnshire Townhomes Inc.

The purpose of this letter is to formally request, on behalf of Lincolnshire Inc., dedication of existing private streets to the City of Mission, Kansas.

Point of contact is Jerry Crown of FKM Inc. (Property Manager), 451-4747.

Enclosed is the plat of the subdivision. *AND By/AVG*


for
Lincolnshire Board of Directors

Enclosure

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE DEDICATION OF IMPROVED RIGHT OF WAY

WHEREAS, by document dated July 24, 2018, Lincolnshire, Inc. (Exhibit A) offered to dedicate certain improved right of way to the City of Mission, Kansas; and

WHEREAS, the City is willing to accept such dedication.

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

Section 1. Acceptance of Right of Way. The City of Mission, Kansas hereby accepts the permanent dedication of the improved right of way over and upon the real property described on Exhibit "B" attached to this Ordinance.

PASSED by the Governing Body this 15th day of August, 2018.

SIGNED by the Mayor this 15th day of August, 2018.

CITY OF MISSION, KANSAS

By: _____
Ronald E. Appletoft, Mayor

[SEAL]

ATTEST:

Martha Sumrall, City Clerk

APPROVED AS TO FORM ONLY:

David K. Martin, City Attorney

LINCOLNSHIRE, INC.

Homeowners Association
PO Box 275
Mission KS 66201

July 24, 2018

Laura Smith
City Administrator
City of Mission
6090 Woodson Road
Mission, KS 66202

Re: Dedication of Private Streets within the Lincolnshire, Inc. HOA community located in Mission, KS

The purpose of this letter is to formally request, on behalf of Lincolnshire, Inc. dedication of existing private streets to the City of Mission, Kansas.

Point of contact is Ellen Hoerle, President of Lincolnshire, Inc. Board of Directors, at 952-270-7870 or the address listed above.

Please refer to previous letters sent to the city concerning this issue, including the following:

- Initial letter from Lincolnshire to City, dated August 3, 1988, requesting same dedication
- Letter from Lincolnshire to City, dated May 18, 1989, agreeing to install curbing and make other street improvements
- Letter from City to Lincolnshire, dated May 30, 1989, stating that City will accept the dedication of the streets to the City

Since this correspondence happened so long ago, we are assuming the improvements Lincolnshire, Inc. agreed to do in 1989 were completed and that we will not be required to make additional improvements to the streets before the dedication of the streets to the City can be completed.

Our community of homeowners looks forward to this dedication. Please let me know if there is anything else we need to do to facilitate this process.

Sincerely,

Ellen Hoerle
President, Lincolnshire, Inc. HOA Board of Directors
952-270-7870

Lincolnshire, Inc. Board of Directors:

- President: Ellen Hoerle, 5147 Russell St., ellen_hoerle@mac.com
- Vice President: Adelia Moyano, 6418 W 51st Terr, adeliacm@gmail.com
- Secretary: Carolyn Coleman, 6422 W 51st Terr, goldens4ever@earthlink.net
- Treasurer: Cale Errebo, 6427 W 51st Terr, cterrebo@gmail.com
- Member at Large: Heidi Coates, 6443 W 51st Terr, coates.heidi@gmail.com
- Member at Large: James Haley, 5121 Russell St, ksjim08@yahoo.com
- Member at Large: Michael Mackie, 6447 W 51st Terr, mbob52@hotmail.com

File No. 014-2499 Phase 250
Lincolnshire
June 25, 2018
V_EXH3_43299-250

Property Description

All that part of Lots 4, 5 and 6 of Block 1, together with all that part of Lots 2, 3 and 5 of Block 2, together with all that part of Lot 3, Block 3, together with all that part of Lot 5, Block 4, together with all that part of Lot 5, Block 5, together with all that part of Lot 3, Block 6, together with all that part of Lot 3, Block 7, together with all that part of Lot 5, Block 8, together with all that part of Lot 5, Block 9, together with all that part of Lot 5, Block 10, all of Lincolnshire, a subdivision in the City of Mission, Johnson County, Kansas, all lying in the West Half of Section 5, Township 12 South, Range 25 East, more particularly described as follows:

COMMENCING at the Northeast corner of the Southwest Quarter of Section 5, Township 12 South, Range 25 East; thence South 88 degrees 01 minute 24 seconds West, along the North line of said Southwest Quarter, a distance of 232.40 feet to the POINT OF BEGINNING; thence South 00 degrees 05 minutes 31 seconds East, departing said North line, a distance of 50.38 feet to a point of curvature; thence in a Southerly direction, along a curve to the left, having a radius of 120.00 feet, through a central angle of 18 degrees 34 minutes 23 seconds, an arc distance of 38.90 feet to a point of compound curvature; thence in a Southerly, Southeasterly and Easterly direction, along a curve to the left, having a radius of 10.00 feet, through a central angle of 70 degrees 08 minutes 21 seconds, an arc distance of 12.24 feet to a point of tangency; thence South 88 degrees 48 minutes 15 seconds East a distance of 13.24 feet to a point; thence South 01 degree 00 minutes 27 seconds West a distance of 1.58 feet to a point; thence South 89 degrees 34 minutes 42 seconds East a distance of 71.11 feet to a point of curvature; thence in an Easterly, Southeasterly and Southerly direction, along a curve to the right, having a radius of 65.50 feet, through a central angle of 86 degrees 21 minutes 59 seconds, an arc distance of 98.73 feet to a point of tangency; thence South 03 degrees 12 minutes 43 seconds East a distance of 99.59 feet to a point; thence South 86 degrees 47 minutes 17 seconds West a distance of 34.00 feet to a point; thence North 03 degrees 12 minutes 43 seconds West a distance of 99.59 feet to a point of curvature; thence in a Northerly, Northwesterly and Westerly direction, along a curve to the left, having a radius of 31.50 feet, through a central angle of 86 degrees 21 minutes 59 seconds, an arc distance of 47.48 feet to a point of tangency; thence North 89 degrees 34 minutes 42 seconds West a distance of 69.38 feet to a point of curvature; thence in a Westerly, Southwesterly, and Southerly direction, along a curve to the left, having a radius of 5.00 feet, through a central angle of 91 degrees 37 minutes 49 seconds, an arc distance of 8.00 feet to a point of tangency; thence South 01 degree 12 minutes 31 seconds East a distance of 81.97 feet to a point of curvature; thence in a Southerly direction, along a curve to the right, having a radius of 267.70 feet, through a central angle of 9 degrees 07 minutes 00 seconds, an arc distance of 42.60 feet to a point of reverse curvature; thence in a Southerly, Southeasterly and Easterly direction, along a curve to the left, having a radius of 22.00 feet, through a central angle of 118 degrees 31 minutes 09 seconds, an arc distance of 45.51 feet to a point of tangency; thence North 69 degrees 23 minutes 20 seconds East a distance of 1.90 feet to a point; thence South 19 degrees 02 minutes 55 seconds East a distance of 6.52 feet to a point; thence South 70 degrees 57 minutes 05 seconds

EXHIBIT B

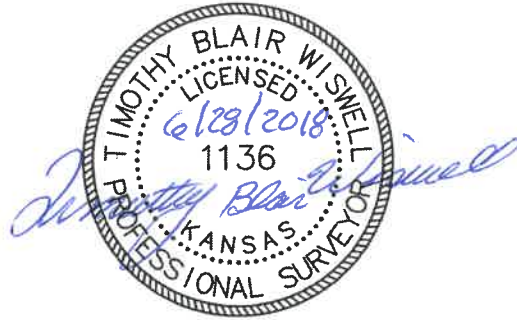
West a distance of 16.81 feet to a point; thence South 20 degrees 04 minutes 55 seconds East a distance of 96.43 feet to a point; thence South 30 degrees 05 minutes 33 seconds West a distance of 12.26 feet to a point; thence South 01 degree 15 minutes 37 seconds East a distance of 3.82 feet to a point; thence South 88 degrees 44 minutes 23 seconds West a distance of 31.04 feet to a point; thence North 01 degree 02 minutes 07 seconds West a distance of 7.14 feet to a point of curvature; thence in a Northerly direction, along a curve to the left, having a radius of 75.50 feet, through a central angle of 14 degrees 22 minutes 29 seconds, an arc distance of 18.94 feet to a point of tangency; thence North 15 degrees 24 minutes 36 seconds West a distance of 30.55 feet to a point of curvature; thence in a Northerly and Northwesterly direction, along a curve to the left, having a radius of 80.00 feet, through a central angle of 32 degrees 07 minutes 52 seconds, an arc distance of 44.86 feet to a point of compound curvature; thence in a Northwesterly and Westerly direction, along a curve to the left, having a radius of 20.00 feet, through a central angle of 27 degrees 36 minutes 31 seconds, an arc distance of 9.64 feet to a point of tangency; thence North 75 degrees 08 minutes 59 seconds West a distance of 0.69 feet to a point of curvature; thence in a Westerly and Southwesterly direction, along a curve to the left, having a radius of 10.50 feet, through a central angle of 51 degrees 20 minutes 50 seconds, an arc distance of 9.41 feet to a point of tangency; thence South 53 degrees 30 minutes 11 seconds West a distance of 138.34 feet to a point; thence South 52 degrees 18 minutes 40 seconds West a distance of 27.34 feet to a point on the North line of Lot 1, Block 6 of said Lincolnshire; thence South 88 degrees 19 minutes 19 seconds West, along said North line, a distance of 5.17 feet to the Northwest corner of said Lot 1; thence South 01 degree 40 minutes 42 seconds East, along the West line of said Lot 1, a distance of 3.76 feet to a point; thence South 52 degrees 18 minutes 40 seconds West, departing said West line, a distance of 22.38 feet to a point of curvature; thence in a Southwesterly and Southerly direction, along a curve to the left, having a radius of 45.00 feet, through a central angle of 38 degrees 39 minutes 04 seconds, an arc distance of 30.36 feet to a point of compound curvature; thence in a Southerly direction, along a curve to the left, having a radius of 15.00 feet, through a central angle of 38 degrees 26 minutes 38 seconds, an arc distance of 10.06 feet to a point of compound curvature; thence in a Southerly and Southeasterly direction, along a curve to the left, having a radius of 43.00 feet, through a central angle of 18 degrees 13 minutes 06 seconds, an arc distance of 13.67 feet to a point of compound curvature; thence in a Southeasterly and Easterly direction, along a curve to the left, having a radius of 22.50 feet, through a central angle of 44 degrees 16 minutes 38 seconds, an arc distance of 17.39 feet to a point on a non-tangent line; thence North 02 degrees 35 minutes 03 seconds West a distance of 10.29 feet to a point; thence North 87 degrees 24 minutes 57 seconds East a distance of 6.58 feet to a point; thence South 02 degrees 35 minutes 03 seconds East a distance of 17.29 feet to a point; thence North 84 degrees 55 minutes 04 seconds East a distance of 16.46 feet to a point; thence North 88 degrees 26 minutes 48 seconds East a distance of 34.82 feet to a point on the East line of Lot 3 of said Block 6; thence South 01 degree 40 minutes 42 seconds East, along said East line, a distance of 30.98 feet to a point; thence South 86 degrees 22 minutes 50 seconds West, departing said East line, a distance of 32.36 feet to a point of curvature; thence in a Westerly direction, along a curve to the right, having a radius of 118.00 feet, through a central angle of 13 degrees 23 minutes 03 seconds, an arc distance of 27.56 feet to a point of compound curvature; thence in a Westerly direction, along a curve to the right, having a radius of 155.00 feet, through a central angle of 12 degrees 29 minutes 03 seconds, an arc distance of 33.77 feet to a point of compound curvature; thence in a Westerly and Northwesterly direction, along a curve to the right, having a radius of 35.00 feet, through a central angle of 32 degrees 00 minutes 09

EXHIBIT B

seconds, an arc distance of 19.55 feet to a point of tangency; thence North 35 degrees 44 minutes 55 seconds West a distance of 0.83 feet to a point of curvature; thence in a Northwesterly and Northerly direction, along a curve to the right, having a radius of 70.00 feet, through a central angle of 23 degrees 29 minutes 28 seconds, an arc distance of 28.70 feet to a point of tangency; thence North 12 degrees 15 minutes 27 seconds West a distance of 4.47 feet to a point of curvature; thence in a Northerly direction, along a curve to the right, having a radius of 48.00 feet, through a central angle of 29 degrees 50 minutes 30 seconds, an arc distance of 25.00 feet to a point of compound curvature; thence in a Northerly and Northeasterly direction, along a curve to the right, having a radius of 65.50 feet, through central angle of 28 degrees 31 minutes 39 seconds, an arc distance of 32.61 feet to a point of tangency; thence North 46 degrees 06 minutes 41 seconds East a distance of 12.72 feet to a point; thence North 52 degrees 11 minutes 02 seconds East a distance of 14.55 feet to a point; thence South 37 degrees 48 minutes 58 seconds East a distance of 4.80 feet to a point; thence North 52 degrees 48 minutes 30 seconds East a distance of 183.97 feet to a point; thence North 36 degrees 05 minutes 15 seconds West a distance of 10.11 feet to a point; thence North 53 degrees 54 minutes 45 seconds East a distance of 6.57 feet to a point; thence South 39 degrees 28 minutes 27 seconds East a distance of 1.70 feet to a point of curvature; thence in a Southeasterly and Easterly direction, along a curve to the left, having a radius of 3.20 feet, through a central angle of 44 degrees 41 minutes 01 second, an arc distance of 2.50 feet to a point of tangency; thence South 84 degrees 09 minutes 28 seconds East a distance of 2.72 feet to a point of curvature; thence in an Easterly and Northeasterly direction, along a curve to the left, having a radius of 3.20 feet, through a central angle of 34 degrees 26 minutes 30 seconds, an arc distance of 1.92 feet to a point of tangency; thence North 61 degrees 24 minutes 03 seconds East a distance of 3.60 feet to a point of curvature; thence in a Northeasterly direction, along a curve to the left, having a radius of 74.00 feet, through a central angle of 8 degrees 24 minutes 35 seconds, an arc distance of 10.86 feet to a point on a non-tangent curve; thence in a Northeasterly and Northerly direction, along a curve to the left whose initial tangent bears North 52 degrees 59 minutes 28 seconds East, having a radius of 15.00 feet, through a central angle of 49 degrees 05 minutes 32 seconds, an arc distance of 12.85 feet to a point of tangency; thence North 03 degrees 53 minutes 56 seconds East a distance of 15.69 feet to a point; thence North 00 degrees 06 minutes 03 seconds East a distance of 25.89 feet to a point; thence North 00 degrees 59 minutes 01 second West a distance of 24.36 feet to a point; thence North 01 degree 36 minutes 09 seconds West a distance of 27.37 feet to a point; thence North 02 degrees 23 minutes 47 seconds West a distance of 18.62 feet to a point of curvature; thence in a Northerly direction, along a curve to the left, having a radius of 31.00 feet, through a central angle of 24 degrees 04 minutes 40 seconds, an arc distance of 13.03 feet to a point of tangency; thence North 26 degrees 28 minutes 27 seconds West a distance of 15.34 feet to a point; thence North 23 degrees 54 minutes 52 seconds West a distance of 17.50 feet to a point; thence North 20 degrees 30 minutes 44 seconds West a distance of 8.17 feet to a point on a non-tangent curve; thence in a Northerly direction, along a curve to the right whose initial tangent bears North 12 degrees 59 minutes 25 seconds West, having a radius of 229.00 feet, through a central angle of 16 degrees 36 minutes 16 seconds, an arc distance of 66.36 feet to a point of non-tangency; thence North 00 degrees 11 minutes 28 seconds East a distance of 63.20 feet to a point on a non-tangent curve, said point lying on the North line of Lot 6 of Block 1 of said Lincolnshire; thence in an Easterly direction, along the North line of said Lot 6 and along a curve to the right whose initial tangent bears South 82 degrees 01 minute 47 seconds East, having a radius of 856.23 feet, through a central angle of 2 degrees 24 minutes 16 seconds, an arc distance

EXHIBIT B

of 35.93 feet to a point on a non-tangent line; thence South 00 degrees 05 minutes 31 seconds East, departing said North line, a distance of 32.34 feet to the POINT OF BEGINNING, containing 37,833 Square Feet or 0.8685 Acres, more or less.



City of Mission	Item Number:	4.
ACTION ITEM SUMMARY	Date:	July 24, 2018
Public Works	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: 5960 Dearborn Parking Lot Lease Extension

RECOMMENDATION: Approve the lease extension for the parking lot at 5960 Dearborn through December 31, 2018.

DETAILS: In 2008, following sale of a portion of the Community Center Parking Lot for the Mission Square project, the City entered into a lease agreement for use of a parking lot at 5960 Dearborn. The agreement, which included a ten year term, was to provide additional parking when there were large events which might strain parking capacity for the Center.

The lease payments have been covered through a portion of the PILOT (Payments in Lieu of Taxes) made by Mission Square (a 501(c)3 entity), and are paid from the annual operating budget of the Community Center.

The current lease expires August 31, 2018. With the addition of the public parking spaces included in the Mission Trails parking structure, the long term need for overflow parking is unknown. Staff requested an extension through December 31, 2018 in order to more fully evaluate parking needs for the area. The property owner has agreed to extend the lease through the end of the year to allow more comprehensive conversations regarding parking in the area to occur.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	
Line Item Code/Description:	
Available Budget:	

FIRST LEASE AMENDMENT

THIS FIRST LEASE AMENDMENT is made and entered into this ____ day of August, 2018, by and between Real Estate Corporation, Inc., (“Landlord”) and the City of Mission, Kansas, (“Tenant”).

WITNESSETH:

WHEREAS, Landlord previously entered into that certain Parking Lot Lease Agreement with Tenant dated September 8, 2008 (the “Lease”), and

WHEREAS, Landlord leased to Tenant approximately 75 total parking spaces in the West Parking Lot at 5960 Dearborn, Mission, Kansas.

NOW, THEREFORE, in consideration of the foregoing recitals, the terms and conditions hereinafter contained, and other valuable consideration, the receipt and sufficiency all of which is hereby acknowledged, the parties hereby agree as follows:

1. The expiration date of the Lease shall be extended to December 31, 2018.
2. The Monthly Minimum Rent shall be:
9/1/18 to 12/31/18 \$ 1,074.58
3. Paragraph 11 shall change for notices to Lessor. If Lessor, to:

Real Estate Corporation
c/o Gilchrist & Associates, Inc.
8014 State Line Road, Suite 210
Leawood, Kansas 66208

4. All other terms and conditions of this Lease and First Lease Amendment shall remain the same.

IN WITNESS WHEREOF, Landlord and Tenant have hereby executed this LEASE EXTENSION AGREEMENT the day and year first above written.

Landlord:
Real Estate Corporation, Inc.

Tenant:
City of Mission, Kansas

George Gilchrist, Property Manager

Laura Smith, City Administrator

PARKING LOT LEASE AGREEMENT

THIS PARKING LOT LEASE AGREEMENT ("Agreement") is made and entered into as of the 2 day of SEPTEMBER, 2008, by and between **Real Estate Corporation, Inc.**, a Kansas corporation (hereinafter called the "Lessor"), and the **City of Mission, Kansas**, a municipal corporation, existing under and by virtue of the laws of the State of Kansas (hereinafter called the "City").

1. The Lessor, in consideration of the rents, covenants and agreements of the City, does by these presents, agree to let, lease and rent to the said City, the property described on the attached Exhibit A (the "Property") for public drive and parking purposes; provided that, the City shall only be entitled to possession and use of the Property from 5:00 p.m. to 6:00 a.m. (Monday through Thursday), and from 5:00 p.m. Friday through 6:00 a.m. Monday.

2. The term of this Agreement shall be for approximately ten (10) years, commencing on September 1, 2008, and terminating at 11:59 p.m. on **August 31, 2018**. The City may elect to extend the term of this Agreement, under the same terms and conditions, for five (5) additional and consecutive terms of ten (10) years each by giving Lessor written notice at least twelve (12) months prior to the expiration of the then-current term; provided that, Lessor may cancel this Agreement by providing written notice to the City within thirty (30) days after receipt of City's notice to extend. The foregoing notwithstanding, the City may terminate this Agreement effective as of February 28, 2009, by written notice to Lessor on or before such date.

3. During the first year of the initial 10-year term of this Agreement, the City, in consideration of leasing the Property, as above set forth, covenants and agrees with the said Lessor to pay the said Lessor or its successors or assigns as rent for the same, the sum of Seven Thousand Two Hundred and No/100 Dollars (\$7,200.00) per year, payable in equal monthly installments of Six Hundred and No/100 Dollars (\$600.00) each, in advance on or before the first (1st) day of each and every calendar month during the term, pro-rated as to any partial month. Commencing September 1, 2009 and on September 1 of each year of the term thereafter, including any extensions, such rent shall automatically increase by six percent (6%) over the previous year's rent.

4. The City agrees to accept the Property in its current "as is" condition with no warranties or representations by the Lessor. If any further improvements are made during the term of this Lease or any extension or renewal thereof, the City shall be solely responsible for obtaining any and all permits or approvals necessary for the further development and improvement of the Property. The Lessor shall cooperate as necessary in the City obtaining any necessary permits or authorizations.

5. The City agrees to properly maintain the Property as a public drive and parking lot. Throughout the term of this Agreement, the City shall assume responsibility for keeping the Property free of snow, ice, trash, and debris. At least every thirty-six (36) months, the City shall cap the Property with two (2) inches of asphalt and re-stripe the parking lot on the Property.

6. Subject to the approval of Lessor, the City may erect or construct such additional improvements as it might deem reasonably necessary for the use of such Property as a public drive and parking lot. The City agrees, prior to any such additional construction, to submit to the Lessor a set of plans setting forth any proposed construction on said Property and the estimated cost thereof. Lessor shall be deemed to have consented to such improvements or facilities unless Lessor notifies City, in writing, within ten (10) business days of the date that City submits such plans to Lessor that Lessor does not consent to same, which notice shall include the reasons for Lessor's withholding of such consent.

7. Any and all work performed on the Property by the City or its agents or representatives shall be performed in a proper workmanlike fashion and the City shall not allow any liens or encumbrances to be placed upon or attached to the Property or any improvements thereon. The City will have the exclusive authority to impose rules and regulations governing the use of the Property as a public drive and parking lot, during the hours set forth in paragraph 1 above.

8. The City further covenants with the Lessor that at the expiration of the time mentioned this Agreement or any renewal or extension thereof, it will give peaceable possession of the said Property and all improvements thereon to the Lessor in as good a condition as it now is, reasonable wear and tear, damage by casualty, and permitted improvements excepted.

9. The City agrees at all time during the term hereof or any extension or renewal thereof to obtain and continuously maintain in full force during the term of this lease and any extensions thereof, a Comprehensive General Public Liability Insurance Policy, with coverage on an occurrence basis, written by an insurance company duly authorized to do business in the State of Kansas and approved by the Lessor, naming the Lessor as an additional party insured to the extent of \$500,000.00 in coverage, insuring the City and the Lessor against any claim or suit of any kind or nature arising from the City use of the Property, or otherwise arising under any obligation of the City pursuant to this Lease. Said policy, if mutual, shall be non-assessable. The City shall provide Lessor with a Certificate of Insurance providing the following:

(a) The Comprehensive General Liability coverage shall include Broad Form Contractual Liability, Broad Form Property Damage, Personal Injury and Independent Contractor's Coverage, and Business Auto Liability Coverage including Non-Owned and Hired Liability. Said policy shall provide for a bodily injury and property damage liability limit of not less than \$500,000 00 per accident or occurrence.

(b) The City shall also provide Lessor with proof of Worker's Compensation and Employer's Liability coverage which shall protect the Lessor against all claims under applicable state Worker's Compensation laws and against claims for injury, disease or death which, for any reason, may not fall within the provisions of a Worker's Compensation law. The policy shall include other states insurance and the limits shall not be less than those limits established from time to time by the State of Kansas.

(c) The City shall provide the Lessor with a certificate evidencing the issuance of such policy not later than of this Lease, and shall require the Insurance company to notify the Lessor in writing not less than thirty (30) days prior to the cancellation, termination or lapse of the policy.

10. To the fullest extent permitted by law, the City hereby agrees to hold the Lessor harmless from any and all damage, loss or liability of any kind whatsoever occasioned by or because of any act or omission, negligence or wrongdoing of the City or any of its agents, representatives, employees, or assigns, and the City at its own cost and expense agrees to defend and protect the Lessor against any and all such claims and/or demands that arise from or by reason of the City's use, improvement or maintenance of the Property, or otherwise pursuant to this Agreement, and the City shall fully indemnify the Lessor from any and all cost and expense incurred by the Lessor, including the payment of reasonable attorney's fees and expenses incurred by the Lessor.

11. All notices and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed by first class mail or sent by overnight carrier to the following addresses:

If to Lessor, to:
Real Estate Corporation, Inc.
c/o Coventry Realty, LLC
7301 Mission Road, Suite 234
Prairie Village, Kansas 66208

If to City, to:
City of Mission, Kansas
c/o City Administrator
6090 Woodson
Mission, Kansas 66202

12. Lessor shall be responsible for and shall pay all real estate taxes and assessments against the Property during the term of this Agreement.

13. A party hereto shall be in default hereunder if it shall fail to observe, keep or perform any term, condition or provision of this Agreement after ten (10) days advance written notice of such failure.

14. If the City is in default, the Lessor, upon written notice to the City, shall have the right to exercise any one or more of the following remedies, concurrently or separately, and without any election of remedies being deemed to have been made: (a) the Lessor may terminate this Agreement; (b) the Lessor may pursue any other remedy available at law or in equity. No right or remedy herein conferred upon or reserved to the Lessor is exclusive of any other right or remedy herein, or by law or by equity provided or permitted, but each shall be cumulative of every other right or remedy given herein or now or hereafter existing by law or equity or by

statute or otherwise, and maybe enforced concurrently therewith or from time to time. No single or partial exercise by the Lessor of any right or remedy hereunder shall preclude any other or further exercise of any other right or remedy.

15. The City may not assign or transfer any of its rights or obligations pursuant to this Agreement without the advance written consent of the Lessor. To the extent the Lessor may agree to any assignment, the covenants herein shall extend to and be binding upon the successors and assigns to this Agreement.

16. The parties will execute a Memorandum of Lease Agreement in the form attached hereto as Exhibit B, which City shall record, at City's expense.


17. This Agreement shall be construed under the laws of the State of Kansas.


IN WITNESS WHEREOF, the Lessor and the City (by majority vote of the Governing Body of City) have directed the parties authorized to sign to execute this Agreement.

REAL ESTATE CORPORATION, INC.


THE CITY OF MISSION, KANSAS

By **Coventry Realty, LLC**, its agent

By: 
Name: GEORGE P. KROH
Title: PARTNER & PROPERTY MGR

By: 
Name: Laura L. McConnell
Mayor

ATTEST:

By: 
Name: Martha Sumrall
City Clerk

APPROVED AS TO FORM:


By: 
Name: David K. Martin
City Attorney

EXHIBIT A

[Description and Diagram of the Property]

EXHIBIT B

[Form of Memorandum of Lease]

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made and entered into as of the 2nd day of SEPTEMBER, 2008, by and between **Real Estate Corporation, Inc.**, a Kansas corporation (hereinafter called the "Lessor"), and the **City of Mission, Kansas**, a municipal corporation, existing under and by virtue of the laws of the State of Kansas (hereinafter called the "City").

AGREEMENT

1. Lessor is the owner of certain real property located in Johnson County, Kansas more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property").

2. Pursuant to that certain Parking Lot Lease Agreement dated as of SEPTEMBER 2, 2008 (the "**Lease**"), between Lessor and City, Lessor leased to City the Property.

3. The Lease is for a term of ten (10) years commencing on September 1, 2008. The City has five (5) options to extend the term of the Lease by ten (10) years each.

4. All of the other terms and conditions of the Lease are more fully set forth in the Lease and are incorporated herein by this reference.

5. This Memorandum is executed for recording purposes only and is not intended to alter or amend the terms of the Lease. In the event of a conflict between this Memorandum and the Lease, the Lease shall control.

6. This Memorandum shall inure to the benefit of and be binding upon Lessor and the city and their respective representatives, successors and assigns.

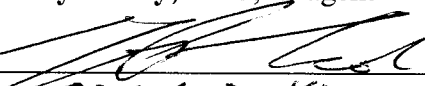
[Signature Page Follows Directly]


IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the date and year first above written.

REAL ESTATE CORPORATION, INC.

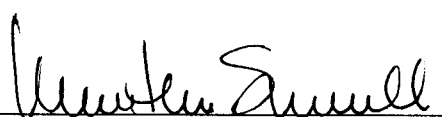
THE CITY OF MISSION, KANSAS

By **Coventry Realty, LLC**, its agent

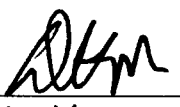
By: 
Name: GEORGE P. KROP
Title: PARTNER & PRESIDENT MSR.

By: 
Name: Laura McConnell
Mayor

ATTEST:

By: 
Name: Martha Sumrall
City Clerk

APPROVED AS TO FORM:

By: 
Name: David K. Martin
City Attorney

State of Kansas)
) ss.
County of Johnson)

On this 2 day of September 2008, before me, a Notary Public in and for said state, personally appeared [insert name] George P Kroh, who stated that (s)he is the [insert title] partner property manager of Coventry Realty, LLC, a Kansas limited liability company, and authorized agent for Real Estate Corporation, Inc., a Kansas corporation, known to me to be the person who executed the within instrument on behalf of such limited liability company (on behalf of such corporation), and acknowledged to me that (s)he executed the same for the purposes therein stated.

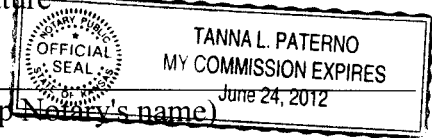
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Tanna L. Paterno
Notary Public Signature

My Commission Expires:

6/24/12

(Type, print or stamp Notary's name)



State of Kansas)
) ss.
County of Johnson)

On this 9th day of September 2008, before me, a Notary Public in and for said state, personally appeared Laura L. McConwell and Martha Sumrall, who stated that they are the Mayor and City Clerk, respectively, of the City of Mission, Kansas, a Kansas municipal corporation, known to me to be the persons who executed the within instrument on behalf of the City of Mission, Kansas, and acknowledged to me that they executed the same for the purposes therein stated.

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

Naakesha Webster
Notary Public Signature

My Commission Expires:

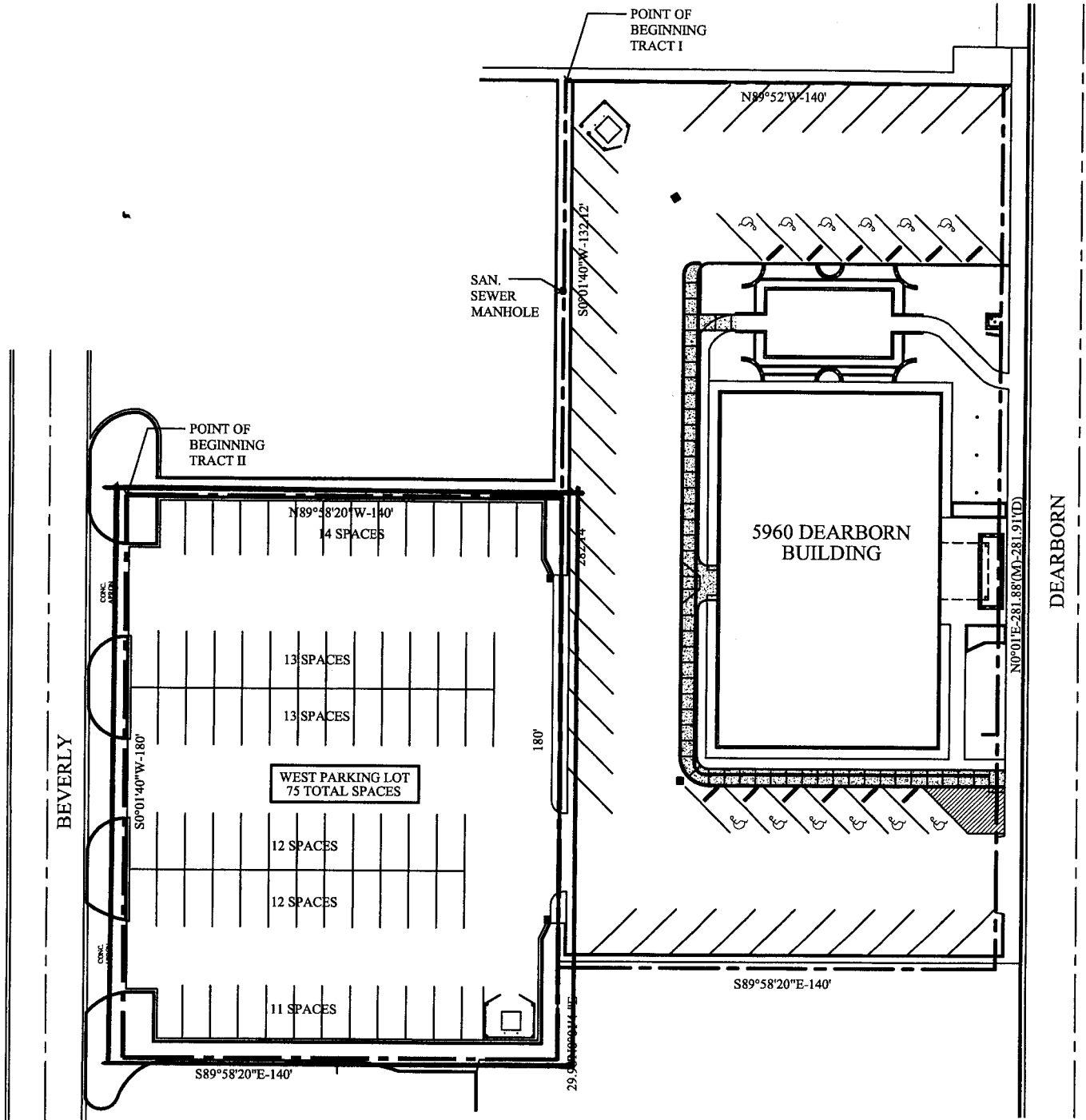
10-11-2011

(Type, print or stamp Notary's name)

NOTARY PUBLIC - STATE OF KANSAS
NAKEISHA WEBSTER
MY APPT. EXPIRES 10-11-2011

EXHIBIT A

[Description and Diagram of the Property]



SYLVES LEK FOWELL
COMMUNITY CENTER

BEVERLY

DEARBORN

Archetype
DESIGN
GROUP

**DEARBORN BUILDING
MISSION, KANSAS**

EXISTING SITE PLAN 08.24.08
0 10' 25' 50' 100'



COVENTRY
REALTY, LLC
7301 MISSION RD., SUITE 234
PRairie VILLAGE, KS 66208
913.362.6116

KANSAS STATE LICENSE NO. 6180
PLANNING EXAMINER
FRANK J. JAVORSKI
TAX ID: 61422287

City of Mission	Item Number:	5.
ACTION ITEM SUMMARY	Date:	July 18, 2018
PUBLIC WORKS	From:	John Belger

Action items require a vote to recommend the item to full City Council for further action.

RE: Olsson Geotechnical Services Contract

RECOMMENDATION: Approve a task order with Olsson Associates to perform geotechnical investigations on all remaining streets in Mission in an amount not to exceed \$130,000.

DETAILS: In 2013, geotechnical analysis (core sampling) was added to the annual Street Program. The reports generated by these investigations provide detailed subsurface information on the condition of each street and whether the current assigned maintenance category (seal, mill and overlay, etc.) is feasible.

Public Works is currently in the process of revamping the Residential Street Program. Stantec completed an updated street inventory and condition rating in late 2017 that provided detailed information on the surface condition of pavement, curb, sidewalk, and ADA ramps. Geotechnical analysis adds another layer of data, and helps to provide a complete picture of the street condition. This allows treatments to be planned and budgeted in the most cost effective manner for each residential street segment in the City.

Currently, geotechnical information is available for streets that were scheduled for mill and overlay treatment from 2013-2020. This represents approximately 47% of the streets in the city. The proposed program would complete this work on all of the remaining street segments in Mission.

In our discussion of the 2018 Street Program at last month's Committee meeting, a different approach was proposed for this year's program using the \$350,000 historically budgeted for the annual residential street maintenance program. The geotechnical analysis was recommended and estimated at approximately \$200,000. The final task order from Olsson was \$130,000 and the savings are recommended to be used in the traffic striping program proposed for 2018.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	Ordinance 1332	
Line Item Code/Description:	03-90-801-11 Special Highway Fund (50%) 25-90-809-05 Capital Improvement Fund (50%)	
Available Budget:	Special Highway Fund	\$ 175,000
	Capital Improvement Fund	\$ 175,000
	Combined Available Total:	\$ 350,000

Exhibit "A" – Task Order

TASK ORDER: 2018 STREET REHABILITATION PROGRAM GEOTECHNICAL SERVICES

This Task Order is made as of this _____ day of _____ 20____, under the terms and conditions established in the MASTER AGREEMENT FOR PROFESSIONAL SERVICES, dated December 17, 2014 (the Agreement), between the City of Mission, Kansas (Owner) and OLSSON ASSOCIATES (OLSSON). This Task Order is made for the following purpose, consistent with the Project defined in the Agreement:

This task order is related to scope of services for the geotechnical exploration, analysis, and report of the condition of the streets identified as candidates for future street rehabilitation programs. The streets included are all remaining streets not analyzed in previous work orders by Olsson.

Section A. - Scope of Services

A.1. OLSSON shall perform the following Services as outlined in **EXHIBIT C "Scope of Services"**

Section B. - Schedule

B.1. OLSSON shall perform the Services and deliver the related Documents by January 31, 2019.

Section C. - Compensation

C.1. In return for the performance of the foregoing obligations, Owner shall pay to OLSSON the estimated amount of **\$130,000.00**, payable according to the following terms:

Client shall pay to Olsson for the performance of the Basic Services the actual time of personnel performing such Services Reimbursable Expenses, unless otherwise agreed to by both parties. Reimbursable expenses will be invoiced in accordance with the Schedule contained in Item C.2. Olsson's Services will be provided on a time and expense basis. Olsson shall submit invoices on a monthly basis, are due upon presentation and shall be considered past due if not paid within 30 calendar days of the due date.

C.2. Owner shall pay to OLSSON in accordance with the Schedule of Fees described in Exhibit B attached to the Master Agreement for Professional Services. Adjustments to the above Schedule of Fees will be presented to the Owner annually for approval.

Section D. - Owner's Responsibilities

D.1. Owner shall perform and/or provide the following in a timely manner so as not to delay the Services of OLSSON. Unless otherwise provided in this Task Order, Owner shall bear all costs incident to compliance with the following:

Section E. - Other Provisions

E.1. The parties agree to the following provisions with respect to this specific Task Order:

IN WITNESS WHEREOF, the Owner and OLSSON have executed this task order.

City of Mission, Kansas (Owner)

By: _____

Name: _____

Title: _____

Date: _____

OLSSON ASSOCIATES (OLSSON)

By: Paul B. Moore _____

Name: Paul Moore, P.E. _____

Title: Project Manager _____

Date: 7-23-18 _____

EXHIBIT C

Geotechnical Exploration 2018 Street Rehabilitation Program Mission, Kansas

SCOPE

1. Field Exploration
 - a. We will arrange to have public utilities located through the Kansas One-Call system.
 - b. We will coordinate to have traffic control set up at each boring location, if required. We anticipate that traffic control for the more heavily trafficked areas will consist of two signs, traffic cones that will be placed around the drill rig, and a flagger that is separate from the drill crew that will direct traffic around the drill rig.
 - c. We propose to drill a total of 194 borings along the proposed roadways. Each boring will be drilled to a depth of up to 5 feet below the existing ground surface or to practical auger refusal, whichever occurs first. A summary of the number of borings and the planned location is provided in the table below.
 - d. We propose to obtain pavement core samples at each of the boring locations to help evaluate the pavement thicknesses and composition. In addition, one soil sample will be obtained at each boring location using thin walled tube or split barrel sampling techniques.
 - e. We will document the thickness of the existing pavement section at each boring location, as well as the thickness of any sub-base material. We will also obtain water level readings in each boring during drilling and immediately upon completion of drilling operations. Upon completion, the borings will be backfilled and the pavement patched with an asphaltic concrete cold mix or a grout.
 - f. We propose to perform a visual pavement condition survey to help in identifying the areas of pavement distress.

Impacted Roadway	Project Limits		Approx. Length, ft	No. of Borings
Beverly Drive	63rd Terrace	to Dearborn Drive	1300	2
West 65th Street	Lamar Avenue	to Beverly Drive	650	2
Woodson Drive	Lamar Avenue	to West 63rd Terrace	2600	4
Milhaven Drive	Horton St	to West 63rd Terrace	2700	4
Reeds Drive	West 67th Street	to West 63rd Terrace	2600	4
Dearborn Drive	Beverly Drive	to West 63rd Terrace	1300	2
Outlook Drive	Beverly Drive	to West 63rd Terrace	1500	2
Maple Street	West 64th Terrace	to West 63rd Terrace	850	2
Ash Street	West 63rd Street	to Rosewood	650	2
West 62nd Street	Ash Street	to Hodges Drive	500	2
West 62nd Terrace	Hodges Drive	to Cedar Street	600	2
West 62nd Street	Hodges Drive	to Cedar Street	600	2
Cedar Street	West 62nd Street	to Roe Avenue	1200	3
West 61st Terrace	Juniper Drive	to Roe Avenue	1200	2
Juniper Drive	Hodges Drive	to West 60th Street	1500	3
West 60th Terrace	Juniper Drive	to Roe Avenue	600	2
Roe Avenue	West 63rd Street	to Johnson Drive	3500	6
Roeland Drive	Roe Avenue	to Johnson Drive	1800	3
Rock Creek Lane	Rosewood Street	to Roeland Drive	1500	2
West 60th Terrace	Nall Avenue	to Roeland Drive	2200	4

Rosewood Street	West 60th Terrace	to	Rock Creek Lane	350	1
West 61st Place	Nall Avenue	to	Dead End	600	2
Impacted Roadway	Project Limits			Approx. Length, ft	No. of Borings
Martway Street	Woodson Street	to	Nall Avenue	1500	3
Birch Street	Johnson Drive	to	West 58th Terrace	175	1
West 58th Terrace	Nall Avenue	to	Birch Street	450	1
Nall Avenue	Johnson Drive	to	West 58th Terrace	300	1
West 62nd Street	Lamar Avenue	to	Nall Avenue	2500	4
Woodson Road	Martway Street	to	West 62nd Street	1100	3
West 62nd Terrace	Lamar Avenue	to	Outlook Drive	1500	3
West 61st Terrace	Lamar Avenue	to	Woodson Road	1500	3
West 61st Street	Woodson Road	to	Nall Avenue	1200	3
West 59th Terrace	Dearborn Street	to	Woodson Road	300	1
West 62nd Terrace	Dead End	to	Lamar Avenue	375	1
Russell Avenue	West 62nd Street	to	West 61st Street	700	2
Walmer Street	West 62nd Street	to	West 61st Street	800	2
Riggs Road	West 62nd Street	to	West 61st Street	850	2
Barkley Street	West 62nd Street	to	West 61st Street	1100	3
Broadmoor Street	West 61st Street	to	West 56th Street	3000	5
Barkley Street	Martway Street	to	West 58th Street	1200	2
West 58th Street	Foxridge Drive	to	Barkley Street	1000	2
Lamar Avenue	Shawnee Mission Parkway	to	Martway Street	1800	3
Walmer Street	Johnson Drive	to	West 57th Street	1300	2
West 57th Terrace	Russell Avenue	to	Lamar Avenue	400	1
Beverly Avenue	West 58th Street	to	West 55th Street	2000	3
Dearborn Street	Johnson Drive	to	West 58th Street	650	2
Woodson Street	Johnson Drive	to	West 53rd Street	4000	7
Reeds Road	Johnson drive	to	West 58th Street	650	2
West 58th Street	Outlook Street	to	Reeds Road	300	1
Maple Street	Johnson Drive	to	West 55th Street	2600	4
West 56th Street	Foxridge Drive	to	Broadmoor Street	550	2
West 56th Street	Broadmoor Street	to	Beverly Avenue	2700	6
West 56th Street	Woodson Street	to	East City Limits	1200	3
West 55th Street	Broadmoor Street	to	Barkley Street	300	1
Foxridge Drive	West 58th Street	to	West 56 th Street	1100	2
Foxridge Drive	West 51 st Street	to	Lamar Avenue	4500	7
Lamar Avenue	West 56th Street	to	North City Limits	6000	9
Reeds Road	West 55th Street	to	West 51st Street	2600	4
Dearborn Street	West 55th Street	to	West 53rd Street	1300	3
West 54th Terrace	Dead End	to	Lamar Avenue	350	1
West 54th Street	Strang Drive	to	Horton Street	600	2
Strang Drive	West 54th Street	to	Lamar Avenue	525	1
West 53rd Terrace	Lamar Avenue	to	Dearborn Street	1000	2
West 53rd Street	Walmer Street	to	East City Limits	3200	5
Russell Avenue	Dead End	to	West 53rd Street	250	1
Glenwood Street	West 57th Street	to	West 55th Street	1300	2
Barkley Street	West 57th Street	to	West 55th Street	1300	2
West 52nd Street	Dead end	to	Woodson Road	2000	7
Riggs Road	West 51st Street	to	West 49th Street	800	2
Apollo Gardens	Multiple Streets			3400	7

2. Laboratory Services
 - a. Soil samples obtained from the borings will be returned to our laboratory for testing and visual classification. Testing will include moisture content and dry unit weight on thin walled tube samples, moisture content on split barrel samples, and up to 60 Atterberg limit tests to aid in classifying the soils using the Uniform Soil

Classification System (USCS). Up to 15 CBR and standard proctor tests will also be performed on bulk samples.

3. Engineering Analysis and Report
 - a. Upon completion of the laboratory testing services, we will prepare a geotechnical engineering report.
 - b. The report will provide typed boring logs and the results of the laboratory testing program. The report will also provide geotechnical recommendations regarding:
 - i. Mill and overlay options for the existing pavement section including pictures of each location.
 - ii. If mill and overlay is not feasible, based on the findings from the borings and engineer site visit, new pavement section thicknesses will be provided.
 - iii. As applicable, pavement subgrade recommendations.

Schedule and Estimated Fee

Pending weather conditions, we anticipate that the geotechnical report would be completed no later than January 31, 2019. Verbal recommendations can be made sooner, as required. The fees for the geotechnical investigation and services listed above will be \$130,000.00.

City of Mission	Item Number:	6.
ACTION ITEM SUMMARY	Date:	July 1, 2018
Public Works	From:	John Belger

Action items require a vote to recommend the item to full City Council for further action.

RE: 2018 Traffic Striping Program

RECOMMENDATION: Approve the proposal from Twin Traffic in the amount of \$61,763.55 for traffic striping in multiple locations citywide.

DETAILS: In several locations, traffic markings have weathered or faded to the point they are illegible. Restriping high traffic areas (vehicle or pedestrian) helps to improve visibility and safety.

Staff solicited bids to complete the work, refreshing traffic markings at these high visibility locations. Locations included in the program are as follows:

- Foxridge and Lamar
- 51st Street and Lamar
- Johnson Drive and Nall
- Martway and Nall
- 61st & Broadmoor

Proposals were received from three contractors. The results are included in the table below.

K&G Striping	\$72,200.00
Twin Traffic	\$61,763.55
Streetwise	\$82,755.50

In last month's Discussion Item on the 2018 Street Program, approximately \$40,000 was identified to complete the traffic striping projects. The lowest bid received was \$61,763.55. Difference in the bid prices can be attributed to the amount of removals required.

Staff recommends accepting the bid of Twin Traffic in an amount not to exceed \$61,763.55. The cost difference will be covered by savings realized as a part of the geotechnical analysis (\$70,000.00)

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	Ordinance 1332
Line Item Code/Description:	03-90-801-11 Special Highway Fund (50%) 25-90-809-05 Capital Improvement Fund (50%)
Available Budget:	Special Highway Fund \$ 175,000 Capital Improvement Fund \$ 175,000 Combined Available Total: \$ 350,000

PROPOSAL #18-438

FROM: **TWIN TRAFFIC MARKING CORP.**
626 N 47TH STREET
KANSAS CITY, KS 66102

PHONE: (913)428-2575
FAX: (913)428-2590

REF: CITY OF MISSION, KS
2018 PAVEMENT MARKING PROGRAM
REMOVAL OF EXISTING AND REINSTALLATION OF PAVEMENT MARKINGS

SHEET 1 OF 1

DATE: 7/18/2018

BID DATE: 7/18/2018

ITEM	DESCRIPTION	QTY	PER	UNIT PRICE	AMOUNT
1	4" WHITE THERMOPLASTIC	1,650.0	LNFT	\$ 1.35	\$ 2,227.50
2	4" YELLOW THERMOPLASTIC	4,225.0	LNFT	\$ 1.35	\$ 5,703.75
3	24" WHITE PRE-FORMED THERMOPLASTIC	463.0	LNFT	\$ 26.00	\$ 12,038.00
4	30" WHITE	702.0	LNFT	\$ 33.00	\$ 23,166.00
5	12" YELLOW	120.0	LNFT	\$ 13.00	\$ 1,560.00
6	WHITE RIGHT/LEFT TURN ARROWS	31.0	EACH	\$ 360.00	\$ 11,160.00
7	WHITE LEFT-THRU ARROWS	2.0	EACH	\$ 700.00	\$ 1,400.00
8	WHITE "ONLY" MARKING EPOXY	4.0	EACH	\$ 500.00	\$ 2,000.00
9	4" WHITE EPOXY	935.0	LNFT	\$ 1.35	\$ 1,262.25
10	4" YELLOW EPOXY	923.0	LNFT	\$ 1.35	\$ 1,246.05
	*BID PRICE INCLUDES REMOVAL OF EXISTING MARKINGS PRIOR TO INSTALLATION OF NEW MARKINGS.				
				BID TOTAL	\$ 61,763.55

+ALL BID ITEMS ARE TIED
++ATTACHED TERMS APPLY TO ALL BID ITEMS AND PRICES
+++PROPOSAL MUST BE ACCEPTED WITHIN 60 CALENDAR DAYS OF BID DATE TO BE VALID.

AUTHORIZED BY

Bill Francis
TWIN TRAFFIC MARKING CORP.

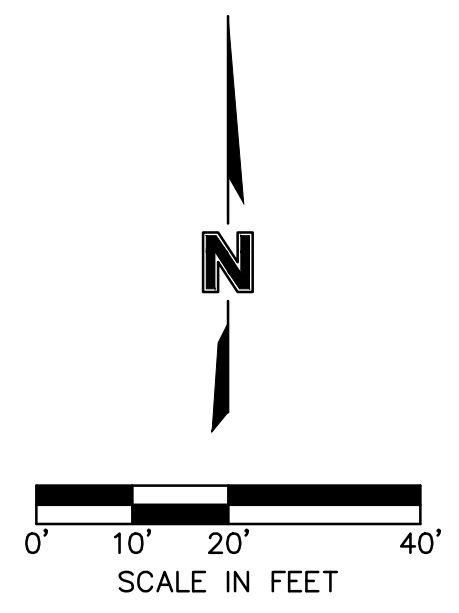
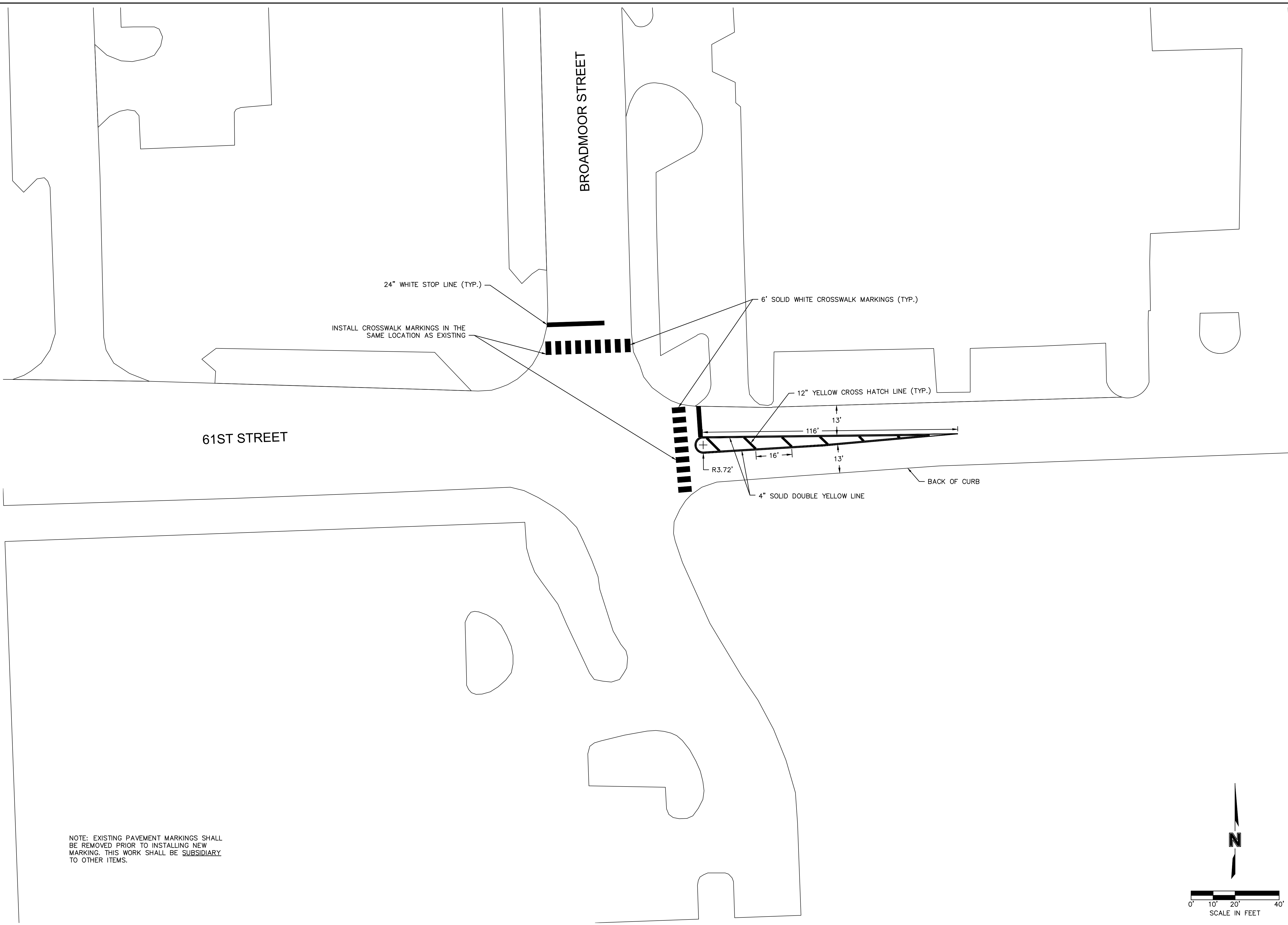
Twin Traffic Marking Corp
626 N 47th Street
Kansas City, KS 66102

Terms of pavement marking bid item(s):

- 1 One Mobilization is included in bid price unless otherwise stated on proposal
- 2 We propose to furnish material and Labor in accordance with project specifications
- 3 Permanent pavement markings will be installed when final surface is totally complete. Unit bid price(s) do not cover same day striping or any short term pavement markings
- 4 Removal of existing markings is not included unless quoted as a bid item or noted on proposal
- 5 Short term markings and removal of short term markings is not included in bid price
- 6 If the proposal includes an option for a Dripline it should not be considered a layout line. All measurements should be performed by the subcontractor prior to installing their work
- 7 Bid Price does not include payment performance bonds or waiver of subrogation. Each can be furnished for an additional cost as follows. **Bond rate .62 of 1% waiver for \$250.00.**
- 8 Twin Traffic will not assume responsibility for temporary tape or permanent markings installed after October 31st or prior to April 1st.
- 9 General contractor is to provide all traffic control equipment required for installation of pavement markings. Twin traffic will provide TMA's required for mobil operations.
- 10 **Dripline installation is for a mobil operation only. If flagging operations are required for installation of dripline, general contractor will provide traffic control.**

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 DATE: Jul 10, 2018 8:10am XREFS: T_TBLK_43299 T_PVMTMRK_43299 T_XOPO-GIS_43299-100 USER: aurbaneck

NOTE: EXISTING PAVEMENT MARKINGS SHALL BE REMOVED PRIOR TO INSTALLING NEW MARKING. THIS WORK SHALL BE SUBSIDIARY TO OTHER ITEMS.



REV. NO.	DATE	REVISIONS DESCRIPTION	BY

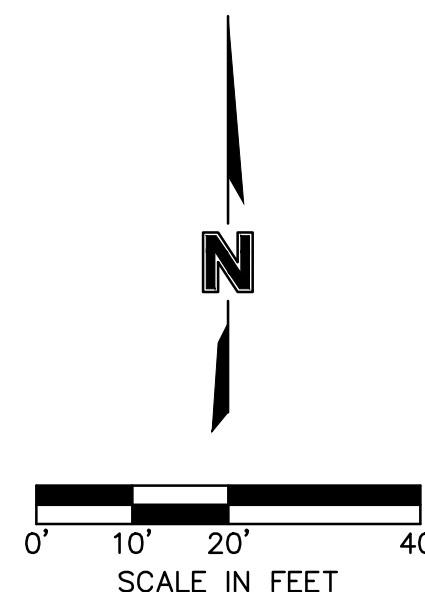
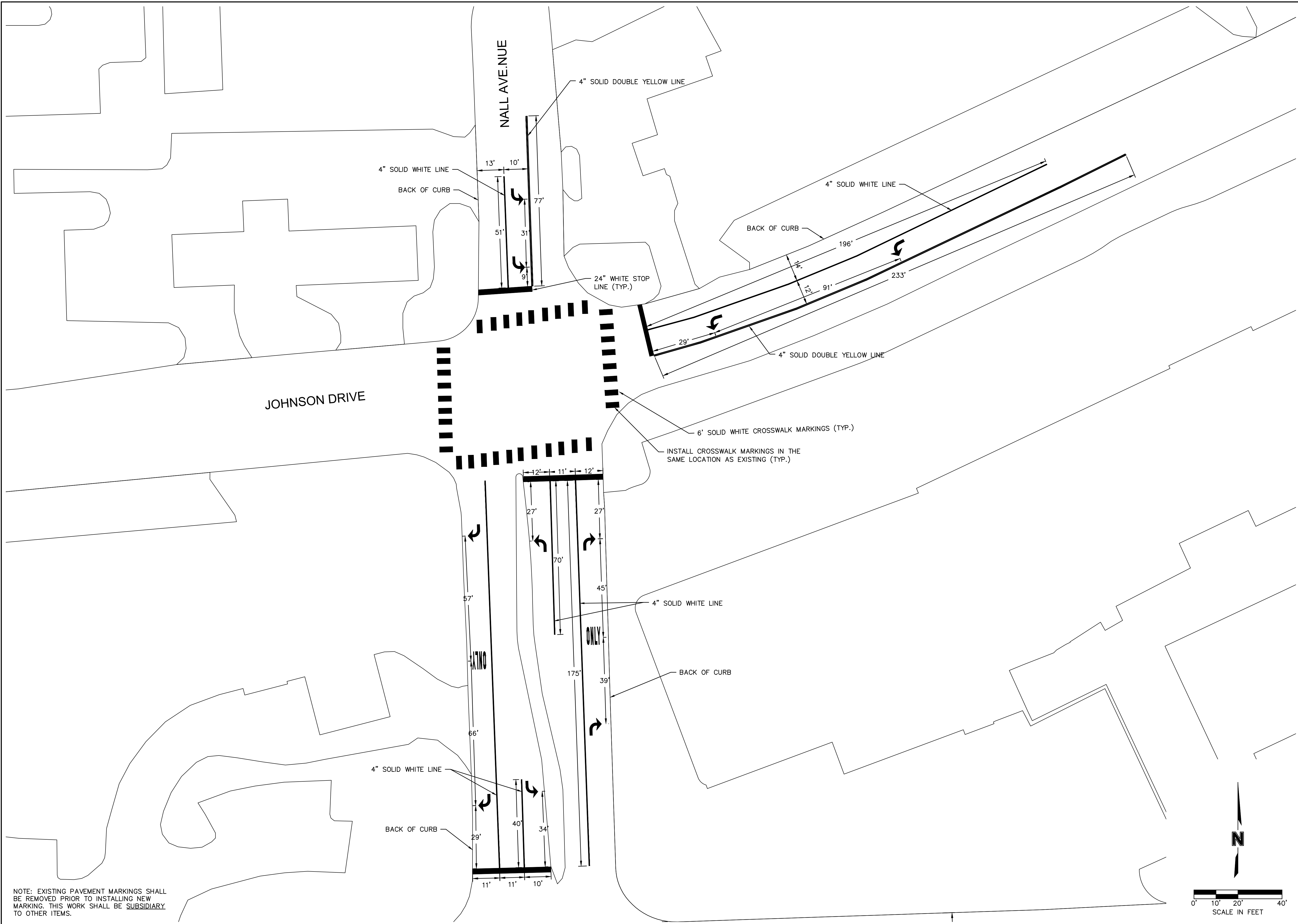
BROADMOOR & 61ST
 PAVEMENT MARKING PLANS
 MISSION, KANSAS
 2018

drawn by: AAP
 checked by: PSM
 approved by: PBM
 QA/QC by: RBC
 project no.: 014-3299-100
 drawing no.: T PLAN 43299
 date: 6/27/2018

SHEET
 1 of 5

DWG: F:\PROJECTS\014-3299\40-Design\AutoCAD\Final Plans\Sheets\TRANS\100_General_Services\RD\RT_PLAN_43299.dwg
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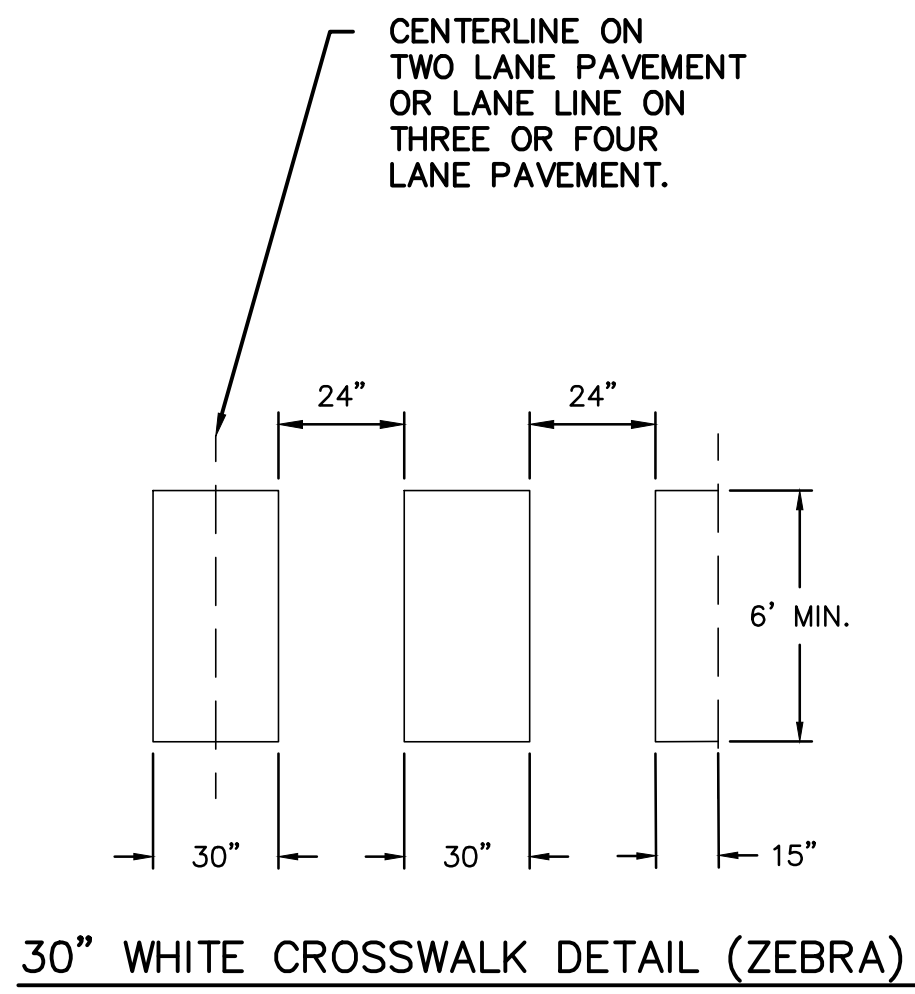
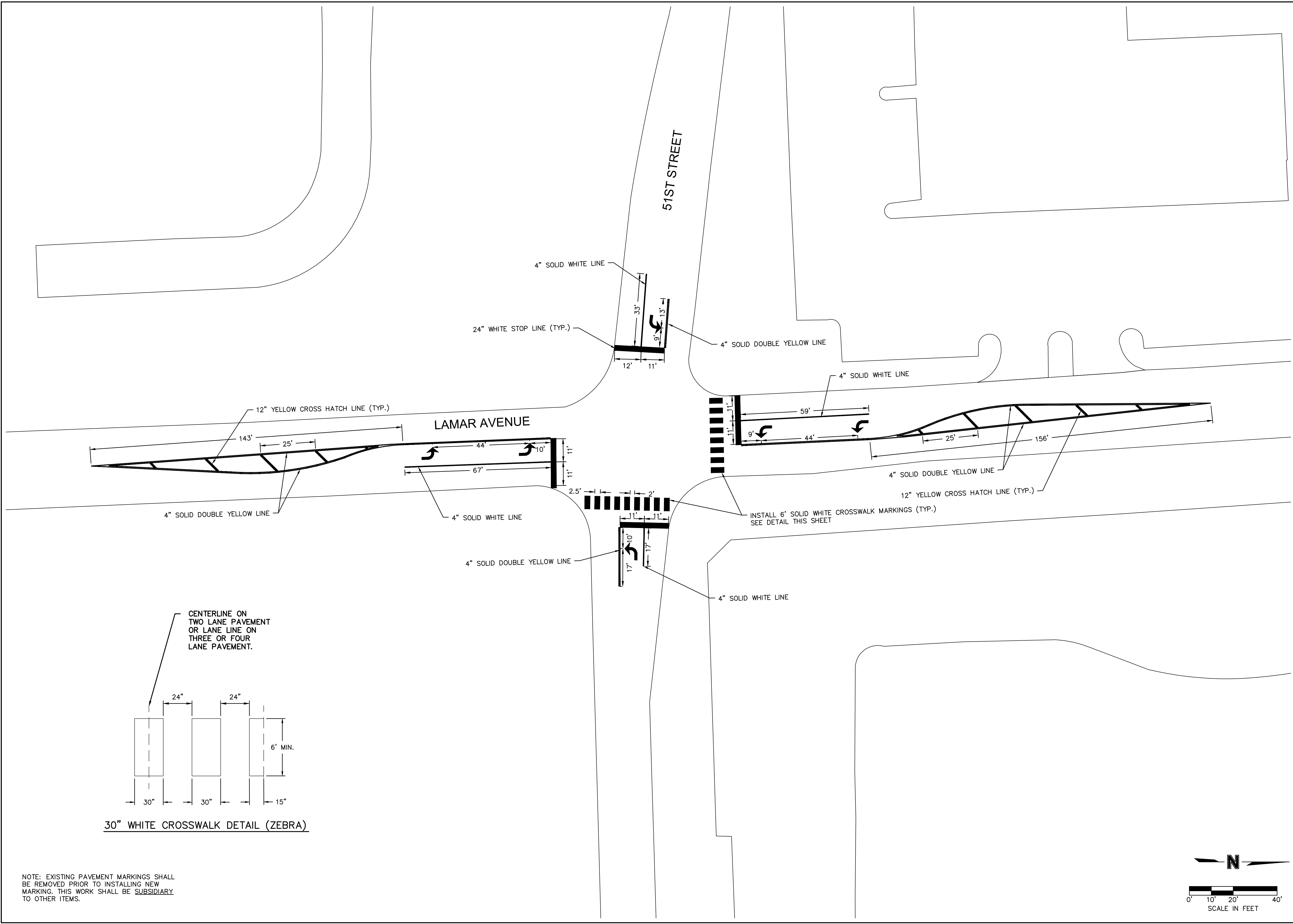
NOTE: EXISTING PAVEMENT MARKINGS SHALL BE REMOVED PRIOR TO INSTALLING NEW MARKING. THIS WORK SHALL BE SUBSIDIARY TO OTHER ITEMS.



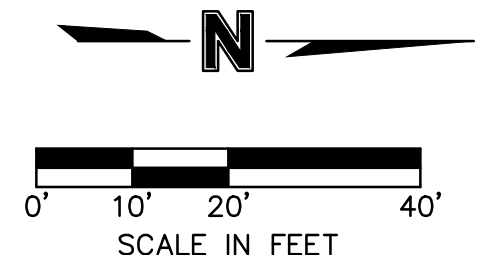
REV. NO.	DATE	REVISIONS DESCRIPTION	BY

REV. NO.	DATE	REVISIONS DESCRIPTION	BY

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 DATE: Jul 10, 2018 8:10am XREFS: T_TBLK_43299 T_PVMTMRK_43299 T_XPO-GIS_43299-100 USER: aurbaneck



NOTE: EXISTING PAVEMENT MARKINGS SHALL BE REMOVED PRIOR TO INSTALLING NEW MARKING. THIS WORK SHALL BE SUBSIDIARY TO OTHER ITEMS.



REV. NO.	DATE	REVISIONS DESCRIPTION	BY

LAMAR AVE & 51ST ST	2018
PAVEMENT MARKING PLANS	
MISSION, KANSAS	

drawn by:	AAP
checked by:	PSM
approved by:	PBM
QA/QC by:	RBC
project no.:	014-3299-100
drawing no.:	T PLAN 43299
date:	6/27/2018

SHEET
4 of 5

City of Mission	Item Number:	7.
DISCUSSION ITEM SUMMARY	Date:	July 23, 2018
PUBLIC WORKS	From:	Emily Randel

Discussion items allow the committee the opportunity to freely discuss the issue at hand.

RE: Improvements to Johnson Drive Park and Capitol Federal Greenspace

DETAILS: Capitol Federal has approached the City with the prospect of creating a community amenity in the greenspace west of their building at Nall and Johnson Drive. The City has retained Confluence landscape architects in order to arrive at a collective vision for what the space will be and how it will be used.

Confluence led an initial brainstorming meeting on July 12 with representation from Capitol Federal and other Mission stakeholders. The leading concepts include places for seating, shade, tables, and a small bandstand/stage area allowing for flexible programming throughout the year. Following additional meetings and review, potential design concepts will be ready to share with the public in late August.

The design concepts will be used to develop funding requirements and a funding strategy to implement any recommended improvements. A number of public/private partnerships will be explored to assist in maintaining an attractive, functional greenspace in the heart of downtown.

CFAA CONSIDERATIONS/IMPACTS: The subject area is located along the Rock Creek Trail which provides connections to active transportation to other parts of the city. The addition of a community feature along the trail provides a destination and a resting spot for those travelling by trail or by sidewalk through downtown Mission. The design of any kind of hardscape will take those of all ages and mobility needs into account.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	
Available Budget:	