



## **COMMUNITY DEVELOPMENT COMMITTEE**

**WEDNESDAY, SEPTEMBER 4, 2024 at 6:30 p.m.**

**MISSION CITY HALL  
6090 Woodson Street**

### **Meeting In Person and Virtually via Zoom**

*This meeting will be held in person at the time and date shown above. This meeting will also be available virtually via Zoom (<https://zoom.us/join>). Information will be posted, prior to the meeting, on how to join at <https://www.missionks.org/calendar.aspx>. Please contact the Administrative Offices, 913-676-8350, with any questions or concerns.*

### **PUBLIC COMMENTS**

#### **PLANNING COMMISSION ACTION ITEMS**

*(items will be included on the next legislative agenda for Council action)*

1. Ordinance Incorporating the [Mission Connections Plan 2024](#) into the Tomorrow Together: 2040 Mission Comprehensive Plan – Brian Scott ([page 3](#))

The Mission Connections Plan 2024 is the first comprehensive, city-wide active transportation network plan for the City. This plan will become the basis for building out the multi-modal transportation network through various public and private improvements that occur in the future. In order to keep it visible and aligned with future planning and decision-making, Staff is recommending that it be officially incorporated as an appendix to the Tomorrow Together: 2040 Mission Comprehensive Plan.

2. Ordinance Incorporating the [Rock Creek Corridor Improvements Plan](#) into the Tomorrow Together: 2040 Mission Comprehensive Plan – Brian Scott ([page 9](#))

The Rock Creek Corridor Improvements Plan provides a framework for enhancing and activating the Rock Creek trail through the heart of downtown Mission, making it a more integral part of the downtown experience and a true asset for the community. The plan is the foundation for further study and design once improvements to the creek channel are completed in the next few years and as funding becomes available. Incorporating the plan into the comprehensive plan will ensure that it remains an active plan and one that staff utilizes as public and private improvements in this area are further developed.

### **PUBLIC PRESENTATIONS / INFORMATIONAL ONLY**

3. Mission Summer Camp/Mission Family Aquatic Center Season Wrap Up

Presentations – Penn Almoney, Jenny Smith, Jenna Dickman ([page 15](#))

Staff will present the 2024 end of season review and evaluation for the Mission Family Aquatic Center and Mission Summer Camp.

## **ACTION ITEMS**

4. Acceptance of the August 7, 2024 Community Development Committee Minutes – Robyn Fulks ([page 16](#))

Draft minutes of the August 7, 2024 Community Development Committee meeting are included for review and acceptance.

5. Approval of a Maintenance Agreement with Mission & Beverly, LLC for the Maintenance of Improvements Located in the City’s Right-of-Way ([page 34](#))

The final plat of Mission Beverly was recently accepted by the City Council. This plat is associated with the Mission Beverly development, a 261-unit multi-family development project located on Martway Street between Dearborn Avenue and Beverly Avenue, which was approved earlier this summer by the City Council (PC Case # 24-07). This development project will utilize nine (9) on-street parking spaces located in the City’s right-of-way along Martway Street and Dearborn, as well as sidewalks, trees, and landscaping in the City’s right-of-way surrounding the development. This maintenance agreement will ensure the owner of the project is responsible for maintaining these improvements.

6. Approval of a Maintenance Agreement with Greentec Auto, LLC for the Maintenance of Improvements Located in the City’s Right-of-Way ([page 41](#))

A special use permit was recently approved by the City Council for property located at 6800 61st Street for resourcing nickel-metal hydride batteries (PC Case # 24-09). One of the conditions for the special use permit was that the applicant – Greentec Auto, LLC – enter into a maintenance agreement with the City for the maintenance of parking spaces and landscaping in front of the building that are partially located in the City’s right-of-way.

## **DISCUSSION ITEMS**

### **OTHER**

7. Department Updates - Laura Smith

**Mary Ryherd, Chairperson**  
**Josepha Haden Chomphosy , Vice-Chairperson**  
***Mission City Hall, 6090 Woodson St***  
***913.676.8350***

<b>City of Mission</b>	Item Number:	1.
<b>ACTION ITEM SUMMARY</b>	Date:	September 4, 2024
<b>Community Development</b>	From:	Brian Scott

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

**RE:** Ordinance Incorporating the Mission Connections Plan 2024 into the Tomorrow Together: 2040 Mission Comprehensive Plan

**RECOMMENDATION:** Staff recommends the City Council adopt an ordinance amending the Tomorrow Together: 2040 Mission Comprehensive Plan to include the recently completed “Mission Connections Plan 2024” as Appendix C.

**DETAILS:** An active transportation network that supports and encourages people to walk, bike, and use other forms of active transportation to get to their destination is an integral part of a vibrant community. This is reflected in the most recent citizen survey (2021) where 75% of respondents ranked the walkability and accessibility of Mission as an important or very important factor for living in Mission. When asked to rank actions the City should take, 69% of respondents ranked “build a walkable/bikeable community” as strongly agree or agree.

The recently adopted Tomorrow Together: 2040 Mission Comprehensive Plan has several recommendations in support of creating and maintaining an active transportation network in Mission. These include:

<b>Parks and Recreation Chapter</b>	
<b>Goal 2 - Enhance parks and recreational spaces that provide for outdoor activities, gathering spaces and pedestrian and bicycle trails.</b>	
2A	Expand trail network throughout the city so that all residents are within ¼ mile of the trail network.

<b>Transportation and Mobility Chapter</b>	
<b>Goal 1 – Make pedestrian safety a high priority, especially on Johnson Drive and Downtown.</b>	
1A	Maintain, improve, and expand the sidewalk network throughout the city. <i>Construct new sidewalks, as feasible, on major corridors so that these major arterials have continuous sidewalks on both sides of the street and safe crossing spaces at a minimum of a ¼ mile apart.</i>
1B	Add and improve key crossing locations along major arterial roadways. <i>Partner with KDOT to improve pedestrian access to and across Shawnee Mission Parkway at Lamar Avenue, Nall Avenue, Roeland Drive, and Roe, and across Metcalf at 61<sup>st</sup> Street and Johnson Drive.</i>
<b>Goal 3 – Develop flexible policies that allow the City to adapt to future needs</b>	

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

<b>City of Mission</b>	Item Number:	1.
<b>ACTION ITEM SUMMARY</b>	Date:	September 4, 2024
<b>Community Development</b>	From:	Brian Scott

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

<b>within prepared criteria regarding safety, efficiency, and access.</b>	
3A	Adopt a flexible complete street ordinance.
<b>Goal 5 – Recognize Johnson Drive as a major connection for local and metropolitan residents. Slow traffic at key points and provide well marked crosswalks for pedestrians.</b>	
5C	Improve pedestrian access and safety <i>Construct sidewalks, widen sidewalks, and improve sidewalk connections north and south of Johnson Drive to the Rock Creek Trail, Martway Street, and to residential areas surrounding Johnson Drive.</i>

In further support of these recommendations, the City was able to obtain a Planning Sustainable Places (PSP) grant through the Mid-America Regional Council last summer for the development of a comprehensive, city-wide bike/ped study. RDG Planning & Design served as the lead consultant on this study with Marty Shukert assuming the role of lead planner. Mr. Shukert has developed a national reputation as an expert in the development of active transportation networks throughout the Midwest.

RDG did extensive field research in the community, not only studying maps but also physically walking and biking Mission making observations of terrain, potential barriers, and opportunities for further evaluation. With this base of knowledge, initial thoughts and ideas were presented at a public kick-off meeting in October 2023 where further community input was solicited.

A study steering committee made up of community stakeholders including members of the City Council, Planning Commission, Sustainability Commission, and the Parks, Recreation + Tree Commission; business owners; and active bicyclists and walkers in the community met several times throughout the process to hear and evaluate concepts and provide additional input and guidance.

A community charette was held in November 2023 where initial ideas for an expanded sidewalk/trail network were first presented for comment and feedback. This highly interactive event was held in two sessions that were both well attended. Several one-on-one sessions were also held with community leaders during this three-day event.

RDG also conducted a number of workshops with City staff, planning staff from neighboring communities, and representatives of the Kansas Department of Transportation to review the study development and gain insight in specific areas within the study. The project wrapped-up with a final community open house in April 2024 in which the study recommendations were presented and community response and input

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

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gathered.

The final study outlines fifteen (15) individual point-to-point routes throughout Mission. These include the Westside Peripheral (Foxridge and Metcalf), Lamar, Woodson, Maple/Reeds, 53rd Street, 57th Street, Johnson Drive, and Martway/Rock Creek Trail. Each of these routes includes some component of an active transportation network such as sidewalks, shared use side paths, enhanced bicycle lanes, bicycle boulevards, or cycle track. The study provides further specifics in terms of location, length and width for these components, as well as suggested safety enhancements at key intersections. There are also recommendations for route way-finding and further policies to enhance the network.

The Mission Connections Plan 2024 is the first comprehensive, city-wide active transportation network plan for Mission. This plan will become the basis for building out the network through various public and private improvements that occur in the future. As public improvements are considered, recommendations from this plan should be included in plans for specific projects. In order to align with those objectives and keep the information centralized in one planning document, Staff recommends that the plan be formally incorporated as an appendix to the Tomorrow Together: 2040 Mission Comprehensive Plan. This will be accomplished through Council adoption of an Ordinance.

**CFAA CONSIDERATIONS/IMPACTS:** An active transportation network that promotes walkability and bike-ability throughout the community is an integral part of the Community For All Ages initiative and one of the key pillars in supporting a vibrant community for residents and visitors of all ages and abilities.

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

**CITY OF MISSION, KANSAS**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE TOMORROW TOGETHER: 2040 MISSION COMPREHENSIVE PLAN OF THE CITY OF MISSION, KANSAS TO INCLUDE THE MISSION CONNECTIONS 2024 PLAN AS APPENDIX “C”**

**WHEREAS**, Section 12-747 of the Kansas State Statutes authorizes the Planning Commission of the City of Mission to develop a comprehensive plan for the orderly development of the city and specifically requires adoption of such plan before zoning and/or subdivision regulations can be adopted; and

**WHEREAS**, the City of Mission adopted an updated comprehensive plan, the Tomorrow Together: 2040 Mission Comprehensive Plan in December of 2023; and

**WHEREAS**, the City of Mission received a Planning Sustainable Places grant through the Mid-America Regional Council in 2023 for the development of a comprehensive, city-wide active transportation plan; and

**WHEREAS**, the consulting team (RDG Planning and Design) selected to do the study utilized an extensive community engagement process including a steering committee composed of community stakeholders, an interactive website with a pin map, a community planning charette, and two community open houses to develop the plan; and

**WHEREAS**, these efforts have resulted in the Mission Connections Plan 2024 that was presented to the Planning Commission at a public hearing on June 24, 2024; and

**WHEREAS**, notice of the public hearing was duly given by publication in the official newspaper of the City as required by law; and

**WHEREAS**, after taking testimony at said public hearing and giving due consideration, the Planning Commission voted 7-0 to recommend to the City Council adoption of the Mission Connections Plan 2024 and incorporation of such into the Tomorrow Together: 2024 Mission Comprehensive Plan.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, KANSAS:**

**Section 1. Amendment of the Comprehensive Plan** – Pursuant to K.S.A. 12-747, the Governing Body of the City of Mission, Kansas hereby amends the Tomorrow Together: 2040 Mission Comprehensive Plan to include the Mission Connections 2024 Plan (Exhibit A) as Appendix C.

**Section 2. Official Copy Kept on File** - There is hereby incorporated by reference the City of Mission, Kansas Tomorrow Together: 2040 Mission Comprehensive Plan; prepared by the Community Development Department of the City of Mission and adopted by the Planning Commission on September 25, 2023, and amended on June 24, 2024. An official copy of this Plan shall be kept on file at the Community Development Department Office, 6090 Woodson Road, Mission, KS to be open to inspection and available to the public during normal business hours.

**Section 3. Annual Review of the Comprehensive Plan** – Pursuant to K.S.A. 12-747(d) the Planning Commission of the City of Mission, Kansas is hereby directed to review no less than annually the Tomorrow Together: 2040 Mission Comprehensive Plan and propose any amendments, extensions and/or additions as may be deemed appropriate to fulfill the goals of the plan and the City.

**Section 4. Effective Date** – This Ordinance shall take effect and be in force from and after its adoption and publication according to law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION, KANSAS** on this 18th day of September 2024.

**APPROVED BY THE MAYOR** on this 18th day of September 2024.

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Solana Flora, Mayor

**ATTEST:**

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Robyn L. Fulks, City Clerk

**APPROVED AS TO FORM:**

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David Martin, City Attorney  
Payne & Jones, Chartered  
King 2 Building  
11000 King Street  
Overland Park, Kansas 66210



<b>City of Mission</b>	Item Number:	2.
<b>ACTION ITEM SUMMARY</b>	Date:	September 4, 2024
<b>Community Development</b>	From:	Brian Scott

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

**RE:** Ordinance Incorporating the Rock Creek Corridor Improvements Plan into the Tomorrow Together: 2040 Mission Comprehensive Plan

**RECOMMENDATION:** Staff recommends the City Council adopt an ordinance amending the Tomorrow Together: 2040 Mission Comprehensive Plan to include the recently completed “Rock Creek Improvements Plan” as Appendix D.

**DETAILS:** The Rock Creek Trail, which runs from approximately Metcalf to Roeland Drive along the path of the Rock Creek, has become one of the premier assets of Mission. Many residents utilize the trail not only for recreational purposes but as a means to get across town or to connect with other communities.

The recently adopted Tomorrow Together: 2040 Mission Comprehensive Plan has several recommendations in support of maintaining and further developing the Rock Creek Trail. These include:

<b>Natural Features and Environment Chapter</b>	
<b>Goal 1 – Continue investment in Rock Creek flood abatement and storm water infrastructure and prioritize green solutions and BMPs wherever possible. Avoid creating public safety and environmental hazards.</b>	
1A	Add green infrastructure along the Rock Creek corridor. <i>Explore the potential of community-funded green infrastructure projects along the Rock Creek corridor.</i>
1B	Promote green infrastructure on public and private property.
1C	Integrate principles of design and public safety when evaluating developments or improvements for projects that impact public space including open space and parks. <i>Redevelop vacant lots along the Rock Creek Trail as open space – at a minimum incorporate green infrastructure and CPTED design principals.</i>

<b>Parks and Recreation Chapter</b>	
<b>Goal 1 – Maintain and preserve existing open space and natural features to enhance the character of the built environment, promote neighborhood stability,</b>	

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

<b>City of Mission</b>	Item Number:	2.
<b>ACTION ITEM SUMMARY</b>	Date:	September 4, 2024
<b>Community Development</b>	From:	Brian Scott

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

<b>public health and safety, and provide for outdoor recreation and visual enjoyment.</b>	
1C	Improve existing trail network in Mission. <i>Enhance existing trail network with amenities such as signage, bike parking and repair stations, seating, lighting, and green infrastructure elements. Incorporate public art along trail corridors to add unique placemaking elements and increase the user experience and overall quality of life for residents.</i>
<b>Goal 2 - Enhance parks and recreational spaces that provide for outdoor activities, gathering spaces and pedestrian and bicycle trails.</b>	
2C	Continue to support the Mission Market. <i>Allocate funding for permanent market site improvements that support the long-term viability of the Mission Market. Create a master plan for the market area and adjacent parking to create a new community gathering place for residents along Johnson Drive.</i>

In further support of these recommendations, the City was able to obtain a Planning Sustainable Places (PSP) grant through the Mid-America Regional Council in 2022 for a study that would explore potential improvements to the Rock Creek Trail Corridor from Woodson to Roeland Drive. Wilson & Company was selected to lead a team of consultants that included BikeWalkKC, Hoxie Collective, and SWT Design.

A steering committee made up of community stakeholders including members of the City Council, Planning Commission, Sustainability Commission, and the Parks, Recreation + Tree Commission; business owners along the corridor; and representatives of the Mission Project met several times throughout the process to hear and evaluate concepts and provide additional input and guidance.

The project formally kicked-off with a “Walk and Roll” along the trail corridor on a Saturday in September 2023. This event, led by BikeWalkKC was an opportunity to gather initial thoughts about the trail from participants. In addition to the “Walk and Roll” event, a focus group was held for residents that lived along the trail as well as individual business owners to gather their thoughts about the trail experience. An on-line survey was also utilized to gather additional input.

Using this information, the consultant team developed conceptual ideas for what an enhanced trail experience which incorporated more green space, natural vegetation, public art, placemaking improvements to the market area, and even a cycle track along Martway from Nall to Roeland Drive could look like.

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

<b>City of Mission</b>	Item Number:	2.
<b>ACTION ITEM SUMMARY</b>	Date:	September 4, 2024
<b>Community Development</b>	From:	Brian Scott

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

The design concepts were presented at a public open house in November 2023 for input and discussion. Feedback from the open house was integrated with the previous work to develop a final design concept that was presented to the City Council in March 2024 and to the Planning Commission at a public hearing in June of this year.

The final plan outlines an enhanced trail experience from Woodson to Nall using much of the City owned property along Outlook as additional green space with seating areas, native vegetation, lighting and possibly public art. The space along the trail that houses the Mission Market is re-envisioned as an opportunity for placemaking with a more a permanent structure to the support market operations, a green space for community activities and a water feature. Finally, the plan proposes narrowing Martway and adding a cycle-track for an enhanced bicycle experience along that stretch between Nall and Roeland Drive.

The Rock Creek Corridor Improvements Plan provides a framework for enhancing and activating the Rock Creek Trail through the heart of downtown Mission making it a more integral part of the downtown experience and a true asset for the community. The plan is the foundation for further study and design once improvements to the creek channel are completed in the next few years and funding becomes available. Incorporating the plan into the Comprehensive Plan will ensure that it remains an active plan and one that staff utilizes as public and private improvements in this area are further developed. This can be accomplished via an ordinance which is included in the packet.

**CFAA CONSIDERATIONS/IMPACTS:** Trails are an important component for an active transportation network throughout the community and serves residents of all ages and abilities. The Rock Creek Corridor Improvements Plan will ensure that the Rock Creek trail system has safety and aesthetic features that will enhance the trail experience for residents and visitors of Mission.

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

**CITY OF MISSION, KANSAS**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE TOMORROW TOGETHER: 2040 MISSION  
COMPREHENSIVE PLAN OF THE CITY OF MISSION, KANSAS TO INCLUDE THE  
ROCK CREEK CORRIDOR IMPROVEMENTS PLAN AS APPENDIX D**

**WHEREAS**, Section 12-747 of the Kansas State Statutes authorizes the Planning Commission of the City of Mission to develop a comprehensive plan for the orderly development of the city and specifically requires adoption of such plan before zoning and/or subdivision regulations can be adopted; and

**WHEREAS**, the City of Mission adopted an updated comprehensive plan, the Tomorrow Together: 2040 Mission Comprehensive Plan, in December of 2023; and

**WHEREAS**, the City of Mission received a Planning Sustainable Places grant through the Mid-America Regional Council in 2022 for the development of a comprehensive improvement plan for the Rock Creek Trail corridor east from Woodson to Roeland Drive; and

**WHEREAS**, the consulting team (Wilson & Company) selected to do the study utilized an extensive community engagement process including a steering committee composed of community stakeholders, an interactive website with a survey tool and map, community focus groups, and a community open house to develop the plan; and

**WHEREAS**, these efforts have resulted in the Rock Creek Corridor Improvements Plan that was presented to the Planning Commission at a public hearing on June 24, 2024; and

**WHEREAS**; notice of the public hearing was duly given by publication in the official newspaper of the City as required by law; and

**WHEREAS**, after taking testimony at said public hearing and giving due consideration, the Planning Commission voted 7-0 to recommend to the City Council adoption of the Rock Creek Corridor Improvements Plan and incorporation of such into the Tomorrow Together: 2024 Mission Comprehensive Plan.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, KANSAS:**

**Section 1. Amendment of the Comprehensive Plan – Pursuant to K.S.A. 12-**

747, the Governing Body of the City of Mission, Kansas hereby amends the Tomorrow Together: 2040 Mission Comprehensive Plan to include the Rock Creek Corridor Improvements Plan (Exhibit A) as Appendix D.

**Section 2. Official Copy Kept on File** - There is hereby incorporated by reference the City of Mission, Kansas Tomorrow Together: 2040 Mission Comprehensive Plan; prepared by the Community Development Department of the City of Mission and adopted by the Planning Commission on September 25, 2023, and amended on June 24, 2024. An official copy of this Plan shall be kept on file at the Community Development Department Office, 6090 Woodson Road, Mission, KS to be open to inspection and available to the public during normal business hours.

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**Section 4. Effective Date** – This Ordinance shall take effect and be in force from and after its adoption and publication according to law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION, KANSAS** on this 18th day of September 2024.

**APPROVED BY THE MAYOR** on this 18th day of September 2024.

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Solana Flora, Mayor

**ATTEST:**

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Robyn L. Fulks, City Clerk

**APPROVED AS TO FORM:**

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David Martin, City Attorney  
Payne & Jones, Chartered  
King 2 Building  
11000 King Street  
Overland Park, Kansas 66210

<b>City of Mission</b>	Item Number:	3.
<b>INFORMATIONAL ITEM</b>	Date:	September 4, 2024
<b>Parks + Recreation</b>	From:	Penn Almoney

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

**RE:** Mission Family Aquatic Center + Summer Camp – 2024 Season Review

**DETAILS:** Following the close of the 2024 summer season, staff has been reviewing the performance and attendance of the summer camp and outdoor pool compared to prior years. This analysis was conducted by collecting feedback from attendees and staff. Staff will review feedback from the 2024 season and will share brief presentations at the committee meeting.

**CFAA CONSIDERATIONS/IMPACTS:** The summer camp provides an accessible option for youth, both resident and non-resident, to engage in activities that encourage healthy lifestyles, improve self-esteem and promote community interactions.

The MFAC is accessible to adults and youth of all ages and abilities. It provides a safe facility for aquatic activities encouraging physical activity and social engagement.

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

<b>City of Mission</b>	Item Number:	4.
<b>ACTION ITEM SUMMARY</b>	Date:	September 4, 2024
<b>Administration</b>	From:	Robyn Fulks

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

**RE:** August 7, 2024 Community Development Committee minutes.

**RECOMMENDATION:** Review and accept the August 7, 2024 minutes of the Community Development Committee.

**DETAILS:** Minutes of the August 7, 2024 Community Development Committee meeting are presented for review and acceptance. At the committee meeting, if there are no objections or recommended corrections, the minutes will be considered accepted as presented.

Draft minutes are linked to the City Council agenda packet so that the public may review the discussion from the committee meeting in advance of the Council action on any particular item.

**CFAA CONSIDERATIONS/IMPACTS:** N/A

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



## **MINUTES OF THE MISSION COMMUNITY DEVELOPMENT COMMITTEE**

August 7, 2024

The Mission Community Development Committee met at Mission City Hall and virtually via ZOOM on Wednesday, August 7, 2024. The following Committee members were present: Sollie Flora, Lea Loudon, Ben Chociej, Brian Schmid, Trent Boultinghouse, Cheryl Carpenter Davis, Josepha Haden Chomphosy, and Mary Ryherd. Councilmember Kring was absent. Councilmember Ryherd called the meeting to order at 6:30 p.m.

The following staff were present: City Administrator Laura Smith, City Clerk Robyn Fulks, Deputy City Administrator Justin Carroll, Deputy City Administrator Brian Scott, Public Works Superintendent Brent Morton, Chief Dan Madden, and Parks and Recreation Director Penn Almoney.

### **Public Comments**

Councilmember Ryherd reminded the public they can participate via the chat feature on Zoom. All comments would be visible to the group.

Kim Donoway of Mission, KS spoke to wanting to see more details in the Sustainability Commission meeting minutes as she finds them vague. She attended the most recent meeting and really enjoyed it. She also would like to see more enforcement of no soliciting stickers and more consequences. She would also like to see a redesign of the city-provided "No Soliciting" stickers so they are more visible. She would also like to not see incentives given to Block & Co. for their upcoming project as she believes they do not need them. They do not contribute to the tax base with and she does not believe residents should be have to help subsidize private projects.

City Administrator Laura Smith asked Ms. Donoway if she would be willing to share the "No Soliciting" sticker she brought in from the City of Fairway for staff to look at. She also noted that, with regards to Sustainability Commission meeting minutes, there was not a quorum present at the meeting she was reviewing minutes for, and so the minutes were light since no action was taken. She also noted that the Block project will be added to the calendar and Staff will notify her of the meeting so she can speak to it if she would like.

### **Planning Commission Items**

### **Final Plat – Mission Beverly (Milhaus Development) –**

Deputy City Administrator Brian Scott introduced a final plat for the Mission Beverly (Milhaus) project along Martway between Beverly Street and Dearborn. This item is the final step in their project plan. The final plat identifies the lots, sets aside easements, right-of-way dedications in Lot 1 for on-street parking and realignment of the trail. A pedestrian access easement is included for Lot 2 for future walking trails to Andersen Park. Mr. Scott noted this item will be on the August City Council Meeting agenda.

There were no public comments.

Councilmember Chociey asked about the stormwater improvements under Lot 1. Mr. Scott noted that the stormwater sewer will be moved to the west at the expense of the Developer to realign across Martway along Lot 2. KCP&L has done a partial release of easement until they can identify where the new utilities will go and record a new easement with the County.

### **Public Presentations/Informational Items**

#### **Presentation on Johnson County Homeless Services Center Proposal**

Ms. Smith introduced County Chair Mike Kelley to make introduce speakers and begin their presentation and introductions. Chairman Kelley introduced himself and thanked the Council for the invitation to make a presentation. He acknowledged Mission's passion for sustainability. He was excited to speak about the opportunity for the County's proposed homeless services center, a known need and a housing gap. He knows the opportunity is unique which can mean it's not an easy process. He acknowledged the challenges for those unhoused and in vulnerable housing positions are known, and solutions are not easy. He recognized the unique ask, the timing with the City's budget process is not ideal but finds the merits of the solution that has presented itself outweigh those things. The center will allow the County to help vulnerable residents, provide resources, and provide a better quality of life in the County. He believes all residents will benefit from the center. The non-profit reStart was unanimously chosen from the responses received to the request for proposals the County put out. He also introduced County Commissioners Becky Fast and Jene' Hanzlick, along with Assistant County Manager Joe Connor. All of whom have been working on this project. They will be available to answer questions and fill in gaps from the presentation from Stephanie Boyer of reStart. He also addressed the question of why the County funding wasn't this project without asking for city support. He hopes that the request is not seen as the County not being invested in the process and the program. They will also provide wrap-around services that will be notable such as mental health resources, housing

services, and the Kansas Workforce Partnership at Johnson County Community college. All of these will provide programming to get those unhoused back on their feet. He hopes reStart can leverage both public and private dollars for continued success of the program. Chairman Kelley asked Stephanie Boyer of reStart to give her presentation.

Ms. Boyer, the CEO of reStart, introduced herself and gave a brief summary of what the center is, and what reStart does. She began by reviewing the program's process, which she acknowledged has moved fast. She stated that many people have been digging deep into the houseless issue in Johnson County for many years prior to this planning process. In 2021, UCS (United Community Services), identified in "unseen homelessness" as a housing challenge in the county. That sparked more interest in digging deeper into that and what it means, and what the needs are. Additional work was done and resulted in The Dignity Project report. The RFP for this project was formed off of that report. A lot of work has gone into the data gathered and building the project. She believes the project will bring Johnson County to a place to address and end homelessness in the community, which not many can say. She moved onto the most recent PIT (point in time) data from January 24, 2024. The PIT is a count completed on one day annually in January by every community that receives HUD dollars for a continuum of care. Teams go across the community to capture the number of people living unsheltered, in temporary shelters, or in transitional housing. The number was 250 in 2024, and 235 in 2023. It is not exact as finding every person on one night is difficult, also due to January winter weather. The count is a good snapshot to help drive data. She noted that 23% of the count were unsheltered, which in her work is a good amount. She also noted that 85% of the households were adults only which reflects data from The Dignity Project. There seems to be missing an answer for the single adult population.

She next introduced reStart and what their organization does. They are a non-profit that serves people experiencing homelessness across the metro area in Jackson, Wyandotte, and Johnson counties. They have been doing the work for 44 years. As homelessness has changed so has their work, which began in the basement of a church as an overnight shelter for single men. They now offer programming for youth, veterans, families, and single adults and serve about 1,400 people per year. Their approach is a program model where people come into a program with a case manager, wrap around support, employment, behavioral health help, and a 30-90-day program. She noted they see a 90% success rate after the completion of the program. Overnight shelters are only a solution to get someone through one night. To end homelessness, a complete package investment is necessary. Ms. Boyer began to explain the process and workings of the newly proposed shelter. She began by stating that the shelter will not allow for walk-in or drop off services. A coordinated entry system that is already in place will be utilized. There are four hubs open for those at risk to receive an assessment to begin the placement process. The assessment will

determine if the problem can be resolved quickly through existing solutions that won't take county resources. The assessment process also provides help with qualifications for other resources and will include ensuring that the person who has come in for assistance is matched up with the proper resources. Once the assessment is completed, they will be added to the By Name List that determines placement and is ranked in order by the score of the assessment and vulnerability for needs. Once a spot comes up the person will be contacted for placement.

She next began to explain how the center will serve the homeless population inside the center. There are two components to the center. The first is The Lodge, which is a 50-unit shelter of individual rooms with private bathrooms. This is a newer strategy that HUD has been pushing since the COVID-19 pandemic and is a better practice to remove the challenges that come with one or multiple roommates. Results also tend to be more positive in this setting. Residents will have a 30-90 day stay with a case manager for each resident, and support services from the County to help them find an exit from homelessness. The second component is The Residences. The Residences are 25 units converted to studio apartments for longer transitional living, up to 24 months. That option is important to help those who can't resolve their issues in the 30-90-day time frame given when residing in The Lodge. This continuum option helps staff to keep moving residents along to a permanent housing solution. This component is often necessary for seniors who are on a small fixed-income and need senior housing based on income for rent purposes. Those facilities have very long waitlists which is why The Residences will be helpful. Case management will help them move through the process to a permanent solution. UCS is forming an oversight and advisory board made up of key stakeholders and community members that will be part of the project's journey. UCS will be asking for volunteers soon for the board.

She reviewed community benefits for the project. She focused on the financial part for this presentation. There is a rippling effect of community benefits when someone gets off the streets and becomes housed. She also noted that 40% of the people living unsheltered during the PIT in 2024 are employed currently and 63% of people who interacted with the system in Johnson County in 2023 were employed or had some sort of income such as Social Security. She reviewed costs incurred by communities for those experiencing homelessness in the shelter community. She showed that emergency and medical services response (law enforcement, EMS, emergency room visit) cost 18 times more than housing a person costs. Incarceration costs 7 times more. Neither solution does anything to end the homelessness. She explained that this project will seek a public-private partnership. Transitional housing will secure vouchers for that part and will allow for some income to come in to help with budget. The approach to design the operating efficiency of the project as homeless work oftentimes depends heavily on grant funding, which is never completely secure and can change with Federal administrations. Her staff has learned that diversifying

revenue sources is very important to keep stability for the population they are working with. Income will also come from the City's population-based funding, indirect funding through reStart, and direct funding through reStart. The last two will be through grants and individual donations.

Ms. Boyer next moved to the process for approval of the shelter. She noted that reStart has submitted the Special Use Permit (SUP) to the City of Lenexa, where the shelter building is located currently as a hotel. She and her team have hosted public engagement in the neighborhood and businesses near the proposed site with larger county-wide engagements later in August. If the SUP is successful, they will close on the purchase of the building at the end of October and move to renovations to the site. They expect those to take until the fall of 2025 with a targeted opening at that time.

Chairman Kelley returned to add some additional thoughts. He noted that, through the process, there is a 90% success rate which he finds remarkable. One thing he asked Ms. Boyer to address is safety to both residents and the community, along with some information about how community meeting conversations have gone with residents and business owners in the area of the proposed site.

Ms. Boyer reported that safety and security is important to everyone, for both the community and residents. Her team is very intentional and have worked with site architects to ensure that the right decisions are made. Controlled access will be a key component with verification of attendees. No guests are allowed other than a case manager or other support service workers. The property will be fenced with a gate at both entrances that have access control as well. The parking lot is large and will be monitored. The site will be staffed 24/7 by well trained staff to handle many types of situations. There will be interior and exterior cameras, and hourly rounds through the building. She also reported that, at community meetings in the neighborhood of the site, neighbors and business owners were in attendance and were glad to learn more to clear up any wrong messaging that had been spread around. The business community was very supportive for people to go to help with challenges of those experiencing homelessness on their properties, including an office building owner who lost a lease because someone experiencing homelessness was camped in the building's lobby which was off-putting to the lessee. Both that business owner and the neighbor Sam's Club were excited about having an employee pool to pull from, and to work on a permanent homelessness solution. Many businesses expressed many job openings in critical positions that would be available to the shelter's residents, and reStart's employment staff has already started working on building those relationships.

Ms. Boyer next spoke about residential neighbor reactions at the meetings. She noted that many attended the meetings, and at the second meeting they seemed to feel surer about the program and plan. They liked knowing who they

could connect with for issues, as a previous halfway house in the neighborhood had no good contact person to discuss issues with.

Councilmember Ryherd called for comments from the public next. Jana Beary of Mission, KS spoke to her support of the shelter as a representative of The Good Faith Network, a Johnson County inter-faith group made up of 30 congregations that advocate for solutions to the community's most pressing problems. Her group has gathered to help build ways to stop homelessness and their commitment to it. She believes the program will provide unhoused residents of the county with the resources and stability to end their homelessness. She believes the center has been a long time coming and is undeniably necessary based on the PIT count from 2024. She addressed a small number of vocal opponents to the center, and she acknowledged that many on the Council may have heard these negative pieces of feedback, but she and her group are committed to this work in the County and to decreasing the idea of "not in my backyard". She has seen transitional housing work as a volunteer with the Veterans Community Project, which has built a safe and secure property with 49 homes for homeless veterans. She would not mind that in her neighborhood and feels safe working in that community. She has met many residents and has seen dignity and purpose in that work.

Kim Donoway of Mission, KS spoke about seeing many shelters around the metro area due to her line of work. She would like to know numbers on who is comprising the homeless. She believes that 25% of millennials who have jobs in Johnson County are homeless and would like to know what demographic the center will serve. She also believes that reStart is a massive corporation that is a non-profit for-profit and believes they can fund themselves and are massive. She also stated that people in Mission are struggling, and that the County should reopen the mental health services at the Northeast County Offices, which are located in Mission. She also thinks shelters are band-aids and that raising the minimum wage in the State would help the issue. She hopes to see that addressed and wants local municipalities to stop spending money. She would also like to see more about what causes homelessness and stated she believes that some residents will never choose to go into a shelter. She does believe the County, or a corporation, should fund the program themselves.

Councilmember Ryherd next moved into questions from the Committee.

Councilmember Boultinghouse asked if there was a contingency plan for cities that elect not to participate in the cost-share agreement. He also asked for confirmation that the whole shelter will hold approximately 75 people at a time, less than the PIT count of 225.

Ms. Boyer addressed the second question first, stating that during the PIT count 25% of the people were unhoused, with the other 75% having some sort of temporary shelter or transitional housing. This new shelter will hopefully fill in

the gap. She confirmed there are 75 units planned and believes that those will have a large impact immediately. They hope to see turnover quarterly of the 50 rooms. They hope to serve about 225 people annually. She next addressed the funding issue. She stated that cities will not be asked for more to make up for cities that do not participate, but reStart will have to work harder to make up the funding from public/private partnerships.

Councilmember Loudon commended everyone involved with the project on the quick work from 2021 to now. She has worked with reStart in her day job and appreciates the work they do. She is happy to know they will be working on the program. She also acknowledged that Ms. Donoway is correct in that there is not enough done to address the root causes of homelessness and acknowledged that it will always be difficult to solve in an expensive county. She likes to see the utilization of systems already in place and the desire to solve some issues immediately. She also likes the transitional housing piece to give residents the time they need to work through issues they have. She also noted the correlation between homelessness and domestic violence, where only one shelter is available in Johnson County for those victims. She believes that in a large metro area there will always be flow across county and state lines. She also spoke of the cost-of-living challenges that exist in the current economy. She is happy for Mission to contribute to this effort and agrees that everyone needs to have "skin in the game" and that homelessness is a city, county, state, and national level problem. She would be happy to support the work that goes forward.

Councilmember Schmid asked for confirmation from Ms. Boyer about the 90% success rate outcome that she spoke of and what the measure of "success" is in this situation. Ms. Boyer confirmed that number and stated that success is considered to be integration back into a safe housing situation, which does look different for everyone. It could be their own home, shared housing, group home housing for more support, and several other varieties of stable housing solutions. Councilmember Schmid asked if stability includes the duration of time in the new home. Ms. Boyer confirmed that some programs do have after-care for follow up with folks, but some programs do not have the funding or staffing for that work. There is an online database that isn't the best for data extraction but do track entrance into shelters. She also noted that case managers will work with residents to match up the right housing solution to give them the best foot forward for long-term housing, mostly by helping them manage their budget from the outset.

Mayor Flora thanked the County for addressing some of her initial concerns She finds it not ideal due to the City's budget cycle, but she appreciates the work they have done on the program. She believes that, at the end of the day, she does not want to put the process over the substance. She finds support of the shelter and the existence of the shelter meet the City's goals to be a safe and welcoming place and supporting the most vulnerable residents in both the city and the county. She supports the project.

Councilmember Boultinghouse noted that he agrees with Ms. Donoway's earlier comments that addressing homelessness includes many factors. He also echoed Councilmember Loudon and Mayor Flora that the Council knows the homeless services center does not completely solve the problem, however he hopes that items the Council has asked for such as attainable housing in new housing developments and other programming are a step in the right direction. He believes they are doing a good job at beginning to help solve the problem.

Ms. Boyer noted that there are many people who have housing vouchers in Johnson County but are unable to find a unit that will take it. She sees the County's investment into incentives to bring more landlords on board with taking those vouchers, which is very helpful. Vouchers at the shelter can also be transferred into the community to create systems and building relationships with landlords and offering incentives to help. reStart tends to have a lot of luck with landlords as they can be confident that those with vouchers are also working with reStart directly and there are some checks and balances in place.

Chairman Kelley spoke to Councilmember Boultinghouse's point that there are great things going on in Johnson County that are trying to address root causes of homelessness, but there is absolutely more to do. Bringing up wages to livable wages is one thing. He is excited about the idea of a more coordinated entry system that brings many groups and departments together across the county to best help people. He also takes from this project and the process of it is that there is always an opportunity for better communication between the County and the cities and he looks forward to that and deepening relationships and building foundations to address root causes in unique ways that are innovative.

Councilmember ChocieJ looked at the funding amounts for the cities and he does not believe the \$7,638 which feels like a small amount compared to what is spent on other projects. He believes they will help providing wide and diversified funding to help avoid grant funding struggles.

Councilmember Loudon stated this is a wonderful opportunity to talk about homelessness and stop trying to place blame as homelessness can happen so easily to many people for many reasons. She sees the metro area as a very kind and generous community where many partnerships exist.

Councilmember Ryherd asked Ms. Smith to advise on some next steps.

Ms. Smith thanked everyone for the presentation, including Chairman Kelley and the county staff for all of the information they provided. She also appreciated the reassurance and clarity around the funding request. She noted that Mission has a City Council Meeting on August 21 and this item will be discussed as a resolution on that date with the outcome communicated to the



Board of County Commissioners.

### **Action Items**

#### **Acceptance of the July 10, 2024 Community Development Committee Minutes**

Minutes of the July 10, 2024 Community Development Committee were provided to the Committee.

Councilmember Carpenter-Davis recommended this item be forwarded to the City Council for approval. All on the committee agreed, and this item will be on the consent agenda.

#### **Short Term Rental Ordinance**

Deputy City Administrator Brian Scott presented the second action item of the evening, for an Ordinance establishing licensing and regulation of short-term rental dwelling and dwelling units. A license will be required in the amount of \$500 as established at the earlier work session. Key provisions in the Ordinance include:

- Anyone who rents out a dwelling or dwelling unit as a STR must first submit an application and obtain a license from the City.
- Establishment of a license fee of \$500 for each STR property.
- Requirements that STRs must be for a minimum stay of two nights.
- Rentals cannot be used for gatherings, meetings, or any other kind of event that would allow third-party (non-renting) guests to attend.
- Occupancy for any STR is limited to two adults per bedroom and no more than ten (10) individuals total in the dwelling.
- The license is only applicable to the property being rented and is non-transferrable.
- A STR owner cannot hold more than two (2) licenses. Owners possessing more than two STR properties at the time the ordinance takes effect would be grandfathered in accordance with specific provisions included in the ordinance.
- The number of STR dwelling units per property is limited based on the

underlying zoning of the property as follows:

- One (1) Dwelling Unit per parcel of property zoned R-1 (RP-1) Single Family Residential District or R-3 (RP-3) Town-House District.
- Two (2) Dwelling Units per parcel of property zoned R-2 (RP-2) Two-Family Residential District or DND Downtown Neighborhood District.
- Four (4) Dwelling Units per parcel of property zoned R-4 (RP-4) Garden Apartment District; R-6 (RP-6) High-Rise Apartment District; MS-1 and MS-2 Main Street District; or MXD Mixed-Use District.
- Each owner must designate a Management Agent who resides within 40 miles of the property and who will regularly inspect the property, be responsible for its care and the actions of any renters, and to take service from the City for notices of any violations. The Owner may be the Management Agent if they meet the distance requirements.

In addition to these provisions, the proposed ordinance includes several specific duties and responsibilities of any owner which are intended to ensure the property is in a safe, habitable condition and to clearly communicate expectations surrounding impacts on the surrounding neighborhoods.

The City will contract with Granicus to help regulate short term rentals to help with compliance.

Councilmember Ryherd called for public comments.

Kim Donoway of Mission, KS expressed that she owns short term rentals, but she considers hers to be different as they cater to business travelers or residents in transition due to the sale of a home. She also has musicians attending programs in the metro area. She objects to the \$500 fee as she feels it is copying the City of Shawnee and believes the fee was set due to one owner who was behaving poorly. She owns properties in Fairway with an annual fee of \$150 and also that Kansas City, MO charges \$200. She believes that she is paying a higher percentage of cost than some larger multi-family developments that allow short-term rentals. She also feels held hostage due to the increase in property taxes in the County and City. She does not believe she is a bad actor in the short-term rental business and would like to see issues addressed via codes enforcement. She also calls out code enforcement issues when she sees them and finds that things are sometimes overlooked. She also believes sub-letters exist and she sees no provision for that issue. She would like those

owners to pay the license fee as well.

Joe Donoway of Mission, KS stated that he owns Airbnbs which began when his father was ill. He was able to spend time in Mission and in Los Angeles, CA. He feels that he would not have been able to operate his Airbnb under the new Ordinance because he was not the actual property owner. He finds the market is saturated with short term rentals and that the Ordinance is behind the times. He also felt that it was disingenuous to offer tax incentives while charge a licensing fee for them. He feels rents at new multi family developments are too high. He feels the \$500 license fee is too much and stops someone from renting out a spare room or occasional dwelling rental. He also feels it stops from gatherings such as business meetings, eclipse viewing, or family meals. He uses Airbnb and feels he would not stay in a place like Mission due to the two-day minimum rule. He found 10-15 rentals in Mission and feels the regulation is too much for a small number of units. He also feels the software is too costly for the number of units. He did not have any issues with parties or police calls and would like more data about police calls and disruptive parties and if tracking exists. He feels that the City receives fees from short term rental companies.

Councilmember Ryherd added that she hears about short term rentals more than any other issue from residents, and she believes the work done on the ordinance was very thoughtful, but also acknowledged there could be implications to small business owners, but also that many residents have been negatively impacted by poor short term rental ownership.

Councilmember Loudon added that she has a next-door neighbor whose house is as a short-term rental. There have been large parties that have been an issue, and there is a disconcerting feeling about having strangers in and out of the home. She hopes to preserve housing stock as there is a housing shortage

Councilmember Carpenter-Davis recommended this item be forwarded to the City Council for approval. All on the committee agreed, and this item will be on the regular agenda.

### **Nuisance Party Ordinance**

Mr. Scott next introduced a nuisance party ordinance to accompany the previous agenda item. This amendment to the City Code would define and address specifically nuisance parties, whether associated with a STR or any other residential property in the City. Nuisance parties are defined as a gathering of

five (5) or more people on a residential property that result in any of the following activities:

- Unlawful sale of, furnishing, possession or consumption of alcoholic beverages
- Unlawful use or possession of marijuana or any drug or controlled substances
- Any activity that would constitute a violation of any of the provisions of Section 215.111 of the Mission Municipal Code pertaining to disturbing the peace
- Conduct which constitutes assault and battery
- Property damage
- Discharging firearms

The Ordinance also includes that:

- It shall be unlawful for any owner or person having the right to possession of any residential premises, whether individually or jointly with others, to cause or permit a social gathering on the premises to become a nuisance party.
- It shall be unlawful for any person not domiciled at the site of the nuisance party to fail or refuse to leave the premises immediately after being told to leave by a police officer.
- Continuation of a nuisance party an hour or more after an order to disperse has been given by police shall constitute a separate violation of Section 215.13.

Councilmember Ryherd asked for any public comments.

Kim Donoway of Mission, KS stated that she would like clarity on the gathering of five people or more and the consumption of alcoholic beverages. She would like to know if that means if people are gathered and alcohol is also present if that is always a nuisance party. She also would like to know if the marijuana clause should be included as she believes that Kansas will soon legalize marijuana. She would like Fentanyl to be called out instead. She objects to marijuana being listed as she believes the whole Ordinance would be nullified and that is a waste of taxpayer money to have to redo the Ordinance.

Joe Donoway of Mission, KS expressed that he feels the Ordinance is unconstitutional under the 1st and 14th Amendments. He stated the case law he felt applied to that thought process. He feels that the Ordinance is repetitive of what is already in the City Code. He feels the Ordinance could stop people from throwing graduation parties and dislikes the marijuana inclusion. He also feels the Ordinance will stop neighborhood block parties and would like data about how often the nuisance parties occur. He feels the Ordinance does not penalize a party or a bad actor.

Councilmember Schmid agreed that he feels the use of the word marijuana is redundant and would like that removed as it would be covered under illegal drug language already included.

Ms. Smith asked Police Chief Dan Madden to weigh in on this discussion. He noted that the word marijuana was called out specifically when drafted because it is legal in so many places, it would state for visitors that it specifically is not legal here.

Councilmember Loudon asked for clarification about when a party becomes a nuisance party, as there is no intent to want to stop things like graduation parties.

Mr. Scott stated a social gathering of 5 or more people on residential property that results in one of the conditions above. The alcohol portion speaks to providing alcohol to minors, not of-age adults drinking together or to limit the number of people gathering.

Mayor Flora added that the Ordinance states “unlawful” so lawful use of alcohol or, if marijuana were to be legalized in the state, the lawful use of marijuana are not prohibited by that language.

Mr. Scott noted that, if marijuana were to become legal, the Ordinance would be amended to remove that language.

Ms. Smith reminded the Council and the public that every year for several years now Mission’s legislative platform has advocated for the lawful use of medical and recreational marijuana. There are shared viewpoints.

Councilmember Loudon recommended this item be forwarded to the City Council for approval. All on the committee agreed, and this item will be on the regular agenda.

### **Johnson Drive Traffic Signal Enhancement (OGL) Design Contract**

Public Works Director Stephanie Boyce presented a contract for approval with Olsson for the Johnson Drive Traffic Signal Enhancement project. In May of 2023, the City Council obligated grant funds for a Carbon Reduction Program Grant for the Johnson Drive Traffic Signal Enhancement Project. This project, in collaboration with the Mid-America Regional Council (MARC), will enhance the traffic signals on Johnson Drive from Broadmoor Street to Roe Avenue by installing network communications, pan-tilt zoom cameras and traffic signal controllers that will allow Johnson Drive to be part of the Operation Green Light program. The coordination of traffic signals helps to reduce unnecessary delays,

improve traffic flow and reduce emissions that contribute to ozone pollution. A Request for Qualifications was issued at the end of June 2024, with proposals due by July 12, 2024. A selection committee made up of City and MARC staff reviewed the submissions from Affinis Corp and Olsson, both of which have local experience with Operation Green Light and traffic signal enhancements. Although both firms demonstrated an understanding of the project requirements and possessed qualified staff, the committee found Olsson's proposal to be more detailed and their approach to the project more clearly articulated and ultimately selected Olsson to move forward in the process.

The total project cost, encompassing design, equipment, and installation, is \$197,380.00, with a local match requirement of \$39,480. The grant allocated \$48,580 for design, including design and construction services. Staff has negotiated a design cost of \$47,748 with Olsson for the traffic signal enhancements and recommends awarding the contract to Olsson.

There were no public or council comments.

Councilmember Schmid recommended this item be forwarded to the City Council for approval. All on the committee agreed, and this item will be on the consent agenda.

### **Interlocal Agreement with City of Roeland Park for the Eastern Johnson County Bikeshare Program**

Ms. Boyce's second item of the evening was for an interlocal agreement with Roeland Park for the Eastern Johnson County Bikeshare Program. She explained that in mid-2023, the City of Mission and Roeland Park jointly applied for the Bike Share Program extension to introduce 30 e-bikes in Mission and 20 e-bikes in Roeland Park. This initiative aims to enhance mobility options, especially in northeast Johnson County, and integrate electric bikes (e-bikes) into our community. The application covers the cost of e-bikes, batteries, bike racks, wayfinding signage, promotional materials, and operation expenses for a period of five years. This is a joint application with Roeland Park and Mission is the lead agency and project sponsor. The total project cost, including equipment, signage, promotional materials, and operations, is \$628,810. The local match required is \$125,760. Operation costs will be paid quarterly over five years.

There are two Interlocal Agreement under consideration. The first one specifies KDOT's policy and procedures for this project and the second one specifies that

the City of Roeland Park will reimburse the City of Mission, the sponsor of this project for their portion of the project. The City of Roeland Park approved the interlocal agreements at their August 5, 2024 council meeting. Approval of the interlocal agreements will allow staff to move forward with the bidding process for the e-bikes, batteries, racks, and wayfinding signs associated with the Northeast Johnson County Bike Share Program as administered by KDOT.

Councilmember Ryherd called for public comments.

Joe Donoway of Mission, KS expressed his interest in e-bikes and likes them for green living. He also shared some thoughts on the tracking of e-bikes and the Federal government.

Councilmember Schmid recommended this item be forwarded to the City Council for approval. All on the committee agreed, and this item will be on the consent agenda.

### **Design Contract for Localized Drainage Projects**

The final action item for the evening was for approval of a design contract with GBA for the Localized Drainage Project from Public Works Superintendent Brent Morton. He explained that during discussion and development of the Stormwater CIP program in 2023, Staff recommended two distinct funding streams to address repair and maintenance projects. The first stream, totaling approximately \$150,000 annually, aims to promptly address urgent issues such as sinkholes or system failures. Another \$250,000 was allocated annually to begin proactively tackling neighborhood level stormwater maintenance projects. This allocation primarily focuses on planned CMP replacements based on a ranking scale that identified about 11 projects. The localized stormwater projects currently under construction now were ranked 1, 2, 3, 7 in a presentation given in April 2023. Staff is recommending approval of a task order to begin design for the next round of projects (ranked 4, and 5). They are:

Hodges Dr and 61st Terrace; fourth ranked project; design involves installing stormwater infrastructure including partial driveway replacement, 1 new area inlet, and new pipe since currently runoff in this area drains directly onto the public Right-of-Way (ROW).

6347 W 49th St and 6334 W 50th St; fifth ranked project; design involves installing new stormwater infrastructure at these locations which are east of

Apollo Gardens which currently has no infrastructure in place. The lack of current infrastructure creates numerous downstream impacts at these locations.

Councilmember Boultinghouse asked if this project will address all of the issues at impacting the Appollo Gardens community. Mr. Morton believes it will address about 50% of the issues there, as there is failing stormwater in the area, or no stormwater as behind in the 4900. He believes this will be a step in the right direction. Councilmember Boultinghouse asked if there was a piece for assessment or financial contribution from the residents. Mr. Morton did not believe that was a piece right now, but drainage easements will be asked for donation to complete the work. Having to buy the easements and right-of-way will be costly and affect if the projects can get completed. Councilmember Boultinghouse asked if Staff would reach out to Appollo Gardens once the project is underway. Mr. Morton confirmed that the contractor GBA will do all of that work once the project is approved and begins.

Mayor Flora asked to clarify with Mr. Morton that his statement was only related to this piece of the Appollo project and not any further projects to address the lack of stormwater on the site and Mr. Morton confirmed that is correct.

Councilmember Chociej stated he had one of these projects in his neighborhood and that the project was very well run and the neighbors were very happy to have the project completed. He appreciates the efficiency and quality work. Mr. Morton stated he would pass that on to the contractor.

Councilmember Loudon acknowledged that stormwater is not the most fun thing, but one of the most important things the Council has to address. She appreciates the efforts made to deal with our stormwater issues efficiently and effectively. Mr. Morton added that residents really appreciate the localized drainage projects because they don't have to wait for a street reconstruction project that could be years out.

Kim Donoway of Mission, KS stated that she finds the Public Works Department to be doing a very good job in recent years and have made the City much better. She finds them to be responsive and friendly and go over things to help residents. She congratulated them on their outstanding work.

Councilmember Schmid recommended this item be forwarded to the City Council for approval. All on the committee agreed, and this item will be on the consent agenda.



### **Discussion Items**

There were no discussion items.

### **Department Updates**

Parks & Recreation Director Penn Almoney reminded the Committee that the Powell Community Center will be closed August 19 through September 2 for annual maintenance. He also updated them on the City's tree drive, which has a goal set of 50 trees planted. He also updated that the Mohawk Park project has 90% of trails poured, playground area prepped, and sport court pad poured. Seed blankets have been laid down on the west part of the park and tree installation is happening this week.

Ms. Boyce updated that Roe Avenue will be closed through August 11 from 59th Terrace to Johnson Drive. Message boards are redirecting traffic, but the road will reopen for the start of school on August 13. There have been some traffic signal issues due to the detour, and time will be expanded to north-south traffic during the closure. She also updated that the 55th Street project is going strong, and the road will be a nice smooth surface shortly.

Mr. Scott announced that the Popeye's building has been demolished and the new building will begin to be built. It will hopefully reopen in 2025. He also noted that demolition is happening at 58th Street and Nall Avenue to allow for the multi-family housing development that will be going in.

Ms. Smith thanked Mr. Morton for all of his efforts to help the owners at the 58th and Nall project get past their last utility shut off to pull their demolition permit.

### **Meeting Close**

There being no further business to come before the Committee, the meeting of the Community Development Committee was adjourned at 8:18 p.m.

Respectfully submitted,

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Robyn L. Fulks, City Clerk

<b>City of Mission</b>	Item Number:	5.
<b>ACTION ITEM SUMMARY</b>	Date:	September 4, 2024
<b>Community Development</b>	From:	Brian Scott

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

**RE:** Approval of a Maintenance Agreement with Mission & Beverly, LLC for the Maintenance of Improvements Located in the City’s Right-of-Way

**DETAILS:** The final plat of Mission Beverly was recently accepted by the City Council. This plat is associated with a 261-unit multi-family development project located on Martway Street between Dearborn Avenue and Beverly Avenue, which was approved earlier this summer by the City Council (PC Case # 24-07). The project will include nine (9) on-street parking spaces located in the City’s right-of-way along Martway Street and Dearborn, as well as sidewalks, trees, and landscaping located in the City’s right-of-way around the development.

Because the parking spaces are in the City’s right-of-way, Staff requested that the applicant enter into a maintenance agreement whereby the applicant is responsible for maintaining these on-street parking spaces.

The agreement provides the parameters for the on-going maintenance of the parking spaces, and once signed by both parties, it will be recorded with the Johnson County Register of Deeds so that there is a permanent record of the agreement that runs with the land.

**CFAA CONSIDERATIONS/IMPACTS:** N/A

Related Statute/City Ordinance:	Chapter 400 of Mission Municipal Code (Land Use)
Line Item Code/Description:	N/A
Available Budget:	N/A

## MAINTENANCE AGREEMENT

THIS MAINTENANCE AGREEMENT is made \_\_\_\_\_, 2024, between the CITY OF MISSION, KANSAS, a municipal corporation (“City”) and MISSION & BEVERLY LLC, a corporation (“Owner”), with respect to the following facts and objectives which are a material part of this Agreement:

A. Owner has received approval by the City to construct a multi-family housing development (“Development”) on property owned by Owner and legally described on Exhibit “A” attached hereto (“Property”).

B. The Development proposes the planting of lawn, trees and other vegetation, and other improvements (including parallel parking) in currently unutilized portions of the City’s right of way as shown on the approved development plan for the Development (collectively, “Improvements”).

C. As a condition of approval of the Development, the City has required Owner to agree to maintain and replace, as necessary, the Improvements until otherwise agreed by the City.

THEREFORE, the parties intending to be legally bound, hereby agree as follows:

1. **Improvements.** City shall permit and Owner shall cause the Improvements to be installed on the Property in accordance with the requirements of the City’s approval of the Development. Thereafter, Owner shall maintain the Improvements on the Property in good condition, including but not limited to watering, pruning, sculpting, mowing (as to the lawn) and replacing dead or dying vegetation. With regard to the parking areas, Owner will maintain the pavement, provide striping and snow and debris removal. If Owner fails to maintain the Improvements as above provided, City may, at its option, after giving Owner twenty (20) days prior written notice (unless within said 20-day period Owner proceeds and thereafter pursues with due diligence to maintain the Improvements as required pursuant to this paragraph) undertake and perform the maintenance of the Improvements. If City undertakes such Improvements, Owner shall be responsible for the payment of all reasonable and necessary out-of-pocket costs incurred by City in performing such maintenance and, in addition, City may charge a supervisory fee in an amount not to exceed 15% of such out-of-pocket costs incurred by City. If such costs and fee are not paid within thirty (30) days after the receipt of City’s invoice, City may assess the Property and collect such costs and fee with Owner’s annual ad valorem taxes.

2. **Owner’s Right to Subcontract.** Owner may perform its maintenance obligations under this Agreement itself or through such agent or agents, including a managing agent, as it may from time to time designate, and may at the sole discretion of Owner subcontract all or any portion of such work.

3. **Term.** Unless terminated as provided below, this Agreement shall continue in full force and effect for so long as the Development exists. Provided, however, that City reserves the absolute right to terminate this Agreement as to portions of the right of way on and around the Property, and in such event, Owner shall remove the Improvements with respect thereto. City

reserves all rights in and to its right of way, anything in this Agreement to the contrary notwithstanding.

4. **Indemnity.** Owner agrees to indemnify, save harmless and protect City from any and all claims, losses, damages, judgments, expenses and costs of every kind and description, including attorneys' fees, on account of personal injury to or sickness, disease or death of any person or for damage or injury to or destruction of property (including loss of the use thereof) on or about the Property or right of way resulting from acts of Owner, its employees, agents and independent contractors in performing the maintenance of the Improvements.

5. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of City, Owner and their respective successors and assigns. This Agreement shall be subject to and interpreted under the laws of the State of Kansas.

Executed as of the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Signature Pages to Follow



CITY OF MISSION, a Kansas municipal corporation

\_\_\_\_\_  
Solana Flora, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ACKNOWLEDGMENT**

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF JOHNSON    )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before, the undersigned, a Notary Public in and for the County and State aforesaid came Solana Flora, Mayor and \_\_\_\_\_, City Clerk, respectively, of the CITY OF MISSION, KANSAS, a municipal corporation, who is personally known to me to be such officers of such corporation, and who are personally known to me to be the same persons who executed the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

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

\_\_\_\_\_  
Notary Public

My commission expires:

Exhibit A  
(Legal Description)

PROPERTY DESCRIPTION A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 25 EAST, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8, NORTH 88°01'48" EAST, 687.09 FEET TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EAST RIGHT-OF-WAY LINE OF BEVERLY AVENUE (50 FEET WIDE); THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF BEVERLY AVENUE AND ITS NORTHERLY PROLONGATION, SOUTH 02°06'25" EAST, 398.90 FEET TO THE NORTHWEST CORNER OF TRACT II DESCRIBED IN THE WARRANTY DEED RECORDED JULY 14, 2001 IN BOOK 7282, PAGE 91, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE, ALONG THE NORTH LINE OF SAID TRACT II, AND ALONG THE NORTH LINE OF THE PARCEL DESCRIBED IN THE WARRANTY DEED RECORDED JANUARY 27, 2021 IN BOOK 202101, PAGE 010905, NORTH 88°06'04" EAST, 278.88 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF DEARBORN STREET (50 FEET WIDE); THENCE, ALONG THE WEST RIGHT-OF-WAY LINE OF DEARBORN STREET, SOUTH 02°01'18" EAST, 374.56 FEET TO THE NORTH LINE OF MARTWAY STREET DESCRIBED IN BOOK 436, PAGE 621; THENCE, ALONG THE NORTH RIGHT-OF-WAY LINE OF MARTWAY STREET, SOUTH 78°16'46" WEST, 282.29 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF BEVERLY AVENUE; THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF BEVERLY AVENUE, NORTH 02°06'25" WEST, 422.71 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH LOT 1, LOT 2, AND LOT 3 OF MARTWAY OFFICE BUILDINGS, A SUBDIVISION IN THE CITY OF MISSION, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE, ALONG THE WEST LINE OF SAID LOT 1, NORTH 02°05'26" WEST, 200.53 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE, ALONG THE NORTH LINE OF SAID LOTS 1, 2 AND 3, NORTH 78°16'46" EAST, 446.90 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT; THENCE, ALONG THE NORTH LINE OF SAID LOT 3, NORTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, HAVING A RADIUS OF 522.19 FEET, THROUGH A CENTRAL ANGLE OF 01°15'56", AN ARC DISTANCE OF 11.53 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE, ALONG THE EAST LINE OF SAID LOT 3, SOUTH 02°03'41" EAST, 122.84 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE, ALONG THE SOUTH LINES OF SAID LOTS 1, 2 AND 3, THE FOLLOWING SIX (6) COURSES: (1) SOUTH 64°37'08" WEST, 94.97 FEET; (2)

SOUTH 75°50'46" WEST, 248.46 FEET; (3) SOUTH 01°52'51" EAST, 24.40 FEET; (4) SOUTH 50°53'39" WEST, 16.92 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT; (5) SOUTHWESTERLY ALONG THE ARC OF LAST SAID CURVE, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 37°07'27", AN ARC DISTANCE OF 97.19 FEET; (6) SOUTH 88°01'06" WEST, 17.54 FEET TO THE POINT OF BEGINNING.



<b>City of Mission</b>	Item Number:	6.
<b>ACTION ITEM SUMMARY</b>	Date:	September 4, 2024
<b>Community Development</b>	From:	Brian Scott

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

**RE:** Approval of a Maintenance Agreement with Greentec Auto, LLC for the Maintenance of Improvements Located in the City’s Right-of-Way

**DETAILS:** A special use permit was recently approved by the City Council for the use of property located at 6800 61st Street for resourcing nickel-metal hydride batteries (PC Case # 24-09). One of the conditions for the special use permit was that the applicant – Greentec Auto, LLC – enter into a maintenance agreement with the City for the maintenance of parking spaces and landscaping in front of the building that are partially located in the City’s right-of-way.

The maintenance provides the parameters for the on-going maintenance of the parking spaces. Once signed by both parties, the maintenance agreement will be recorded with the Johnson County Register of Deeds so that there is a permanent record of the agreement that runs with the land.

**CFAA CONSIDERATIONS/IMPACTS:** N/A

Related Statute/City Ordinance:	Chapter 400 of Mission Municipal Code (Land Use)
Line Item Code/Description:	N/A
Available Budget:	N/A

## MAINTENANCE AGREEMENT

THIS MAINTENANCE AGREEMENT is made \_\_\_\_\_, 2024, between the CITY OF MISSION, KANSAS, a municipal corporation (“City”) and GREENTEC AUTO, LLC, a corporation (“Owner”), with respect to the following facts and objectives which are a material part of this Agreement:

A. Owner has received approval for a special use permit to resource nickel-metal hydride batteries (“Operation”) on property owned by Owner and legally described on Exhibit “A” attached hereto (“Property”).

B. The Operation proposes the planting of lawn, trees and other vegetation, and other improvements (including parking) in currently unutilized portions of the City’s right of way as shown on the approved development plan for the Operation (collectively, “Improvements”).

C. As a condition of approval of the Operation, the City has required Owner to agree to maintain and replace, as necessary, the Improvements until otherwise agreed by the City.

THEREFORE, the parties intending to be legally bound, hereby agree as follows:

1. **Improvements.** City shall permit and Owner shall cause the Improvements to be installed on the Property in accordance with the requirements of the City’s approval of the Operation. Thereafter, Owner shall maintain the Improvements on the Property in good condition, including but not limited to watering, pruning, sculpting, mowing (as to the lawn) and replacing dead or dying vegetation. With regard to the parking areas, Owner will maintain the pavement, provide striping and snow and debris removal. If Owner fails to maintain the Improvements as above provided, City may, at its option, after giving Owner twenty (20) days prior written notice (unless within said 20-day period Owner proceeds and thereafter pursues with due diligence to maintain the Improvements as required pursuant to this paragraph) undertake and perform the maintenance of the Improvements. If City undertakes such Improvements, Owner shall be responsible for the payment of all reasonable and necessary out-of-pocket costs incurred by City in performing such maintenance and, in addition, City may charge a supervisory fee in an amount not to exceed 15% of such out-of-pocket costs incurred by City. If such costs and fee are not paid within thirty (30) days after the receipt of City’s invoice, City may assess the Property and collect such costs and fee with Owner’s annual ad valorem taxes.

2. **Owner’s Right to Subcontract.** Owner may perform its maintenance obligations under this Agreement itself or through such agent or agents, including a managing agent, as it may from time to time designate, and may at the sole discretion of Owner subcontract all or any portion of such work.

3. **Term.** Unless terminated as provided below, this Agreement shall continue in full force and effect for so long as the Operation exists. Provided, however, that City reserves the absolute right to terminate this Agreement as to portions of the right of way on and around the Property, and in such event, Owner shall remove the Improvements with respect thereto. City reserves all rights in and to its right of way, anything in this Agreement to the contrary notwithstanding.

4. **Indemnity.** Owner agrees to indemnify, save harmless and protect City from any and all claims, losses, damages, judgments, expenses and costs of every kind and description, including attorneys' fees, on account of personal injury to or sickness, disease or death of any person or for damage or injury to or destruction of property (including loss of the use thereof) on or about the Property or right of way resulting from acts of Owner, its employees, agents and independent contractors in performing the maintenance of the Improvements.

5. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of City, Owner and their respective successors and assigns. This Agreement shall be subject to and interpreted under the laws of the State of Kansas.

Executed as of the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Signature Pages to Follow

GREENTEC AUTO, LLC, a corporation

By: \_\_\_\_\_  
Title: \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before, the undersigned, a Notary Public in and for the County and State aforesaid came \_\_\_\_\_, \_\_\_\_\_ of GREENTEC AUTO, LLC, a corporation, who is personally known to me to be such officer of such company, and who is personally known to me to the be same person who executed within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of said company.

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

\_\_\_\_\_  
Notary Public

My commission expires:

CITY OF MISSION, a Kansas municipal corporation

\_\_\_\_\_  
Solana Flora, Mayor

ATTEST:

\_\_\_\_\_  
Robyn L. Fulks, City Clerk

**ACKNOWLEDGMENT**

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF JOHNSON    )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before, the undersigned, a Notary Public in and for the County and State aforesaid came Solana Flora, Mayor and \_\_\_\_\_, City Clerk, respectively, of the CITY OF MISSION, KANSAS, a municipal corporation, who is personally known to me to be such officers of such corporation, and who are personally known to me to be the same persons who executed the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

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

\_\_\_\_\_  
Notary Public

My commission expires:

Exhibit A  
(Legal Description)

Legal Desc. (abbreviated)

8-12-25 TR 1 BG 1006.13' E & 25' N SW CR NW1/4 SW1/4 N 260°E 250' S 189.49' SW 37.02'  
& 117.81' W 117.87' TO BG 1.4 ACS M/L MIC 254 1