

REGULAR MEETING AGENDA Wednesday, April 20, 2022 at 7:00 p.m.

POWELL COMMUNITY CENTER 6200 MARTWAY

Meeting In Person and Virtually via Zoom

This meeting will be held in person at the time and date shown above. In consideration of the COVID-19 social distancing recommendations, 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.

If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL

1. PUBLIC HEARINGS

2. SPECIAL PRESENTATIONS

- Recognition of former Mayor and Council
- Rushton Arbor Day Poster Contest Winners
- "If I Were Mayor" Poster Contest Winners
- Child Abuse Awareness Month Proclamation
- Arbor Day Proclamation
- Kids to Parks Proclamation

3. <u>ISSUANCE OF NOTES AND BONDS</u>

4. CONSENT AGENDA

NOTE: Information on consent agenda items has been provided to the Governing Body. These items are determined to be routine enough to be acted on in a single motion; however, this does not preclude discussion. If a councilmember or member of the public requests, an item may be removed from the consent agenda for further consideration and separate motion.

CONSENT AGENDA - GENERAL

4a. Minutes of the March 9, 2022 City Council Meeting and March 30, 2022 Special City Council Meeting

CONSENT AGENDA - Finance & Administration Committee

<u>Finance & Administration Committee Meeting Packet April 6, 2022</u> Finance & Administration Committee Meeting Minutes April 6, 2022

CONSENT AGENDA - Community Development Committee

Community Development Committee Meeting Packet April 6, 2022 Community Development Committee Meeting Minutes April 6, 2022

- 4b. Purchase of bulk deicing salt from Central Salt, LLC
- 4c. Task Order with GBA to Perform On-Call Review Services for Miscellaneous Site Development Plans

5. PUBLIC COMMENTS

6. <u>ACTION ITEMS</u> Planning Commission

March 28, 2022 Planning Commission Meeting Minutes

- 6a. Special Use Permit and Final Plat for Bickford at Mission Springs 5350 W. 61st Place (page 4)
 - Ordinance for Special Use Permit for Bickford at Mission Springs
 - Resolution Approving Final Plat and Accepting Various Easements and ROW within said Plat for Bickford at Mission Springs
- 6b. Mohawk Park Site Improvements (page 19)

Miscellaneous

7. COMMITTEE REPORTS

Finance & Administration, Debbie Kring

<u>Finance & Administration Committee Meeting Packet April 6, 2022</u> Finance & Administration Committee Meeting Minutes April 6, 2022

7a. Assignment of Mission Bowl Development Agreement (page 48)

Community Development, Trent Boultinghouse

Community Development Committee Meeting Packet April 6, 2022 Community Development Committee Meeting Minutes April 6, 2022

- 8. <u>UNFINISHED BUSINESS</u>
- 9. **NEW BUSINESS**
- 10. COMMENTS FROM THE CITY COUNCIL
- 11. COUNCIL COMMITTEE LIAISON REPORTS
 - Sustainability Commission (Kring/Thomas)
 - Parks, Recreation + Tree Commission (Loudon/Ryherd)
 - Mission Magazine Editorial Board (Boultinghouse)
 - Family Adoption Committee (Chociej)
- 12. <u>MAYOR'S REPORT</u> <u>Appointments</u>
- 13. CITY ADMINISTRATOR'S REPORT
- 13a. March Interim Financial Reports (page 56)
- 13b. Appointment of Interim City Clerk
- 14. EXECUTIVE SESSION

ADJOURNMENT

City of Mission	Item Number:	6a.
INFORMATIONAL ITEM	Date:	April 20, 2022
COMMUNITY DEVELOPMENT	From:	Brian Scott

RE: Approval of Special Use Permit and Approval of a Preliminary and Final Plat for Bickford at Mission Springs – 5350 W. 61st Place

DETAILS: Bickford at Mission Springs is an assisted living and memory care facility located at 5350 W. 61st Place. The development is two, separate buildings totaling approximately 28,000 square feet of built space on a tract of land that is 3.8 acres in size. The property is zoned "CP-O" Planned Office Building. Nursing homes are a permitted use in any zoning district with a special use permit. When the development was approved in 1995, a special use permit was issued for a period of 25 years.

The ownership of Bickford is in the process of selling the property to another entity. The lender that is financing the purchase requested a zoning verification letter from the City earlier this winter. At that time, it was discovered by staff that the Special Use Permit had expired in 2020.

The ownership of Bickford is requesting a renewal of the Special Use Permit for an indefinite period. In addition, during this review, staff also discovered that the property was never properly platted, so a Preliminary and Final Plat have been prepared. The plats will identify all easement and dedications and be filed with the Johnson County Register of Deeds.

The Planning Commission held a public hearing at their meeting on March 28, 2022 to take testimony on both the application for the Special Use Permit and the application for the Preliminary and Final Plat. At the conclusion of the public hearing, the Planning Commission voted to recommend to the City Council approval of the Special Use Permit and the Preliminary and Final Plat with conditions as outlined in the staff reports.

No action is sought by the Community Development Committee. This item will be considered by the City Council at their regular meeting on April 20, 2022.

CFAA CONSIDERATIONS/IMPACTS: The Community for All Ages initiative is an effort to consider the needs of residents of all ages when evaluating projects. Bickford at Mission Springs is the only assisted living and memory care facility within Mission that is available to serve the needs of the senior residents of Mission.

Related Statute/City Ordinance:	Chapter 400 of the Mission Municipal Code
Line Item Code/Description:	
Available Budget:	

CITY OF MISSION, KANSAS

ORDINANCE NO._____

AN ORDINANCE AUTHORIZING CERTAIN PROPERTY WITHIN THE CITY OF MISSION, KANSAS TO BE USED FOR OR OCCUPIED BY A SPECIAL USE.

WHEREAS, an application for the establishment of a Special Use Permit has heretofore been made to occupy or use property located at 5350 W. 61st Place to be used for the following use or uses: Nursing Home; and

WHEREAS, said property is currently zoned "CP-O" Planned Office Building wherein such uses are not permitted without a Special Use Permit; and

WHEREAS, notice of said original application was duly given as required by law by publication and mailing; and

WHEREAS, a public hearing was held pursuant to law before the City Planning Commission of the City of Mission on March 28, 2022, and the recommendation of said Planning Commission was acted upon by the City Council of the City of Mission as required by law:

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

Section 1. That the said property described as:

5350 W. 61st Place Johnson County Parcel ID# KF251209-2010 In the City of Mission, Johnson County, Kansas

- 1. may be occupied or used for the above described special use or uses subject to these conditions and requirements:
- 2. The Special Use Permit shall be in place until such time as the use of the facility changes.
- 3. The Special Use Permit shall become void if the facility is vacant for six months or more.
- 4. The facility shall remain compliant with all local, State, and Federal laws and regulations including proper licensing to operate as an assisted living facility and copies of such licenses shall be provided to the City of Mission.

- 5. The applicant shall provide the City of Mission with any inspection reports from the State of Kansas and shall provide documentation of all license renewals.
- 6. Fire ingress and egress access from the west at 61st Place and from the northeast at the drive access to Rock Creek Lane shall remain and be maintained in adequate condition that fire apparatus has sufficient clearance for entry onto and throughout the property.
- 7. Fire Department access via the northeast fire access drive gate shall be granted at all times.
- 8. All screening and buffers to surrounding properties, including all landscaping elements, are maintained by the property owner or owner's agent.
- A Final Plat will be approved by the Planning Commission and City Council
 and recorded with the Johnson County Register of Deeds within three
 months of receiving the Special Use Permit.

Section 2. That the approval of this Special Use Permit shall not change the zoning currently assigned to the property by the Official Zoning Map.

Section 3. This Ordinance shall take effect and be in force from and after its adoption and publication according to law.

Passed by the City Council this 20th day of April 2022.

Approved by the Mayor this 20th day of April 2022.

David Martin, City Attorney

	Solana Flora, Mayor
ATTEST:	
Audrey M. McClanahan, City Clerk	
APPROVED AS TO FORM:	

CITY OF MISSION, KANSAS

RESOLUTIO	N NO.	
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A RESOLUTION APPROVING THE FINAL PLAT OF BICKFORD AT MISSION SPRINGS LOT 1 AND ACCEPTING RIGHT OF WAY, ACCESS AND DRAINAGE EASEMENTS WITHIN SAID PLAT AS THOSE OF THE CITY OF MISSION TO HOLD IN PERPETUITY

WHEREAS, the Bickford at Mission Springs (Bickford) is an assisted living and memory care facility located at 5350 W. 61st Place in Mission, Johnson County, Kansas; and

WHEREAS, the Bickford has been in continual operation at this location since it was constructed in 1995; and

WHEREAS, Bickford recently submitted an application to renew their Special Use Permit and it was noted at that time that no formal plat of the property is recorded with the Johnson County Register of Deeds or is on file with the City; and

WHEREAS, said plat to be recorded with the Johnson County Register of Deeds recognizes and dedicates to the City of Mission certain right-of-way, access and drainage easements for the City's benefit in constructing and maintain roads and stormwater systems and the benefit of other governmental agencies and utilities.

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

- Section 1. That the City of Mission accepts a 25' strip of land along the northern boundary of the plat as right-of-way for future construction and maintenance of W. 61st Street and Rock Creek Lane and any adjacent infrastructure including sidewalk, streetlights, or utilities.
- Section 2. That the City of Mission accepts a non-exclusive easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and under those areas outlined and designated on the Final Plat of Bickford at Mission Spring, Lot 1 as "Storm Sewer Easement" or "Drainage Easement" or "D/E."
- **Section 2.** The Mayor shall affix her signature to the Final Plat of Bickford at Mission Springs Lot 1 attesting to the acceptance.
- **Section 3.** Said Plat shall be recorded with the Johnson County Register of Deeds.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION on this 20th day of April 2022.

APPROVED	BY	THE MAYOR	on this 20th	day of	April 2022.
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	Solana Flora, Mayor	
ATTEST:		
Audrey M. McClanahan, City Clerk		

NEW BUSINESS AGENDA ITEM: 1

Case #22-05 – Special Use Permit for Bickford at Mission Springs PROJECT NUMBER / TITLE:

Special Use Permit Renewal **REQUEST:**

LOCATION: 5350 West 61st Place

Mission, KS 66202

Property ID: KF251209-2010

APPLICANT:

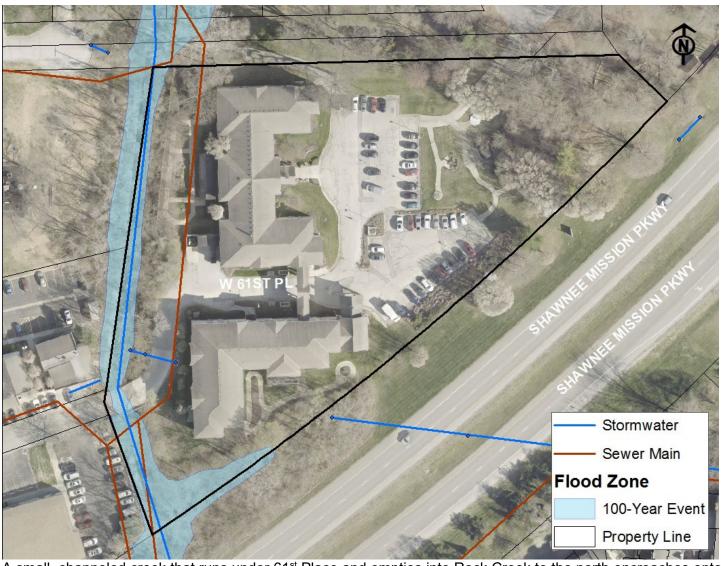
Propco, LLC 600 3rd Avenue, 21st Floor New York, NY 10016

STAFF CONTACT: Karie Kneller, City Planner



Property Information:

The subject property, an assisted living and memory care facility, is located at 5350 West 61st Place, north of Shawnee Mission Parkway and between 61st Place and Rock Creek Lane, just east of Nall Avenue. Primary vehicular ingress and egress is on 61st Place, with a fire access road and gate on the east at Rock Creek Lane. There is a utility access road that connects to the northwest corner of the parking lot that leads to the back of the property and City-owned property for utility access. The total land area of the property is 165,881 square feet (3.8 acres). There are two buildings on the site, connected by an elevated walkway. Building 1, a two-story structure erected in 1996, has a footprint of approximately 16,000 square feet. Building 2, a three-story structure erected in 1997, has a footprint of approximately 12,000 square feet for a total of approximately 28,000 square feet of land area, which consists of about 17% of the total property. Surface parking for about 50 vehicles consists of approximately 17,777 square feet of the property area, or about 11%, and contains a landscaped island. Service access is located on the west side of the property behind Building 1.



A small, channeled creek that runs under 61st Place and empties into Rock Creek to the north encroaches onto the western edge of the property by about 60 feet in the southwest corner during a 100-year flood event, which comes within 26 feet of the most southern edge of Building 2 according to FEMA Flood Insurance Rate Maps (FIRMs). Habitable structures are not in the 100-year flood plain. A stormwater inlet captures runoff from the neighborhood to the southeast across Shawnee Mission Parkway and carries it under the road to the floodway and stream on the southern area of the subject property. The entire south and west side of the property is heavily treed with a variety of deciduous species, which buffers the stream and provides additional protection against flood risk for the property. The eastern portion of the property is also heavily treed and contains a short walking path adjacent to the fire access road.

This subject property is zoned "CP-O" – Planned Office Building District. It is adjacent to zones CP-O, CP-1, and R-1 which include Countryside Christian Church and office buildings on the west, and it is bordered by a residential neighborhood to the north and east.

The property is well-maintained, and the facility is a well-established operation that is an asset to the community and surrounding area. It is screened from adjacent residential, office, and religious institutions by roughly extensive tree cover. It is currently Mission's only assisted living facility with skilled nursing capacity.

Project Background:

In November 1995, prior to construction of the first building, the City approved a Special Use Permit under Ordinance 927 for the property to be used as an assisted living facility. Assisted living facilities are not listed as a permitted use in CP-O. However, assisted living and memory care facilities (nursing homes) may operate in any zoning district with a Special Use Permit. The future land use map in the Comprehensive Plan designates this property as medium-density residential.

In January 2022, a Bickford employee contacted City Staff and requested verification that the property did not have any zoning or code violations, as the property was being sold. The employee shared a letter drafted by Planning Staff in November 2011, which confirmed the CP-O zoning code and Special Use Permit granted by Ordinance 927 for an assisted living facility. Current Planning Staff reviewed the ordinance and discovered that the Special Use Permit expired in November 2020. The current property owners and the City were not aware of the permit's expiration until that time. Staff also discovered that the property had not been platted at the time of construction.

The property has remained unplatted since before it was developed. The City requested that the property owner record a final plat with the Johnson County Register of Deeds. The Preliminary Plat and Final Plat will be addressed further in Case #22-06.

Permit Review:

Under Article III, "Special Use Permits" in the City of Mission municipal code, the following stipulations apply:

- Nursing homes (assisted living facilities) are allowed in all districts
- §440.140(E) "Criteria for Considering Applications"
 - The character of the neighborhood and extent that the use would be in harmony with nearby properties
 - The extent to which approval would detrimentally affect nearby properties
 - Relative benefit to public welfare by retaining applicable restrictions compared to the destruction
 of the value of the property or hardship to the owner with denying the request
 - The Comprehensive Plan
 - The extent to which utilities and public services are adequate
 - The extent that the use creates excessive pollution or environmental harm
 - The extent to which there is a need for the use in the community
 - The economic impact of the use on the community
 - The ability of the applicant to satisfy any requirements imposed

• The recommendation of professional staff

It is Staff's interpretation that a Special Use Permit renewal for the continued use of the property as an assisted living facility meets all applicable criteria in Article III, §440.140. The facility and its surrounding property is harmonious with nearby properties and does not detrimentally affect public health or property values. The use is consistent with the Comprehensive Plan as medium-density residential adjacent to office, low-density residential, and public uses as part of encouraged mixed-use and has adequate access to utilities and public services. Excessive pollution or environmental harm have not been reported to Staff's knowledge, and the operation has not negatively impacted the community economically. The applicant has thus far met all requirements imposed by the City and other regulatory bodies. The assisted living facility is a benefit to public welfare and denying the application could impose a hardship to the property owner.

Under §445.210 of the City's municipal code, Special Use Permits may be for a specified time period or continual except as provided in §445.230, which states the following:

• If a use is discontinued by a period of time more than six months, the special use permit shall expire.

And,

- Revocation of a Special Use Permit may be granted if any of the following conditions are met:
 - Non-compliance with any applicable requirement
 - o Non-compliance with any special conditions imposed at the time of approval
 - Violation of any provisions of the Code
 - Where conditions of the neighborhood have changed to the extent that approval would be unwarranted
 - Violation of any State or Federal law or regulation

It is Staff's interpretation that a Special Use Permit renewal for the continued use of the property as an assisted living facility does not meet any of the stipulations for revocation in §445.210, and therefore would likewise not meet the stipulations for application denial. The property has been used continuously as an assisted living facility since it was developed in 1996. The property has not in the past, nor is it currently in violation of any Local, State, or Federal regulations.

Recommendation:

Staff recommends that the Planning Commission recommend approval to the City Council of Case #22-05 for issuance of a Special Use Permit for the operation of a nursing home at 5350 W. 61st Place, with the following conditions:

Conditions of Approval:

- 1. The Special Use Permit shall be permanent until such time as the use of the facility changes.
- 2. The Special Use Permit shall become void if the facility is vacant for six months or more.
- 3. The facility shall remain compliant with all local, State, and Federal laws and regulations including proper licensing to operate as an assisted living facility and provide copies of such licenses to the City of Mission.
- 4. The applicant shall provide the City of Mission with any inspection reports from the State of Kansas and shall provide documentation of all license renewals
- 5. Fire ingress and egress access from the west at 61st Place and from the northeast at the drive access to Rock Creek Lane shall remain and be maintained in adequate condition that fire apparatus has sufficient clearance for entry onto and throughout the property.

- 6. Fire Department access via the northeast fire access drive gate shall be granted at all times.
- 7. All screening and buffers to surrounding properties, including all landscaping elements, are maintained by the property owner or owner's agent.
- 8. A Final Plat will be approved by the Planning Commission and City Council and recorded with the Johnson County Register of Deeds within three months of receiving the Special Use Permit.

Planning Commission Action:

At the March 28, 2022 meeting, the Planning Commission voted 9-0 to recommend to the City Council approval of a Special Use Permit to Propco, LLC to operate a Nursing Home at 5350 West 61st Place, Mission Kansas to be known as Bickford at Mission Springs.

City Council Action:

This item will be considered by the City Council at their April 20, 2022 meeting.

NEW BUSINESS AGENDA ITEM: 2

PROJECT NUMBER / TITLE: Case #22-06 – Bickford at Mission Springs Preliminary/Final Plat

REQUEST: Approval of a Preliminary and Final Plat

LOCATION: 5350 West 61st Place

Mission, KS 66202

Property ID: KF251209-2010

APPLICANT: Propco, LLC

Propco, LLC 600 3rd Avenue, 21st Floor New York, NY 10016

STAFF CONTACT: Karie Kneller, City Planner



Property Information:

The subject property, an assisted living and memory care facility, is located at 5350 West 61st Place, north of Shawnee Mission Parkway and between 61st Place and Rock Creek Lane, just east of Nall Avenue. There are two existing structures on the site, connected by an elevated walkway. Primary vehicular ingress and egress is on 61st Place, with a fire access road and gate on the east at Rock Creek Lane. There is a utility access road that connects to the northwest corner of the parking lot that leads to the back of the property The property is zoned "CP-O" Planned Office Building District. Assisted living facilities (nursing homes) are permitted in all zoning districts with a special use permit. Surrounding properties are zoned and used as follows:

- West: "CP-1" Planned Restricted Business District; "C-O" Office Building District: offices and place of worship
- North and East: "R-1" Single-family Residential District: single-family homes
- South: N/A: Shawnee Mission Parkway/Highway 56 ROW

A small, channeled creek that runs under 61st Place and empties into Rock Creek to the north encroaches onto the western edge of the property by about 60 feet in the southwest corner during a 100-year flood event according to FEMA Flood Insurance Rate Maps (FIRMs). Habitable structures are not in the 100-year flood plain. A stormwater inlet captures runoff from the neighborhood to the southeast across Shawnee Mission Parkway and carries it under the road to the floodway and stream on the southern area of the subject property.

Project Background:

The property has remained unplatted since before it was developed. The City requested that a preliminary and final plat be submitted with the Special Use Permit application. If approved, the final plat will be recorded with the Johnson County Register of Deeds. The current owner, NHI-Bickford Real Estate LLC, is selling the property to TL Acquisition, LLC, based in New York, which plans to continue operations as an assisted living and memory care facility. The sale of property to new ownership is contingent upon the approval of the plat and Special Use Permit to continue existing operations.

Code Review – Consideration of Preliminary Plats:

Mission municipal code at §440.220 states that Preliminary Plats shall be approved by the Planning Commission if it determines that:

- 1. The proposed preliminary plat conforms to the requirements of this Title, the applicable zoning district regulations and any other applicable provisions of this Code, subject only to acceptable rule exceptions. It is Staff's determination that the proposed plat is in conformance.
 - 2. The subdivision or platting represents an overall development pattern that is consistent with the Master Plan and the Official Street Map.

It is Staff's determination that the plat represents a development pattern already established and supported by the Comprehensive Plan.

3. The plat contains a sound, well-conceived parcel and land subdivision layout which is consistent with good land planning and site engineering design principles.

It is Staff's determination that the plat supports good land planning and allows for future redevelopment in compliance with adopted standards.

4. The spacing and design of proposed curb cuts and intersection locations is consistent with good traffic engineering design and public safety considerations.

It is Staff's determination that the plat does not propose any changes to curb cuts or intersections.

5. All submission requirements have been satisfied.

All the requirements of 440.220-Submission of Preliminary Plats have been satisfied.

Code Review – Consideration of Final Plats:

Mission municipal code at §440.260 states that Final Plats shall be approved by the Planning Commission if it determines that:

1. The final plat substantially conforms to the approved preliminary plat and rule exceptions granted thereto.

The final plat matches the preliminary plat as submitted with this application.

2. The plat conforms to all applicable requirements of this Code, subject only to approved rule exceptions.

Code requirements are described below. The proposed plat is in conformance.

3. All submission requirements have been satisfied.

All of the requirements of 440.250-Submission of Final Plats have been satisfied.

4. Approval of a final plat shall require the affirmative vote of a majority of the membership of the Planning Commission.

Analysis:

The Preliminary and Final Plats with this application consist of one lot and two tracts.

Lot: total area is 182,295 square feet (4.19 acres)

Tract 1: area is 180,162 square feet (4.14 acres)

Tract 2: area is 2,133 square feet (.05 acres)

Right-of-Way (ROW): The existing 25' ROW on the northern portion of the property shall remain as access for road purposes if the City plans road connection from 61st Street to Rock Creek Lane in the future.

Easements: The easements proposed in the plat are areas dedicated to the City and/or responsible agency(s) for access to construct and/or repair public utilities such as stormwater, sanitary sewer, electrical, and other utilities.

Zone CP-O of the Mission Municipal Code does not contain lot area restrictions. Generally, under §455.100 of the Mission Municipal Code, a typical subdivision at the time of an original plat shall exercise good design and layout, that good planning principles are followed, efficient use of land, and natural assets such as trees and topography be retained wherever practical.

The above dimensions and designations are in accordance with the ordinances set forth in the Mission Municipal Code.

Recommended Conditions of Approval:

Staff recommends the following conditions of approval:

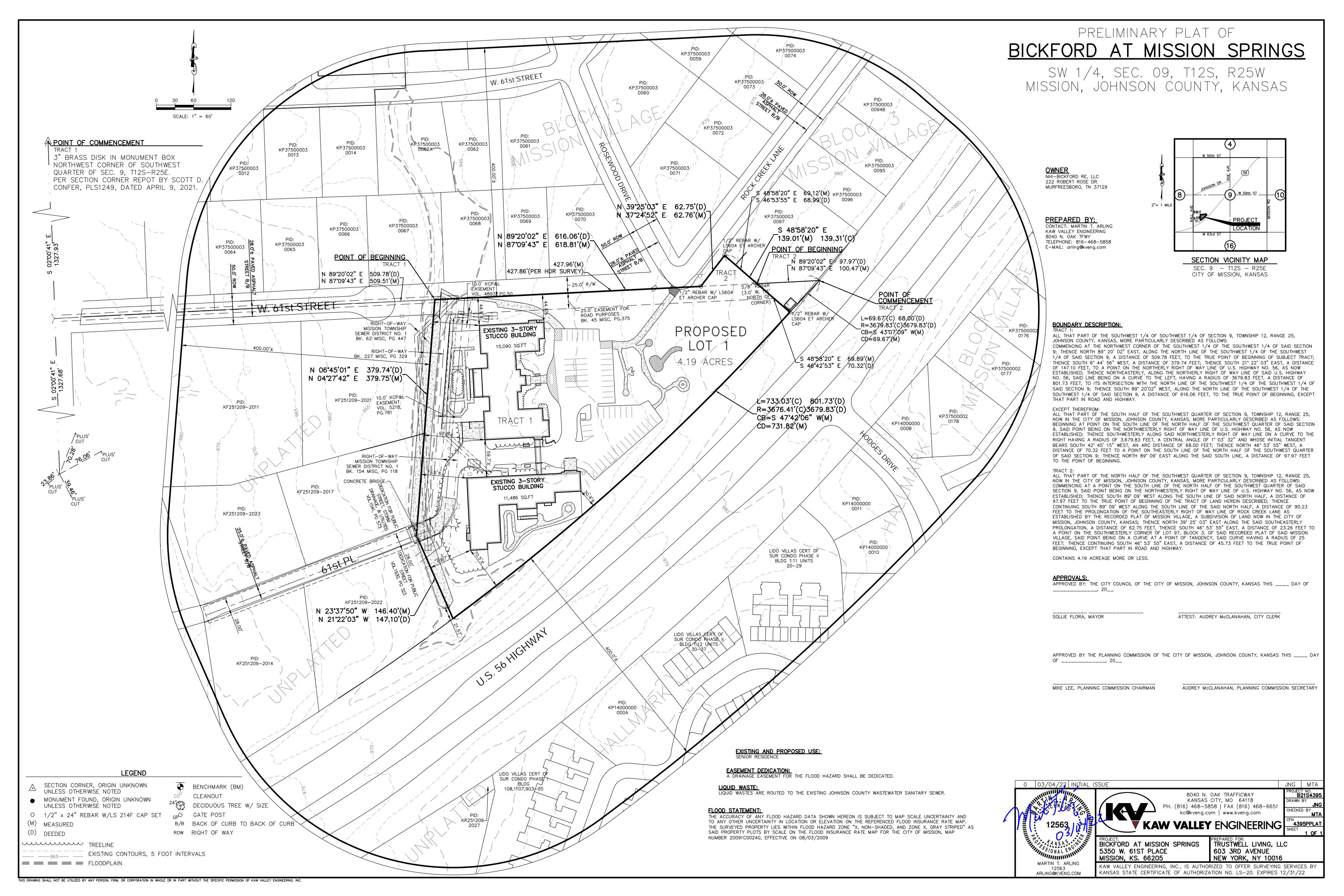
1. Access easement shall be dedicated in the Final Plat for ingress/egress at the northeast corner of the property as secondary emergency access; this should be submitted as a revision to Staff as soon as possible for final approval.

Planning Commission Action:

At the March 28, 2022 meeting, the Planning Commission voted 9-0 to recommend to the City Council approval of Preliminary and Final Plat of Bickford at Mission Springs, Lot 1, Tract 1 and 2.

City Council Action:

This item will be considered by the City Council at their April 20, 2022 meeting.



SCALE: 1" = 30'

FINAL PLAT OF BICKFORD AT MISSION SPRINGS

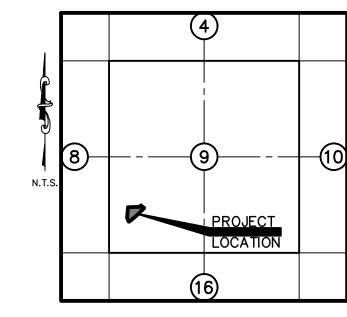
SW 1/4, SEC. 09, T12S, R25W MISSION, JOHNSON COUNTY, KANSAS

222 ROBERT ROSE DR.

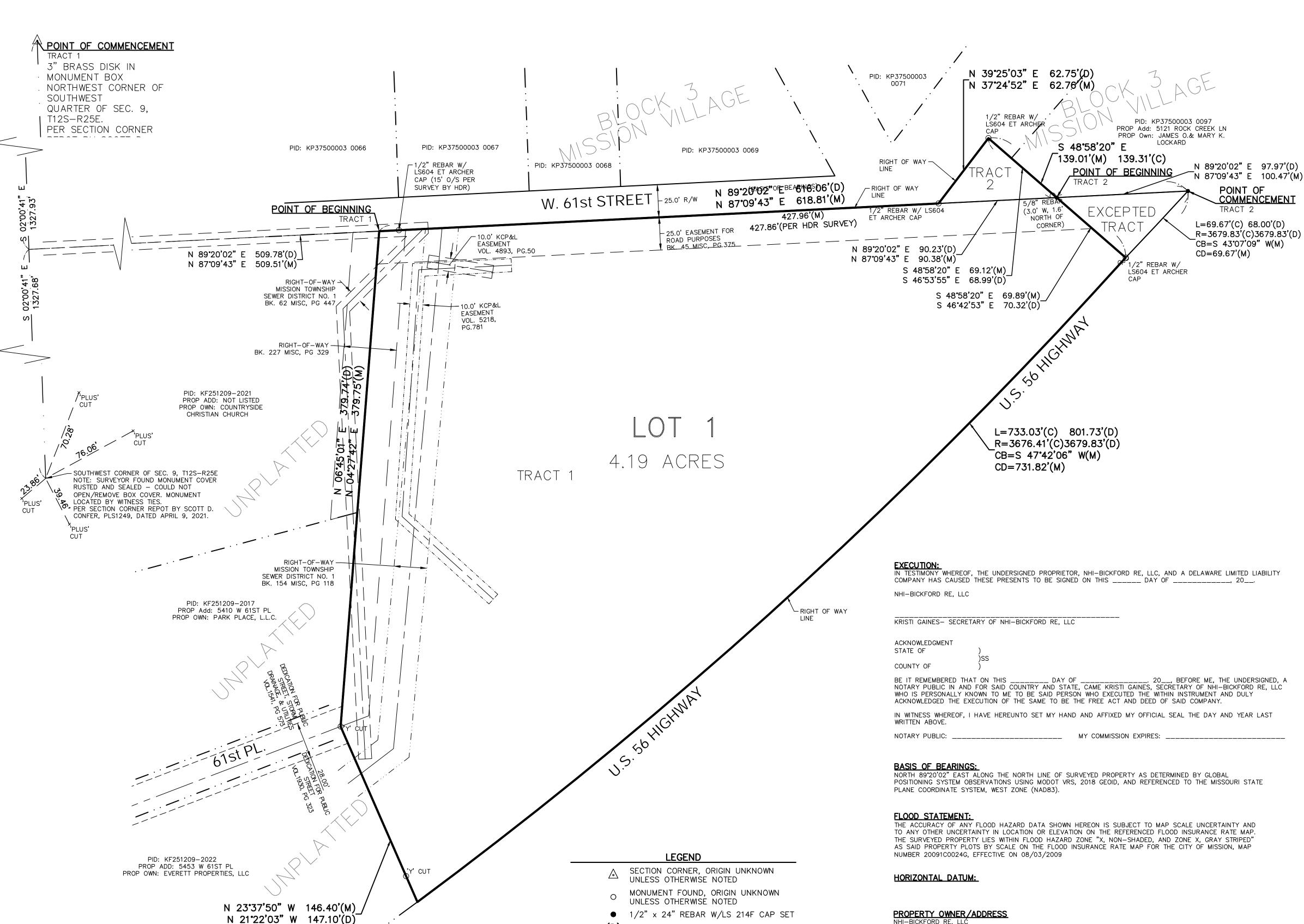
REFERENCE DEEDS:

MURFREESBORO, TN 37129

KANSAS SPECIAL WARRANTY DEED, BOOK 2011123, PAGE 008289



SECTION VICINITY MAP SEC. 9 - T12S - R25E CITY OF MISSION, KANSAS



(D) DEEDED

THIS DRAWING SHALL NOT BE UTILIZED BY ANY PERSON, FIRM. OR CORPORATION IN WHOLE OR IN PART WITHOUT THE SPECIFIC PERMISSION OF KAW VALLEY ENGINEERING. INC.

(M) MEASURED

BOUNDARY DESCRIPTION:

ALL THAT PART OF THE SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 12, RANGE 25, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9: THENCE NORTH 89° 20' 02" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9, A DISTANCE OF 509.78 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT: THENCE SOUTH 6° 44' 56" WEST. A DISTANCE OF 379.74 FEET: THENCE SOUTH 21° 22' 03" EAST, A DISTANCE OF 147.10 FEET, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 56, AS NOW ESTABLISHED; THENCE NORTHEASTERLY, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 56, SAID LINE BEING ON A CURVE TO THE LEFT. HAVING A RADIUS OF 3679.83 FEET. A DISTANCE OF 801.73 FEET. TO ITS INTERSECTION WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE SOUTH 89° 20'02" WEST, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9, A DISTANCE OF 616.06 FEET. TO THE TRUE POINT OF BEGINNING. EXCEPT THAT PART IN ROAD AND HIGHWAY.

ALL THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, NOW IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9, SAID POINT BEING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 56, AS NOW ESTABLISHED; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 3,679.83 FEET, A CENTRAL ANGLE OF 1° 03' 32" AND WHOSE INITIAL TANGENT BEARS SOUTH 42° 45' 15" WEST, AN ARC DISTANCE OF 68.00 FEET; THENCE NORTH 46° 53' 55" WEST, A DISTANCE OF 70.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTH 89° 09' EAST ALONG THE SAID SOUTH LINE, A DISTANCE OF 97.97 FEET TO THE POINT OF BEGINNING.

ALL THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, NOW IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9, SAID POINT BEING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 56, AS NOW ESTABLISHED; THENCE SOUTH 89° 09' WEST ALONG THE SOUTH LINE OF SAID NORTH HALF, A DISTANCE OF 97.97 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE CONTINUING SOUTH 89° 09' WEST ALONG THE SOUTH LINE OF THE SAID NORTH HALF, A DISTANCE OF 90.23 FEET TO THE PROLONGATION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF ROCK CREEK LANE AS ESTABLISHED BY THE RECORDED PLAT OF MISSION VILLAGE, A SUBDIVISION OF LAND NOW IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS; THENCE NORTH 39° 25' 03" EAST ALONG THE SAID SOUTHEASTERLY PROLONGATION. A DISTANCE OF 62.75 FEET, THENCE SOUTH 46° 53' 55" EAST, A DISTANCE OF 23.26 FEET TO A POINT ON THE SOUTHWESTERLY CORNER OF LOT 97, BLOCK 3, OF SAID RECORDED PLAT OF SAID MISSION VILLAGE, SAID POINT BEING ON A CURVE AT A POINT OF TANGENCY, SAID CURVE HAVING A RADIUS OF 25 FEET; THENCE CONTINUING SOUTH 46° 53' 55" EAST, A DISTANCE OF 45.73 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THAT PART IN ROAD AND HIGHWAY.

CONTAINS 4.19 ACREAGE MORE OR LESS.

THE UNDERSIGNED PROPRIETOR AND THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT, SHALL HEREAFTER BE KNOWN AS "BICKFORD AT MISSION SPRINGS"

THE PROPRIETORS, SUCCESSORS, AND ASSIGNS, OF PROPERTY DESCRIBED ON THIS PLAT HEREBY DEDICATE FOR PUBLIC USE ALL LAND DESCRIBED ON THIS PLAT AS STREETS OR PUBLIC WAYS NOT HERETOFORE DEDICATED. ACCEPTANCE FOR THE DEDICATION OF LAND FOR PUBLIC RIGHT-OF-WAY PURPOSES DESCRIBED ON THIS PLAT IS FOR THE SOLE PURPOSE OF MAINTAINING RIGHT-OF-WAY, AND DOES NOT CONSTITUTE ACCEPTANCE OF ANY TERMS OR CONDITIONS SET FORTH IN ANY AGREEMENT NOT SHOWN ON THIS PLAT.

IN ACCORDANCE WITH KSA 12-512B, ALL RIGHTS, OBLIGATIONS, RESERVATIONS, EASEMENTS, OR INTEREST NOT SHOWN ON THIS PLAT SHALL BE VACATED AS TO USE AND AS TO TITLE, UPON FILING AND RECORDING OF THIS PLAT. THE PROPRIETORS, SUCCESSORS, AND ASSIGNS, OF PROPERTY SHOWN ON THIS PLAT HEREBY ABSOLVE AND AGREE, JOINTLY AND SEVERALLY, TO INDEMNIFY THE CITY OF MISSION, KANSAS, OF ANY EXPENSE INCIDENT TO THE RELOCATION OF ANY EXISTING UTILITY IMPROVEMENTS HERETOFORE INSTALLED AND REQUIRED TO BE RELOCATED IN ACCORDANCE WITH PROPOSED IMPROVEMENTS DESCRIBED IN THIS PLAT.

AN EASEMENT IS HEREBY GRANTED TO THE CITY OF MISSION, KANSAS, TO ENTER UPON, CONSTRUCT, MAINTAIN, USE, AND AUTHORIZE THE LOCATION OF CONDUITS FOR PROVIDING WATER, GAS, CABLE, ELECTRIC, SEWERS, AND OTHER UTILITY SERVICES, INCLUDING RELATED FACILITIES AND APPURTENANCES THERETO, AND DRAIN FACILITIES, UPON, OVER, UNDER, AND ACROSS THOSE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "U/E", AND FURTHER, SUBJECT TO ADMINISTRATION AND REGULATION BY THE CITY, THE SUBORDINATE USE OF SUCH AREAS BY OTHER GOVERNMENTAL ENTITIES AND UTILITIES, FRANCHISED OR AUTHORIZED TO DO BUSINESS IN THE CITY OF MISSION, KANSAS.

THE UNDERSIGNED PROPRIETOR OF THE ABOVE DESCRIBED LAND HEREBY CONSENTS AND AGREES THAT THE GOVERNING BODY OF ANY SPECIAL ASSESSMENT DISTRICT SHALL HAVE THE POWER TO RELEASE SUCH LAND PROPOSED TO BE DEDICATED FOR STREETS AND ROADS, OR PARTS THEREOF, FOR PUBLIC USE, FROM THE LIEN AND EFFECT OF ANY SPECIAL ASSESSMENTS AND THAT THE AMOUNT OF UNPAID SPECIAL ASSESSMENTS ON SUCH LAND DEDICATED, SHALL BECOME AND REMAIN A LIEN ON THE REMAINDER OF THIS LAND FRONTING OR ABUTTING ON SAID DEDICATED ROAD OR STREET.

APPROVALS: APPROVED BY: THE CITY COUNCE, 20	CIL OF THE CITY OF MISSION,	JOHNSON COUNTY, KAN	SAS THIS [DAY OF
SOLLIE FLORA, MAYOR		ATTEST:	AUDREY McCLANA	AHAN, CITY CLERK

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MISSION, JOHNSON COUNTY, KANSAS THIS ____ DAY OF

MIKE LEE, PLANNING COMMISSION CHAIRMAN

loader i@kvena.com

AUDREY McCLANAHAN, PLANNING COMMISSION SECRETARY

SURVEYOR'S CERTIFICATION:

I, JASON R. LOADER, BEING A DULY REGISTERED AND LICENSED LAND SURVEYOR IN THE STATE OF KANSAS, HEREBY CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT WAS BASED WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND MEETS OR EXCEEDS THE CURRENT KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. THAT THE LINES OF POSSESSION ARE DEPICTED HEREON, THE COURSES AND DISTANCES SHOWN HEREON ARE THOSE MEASURED ON THE DATE OF THE SURVEY AND THE TOPOGRAPHIC SURVEY WAS PERFORMED TO MEET OR EXCEED THE STANDARDS OF PRACTICE APPROVED BY THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS FOR TOPOGRAPHIC SURVEYS AND THAT THE SURVEY WAS COMPLETED IN THE FIELD AND ON THE GROUND AND MAY BE RELIED UPON BY THE PARTIES CERTIFIED AS TO BEING CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. THE FIELD WORK WAS COMPLETED ON JANUARY 25, 2022. DATE OF PLAT OR MAP: FEBRUARY 4, 2022.



KANSAS STATE CERTIFICATE OF AUTHORIZATION NO. LS-20. EXPIRES 12/31/22

City of Mission	Item Number:	6b.
INFORMATIONAL ITEM	Date:	April 20, 2022
COMMUNITY DEVELOPMENT	From:	Brian Scott

RE: Mohawk Site Improvements

DETAILS: Mohawk Park is a neighborhood park located at the northeast corner of Lamar and 67th Street, owned and maintained by the City of Mission. The park is approximately 7.8 acres in size. There are no existing buildings constructed on the site. Playground equipment is adjacent to a circle drive in the northeast quadrant of the property and connects with a network of walking paths throughout the site. Two soccer fields exist in the northwest and southeast quadrants. An approximately 21,000 square foot surface parking lot on the western edge of the property remains from the original Mohawk Elementary School that sat on the site until the early 2000's. The existing parking lot can accommodate up to about 50 cars.

The City adopted the Mission Parks and Recreation Master Plan in 2018. The plan recommends several improvements for Mission's parks, including new signage for all the parks, which were installed in 2020, and new facility improvements in each of the parks. The Mission Parks and Recreation Department contracted SFS Architects to begin master planning improvements for each of the City's primary parks including Mohawk, Broadmoor, Streamway, and Waterworks.

Mohawk Park is the first of the three to move from plan to implementation. Improvements are funded by a 3/8th cent sales tax for Parks and Recreation and a Land Water Conservation Grant Mission received late last year. Proposed improvements include a public use shelter and public restrooms to encourage efficient use of the playing fields and current programs, with new sidewalk connection from the proposed facilities to the existing park trails. The Plan also calls for a storage facility as part of the shelter, water fountains, irrigation, and furnishings.

Demolition of the existing parking lot on the west side of the property and construction of a new parking lot on the south along 67th Street with existing additional parallel parking in the half circle drive is proposed as an alternate bid if the budget for the project allows. Otherwise, the existing parking lot will remain as is for the time being.

The plans for these site improvements were presented to the Planning Commission at their regular meeting on March 28, 2022. Approximately half a dozen residents from the surrounding neighborhoods (both in Mission and Overland Park). Attended the meeting and provided testimony. Most spoke in favor of keeping the existing parking on the west side of the park. They cited concerns about the potential conflict between park traffic and the existing homes along 67th Street. There was concern about the existing trail

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

City of Mission	Item Number:	6b.
INFORMATIONAL ITEM	Date:	April 20, 2022
COMMUNITY DEVELOPMENT	From:	Brian Scott

that would cross at the entry point of the new parking lot. Others expressed a desire for universal design playground equipment, and one expressed a desire for better access to the park from the south, suggesting crosswalks be installed at 67th and Lamar. It should be noted that all the residents enjoyed living near the park and expressed appreciation for the proposed improvements.

Following public discussion, and a presentation from SFS Architects, the Commission discussed and then moved to recommend approval of the proposed park improvements with the following conditions:

- 1. That consideration be given to developing a new parking lot but on the west side of the park, off Lamar instead of on the south side of the park as proposed, and
- 2. Crosswalks be installed at 67th and Lamar for better access from the adjoining neighborhoods.

STAFF UPDATE: Because of the dramatic shift in this recommendation (to not relocate parking lot) from those solicited through the public park planning and development process and the previous reviews by the City Council, the City Administrator conducted an internal debrief to more fully understand the concerns of the Planning Commission as the amendment would not only add significant redesign costs, but would create significant delays in the bidding and construction timeline of this signature park project.

In the debrief process it was brought to our attention that no one from the staff or the consultant team presented information on the City's park conceptual planning process, the overall concept for Mohawk Park, or the specific design considerations which influenced the recommendation to relocate the parking lot. Additionally, staff has discussed the traffic and safety concerns with our traffic engineers at GBA who will be providing a report prior to the April 20 City Council meeting.

According to Section 440.175 of the Municipal Code, after the Planning Commission submits a recommendation, and the reasons therefore, the City Council may:

- Approve and adopt such recommendation;
- 2. Override the Planning Commission recommendations by two-thirds (2/3) majority vote of the City Council; or
- 3. Return such recommendations to the Planning Commission with a statement specifying the basis for the City Council's failure to approve or disapprove.

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

City of Mission	Item Number:	6b.
INFORMATIONAL ITEM	Date:	April 20, 2022
COMMUNITY DEVELOPMENT	From:	Brian Scott

Additional information from the traffic engineer will be available for the discussion at the Community Development Committee meeting and staff will more fully review and discuss the options available when the item is before the City Council in the April 20, 2022 Legislative meeting.

STAFF UPDATE (4/14/22): A memorandum from the City's traffic engineers, GBA has been included in the packet along with the minutes of the Planning Commission meeting. The traffic engineer's analysis outlines the conditions for both Lamar and 67th Street and safety considerations for both the current location of the parking lot once the entire park concept is constructed and the proposed relocation of the park.

Based on the review of the minutes and the information from the traffic engineer, staff is recommending the Council consider overriding the recommendation of the planning commission to leave the parking lot in its current location but concur with the additional condition to install crosswalks at the 67th Street and Lamar intersection and add a requirement to add a crosswalk at the intersection of Beverly and 67th Street in accordance with the recommendations of the traffic engineer.

CFAA CONSIDERATIONS/IMPACTS: The Community for All Ages initiative provides a mechanism for examining important community decisions from the perspective of residents for all ages. A place for residents of all ages to relax and play within a peaceful and natural setting is important component of a healthy and vibrant community for all ages.

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

NEW BUSINESS AGENDA ITEM: 3

PROJECT NUMBER / TITLE: Case #22-08 – Mohawk Park Site Plan Improvements

REQUEST: Approval of Site Plan Improvements

LOCATION: 6649 Lamar Avenue

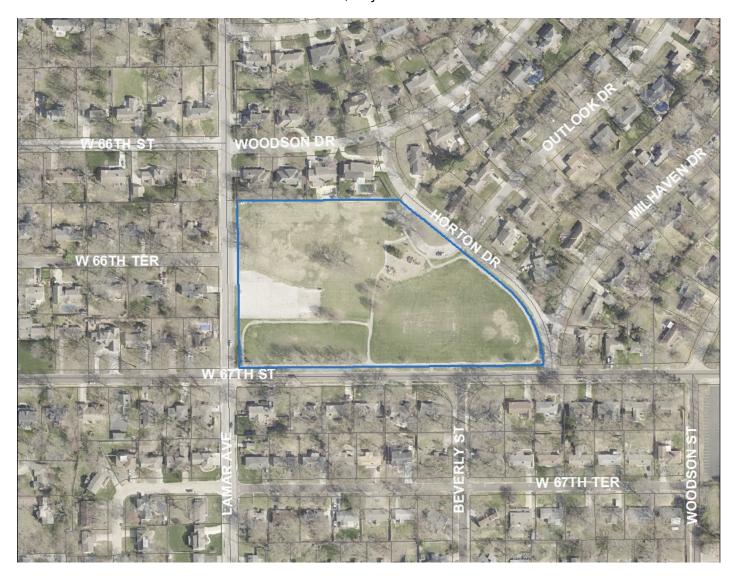
Mission, KS 66202

Property ID: KP22500008 0006

APPLICANT: City of Mission Parks and Recreation

6200 Martway Street Mission, KS 66202

STAFF CONTACT: Karie Kneller, City Planner



Property Information:

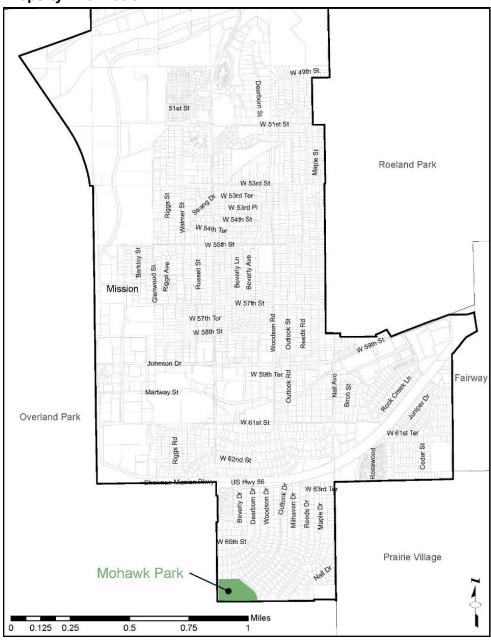


Figure 1 City of Mission and Mohawk Park



Figure 2. Aerial photograph (1996)

The subject property, Mohawk Park is owned by the City of Mission and managed by the **Parks** Recreation and Department. It is located at 6649 Lamar Avenue, on the northeast corner of 67th Street and Lamar Avenue. The parcel is also bounded by Horton Drive on the east and residential properties on the north. It is located at the southernmost border of Mission. with the boundary of Overland Park across 67th Street to the south and Lamar to the west (Figure 1).

The subject property is the site of the former Mohawk Elementary School (Figure 2), which was closed in 1979 due to declining enrollment. It was utilized by the Shawnee Mission School District for administrative offices and the Center for International Studies until the early 2000's when the building was demolished and the property was sold to the City of Mission for a park.

The property and surrounding neighborhood is zoned "R-1" Single-Family Residential District and Mohawk Park is enveloped by residential single-family homes. The Millhaven neighborhood in Mission is adjacent to the property on the northeast. The Walmer, Southmoor Gardens, and Highland Plains neighborhoods in Overland Park are adjacent to the west and south of the property (Figure 3).



Figure 3 Mohawk Park and surrounding neighborhoods

Current Site Conditions: The terrain is relatively flat, with the highest point in the northwest and water runoff generally draining to the west and south. There is a gradual 10-foot elevation change across the almost 8-acre site. Currently, some minor pooling during heavy rain events occurs at the northwest corner of the property in the open grassy area. Existing stormwater inlets at the northwest and southern borders of the property capture stormwater runoff from the site. The site has access to water, sewer, and electrical utilities (Figure 4).



Figure 4 Utilities

The site is currently developed with an existing parking lot on the west, walking trails, and a playground located generally in the northeast quadrant, adjacent to a circle drive. Approximately 16% of the site is impervious surface. 84% of the parcel is open space.

The total land area is approximately 340,708 square feet (7.8 acres). There are no existing buildings constructed on the site. Two soccer fields exist in the northwest and southeast quadrants. Approximately 21,000 square feet of surface parking on the western edge of the property remains from when the school existed and can accommodate up to about 50 cars. Playground equipment adjacent to a circle drive in the northeast quadrant of the property connects with a network of walking paths throughout the site. However, ADA access to the trail network from parking areas is limited.

Project Background:

The City adopted the Mission Parks and Recreation Master Plan in 2018. The plan recommends several improvements for Mission's parks, including new signage for all the parks, which were installed in 2020, and new facility improvements in each of the parks. The Mission Parks and Recreation Department contracted SFS Architects to begin master planning improvements for each of the City's primary parks including Mohawk, Broadmoor, and Waterworks. Mohawk Park is the first of the three to move from plan to implementation. Improvements are funded by a 3/8th cent sales tax for Parks and Recreation and a Land Water Conservation Grant Mission received late last year.

Proposed improvements include a public use shelter and public restrooms to encourage efficient use of the playing fields and current programs, with new sidewalk connection from the proposed facilities to the existing park trails. The Plan also calls for a storage facility as part of the shelter, water fountains, irrigation, and furnishings. Demolition of the existing parking lot on the west side of the property and construction of a new parking lot on the south along 67th Street with existing additional parallel parking in the half circle drive is proposed as an alternate bid if the budget for the project allows. Otherwise, the existing parking lot will remain as it is.

Plan Review:

Mission Comprehensive Plan (2007)

The <u>Comprehensive Plan</u> recommends preserving open green spaces in Mission and maintaining existing parks and recreation facilities. These amenities promote neighborhood stability, public health and safety, provide outdoor recreation opportunities as well as visual enjoyment, and promote environmental benefits such as carbon capture, air and water purification, and wildlife habitat. The City has committed to the maintenance and enhancement of its existing parklands. The Plan also calls for sustainability practices and building standards for facilities that align with Leadership in Energy and Environmental Design (LEED) principles and practices.

Parks and Recreation Master Plan (2018)

The Parks and Recreation Master Plan recommends implementing the following improvements for Mohawk Park that are included in this proposal:

- Redesign Mohawk Park in a way that reconfigures the playing fields to allow for the same programs, but in a more efficient manner (high priority)
- Design and construct a permanent shelter that includes restrooms, a storage facility, and water fountain stations (medium priority)
- Replace and expand existing site furnishings (medium priority).
- Incorporate irrigation for field improvements (low priority).

Project Proposal

The site improvement plan consists of two alternatives: a Base Bid and an Alternative Bid.

Base Bid:

The base bid retains the existing parking lot and adds a new restroom facility and public shelter pavilion at a central location on the site with connections to the existing trail and sidewalk network. The base bid does not include improvements to the existing parking lot, except that two parking stalls will be striped for ADA access and a concrete sidewalk will be constructed to connect with the existing walking trail. Additional ADA ramps will be constructed; one from the circle drive to the existing sidewalk and one at both south connections to the street network.

The restroom facility, a 683 square foot structure, consists of three uni-sex units which contain toilet facilities, sinks, and changing tables. An additional handwashing station and water fountains are proposed on the exterior wall. Low-flow water fixtures and countertops with recycled content will be included. The structure is designed with a metal seam shed roof, "wood look" aluminum batten details, and CMU exterior walls with prefinished steel vertical structural posts.

The public shelter pavilion will be a 2,100 square foot open-air structure with space for up to 16 moveable picnic-style tables. The structure is designed with a metal seam butterfly roof, and consistent with the restroom, has aluminum "wood look" batten details, CMU walls, and prefinished steel vertical structural posts. The north side of the structure features an enclosed storage room for park maintenance equipment.

New LED lighting with occupancy sensors is proposed for the interior and exterior of both the restroom and shelter facilities. Both structures will also be constructed using insulated CMU sourced within a 100-mile radius. Specifications for the remainder of the building materials will be sourced within a 500-mile radius, if possible. The electrical configurations will be designed for future photovoltaic roof panels.

Alternative Bid:

The alternative bid includes the base bid proposed improvements. The alternative bid also proposes demolition of the existing parking lot and construction of a new parking lot on the south side of the property with a new entrance that aligns with north-south oriented Beverly Street across 67th Street. The new parking lot could accommodate 40 vehicles with two ADA spaces. The alternative bid also includes additional landscaping that would encourage stormwater runoff capture and containment from existing and new impervious surface. A combination of new trees and groundcover landscaping would contribute to the environmental and economic sustainability of the improvements by mitigating increased runoff and impact to stormwater infrastructure. The alternative bid is dependent upon available funding.

General Assessment:

Both alternatives will increase impervious surface from the existing conditions by approximately 8,500 to 9,200 square feet, respectively, but will largely preserve green space to minimize stormwater runoff and preserve open space. The proposed improvements will decrease impervious area by 1.7 acres (74,052 square feet) from the conditions before 2003 when the school and parking surfaces existed on the site.

The proposed structures conform with the Comprehensive Plan, Parks and Recreation Master Plan, and city-wide design guidelines, and will provide a modern architectural design aesthetic, using durable, low-maintenance materials. The size and location of the structures will have minimal impact on surrounding neighborhoods. The scale and design are consistent with single-family neighborhoods and encourages pedestrian activity with a pleasing visual aesthetic. The relocation of the parking lot, should that occur, will not significantly affect traffic patterns in and around the site, as the alternative lot size would be marginally smaller, and the entrance would be on a similar collector street.

The available funds limit the scope of improvements in the base bid. If more funding becomes available for improvements at Mohawk Park, a more in-depth plan for universal design features, including ADA accessible features should be evaluated. Additional sustainable and environmentally sound design systems such as photovoltaic roof panels and electric vehicle charging stations may be a consideration

Recommendation:

Staff recommends that the Planning Commission recommend approval to the City Council of Case #22-08 for site improvements at Mohawk Park.

Recommended Conditions of Approval:

1. Base bid approval is contingent upon ADA compliance in the existing parking lot, circle drive, and at

- pedestrian connections.
- 2. A right-of-way permit will be required from the Cities of both Mission and Overland Park during the time construction drawings are submitted.
- 3. Details of grading plan that adequately address runoff issues shall be submitted with the Final Site Plan.
- 4. Prior to the Final Site Plan submittal, consultants shall submit plans to the Sustainability Commission for review against the Sustainability Scorecard.

Planning Commission Action:

This item will be considered by the Planning Commission at their March 28, 2022 meeting.

City Council Action:

This item will be considered by the City Council at their April 20, 2022 meeting.



DESIGN MEMORANDUM

To: Laura Smith, City Administrator

From: David J. Mennenga, P.E., PTOE

Date: April 6, 2022

Subject: Mohawk Park Concept Plan – Traffic Access & Circulation Impacts

As requested, we are providing this design memorandum to briefly describe some of the traffic access and circulation impacts that might be expected in conjunction with the proposed conceptual plans for Mohawk Park, which is located at the northeast corner of the intersection of Lamar Avenue with 67th Street. It should be noted that 67th Street serves as the southern city limit of Mission separating it from neighboring Overland Park. The primary purpose of this memo is to compare and contrast the existing park access and pedestrian interactions with those that would be provided if the surface parking lots are relocated to the southeast and access is instead provided as the northern leg at the intersection of 67th Street with Beverly Street.

Existing Conditions: The following summary table provides a brief comparison between the various characteristics on the roadways adjacent to Mohawk Park, namely Lamar Avenue along the western edge of the park that provides its existing access and 67th Street along the southern edge of the park which would provide the relocated access that is planned.

	Lamar Avenue	67 th Street Residential Collector		
Roadway Classification	Minor Arterial (No Trucks)			
Roadway Width	2 Lanes (natural section)	2 Lanes (natural section)		
	Marked "sharrow" bike lanes			
	Widens to 3 Lanes by Park			
Speed Limit	30 mph	25 mph		
Traffic Control at Intersection	STOP sign-controlled	STOP sign-controlled		
Lanes Provided at Intersection	Exclusive Left Turn Lanes	Single shared lane		
	Shared Through/Right Turn Lane	for all traffic movements		
Traffic Volumes	7,700 vehicles per day	3,200 vehicles per day		
(From OPKS Traffic Maps)	(Count taken south of	(Count taken west of		
	Shawnee Mission Parkway)	Nall Avenue)		



As shown in this table, Lamar Avenue generally serves a more critical role within the existing street network that serves the City of Mission and the areas surrounding Mohawk Park. Lamar Avenue carries a higher volume of traffic and also provides a widened 3-lane roadway cross-section along the western edge of the park. This widened roadway width allows for exclusive north-south left-turn lanes to be provided on Lamar Avenue at the existing four-way STOP sign-controlled intersection with 67th Street.

The existing access drive into the park's surface parking lot is located just to the south of the intersection with 66th Terrace (i.e., a residential street). Only one residential private driveway is located along the west side of Lamar Avenue, which minimizes the chance of any detrimental interactions and/or impacts due to park-related traffic. Sidewalks are currently provided along only the western side of Lamar Avenue, meaning that no vehicle-pedestrian interactions occur across the access driveway into the park's existing surface parking lot. Within the park itself, the Mohawk Park walking trail is bounded by a chain link fence along the east side of Lamar Avenue, the north side of 67th Street, and the west side of Horton Street. Therefore, there are currently no pedestrian interactions with vehicles in the park except within the area near the playground and loop driveway from Horton Street.

Along 67th Street adjacent to Mohawk Park, there are currently six residences located along the south side of the roadway between the Lamar Avenue and Beverly Street intersections. Five of these residences have private driveways that provide access onto 67th Street, while the easternmost home has its drive access onto Beverly Street. Similarly, three private residences are located along the south side of 67th Street between the Beverly Street and Horton Street intersections, but the westernmost home also has its drive access onto Beverly Street. Overhead electrical power lines and an underground gas utility are additional facilities to be considered if the access to the park's surface parking lot is relocated to align at the intersection of 67th Street with Beverly Street.

Conceptual Park Plans: In conjunction with the conceptual improvements to Mohawk Park, we understand that there are plans to remove the existing perimeter chain link fence along Lamar Avenue, 67th Street, and Horton Street. This fence removal will require park users to generally be more vigilant, as some of the vehicular buffer that is currently in place will no longer be provided to pedestrians on the existing walking trail. If the access to the park's surface parking lot is also relocated to align with the intersection of 67th Street with Beverly Street, then a vehicular crossing of the existing Mohawk Park trail would be required. However, it should be noted that a similar vehicular crossing might also be needed if the existing walking trail was ever expanded into the northwestern portions of Mohawk Park and extended across the access driveway along Lamar Avenue to/from the existing surface parking lot. In either case,



we believe that these potential pedestrian-vehicle conflicts can be safely managed using appropriate regulatory signage, pavement markings, and detectable warnings to provide clear guidance and right-of-way delineation to both pedestrians and drivers at these crossing locations. In our opinion, the magnitude of the vehicle-pedestrian conflicts at either future location would be similar since they will generally be related to the typical planned activities associated with the park amenity improvements.

We also believe that there are additional opportunities under both the existing and/or proposed conditions to improve the general pedestrian walkability in the area. For any relocated park entrance aligning with the 67th Street / Beverly Street intersection, the conceptual plans should be modified to include a sidewalk connection and curb ramp to provide a pedestrian crossing of 67th Street. As most of the park-related traffic at this relocated access driveway would be expected to use 67th Street to/from the west, we would recommend placing the 67th Street pedestrian crossing on the east side of the intersection to minimize conflicts with both the eastbound left-turn and southbound right-turn vehicle maneuvers. Similarly, a marked crosswalk should be provided across the south leg of Beverly Street to connect the existing sidewalk segments along the south side of 67th Street. Given the sidewalk connections already depicted on the proposed conceptual plans for Mohawk Park, it may also be advisable to provide an additional pedestrian crossing of 67th Street just west of the Horton Street intersection (which would require an additional curb ramp on the south side of the street).

In addition, with the existing four-way STOP sign-controlled conditions currently provided at the intersection of Lamar Avenue with 67th Street, marked crosswalks could also be provided. With the existing sidewalk connections already provided and with Mohawk Park as a pedestrian destination within the northeast corner of the intersection, it may be advisable to "box in" the intersection with four marked crosswalks to accommodate all desirable pedestrian movements. Additional curb ramp and detectable warning improvements may also be warranted at this intersection in conjunction with adding these marked crosswalks, which could require coordination with the Overland Park public works department.

cc: BAB, file

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Mohawk Park Improvements and Parks Conceptual Planning

April 6, 2022







CONCEPTUAL PARK PLANNING

Objectives of the process?

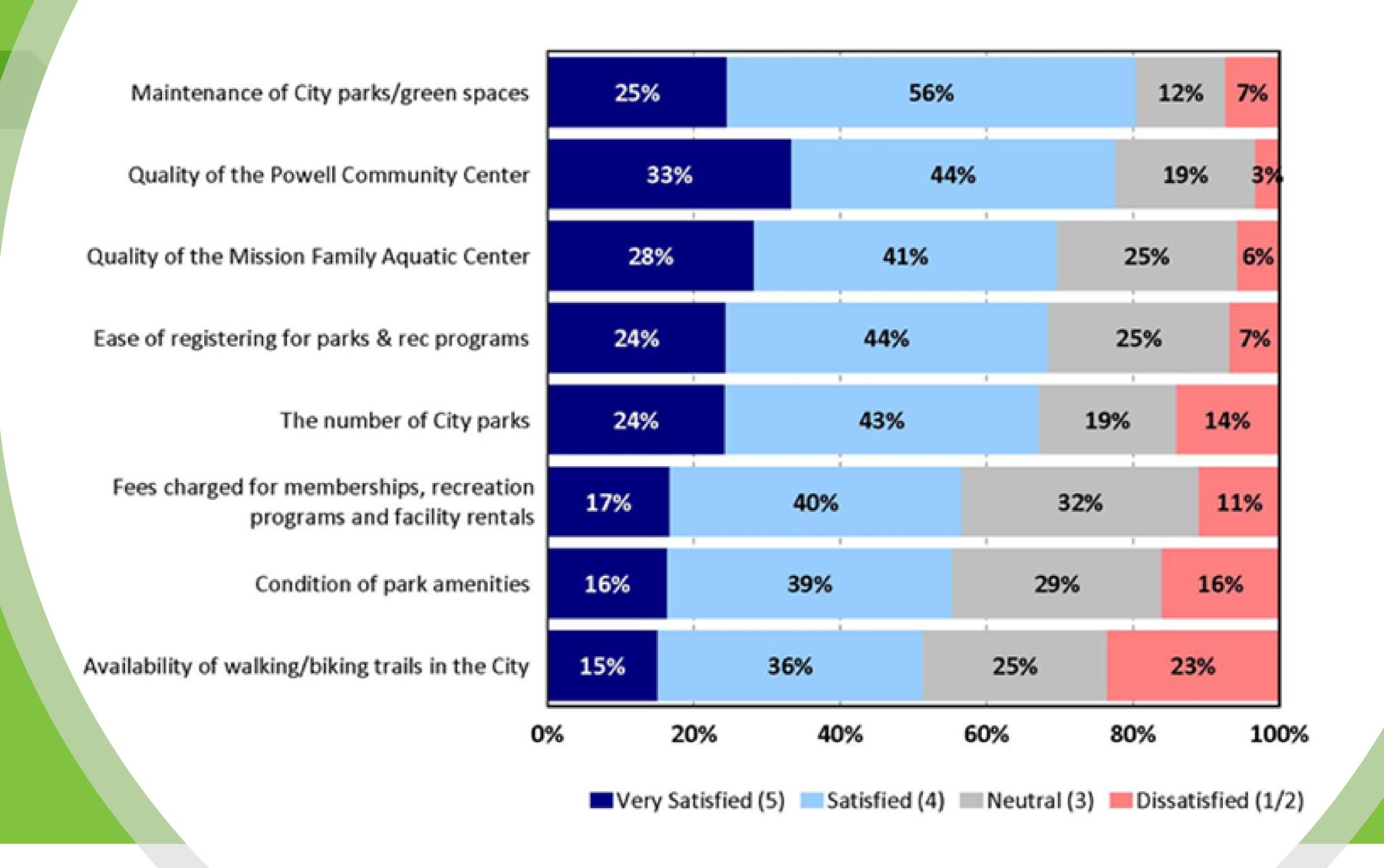
- Bring down to individual park level
- Align Master Plan w/updated stakeholder + citizen feedback
- Create opportunities to pursue grant funding
- Allow flexibility for phased implementation
- Prepare for renewal of P+R Sales Tax in 2022

PROCESS

- How we approached:
 - Engaged Confluence to review Master Plan, create renderings
 - Stakeholder committee + feedback on park needs, concepts, etc.
 - PRT feedback
 - Public Meeting feedback
 - Review, adjust
 - Council review and approval
- COVID-19 slowed
- Mohawk, Broadmoor, Waterworks, Andersen and Streamway

Q5. Satisfaction with Parks and Recreation

by percentage of respondents who rated the item as a 1 to 5 on a 5-point scale (excluding "don't know")



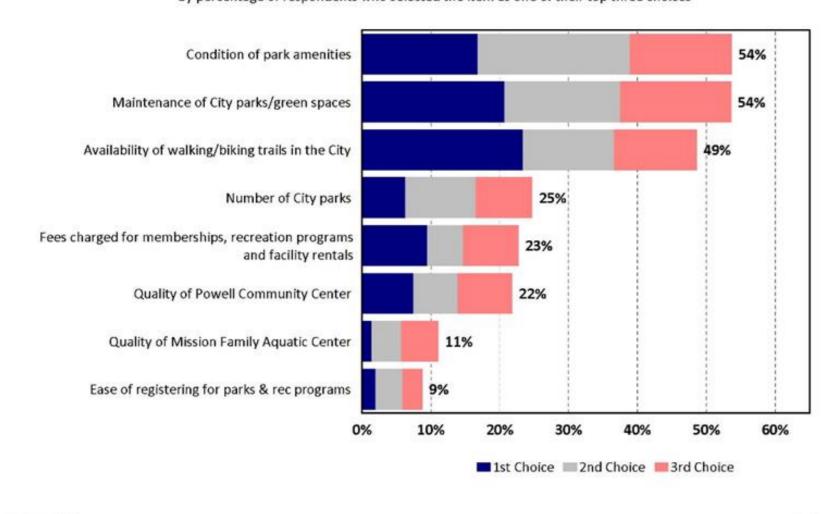
RESIDENT PRIORITIES

2021 City of Mission Community Survey: Findings Report

Page 11

Q6. Parks and Recreation Services That Should Receive the Most Emphasis Over the Next Two Years

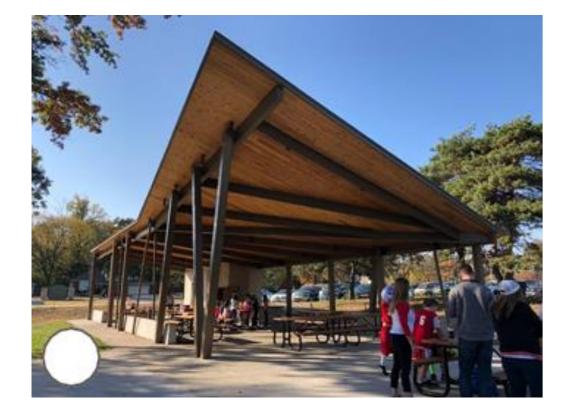
by percentage of respondents who selected the item as one of their top three choices



ETC Institute (2021)

Importance-Satisfaction Rating 2021 City of Mission Community Survey Parks and Recreation

Category of Service	Most				Importance-	
	Most Important %	Important Rank	Satisfaction %	Satisfaction Rank	Satisfaction Rating	I-S Rating Rank
Very High Priority (IS >.20)					20	
Condition of park amenities	54%	1	55%	7	0.2400	1
Availability of walking/biking trails in the City	49%	3	51%	8	0.2367	2
High Priority (IS .1020)						
Maintenance of City parks/green spaces	54%	2	80%	1	0.1051	3
Medium Priority (IS <.10)						
Fees charged for memberships, rec programs facility rentals	23%	5	57%	6	0.0985	4
The number of City parks	25%	4	67%	5	0.0813	5
Quality of the Powell Community Center	22%	6	78%	2	0.0488	6
Quality of the Mission Family Aquatic Center	11%	7	70%	3	0.0337	7
Ease of registering for parks & rec programs	9%	8	68%	4	0.0278	8

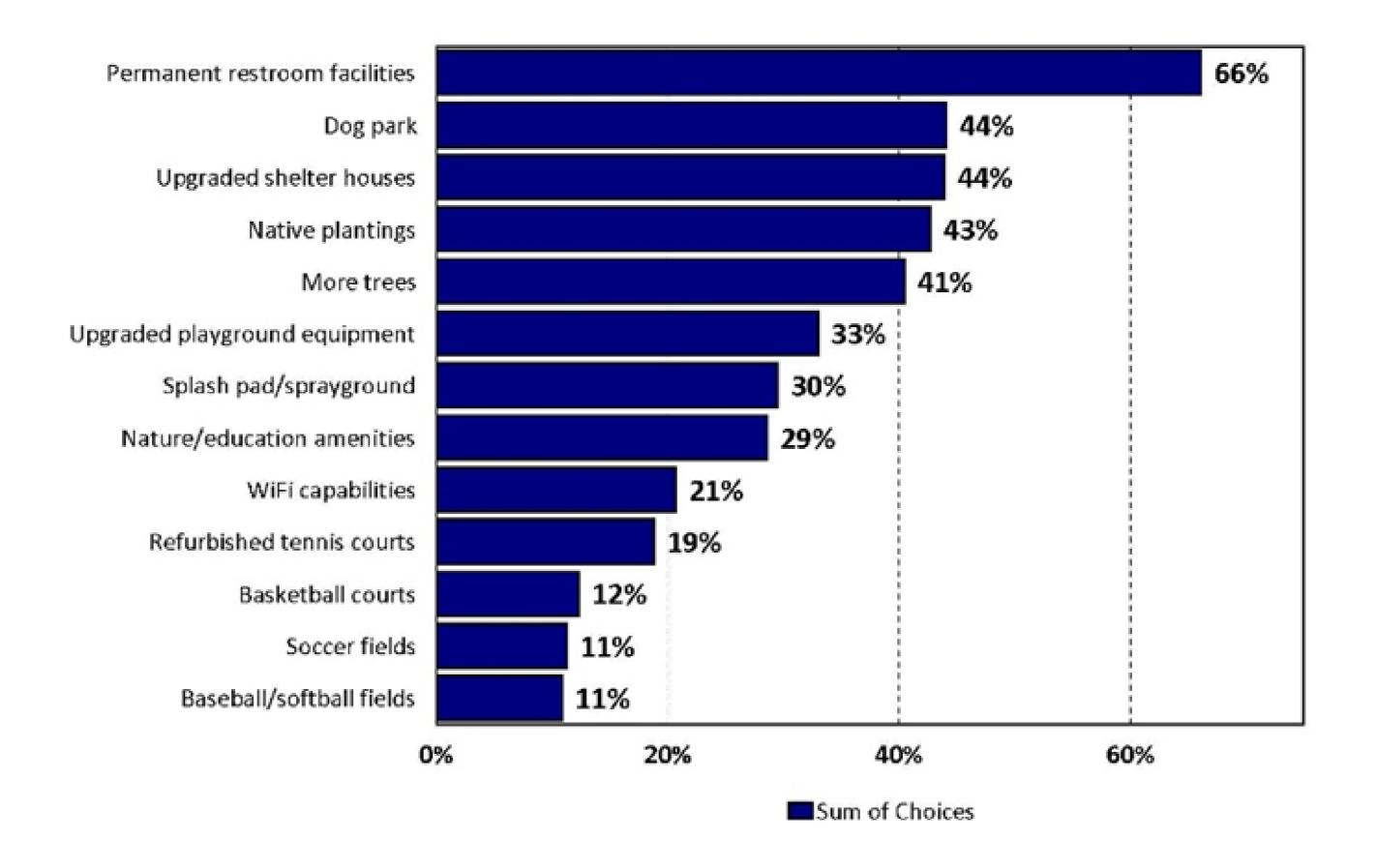






Q7. Which five amenities would you most like to see included in Mission's outdoor parks?

by percentage of respondents who selected the item as one of their top five choices



Page 12



WHAT IS THERE TODAY?

- City purchased site from SMSD in 2003
- Demolished the building and the only improvements made since was resurfacing of the trail.
- NEU Soccer has used the park for years during spring and fall soccer seasons.
- Other amenities (playground, fence, backstop, etc.) remain from when site was Mohawk Elementary school

Options presented to public



What did residents and stakeholders want?

- Build restroom facility (top priority for PRT from Park Master Plan)
- Build new shelter
- Upgrade playground amenities, including universal design considerations
- Allow space for soccer for younger children, but do not maintain turf for any specific sport, allowing for more flexibility of use
- Expand walking trail to entire perimeter of the park
- Incorporate more native plantings and trees
- Pull activity away from houses backing up to the park



FINAL CONCEPT

- Used to secure LWCF grant (\$394,560)
- Concept reviewed by Council and design contract awarded November 2021 (with commitment to re-evaluate parking along Horton)
- Council allocated additional funding in 2022 budget to complete through Phase 1B
- Looking to have large scale improvement underway when pursuing sales tax renewal
- Opportunities for additional grant funding to be explored





Why Relocate the Parking Lot?



- Current parking bisects usable open turf limiting programming layouts
- Moving the parking lot north would push it against the residents to the north with no significant buffer
- Moving the parking lot south pushes it against the best visual corner of the park and either creates a long winding path to centralized amenities and moves the parking entrance closer to the Lamar/67th The southern frontage gives more options for spacing/fitting a parking lot while still providing a street buffer from neighbors
- The parking lot on the south side helps provide easier access to the shelter which is desirable for people having events and not having to drag things a long distance from their cars
- The southern parking allows the pavilion to overlook turf on the west for 'movies in the park' or 'music performances'
- Centralizes all of the active amenities for the park- neighbors noted that they wanted any active areas as far from their houses as possible during the public meeting
- The proposed south parking alignment puts the single access drive in line with Beverly Street which is preferred over something midblock that could potentially impact the residents across the street and their driveway access

Project Summary		Remarks
Phase 1 - Description	\$ 3,500,000.00	
Total Anticipated Project Cost	\$ 3,500,000.00	

AC = acre (43,560 sf) / ALW = allowance / EA = each / LF = linear foot / LB = pound / LS = lump sum / MSF = 1,000 sf / SF = square foot / SY = square yard / TON = 2,000 pounds

Site Improvements

Demolition	Qty	Unit	Unit Cost	Item Total	Remarks
Parking Lot Demolition	35,876	SF	\$ 1.50	\$ 53,814.00	
Wood Fence Demolition	370	LF	\$ 1.50	\$ 555.00	
Metal Fence Demolition	1,430	LF	\$ 1.50	\$ 2,145.00	
Subtotal				\$ 56,514.00	

Site Amenities	Qty	Unit	Unit Cost	Item Total	Remarks
Concrete Walks	45,450	SF	\$ 7.00	\$ 318,150.00	
Parking Lot	72	EA	\$ 3,500.00	\$ 252,000.00	
Parking Lot Lighting	5	EA	\$ 4,500.00	\$ 22,500.00	
Utilities	1	LS	\$ 125,000.00	\$ 125,000.00	
Grading & Earthwork	1	LS	\$ 150,000.00	\$ 150,000.00	
Basketball Court (Half Court)	1	LS	\$ 30,000.00	\$ 30,000.00	
Playground	1	LS	\$ 450,000.00	\$ 450,000.00	
Playground Surfacing	5,000	SF	\$ 20.00	\$ 100,000.00	
Shade Sails (Over Playground)	4	EA	\$ 25,000.00	\$ 100,000.00	
Shelter	1	LS	\$ 275,000.00	\$ 275,000.00	
Restroom	1	LS	\$ 300,000.00	\$ 300,000.00	
Benches	12	EA	\$ 1,500.00	\$ 18,000.00	
Trash Cans	5	EA	\$ 1,250.00	\$ 6,250.00	
Entry Sign	1	LS	\$ 40,000.00	\$ 40,000.00	
Subtotal				\$ 2,186,900.00	

Landscape Elements	Qty	Unit	Unit Cost	Item Total	Remarks
Irrigation (West Open Space Only)	43,500	SF	\$ 1.00	\$ 43,500.00	
Overstory Trees	50	EA	\$ 500.00	\$ 25,000.00	
Understory Trees	25	EA	\$ 300.00	\$ 7,500.00	
Evergreen Trees	25	EA	\$ 300.00	\$ 7,500.00	
Native Grass	1	AC	\$ 13,000.00	\$ 13,000.00	
Perrenials	1	LS	\$ 150,000.00	\$ 150,000.00	
Subtotal				\$ 246,500.00	

Subtotal - Project Total		\$ 2,489,914.00
General Conditions	8%	\$ 199,193.12
Overhead and Profit	10%	\$ 248,991.40
Contingency	10%	\$ 248,991.40
Survey and Geotech		\$50,000-60,000
Design and Engineering Fees - PH 1 Re	estrooms	\$50,000-65,000
Design and Engineering Fees		\$160,000-185,000
Total - Project Total		\$ 3,500,000.00

PROJECT BUDGET

- \$3.5 million total project budget required phased approach at this time
- In order to make a statement in connection with renewal of the Parks + Recreation sales tax, Council increased funding in the 2022 budget to complete the project through Phase IB (includes restroom and shelter/pavilion)
- When approving the final design contract in November 2021, staff requested that SFS Architects be allowed to incorporate relocation of the parking lot as part of the first phase to improve the aesthetics and functionality of the new pavilion and restrooms
- Relocation of the parking lot has always been a question of "WHEN" not "IF" in the overall planning and budgeting for improvements to Mohawk
- Balance of improvements can't realistically be considered until a decision is made on renewal of the Parks + Recreation sales tax









PHASING CONSIDERATIONS

- Since doing restroom and shelter, consider relocating parking lot to allow for better park aesthetic
- Include as bid alternate to address potential budgetary concerns.
- Continue to pursue other grant opportunities
- Incorporate universal design considerations in future decisions on playground structures and elements

Planning Commission Review and Follow-up

- Planning Commission was not presented with complete information on the park planning process (20+ meetings) that
 included multiple public touchpoints with feedback being incorporated into the final design
- Planning Commission expressed concern about safety for pedestrians and young cyclists with trail crossing parking lot entrance drive
- Planning Commission has recommended approval of the park improvements with two additional stipulations:
 - 1. That consideration be given to developing a new parking lot on the west side of the park, off Lamar instead of on the south side of the park as proposed
 - 2. That crosswalks be installed at 67th and Lamar for better access from the adjoining neighborhoods
- Staff has reviewed the project and the Planning Commission's concerns with the City's traffic engineers a full report will be available for the April 20 City Council meeting packet, a draft report from GBA offers the following:
 - ✓ A comparison of the characteristics of Lamar and 67th, which would indicate that although different both are sufficient to support traffic generated by the park
 - ✓ If moving the parking lot to the south, the alignment with Beverly is recommended
 - ✓ When considering the full build out of the park concept, any parking lot on the west side of the park would also have an interaction with the trail
 - ✓ The vehicle/pedestrian/cyclist interactions are not uncommon in park design and can be safely managed through the
 use of signage, pavement markings and detectable warnings
- GBA has also suggested additional opportunities to improve general pedestrian walkability of the area including:
 - ✓ Addition of a pedestrian crossing on the east side of the 67th/Beverly intersection
 - ✓ Potentially adding a pedestrian crossing just west of the 67th/Horton intersection
 - ✓ "Boxing in" the Lamar/67th intersection with four marked crosswalks and exploring additional curb ramp and detectable warning improvements

THINGS TO CONSIDER...

Not building to conceptual plan, could jeopardize approximately \$400K in grant funding

Remanding back to Planning
Commission will delay implementation
by at least 45-60 days without
assurance that recommendation
would be modified

Regardless of decision on April 20, Planning Commission will receive full presentation on park planning process If parking lot moves to another location, all other existing park amenities would need to be redesigned, resulting in the loss of \$100K plus in design costs to date



NEXT STEPS/OPTIONS

According to Section 440.175 of the Municipal Code, after the Planning Commission submits a recommendation, and the reasons therefore, the City Council may:

- 1. Approve and adopt such recommendation;
- 2. Override the Planning Commission recommendations by two-thirds (2/3) majority vote of the City Council; or
- 3. Return such recommendations to the Planning Commission with a statement specifying the basis for the City Council's failure to approve or disapprove.

Discussion



Lsmith@missionks.org
palmoney@missionks.org



City of Mission	Item Number:	7a.
ACTION ITEM SUMMARY	Date:	April 20, 2022
Community Development	From:	Laura Smith

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

RE: Assignment of Mission Bowl Development Agreement and IRBs

RECOMMENDATION: Authorize the Mayor to execute the Memorandum of Agreement and the IRB Resolution to Residence on Rock Creek, LLC.

DETAILS: In gearing up for vertical construction of the Project, the developer team is working diligently to finalize its final plat submission and construction financing which includes a construction loan and private equity raise. In connection with the latter, it will be necessary to form a new project-specific entity, Residence on Rock Creek, LLC to take title to the Property and develop the Project. As shown on the organizational chart included in the letter from the developer's attorney, Mission Bowl LLC will retain a thirty percent (30%) ownership interest in Assignee and remain heavily involved in the management and development of the Project.

Section 7.01 of the Redevelopment Agreement provides that developer may assign the rights, duties and obligations thereunder with the City's prior written consent and that such "consent shall not be unreasonably withheld, conditioned, or delayed". Section 11 of the IRB Resolution similarly provides that developer may, with the prior written consent of the City, assign all or a portion of its interest therein to another entity. In connection with the formation of the Assignee entity and transfer of the Property to same, developer desires to assign, and Assignee desires to assume, all of developer's rights and obligations under the transaction document.

Bruce Kimmel of Ehlers, Inc. has discussed the request with the developer and has completed a due diligence review which revealed no concerns. A memo from Mr. Kimmel is included in the packet for review.

The City's land use counsel and bond counsel have prepared and/or reviewed the memorandum of agreement which assigns the Redevelopment Agreement and the Resolution which assigns the IRBs and both are ready for Council consideration and action. Both documents are required for the developer to close on the construction financing which they anticipate doing prior to the end of the month.

CFAA CONSIDERATIONS/IMPACTS: NA

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

RESOLUTION NO. ____

RESOLUTION CONSENTING TO THE ASSIGNMENT OF THE BENEFITS OF RESOLUTION NO. 1066 FROM MISSION BOWL APARTMENTS, LLC TO RESIDENCE ON ROCK CREEK, LLC

WHEREAS, the City of Mission, Kansas (the "City") is authorized and empowered under the provisions of K.S.A. 12-1740 to 12-1749d, inclusive (the "Act"), to issue industrial revenue bonds to pay the cost of certain facilities (as defined in the Act) for the purposes set forth in the Act and to lease such facilities to private persons, firms or corporations; and

WHEREAS, the City has previously adopted Resolution No. 1066 (the "Resolution of Intent") determining the intent of the City to issue its industrial revenue bonds in the aggregate amount of not to exceed \$30,000,000 (the "Bonds"), to finance the costs of acquiring, constructing, reconstructing, improving and equipping a multistory, multifamily residential project for the benefit of Mission Bowl Apartments, LLC, a Kansas limited liability company (the "Assignor"); and

WHEREAS, Section 11 of the Resolution of Intent permits the Assignor, with the prior written consent of the City, to assign its interest in the Resolution of Intent to another entity, thereby conferring on such entity the benefits of the Resolution of Intent and the proceedings related thereto; and

WHEREAS, the Assignor desires to assign all of its interest in the Resolution of Intent to Residence on Rock Creek, LLC, a Colorado limited liability company (the "Assignee") pursuant to an assignment and assumption agreement proposed to be entered into between Assignor and Assignee (the "Assignment Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:

Section 1. Assignment of Resolution of Intent. The governing body of the City hereby consents to the assignment by the Assignor of all of Assignor's interest in the Resolution of Intent to the Assignee. The City agrees that, upon entering into the Assignment Agreement, the Assignee will be entitled to the benefits of the Resolution of Intent to the same extent and on the same terms as the Assignor.

Section 2. Authorization to Proceed. Upon entering into the Assignment Agreement, the Assignee is hereby authorized to proceed with the acquiring, constructing, reconstructing, improving and equipping of the Project (as defined in the Resolution of Intent).

Section 3. Benefit of Resolution. This Resolution will inure to the benefit of the City and the Assignee. The Assignee may, with the prior written consent of the City, assign its interest in this Resolution and the Resolution of Intent to another entity, and such assignee will be entitled to the benefits of this Resolution, the Resolution of Intent, and the proceedings related hereto.

Section 4. Termination. This Resolution shall be terminated and considered voided on July 1, 2022 unless the City has received the executed Assignment Agreement by such date.

ADOPTED this 20th day of April, 2022.

CITY OF MISSION, KANSAS

	By:
[SEAL]	Solana Flora, Mayor
ATTEST:	
Audrey M. McClanahan, City Clerk	
APPROVED AS TO FORM ONLY:	
David K. Martin, City Attorney	

MEMORANDUM OF ASSIGNMENT AND ASSUMPTION OF REDEVELOPMENT AGREEMENT

THIS MEMORANDUM OF ASSIGNMENT AND ASSUMPTION OF REDEVELOPMENT AGREEMENT is hereby executed as of the _____ day of ______, 2022, by and between City of Mission, Kansas, a municipal corporation duly organized under the laws of the State of Kansas ("City") and Residence on Rock Creek, LLC, a Colorado limited liability company ("Assignee Developer").

WITNESSETH:

WHEREAS, the City and Mission Bowl Apartments, LLC, a Kansas limited liability company ("<u>Original Developer</u>"), entered into a Redevelopment Agreement dated December 16, 2020 (as amended, the "<u>Agreement</u>") in connection with the development of the Mission Bowl Apartments, which Agreement is referenced by a memorandum field in the records of the Register of Deeds of Johnson County, Kansas at book 202101 page 004543;

WHEREAS, Original Developer has assigned, and Assignee Developer has assumed, all of the rights and obligations of the Developer (as defined in the Agreement) under the Agreement pursuant to that certain Assignment and Assumption Agreement between Original Developer and Assignee Developer, dated _______, 2022 (the "<u>Assignment</u>").

WHEREAS, the real property legally described on **Exhibit "A"** attached hereto (the "**Property**"), is subject to the Agreement; and

WHEREAS, Assignee Developer and City desire to memorialize the Assignment of record.

NOW therefore, the parties state as follows:

1. The purpose of this Memorandum is to give notice to all persons of the Assignment. This Memorandum is executed for recording purposes only and is not intended to alter or amend the terms of the Agreement. In the event of a conflict between this Memorandum and the Agreement, the terms of the Agreement shall control.

IN WITNESS WHEREOF, Assignee Developer and the City have executed this Memorandum of Assignment and Assumption of Redevelopment Agreement as of the date and year first above written.

ASSIGNEE DEVELOPER:

RESIDENCE ON ROCK CREEK, LLC,

a Colorado limited liability company

By: All Pro Rock Creek Residence LLLP,

a Colorado limited liability limited partnership, Manager

By: All Pro Real Estate, LLC,

a Colorado limited liability company, General Partner

By: All Pro Capital, LLC,

a Colorado limited liability company, Manager

By:

Tony Bettis, Chief Executive Officer and President

STATE OF COLORADO)	
STATE OF COLORADO) COUNTY OF EL PASO)	SS.
this day of, 2022 All Pro Capital, LLC, in its capacity	nd Assumption Agreement was acknowledged before me on a, by Tony Bettis, Chief Executive Officer and President of as Manager of All Pro Real Estate, LLC, in its capacity as ek Residence LLLP, in its capacity as Manager of Residence
	Notary Public
My Commission Expires:	
	_

	<u>CITY</u> :	
		OF MISSION, as municipal corporation
	By:	
		Solana Flora, Mayor
ATTEST:		
Audrey M. McClanahan, City	y Clerk	-
STATE OF KANSAS, COU	NTY OF	F JOHNSON, ss.:
before me, the undersigned, a Solana Flora, Mayor of the C said City, who are personally	a Notary City of M known alf of sa	on this day of, 2022, Public within and for the County and State aforesaid, came Mission, Kansas, and Audrey M. McClanahan, City Clerk of to me to be the same persons who executed, as such officers, aid City, and such persons duly acknowledged the execution said City.
IN WITNESS WHER day and year last above writte		have hereunto set my hand and affixed my official seal, the
My Appointment Expires:		Notary Public

Exhibit "A"

That part of Lot 3 and all of Lot 4, MISSION MART, a subdivision in the City of Mission, Johnson County, Kansas, described as follows: Beginning at the Northeast corner of said Lot 4; thence South 23 degrees, 08 minutes, 34 seconds East along the Easterly line of said Lot 4, 232.57 feet to the Southeast corner of said Lot 4; thence South 42 degrees, 51 minutes, 45 seconds West along the Southerly line of said Lot 4, 62.64 feet; thence South 20 degrees, 30 minutes, 00 seconds West along said Southerly line, 205.00 feet; thence South 65 degrees, 20 minutes, 00 seconds West along said Southerly line, 60.00 feet; thence North 33 degrees, 49 minutes, 10 seconds East along the Southerly line of said Lot 4, 74.78 feet; thence North 23 degrees, 08 minutes, 34 seconds West along said Southerly line, 75.00 feet; thence South 66 degrees, 51 minutes, 26 seconds West along the Southerly line of Lot 4 and Lot 3, 276.00 feet to the Southwesterly corner of said Mission Mart; thence North 23 degrees, 08 minutes, 34 seconds West along a line that is 47.08 feet Northeast of the Westerly line of said Lot 3, as measured perpendicular to and parallel with said Westerly line, 292.22 feet to a point on the Northerly line of said Lot 3; thence North 66 degrees, 51 minutes, 26 seconds East along the Northerly line of said Lot 3 and Lot 4, 472.00 feet to the Point of Beginning, EXCEPT that part platted as MISSION CELL TOWER, a subdivision in the City of Mission, Johnson County, Kansas.

Containing 138,146.6 square feet, or 3.171 acres, more or less.



MEMORANDUM

TO: City of Mission, Kansas

FROM: Bruce Kimmel, Senior Municipal Advisor

DATE: April 6, 2022

SUBJECT: Mission Bowl Apartments – Proposed Assignment of Benefits

With regards to the pending Mission Bowl Apartments development, the City of Mission has asked Ehlers to review the proposed assignment of benefits as approved in City Council Resolution No. 1066, from Mission Bowl Apartments, LLC to Residence on Rock Creek, LLC. Specifically, the City has requested that Ehlers identify any potential areas of concern regarding the Developers' collective commitment and/or capacity to develop and operate the Project as proposed.

Ehlers has reviewed the proposed assignment and discussed both it and the Project status in detail with Banks Floodman of Sunflower Development Group. Based on this review, we find no concerns that would cause us to advise the City Council not to approve the proposed assignment.

The Developer's financing plan for Mission Bowl Apartments has, from the beginning, expected a large proportion of Project equity to come third-party investors – and for the specific parties and ownership stakes to be refined and finalized as the Project neared the completion of bank financing and construction. The current plan, in which Residence on Rock Creek will provide 90% of Project equity as the Limited Partner and Mission Bowl Apartments will provide 10% of Project equity as the General Partner, is not a meaningful departure from what was anticipated when the City Council approved benefits in Resolution No. 1066.

As the General Partner, Mission Bowl Apartments will continue to hold 100% responsibility for the successful completion, lease-up, operations, and maintenance of the Project. And it will be the sole guarantor of the \$28 million bank loan that will fund 70% of the total development cost. As such, there will be no uncertainty as to who the City should contact with any questions or concerns about the Project at any stage of its development or future operations.

In addition, Sunflower provided to Ehlers both its current bank financing term sheet / letter of interest and the proposed equity agreement between Mission Bowl Apartments and Residence on Rock Creek. With these documents, we were able to confirm that the financing plan is consistent with Sunflower's recent explanation, and the parties are on track for a simultaneous closing later this month. To us, these findings are most relevant in our overall conclusion that there is no evident reason for the City to not approve the proposed assignment of benefits.

Please contact me at <u>bkimmel@ehlers-inc.com</u> or (651) 697-8572 with any questions. Thank you for the opportunity to be of assistance to the City of Mission.

City of Mission	Item Number:	13a.
INFORMATIONAL ITEM	Date:	April 20, 2022
ADMINISTRATION	From:	Laura Smith

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

RE: March 2022 Monthly Interim Financial Report

DETAILS: The monthly interim financial reports are provided as a part of the Council's legislative meeting packets and will be reviewed and considered under the City Administrator's Report section of the agenda.

If appropriate, high level information will be provided during the meeting, and Council will have the opportunity to ask any questions they might have at this time. Following the review at the Council meeting, the reports will be posted on the website.

The Summary Report is included in the packet with a link to the full March 2022 Interim Financial Report found <u>here</u>.

CFAA CONSIDERATIONS/IMPACTS: NA

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

MONTHLY FINANCIAL REPORT

MARCH 2022





General Fund Revenue Summary by Category as of 03/31/22

	2022 Adopted Budget	2022 Est Budget	MTD Collections	YTD Collections	% of Est Budget Collected
	Adopted Badget	Lat Dauget	Concentions	Collections	Conceted
Taxes					
Property Tax - General	1,760,000	1,760,000	58,459	955,959	54%
Property Tax - Streets	1,120,000	1,120,000	0	670,563	60%
Delinquent Property Tax	20,300	20,300	2,242	6,438	32%
Motor Vehicle Tax	262,800	262,800	21,830	67,759	26%
City Sales and Use Tax	4,150,000	4,150,000	315,236	1,079,427	26%
County Sales and Use Tax	893,200	893,200	80,624	267,564	30%
County Sales and Use Tax - Jail	224,000	224,000	20,085	66,545	30%
County Sales and Use Tax - Public Safety	224,000	224,000	20,085	66,545	30%
County Sales and Use Tax - Court	224,000	224,000	20,085	66,544	30%
Franchise Tax	1,022,000	1,022,000	151,897	290,826	28%
Alcohol Tax	90,000	90,000	27,572	27,572	31%
Intergovernmental Revenue	5,000	5,000	1,579	1,579	
					0%
Mission Square Pilot	47,250	47,250	0	0	0%
Licenses and Permits	154,000	154,000	15,213	50,822	33%
Jo Co Plan Review/Inspection Fees	200,000	200,000	10,453	19,485	10%
Police Fines	743,500	743,500	36,000	84,009	11%
Charges for Services	141,500	141,500	2,870	6,631	5%
Interest	5,000	5,000	388	565	11%
Miscellaneous and other	89,360	89,360	1,203	5,550	6%
Pool Revenues	132,000	132,000	1,174	1,354	1%
Parks Special Event Revenues	215,000	215,000	13,261	46, 192	21%
Community Center Revenues	730,700	730,700	69,691	205,269	28%
Bond Proceeds	0	0	0	0	0%
Transfers In (ARPA Funds)	751,782	751,782	0	0	0%
Total Revenues	13,205,392	13,205,392	869,947	3,987,199	30%

General City Sales Tax:

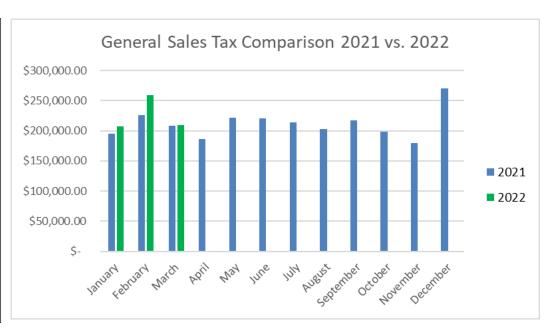
Total Estimated Budget:
\$2,550,000

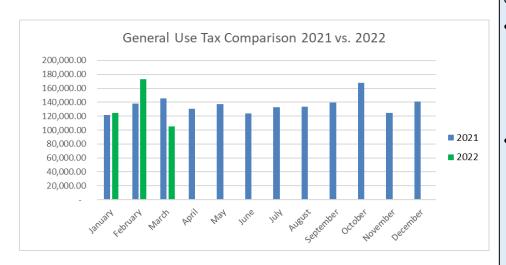
Total City Sales Tax collected YTD:
\$676,051

% of Estimated Budget collected:
27%

% of Year Expended:
25%

% change yr over yr = 0.84%
% change 5 yr avg = 3.35%





Comments/Highlights:

- City sales and use tax revenue in the first month of the year are performing in line with 2022 Budget Estimates, however use tax revenues saw a significant decrease over the previous year's receipts.
- County sales tax and use tax revenues are also trending in line with budget estimates. Total General County Sales and Use tax collected YTD totaled \$265,999 or 30% of the total Estimated Revenues for 2022.

Total Estimated Budget: \$1,600,000 Total City Use Tax collected YTD: \$403,376 % of Total Estimated Budget collected: 25%

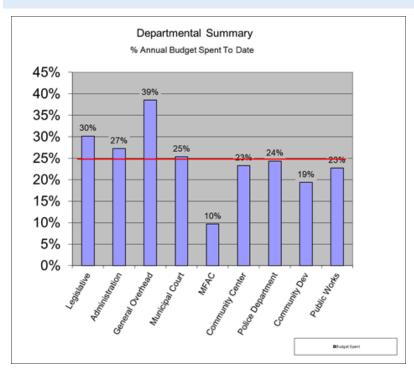
% of Year Expended: 25% % change yr over yr = -27.03% % change 5 yr avg = 6.37%

									Expenditure						rrent Cash, MIP
_		Re	venue Budget				Uncollected		Budget	_			Unencumb.	ar	nd Investments
Fun		١	40.005.000.00	_	Revenue YTD	_	Revenue	٦			xpense YTD	_	Balance		Balance
01	General	\$	13,205,392.00	\$	3,987,198.76		9,218,193.24		15,511,882.00		3,840,674.48		11,671,207.52	\$	6,716,178.85
02	IRS 125 Plan	\$	-	\$	13,160.76		(13,160.76)	\$	-	\$,	\$	(18,008.37)	\$	36,998.03
03	Special Highway	\$	250, 100.00	\$	67,531.52		182,568.48	\$	850,000.00	\$	10,400.91		839,599.09	\$	638, 361.88
08	Court - Bonds	\$	-	\$	16,092.00	-	(16,092.00)	\$	-	\$	13,307.00	-	(13,307.00)	\$	57,947.00
09	Special Alcohol	\$	90,000.00	\$	27,571.97		62,428.03	\$	145,000.00	\$,	\$	100,350.00	\$	93,468.98
10	Special Park & Recreation	\$	90, 050. 00	\$	55,075.76	\$	34,974.24	\$	130,500.00	\$	15,214.17		115,285.83	\$	177,559.63
14	Court - ADSAP	\$	-	5	-	ъ	-	\$	-	\$	150.00		(150.00)	\$	11,286.17
15	Court - Reinstatement	\$	-	\$	5,167.00		(5,167.00)	\$	-	\$	4,885.00	\$	(4,885.00)	\$	1,706.09
16	Special Law Enforcement	5	-	\$	4,800.00	\$	(4,800.00)	\$	-	\$	-	\$	-	\$	22,716.95
17	Restricted	\$	-	\$	20,000.00	\$	(20,000.00)	\$	-	\$	64,295.60	\$	(64,295.60)	\$	62,295.68
18	Jo Co School District Sales Tax	5		5	0.70		(0.70)	\$		\$		5		\$	18, 163.67
19	MBDC	\$	120,050.00	\$	16,246.05	\$	103,803.95	\$	98, 000. 00	\$	31,030.08	\$	66,969.92	\$	22,858.80
22	Storm Drain Utility	\$	2,712,035.00	\$	1,814,457.67		897,577.33	\$	3,003,450.00	\$	212,864.97	\$	2,790,585.03	\$	2,890,468.87
24	Equipment Reserve Fund	\$	80,500.00		2,579.03		77,920.97	\$	302,000.00	\$	36,395.00	\$	265,605.00	\$	333, 855. 64
25	Capital Improvement Fund	\$	2,530,720.00		30,689.14		2,500,030.86	\$	2,676,500.00	\$	119,406.01	\$	2,557,093.99	\$	183, 187.24
26	Rock Creek Drainage Dist #1	\$	22,010.00	_	11,047.92	-	10,962.08	\$	3,000.00		-	\$	3,000.00	\$	16,508.55
27	Rock Creek Drainage Dist #2	\$	84, 100.00		42,493.10		41,606.90	\$	85,000.00	\$	-	\$	85,000.00	\$	64,216.92
30	Solid Waste Utility Fund	\$	659,000.00		328,913.75	-	330,086.25	\$	643,000.00	\$	148, 138.47	\$	494,861.53	\$	185, 369. 43
31	ARPA Fund	\$	751,782.00		-	\$	751,782.00	\$	751,782.00	\$	-	\$	751,782.00	\$	756, 254. 66
35	Transportation Fund	\$	-	\$	0.55		(0.55)	\$	-	\$	-	\$	-	\$	13,399.23
40	Street Sales Tax	\$	858,000.00	-	175,276.93		682,723.07	\$		\$	4,650.00	\$	1,519,650.00	\$	751, 494. 16
45	Parks & Rec Sales Tax	\$	990,500.00		262,943.15		727,556.85	\$		\$	111,260.07	\$	1,693,339.93	\$	1,476,022.13
50	Mission Trails TIF	\$	290,000.00	\$	175, 142.99		114,857.01	\$	286,000.00	\$	175, 142.99	\$	110,857.01		
55	Silvercrest at Broadmoor	\$	-	\$	2,979.54	_	(2,979.54)	\$	-	\$	-	\$	-	\$	9,581.92
60	Mission Crossing TIF Fund	\$	416,000.00	\$	195,818.07	\$	220,181.93	\$	410,000.00	\$	216,534.43	\$	193,465.57	\$	15,826.08
64	Rock Creek TIF Dist #2	\$	-	\$	3,380.95	\$	(3,380.95)	\$	-	\$	-	\$	-	\$	3,380.95
65	Cornerstone Commons Fund	\$	69,000.00	\$	17,531.83	\$	51,468.17	\$	67,500.00	\$	17,271.09	\$	50,228.91	\$	12,368.87
66	Capitol Federal TIF Fund	\$	23,000.00	\$	10,014.06	\$	12,985.94	\$	20,000.00	\$	-	\$	20,000.00	\$	31,042.24
67	Mission Bowl TIF	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-		
68	Rock Creek TIF Fund #3	\$	-	\$	38,823.54	\$	(38,823.54)	\$	-	\$	-	\$	-	\$	107,730.02
69	Rock Creek TIF Fund #4	\$	-	\$	23,529.95	\$	(23,529.95)	\$	-	\$	-	\$	-	\$	63,469.72
70	Mission Farm and Flower Market	\$	-	\$	1,300.00	\$	(1,300.00)	\$	-	\$	1,676.61	\$	(1,676.61)	\$	14,423.80
		\$	23,242,239.00	\$	7,349,766.69	\$	15,892,472.31	\$	28,312,514.00	\$	5,085,955.25	\$:	23, 226, 558. 75	\$	14,788,142.16

MIP Statement 13,590,204.00
Treasury Bills Cash balances 1,197,938.16
Total 14,788,142.16
Difference -

General Fund Expenditures by Department as of 03/31/22:

PARTMENT	Budget 2022	Estimated Budget	Monthly Expenditure	YTD Expenditure	Amount Remaining	Expenditure Rate		
Legislative					_			
Personnel Services	57.010	57.010	4,376	13,127	43,883	23%		
		,	,					
Contractual Services	126,200	126,200	13,751	40,521	85,679	32%		
Commodities	1,200	1,200	885	1,968	(768)	164%		
Capital Outlay	-	-	-	-	-	0%		
Total	184,410	184,410	19,012	55,616	128,794	30%		
Administration								
Personnel Services	885,000	885,000	96,800	238,249	646,751	27%		
Contractual Services	35,350	35,350	4,060	11,726	23,624	33%		
Commodities	900	900	488	1,275	(375)	142%		
Capital Outlay	_	_	15	195	(195)	0%		
Debt Service			-	-	(150)	0%		
Total	921,250	921,250	101,362	251,445	669,805	279		
•								
General Overhead								
Personnel Services			-	-		09		
Contractual Services	372,000	372,000	41,425	83,871	288,129.24	239		
Commodities	51,500_	51,500	1,955	8,677	42,822.93	179		
Capital Outlay	1,958,840	1,958,840	373,928	952,186	1,006,654.21	499		
Debt Service	326,538	326,538	-	-	326,538.00	09		
Total	2,708,878	2,708,878	417,308	1,044,734	1,664,144	399		
Municipal Court								
Municipal Court	200 450	280,450	28,240	75,287	205.402	279		
Personnel Services	280,450				205, 163			
Contractual Services	22,000	22,000	212	2,650	19,350	129		
Commodities	6,750	6,750	724	950	5,800	149		
Capital Outlay	2,000	2,000	-	-	2,000	09		
Total	311,200	311,200	29,176	78,887	232,313	25%		
Parks and Recreation								
	Mission	Family Aquatic	Center (MFAC)					
Personnel Services	166,900	166,900	3,544	12,409	154,491	7%		
Contractual Services	77,000	77,000	9,053	12,645	64,355	16%		
Commodities	48,450	48,450	1,775	3,369	45,081	79		
Capital Outlay Total	292.350	292.350	14.371	28.423	263,927	09 109		
		_						
Personnel Services	1 012 000	Community Co		399.230	4 242 770	24%		
	1,643,000	1,643,000	143,718	,	1,243,770			
Contractual Services	762,250	762,250	71,491	172,602	589,648	239		
Commodities	107,400	107,400	3,694	13,380	94,020	129		
Capital Outlay	0.540.050	0.540.050	- 040 004	-	- 4 007 400	09		
Total	2,512,650	2,512,650	218,904	585,212	1,927,438	23%		
Police Department								
Personnel Services	3,507,100	3,507,100	372,835	905,505	2,601,595	269		
Contractual Services	378,500	378,500	35,062	66,779	311,721	189		
Commodities	144,250	144,250	10,649	38,026	106,224	269		
Capital Outlay/Lease	117,700	117,700	_	_	117,700	09		
Total	4,147,550	4,147,550	418,546	1,010,310	3,137,240	24		
Community Development								
, ,	457.000	457.000	44.050	440.004	040.070	0.50		
Personnel Services	457,000	457,000	44,958	113,624	343,376	259		
Contractual Services	222,887	222,887	6,311	17,945	204,942	89		
Commodities	4,000	4,000	384	1,015	2,985	259		
Capital Outlay	-	-	-	246	(246)	0'		
Total	683,887	683,887	51,652	132,831	551,056	19		
Public Works								
Personnel Services	1,119,800	1,119,800	119,407	323,899	795,901	29		
Contractual Services	1,139,500	1,139,500	73,662	195,564	943,936	179		
Commodities	253,832	253,832	12,592	56,064	197,768	229		
			12,082	30,004				
Capital Outlay	16,000	16,000	205 004	- E7E E00	16,000	0'		
Total	2,529,132	2,529,132	205,661	575,528	1,953,604	23'		
		_				i		
Other General Fund	1,220,575	1,220,575	-	77,690	1,142,885	6		



Additional highlights/comments:

- The City's cash balance position is strong with an ending cash balance across all funds of \$14.78 million at March 31, 2022. Major expenditures in March included invoices related to the FCIP improvements, Mohawk Park design, guardrail replacement, Andersen Park tennis court improvements, refund of insurance proceeds to First Baptist Church, and the drinking fountain for the Mission Market site.
- Street Sales Tax collections YTD in 2022 totaled \$175,561 and Parks + Recreation Sales Tax collections were \$262.980 which represents a combined increase of 7% YTD over 2021 collections.

In an effort to address questions surrounding revenues and expenses for the Powell Community Center (PCC), including cost recovery rates, historical and YTD revenue and expense information is included in the monthly interim financial report. The table below illustrates actual revenues and expenses from 2015 through 2021 (unaudited) showing the difference in total dollars (subsidy for operations). YTD information for 2022 is also included. The cost recovery or self-sufficiency rate for each year is shown in the table. A feasibility study for the PCC is currently underway to aid in assessing the center's long-term feasibility and highest and best use.

	2015	2016	2017	2018	2019	2020	2021	2022 YTD
Revenues	\$ 1,780,144	\$ 1,817,753	\$ 1,758,157	\$ 1,675,697	\$ 1,698,878	\$ 710,775	\$ 791,076	\$ 254,462
Expenses	\$2,089,988	\$2,225,928	\$2,284,283	\$2,342,798	\$2,425,932	\$ 2,062,448	\$ 2,223,355	\$ 585,212
Difference (\$)	\$ (309,845)	\$ (408,175)	\$ (526,127)	\$ (667,101)	\$ (727,054)	\$ (1,351,673)	\$(1,432,279)	\$(330,750)
Cost Recovery %	85%	82%	77%	72%	70%	34%	36%	43%

Following passage of the American Rescue Plan Act (ARPA), the City is slated to receive a direct disbursement of funds (\$1,503,565) to address COVID-19 impacts. The first half payment was received in July 2021. The remainder will be distributed in July 2022. ARPA funds are currently shown as a transfer into the General Fund to address COVID-19 related revenue shortages. An evaluation of city-wide revenue loss is currently underway to aid in determining how the federal funding might best be used by Mission.

The reports that follow provide line item detail level summaries of revenues and expenditures for all funds, and are generated through the City's financial management software, Governmentor. In addition to information on the current budget/fiscal year, the reports will contain information on the prior year actuals.

In addition to these summary reports, a summary claims report detailing expenditures for the month by fund is provided along with a report that details all payments made in the current month by vendor (listed alphabetically).