MINUTES OF THE MISSION CITY COUNCIL MEETING

September 16, 2026

The Mission City Council met in a regular meeting on Wednesday, September 16, 2026 at 7:00 p.m. The meeting was called to order by Mayor Flora. The following councilmembers were in attendance: Wanda Vaughn, Josepha Haden Chomphosy, Debbie Kring, Mary Ryherd, Brian Schmid, Cheryl Carpenter-Davis and Ben Chociej. Sam Komosa appeared via Zoom. No councilmembers were absent.

The public was invited to participate in the meeting by using the instructions included in the City Calendar item listed on the front page of the website. The members of the public participating virtually had the option of utilizing the "chat" feature to voice their comments which would be read aloud. Mayor Flora requested that anyone commenting please state their name and city of residence as well as to be conscientious of others talking and to speak clearly and slowly.

SPECIAL PRESENTATIONS

1a. Diaper Needs Awareness Week Proclamation

Mayor Flora issued a proclamation declaring September 14–20, 2026 as Diaper Need Awareness Week in Mission. She encouraged the community to support this important effort and provide relief to those in need by donating to the HappyBottoms diaper bank in Kansas City.

ACTION ITEMS

Planning Commission

2a. Consideration of PC Case #26-15, a Preliminary Development Plan for the Foxridge/Broadmoor Development at 5665 Foxridge and 5700 Broadmoor

Mayor Flora welcomed City Planner Taylor Cunningham to provide a report on the Preliminary Development Plan (PDP) submitted by Block Real Estate Services, LLC for 5665 Foxridge/5700 Broadmoor. Ms. Cunningham reviewed highlights of the project beginning with the project for the site that was approved in 2022. That project was for a single 5-story apartment building at 5665 Foxridge with 307 units and 466 parking spaces. The project was approved unanimously by the Planning Commission (PC) and City Council (CC). In 2025,

an Tax Increment Financing (TIF) incentive agreement was also approved unanimously by the CC. Since those approvals, the applicant acquired additional property adjacent to the original site, including the 5700 Broadmoor Office Tower office building and the associated parking garage directly to the south. The developer's new proposal expands the original project to three buildings containing 646 units and 992 parking spaces, 978 of which will be in structured parking and 14 of which will be street parking. Ms. Cunningham showed renderings of each building, labeling the proposed building at 5665 Foxridge as Building 1, the office tower building as Building 2, and the southernmost building as Building 3. Building 1 will include 4 stories, 308 apartment units, and a shared parking structure with Building 2 to the south. Building 2 at 5700 Broadmoor will remain ten stories with 176 apartment units and will share 732 parking spaces with Building 1 in structure located between the two buildings. Building 3 will be seven stories (five residential over two parking) with 163 apartment units and 246 parking spaces. The PDP will be considered with all three buildings; however the project will come back with separate final development plans for each building.

Ms. Cunningham then moved into Staff's analysis. She noted that Mission's Comprehensive Plan (Comp Plan), designates the area as future mixed-use high-density, defined as a "pedestrian friendly mix of housing, office, and retail uses in either a multi-story building (vertical mixed-use) or in a cohesive development of separate or attached buildings (horizontal mixed-use) with a floor area ratio (FAR) of 3 to 10 and density of 50 or more dwelling units per acre." The project, as proposed, does not include any mixed-use, either horizontal or vertical. The Developer has stated that mixed-use is not financially viable in the current market, there is already a significant of empty commercial space throughout Mission, potential tenants are not interested in being off Johnson Drive, and rents would not be sustainable. Staff has recommended approval of previous projects without mixed-use due to market trends and other factors. Ms. Cunningham next reviewed that the project lies within the West Gateway Form-Based Code area, an overlay district adopted nearly 20 years ago with the intent of implementing the West Gateway Vision Plan which envisioned this area being a vibrant, pedestrian friendly area. The zoning code states that the form-based code governs all development in the study area using cumulative zoning, meaning that anything allowed in the less intensive zoning districts such as residential are by right allowed in the more intense districts. Traditional zoning regulations tend to guide the land use and what kind of project can be built,

form-based codes govern the physical form of a development such as building placement, massing, relationship to streets, and public realm. City Code lays out a scoring system to bypass the traditional approval process but requires the applicant score 95 points. The proposed project did not meet this point threshold, however the form-based code scoring system is a tool used to analyze the development but a lower score does not mean the project cannot proceed or be approved. The scoring system was designed as an incentive to developers to allow for few steps in the zoning entitlement process.

Ms. Cunningham explained the deviations from the form-based code that are being requested. Those include: building, setbacks, building orientation, inclusion of mixed-use, and exterior building materials. She shared additional development considerations, the first of which is stormwater impact. A study must be completed and submitted showing the impervious surface before and after the project, and what needs to be done to make up the difference if the impervious surface area would be increasing. With respect to the proposed project, an underground stormwater detention system has been included under the parking garage for buildings 1 and 2, and that satisfies the stormwater requirements for the site.

The next consideration is for traffic. A traffic impact study (TIS) is required for commercial development to assess potential impacts to traffic that could be caused by the development. She reviewed the timeline of the TIS work done on this project. First, the Developer submitted a TIS in July which included recommended improvement to Metcalf, but at the time of the July Planning Commission meeting, the City had not received a definitive answer from the Kansas Department of Transportation (KDOT) regarding the necessity for an access permit. Staff initiated conversations with KDOT to secure an answer in writing for the August 24 PC meeting. At that time, an email from KDOT indicated that an access permit would be required due to potential impacts to KDOT right-of-way on Metcalf. Prior to the August PC meeting, the Developer submitted a revised TIS to KDOT that removed the recommendations for improvements to Metcalf. The updated study was not submitted to the City in time for a review to occur prior to the PC meeting. A few hours before the August PC meeting, the developers shared an email from KDOT advising that no access permit would be required because they would not require the Developer to make the improvements. Staff and the representatives from the developer's team met with KDOT in an effort reconcile the discrepancies in the recommendations

received. Following those discussions, KDOT provided a letter dated September 16, 2026 stating no access permit would be required, and they had signed off on the study. The City's traffic engineer has reviewed and provided comments on the revised TIS but had not yet received a response from the developer.

Ms. Cunningham then moved to the historical timeline of the project in its current iteration, including PC meetings in July and August. After the August 24 PC meeting, the PC voted 9-0 to deny the project for three reasons: 1 – The proposed development is not compliant with the comprehensive plan in that it does not offer a truly mixed-use environment, just a single (residential) use; 2 – Traffic considerations that have not been fully addressed to the satisfaction of the PC; and 3 – The proposed EIFS exterior cladding for the office tower building is not compliant with the requirements of the Form-Based Code for a high-rise building. Ms. Cunningham offered to take questions prior to the Developer's presentation.

Councilmember Haden Chomphosy asked what the timeline was for answers for the questions posed by the City's traffic engineer. Ms. Cunningham stated there was no timeline.

Councilmember Kring asked for the total number of deviations being requested and Ms. Cunningham replied there are four, which are mixed-use, building orientation, building materials, and building setbacks.

Councilmember Vaughn asked when the Form-Based code was adopted and Ms. Cunningham answered in 2008. Councilmember Vaughn followed up to ask how often those are updated and Ms. Cunningham explained each city is different, some update them frequently while others don't. She shared that comp plans are typically done every 10-15 years.

Councilmember Chociej shared he doesn't believe he has seen anything that speaks to an engineering opinion about the likelihood of an increase in injury crashes and asked for confirmation of that. City Administrator Laura Smith directed him to the letter from KDOT on September 16. Councilmember Chociej agreed with Mayor Flora that the letter is vague when it comes to safety and rather states that there is not enough evidence to suggest that any given traffic mitigation measure would improve traffic operations or safety. Mayor Flora asked Ms. Cunningham to speak to areas of possible decline. She explained that

both 56th and 58th and Metcalf would decrease to a Level of Service (LOS) F. Mayor Flora also asked for confirmation that both levels E and F are unsatisfactory. It was noted that LOS generally refers to operation of an intersection, and not safety. Ms. Smith added that the 58th and Metcalf acceleration lane is being extended as part of the KDOT bridge repairs that are currently ongoing, and this will benefit the area. The 56th intersection will remain unchanged.

Councilmember Kring asked the estimated maximum number of residents that the 646 units will bring into the area. Ms. Smith asked Councilmember Kring to ask that question of the developer during their presentation.

Ms. Cunningham finished her presentation with three possible outcomes or actions available to the City Council. Those were to uphold the PC recommendation and deny the PDP; overrule the PC recommendation and approve the PDP; or remand the case back to the PC for further consideration along with instructions on what items the CC would like the PC to reconsider.

Mayor Flora raised a fourth option, to continue the item on the CC agenda considering the new information. Staff confirmed that is correct.

Mayor Flora next welcomed up Will Block, Vice President of Development with Block Real Estate Services. He reviewed his previous presentations from the winter related to the proposed project. He gave an overview of his company and the project, covering the issues brought up by the PC and reviewing project metrics his company has developed based on their analysis. He answered the earlier question related to occupancy, believing that the expected occupancy would be around 1,000 people.

Rachel Dumsky of NSPJ Architects, the project architect, spoke to the EIFS material being proposed on Building 2 on floors 3 through 10. Her belief is that EIFS provides longevity, is sustainable, and will be installed with an integrated color helping the product to retain its look as it ages. The product meets all code requirements and is a drainable EIFS system, much advanced from the systems that were used when the form-based code was written. She showed examples of other projects using the same product to demonstrate the use and how the product ages.

Mr. Block then asked his company's attorney, Curtis Holland of Polsinelli, to address additional items.

Mr. Holland touched on the stipulations for consideration, pointing out that his client is in agreement with all stipulations in the Ordinance with the exception of numbers 15 -17. Stipulation 15 addresses the KDOT access permit and will be withdrawn and his client is in support of that. The other two have to do with building materials and whether the EFIS should be used. Mr. Holland reiterated that their request is to use that material. He requests on behalf of his client that those be removed and that the EIFS be allowed to be used.

Mayor Flora asked to address a question to the Developer's traffic engineer, Jeff Wilkey with Kimley Horn, confirming her understanding that the 2022 TIS and the first 2026 TIS had recommended improvements to Metcalf included. Mr. Horn confirmed that was correct. Mayor Flora asked why a revised study was needed and why those recommendations were removed. He confirmed that he provided a TIS in 2022 and a new one in 2026 with the current PDP. He stated that KDOT asked for a second look at the study to determine what was absolutely necessary to accommodate traffic from the development. In looking at the TIS and reviewing facts, they looked at recommendations and determined that the recommendations were not absolutely necessary. Mayor Flora asked to confirm that after submission of the July 2026 study, KDOT came back to ask what improvements would be absolutely necessary and his firm reviewed again and stated that none of the recommendations met the absolutely necessary criteria and submitted a revised study based on those conclusions. Mr. Wilkey confirmed that was correct.

Councilmember Chociej asked his safety question again, looking for someone to affirm that the development will not create safety concerns along the Metcalf corridor. He asked if Mr. Wilkey's opinion was that he could interpret those conclusions to be that there was no increased safety risk for the movements around the development. Mr. Wilkey explained that the 56th and Metcalf intersection was reviewed over the previous 5 years with a crash rate of .17 per million entering vehicles which is less than one half of the state average of .4 per million. He explained that there is a lot of movement in that intersection and adding traffic always increases the potential for accidents. The southbound left turn would be the area that needs the most attention, and the only mitigation option would be signalization which KDOT has indicated they have no interest in

pursuing.

Aaron Mesmer of Block Real Estate Services next spoke to read one line from the TIS letter from KDOT that he feels is important. That line stated that "… there is not enough evidence to suggest that any given traffic mitigation measure would improve traffic operations or safety at this intersection." He noted his belief that the intersection does not work ideally the way it is currently configured, and KDOT has stated that there are many spots across Kansas that are in a similar position but there is not funding to make improvements to all of them. Kimley Horn's study states that the ultimate outcome is the project falls within an acceptable range for anticipated traffic impacts. While it could be better with the previously recommended improvements, the project as is falls within an acceptable range and there is no evidence to suggest any given mitigation measures would improve the traffic operations or safety. He felt like that makes more definitive a statement to satisfy Councilmember Chociej's question. Mayor Flora and Councilmember Chociej shared their disagreement that the letter clarifies this situation.

Mayor Flora added that the phrase used related to the TIS was a "technically acceptable study" and that was confirmed.

Deputy City Administrator Brian Scott presented answers to questions raised during the September committee meetings. He gave historical information about the form-based code and West Gateway Visioning Plan, which looked at the west side of the city and created designation of buildings based on smart growth methodology or transition zones. He explained that Block B, where Building 1 is located, is identified as a possible residential building and no taller than 4 stories with a residential feel. Working south toward Johnson Drive, more of the high-rise buildings and mixed-use developments are recommended.

The second question Mr. Scott covered was the reasoning for not allowing stucco on high-rise buildings, and the prohibition of EIFS. Mr. Scott explained that the form-based code makes several references to building materials, in particular stating that mid and high-rise buildings should reflect permanence and high-design primarily through the use of masonry or metal materials and should reflect their position with appropriately modern, urban styles. The Johnson Drive design guidelines were also referenced with their requirements for high quality building materials that are sustainable long-term components. Non-durable

materials such as thin layers of synthetic stucco and EIFS are generally discouraged and should not be used within 8 feet of ground level, or for more than 25% of the façade area of any one story.

Thirdly, Mr. Scott was asked at the committee meetings about information from the Fire Marshal related to concerns about EIFS being used on a highrise building. Mr. Scott spoke with the Fire Marshall, who does have concerns about EIFS on upper floors because of the inability of a ladder truck to reach the tip of the structure. The Fire Marshal is also expresses concerned about the foam plastic insulation, unless the specific proposed exterior wall assembly has successfully passed NFPA 285 standards, which the Developer's architect stated they did. The Fire Marshal would be support EIFS if complete documents are provided showing the wall assembly meets NFPA285.

Mr. Scott next addressed the definition of high-rise in the 2024 International Building Code (IBC). The form-based code defines a high-rise building as being between 5 and 16 stories, and the 2024 IBC defines a high-rise building as a building with an occupied floor or roof more than 75 feet above the lowest level of fire department access. Building 3 is right at 75 feet. Mayor Flora confirmed that the City's code and IBC may have different definitions. Councilmember Chociej stated he does not believe one should take precedent over another but more so would like to know the reasoning for the different definitions.

City Administrator Laura Smith provided additional context for clarification. She stated that the KDOT letter provided in the meeting packet, was reviewed by the KDOT Secretary of Transportation. Staff has additional information about the success or lack thereof of retail space required in other multi-family developments recently built. She also offered to address any additional questions.

Mayor Flora then called for public comment.

Dylon Sease of Mission, KS shared he had provided a letter about the project which is included in the meeting packet materials. He shared his belief that the main issue in this meeting was if 6 of the CC members would overturn the PC's denial. He first addressed the project as proposed, which he feels only includes the high-density and not mixed-use high-density. He also shared his dislike of the removal of the townhomes aspect of the PDP which was included during

earlier presentations about the project. He believes the code should be amended more comprehensively and not just amended on a project by project basis. Second he believes the traffic issues are confusing and deserve more consideration especially with the last-minute information about the TIS. His third point related to EIFS allowances and the problems that could be created with the lack of fire suppression due to the height of the building. Finally, he believes that the Developer's refusal to replace a failing storm drain at 56th and Foxridge should not result in it falling on residents. He ended by asking Mayor Flora to hold the west gateway to the same standard as the east gateway and not to accept a bad project and uphold the PC recommendation for denial or remand it back.

Kim Donaway of Mission, KS stated that the area of the project is unattractive and she sat on the advisory council when the form-based code was adopted and feels that work was a joke as the PC and CC members have ignored those guidelines in favor of projects. She believes if the Developer was serious in 2022 that ground should have been broken and she would like to know why they did not. She also critiqued the project the Developer shared during their presentation related to building orientation and locating the back of Building 1 to the residential and park area which is not pedestrian friendly. She doesn't believe Metcalf is a walkable, pedestrian friendly road and that the development should not face that type of roadway. She also stated her disfavor for EIFS and felt the architect did not cover anything substantial related to weather effects on on the product. She also shared her thoughts about the lack of maintenance of other projects and properties the Developer owns. She also reminded the CC members that she has heard they are unresponsive and would like that addressed. She next moved to issues with lack of transparency she feels exist with some developments.

Joe Donaway of Mission, KS shared that he feels that the Developer cares only about profit margins and returning as much as they can to investors and themselves which creates an adversarial relationship that inherently means they will not take care of residents and the City. He also feels like the Developer is attempting to strongarm the CC if demands are not given into, equating the Developer's actions to those of a schoolyard bully. He feels like the area is desirable and that a recently built Trader Joe's close to Mission indicates a strong desirability for people to live in the area. He also shared that he questions how residents can know that the Developer will not change plans again and spoke

out against tax increment financing in general or related to this project especially in conjunction with what the city may need and not be able to pay for. He also expressed dislike of the EIFS materials and its Styrofoam components, and his dislike of the possibility that this project stalls out similar to the project on the site of the former Mission Mall.

Richard Johnson of Mission, KS shared that he has lived in Mission since 1988 and wanted to know if the Developer will charge for utilities for the residents in the units or if those would be included as part of the associated rents. His question is spurred by an apartment project in downtown Kansas City that was designed to avoid any utilities having to be paid for by its residents due to its concrete construction and insulation. He feels that is a big deal and determines how buildings are built. Ms. Smith asked to confirm that the project Mr. Johnson is referencing is Arnold Development and Mr. Johnson confirmed that is correct.

Kevin Moxley of Overland Park, KS (business owner in Mission, KS) shared that he is a civil engineer with a unique perspective. He asked about the TIS which was done in 2022 and could have been heavily impacted by COVID-19 changes in activities and travel. He also shared that the site location is unique and that there are few access points to the highway from the site. He worries about bridge reconstructions at Lamar and Metcalf and the impact those might have on the site. He felt like Foxridge Drive is in bad shape to handle the amount of cars from the project and also felt like he had heard there is a 75% tax abatement going along with the project. He feels like tax abatement is ridiculous and that there is only one chance to get this project right and that the former Mission Mall site is already an embarrassment. He also shared frustration with the Metcalf bridge repairs currently ongoing by KDOT near the site, and near his home.

Ja'Lyn Lewis of Mission spoke to the shame of the former Mission Mall site and would like to see some retail development built there. She would like to avoid the generic shopping areas and hopes to see one built as it would drive people to the area. She hopes that the owners of the area would announce something.

Vanessa Ruperto of Mission, KS shared that the rents of the proposed apartments should also be able to show what the measurable economic benefit the project would bring to the city compared with costs and impacts the project creates. She also is concerned about the deviations being requested and she

believes the CC should ask, when so many deviations are being requested, what is happening to ensure it the deviations are not to the detriment of the community. She acknowledged that the Developer has confirmed that high-density is allowed by the form-based code, but they also do not want to adhere to the form-based code which is frustrating when it feels like it is only used when it benefits the Developer. She also has traffic concerns about more cars in the area. She wanted to know about required improvements and how they would be paid for, and how the requested deviations would benefit the residents and how the benefits might outweigh any negative impacts. She also wanted to ensure the CC and neighbors know she recently saw construction at 8:30 p.m. on the office tower which she finds to be poor behavior. She supports responsible growth in Mission but does not feel like this larger scale project meets that criteria like the first iteration of the project did.

Kristina Hiner of Mission, KS stated she has become concerned about the number of apartment buildings approved and built in recent years and the subsequent rental units being added to housing stock. This expansion of the project is what drove her to speak at the meeting. She opposes the expanded plan, not the original plan from 2022. She echoes concerns made earlier by resident Dylon Sease and would like the original project, failed to have started for four years, to be started on. She feels like this is possible based on comments made at the work session in March where the project was presented and Councilmember Kring asked if the original plan would not happen without the expansion. At that time, Mr. Mesmer, stated no it could still exist but would take longer. Since then, the Developer has made it clear they want the expansion approved to make the original project "more financially viable" for their multi-billion-dollar business. She feels their requests for deviations due to economic feasibility and no buffer between low-density single-family homes and the high-density project exist with the removal of the originally proposed townhomes. She also shared frustration that the project does not front Broadmoor but rather faces out of the city and shows it does not want to truly be part of the city. Additionally, she finds it frustrating that the Developer has been cagey about the storm drain replacement and KDOT access permit when it was thought that would be required.

Cathy Hare of Mission, KS shared that she has lived in her home in Mission for 47 years and has been a life-long Mission resident and feels she is quite familiar with all of the development that has happened in Mission. She wanted to know

when Mission will stop allowing large corporations to build apartments, which she feels are unnecessary. She stated that there is a 50/50 split between single family homes and apartments in Mission and that that does not exist anywhere else. She thinks the city will be dead in the water, no one will want to come to Mission, and that the city will die because adding apartments adds 1,000 people and parking spaces which will be to the detriment of Johnson Drive, which she also sees as a nightmare and people are sick of. Additionally, she added that pedestrian traffic will increase exponentially, adding that people who move in to apartments will love Broadmoor Park and bring their dogs. She believed that neighbors do not want an uptick of pedestrian traffic in their quiet, sweet neighborhood and the neighborhood will be abolished because house prices will be decreased to nothing and no one will be able to sell their home due to the development.

Richard Ruperto of Mission, KS spoke that his main concern is traffic and crime, along with impacts to the city. He feels like he sees several incidents of speeding near his home and that will increase with new residents. He also asked about additional police presence or new officers to be hired as things are not changing or improving with regards to traffic.

Nora Moore of Mission, KS commented that traffic is difficult along Broadmoor now, and taking away mixed-use there makes Broadmoor a residential street which it is not really meant to be, especially with limited entrances and exits that are already difficult to navigate. She believes that will cause problems. She also wants to know what 647 units and renters provide to the city, keeping in mind there are many other new multi-family housing projects recently opened or soon to open as those projects add units as well. She feels like Mission is changing too quickly and feels like there needs to be a step taken back to reconsider apartments. She also questioned the retail sales increases touted because of new residents, as she did not experience that in her job at Fabulous Find when The Lanes development opened. She also thinks we should have seen new restaurants opening with new multi-family housing coming in but has not seen that.

With no further public comment Mayor Flora opened the floor up to Council discussion.

Councilmember Vaughn asked for clarification about how to consider if multi-

family housing is being overbuilt considering a project currently going up nearby in Roeland Park, or if there is an idea of apartment occupancy of current apartments in Mission. Ms. Smith explained that in the spring, Staff's understanding of occupancies was around 90-95% occupied, considering all multi-family housing in the city. Mr. Scott confirmed Ms. Smith's numbers. Mayor Flora asked Mr. Scott to speak to the Comp Plan and a Mid-America Regional Council (MARC) housing study related to residential needs. Mr. Scott shared that MARC has done a housing analysis for the region and has found that there is a high demand for housing, more so than what can be provided by the current supply with about a 64,000-unit deficit. That drives quite a bit of the multi-family housing projects being built throughout the metro. Owning a single-family home now is difficult for many people which is driving the building of new apartments to meet the need for housing.

Councilmember Ryherd acknowledged that a return on investment has to be made by the Developers. She also reminded the audience that the CC are also members of Mission and are just as invested as they are in improving Mission, even if those perspectives of improvement look different. She feels that the CC's best interest is the city's best interest and they care about the city and spend hours doing work to better the city.

Councilmember Haden Chomphosy followed up from a public comment question to ask why the urgency exists now to build this project, especially with the 4 years of not making any strides forward after initial approval in 2022.

Ms. Smith asked to step in with some additional information. She first shared that the only conversation for this item during the meeting is for zoning entitlements. A separate conversation and process will happen at another time to discuss incentives, but those are not part of the conversation tonight for this project. In 2022, zoning entitlements were approved for this project and in 2025 incentives were approved for the original iteration of the project. She also added that there does tend to be a lag between the zoning entitlements being approved and the request for incentives, as happened with this project. Additionally, an expiration date was added into the PDP approval to encourage a project to move forward in a timely fashion regardless of if incentives are requested on the project or not. Her thoughts were that it has been about 18 months since this project was ready to move forward, and that they then moved to presenting the newly imagined project. She also addressed the references to the Developer

refusing to make stormwater improvements, acknowledging that Ms. Cunningham shared that stormwater runoff issues were addressed by the Developer in the PDP. There is failing stormwater infrastructure at 56th and Foxridge that does not have anything to do with this project or any other project but is solely city infrastructure that failed last year and an emergency repair happened. She also acknowledged that a task order will be considered later for the permanent repair of that stormwater infrastructure, and that staff will always ask for assistance from a Developer building a project adjacent. In this case, the Developer chose to address the stormwater requirements required by City Code on their own parcel.

Mr. Mesmer added that anytime a project would be built and ready to go, they will want to move that ahead and are motivated to do so. Since 2022, they have experienced a large jump in interest rates and construction cost increases of 11% or more annually each year for the last four years. He added that his team does not typically buy vacant office buildings, but with the proximity in this case to 5665 Foxridge the building became valuable as it would help the project be able to move forward more quickly as they could reconfigure parking. He also shared that, if Building 2 was full of office employees, there would be about 1,200 people coming and going each day. He would like to do whatever they can to move this project ahead. He also shared that with 647 units the project will will result in about a $200,000,000 investment to develop.

Mayor Flora asked Mr. Mesmer about the utilities and insulation choices. Mr. Mesmer pointed out that the Fire Marshal, as provided by Mr. Scott earlier, has certain requirements that would make them comfortable with the EIFS materials and his team, if the EIFS deviation is granted, will be more than happy to meet all fire codes as they would never want that disaster. Their team wants everyone to be in a safe space. As far as utilities, residents will typically pay electric service and can pay for a valet trash service. There is no gas utility, and a common utility charge will cover other utilities. The building owner will be responsible for the common areas. They are motivated to beat their competitors by providing a very efficient building.

Councilmember Chociej shared some thoughts, including that the project does meet the spirit and intent of the code related to heigh and density generally. He believes that the PC finding was accurate in that the project was not in compliance with the comp plan and the EIFS and traffic issues were reasonable

concerns. He believes the two things that have moved the needle is the host of information that has come in since the PC meeting along with the new information presented about the EIFS system specifically using mineral wool and having the correct ratings and listings for use on a high-rise with no height considerations as that was new information for him. He believes the new information changes the character of the application enough that it may be worth a revisit of the deviations and therefore he would support a remand of this item.

Mayor Flora asked Councilmember Chociej what items he would be remanding on. He shared that he would remand on two points, specifically; reconsider the new traffic information and attempt to better determine if the traffic safety question can be answered satisfactorily and reconsider the new EIFS system that has been proposed. As a whole, does that bring the application into compliance with the spirit of the codes and land use plan sufficient to reconsider the application as a whole. He would also ask the PC to reconsider whether economic conditions warrant a deviation from the mixed-use requirement but he could not say he found any particular fault with the reasoning as a whole.

Councilmember Haden Chomphosy voiced her agreement with Councilmember Chociej's remand reasonings. She also stated she found it important to mention that she is in favor of increasing housing types and inventory as there are many people who deserve to live whole lives with safe housing, which can be difficult if single-family homes are the only consideration. She also likes the reuse potential of the empty office tower. She also feels like resident concerns should be answered, and the last-minute answers that the CC got should be able to be seen by the PC. She agrees with remanding the project back and also agrees about his thoughts on the mixed-use.

Councilmember Komosa agreed with the previous two Council comments and added that the way information was provided so late in the game makes it hard to digest and retain, and because the PC did not have that information either he also supports a remand back.

Councilmember Schmid disclosed that he did meet with the Developer outside of a CC meeting at Urban Prairie Coffee at their request. He also sent a recap of his conversation to Staff to be part of the record. He gave an overview of that recap as well. His main goal was to make the Developer aware of resident concerns and to encourage them to provide the information that has been

requested sooner rather than later as he felt like there was a disconnect between what residents, Staff and the CC was requesting and what the Developer was providing. He also shared his views as a Councilmember. He then moved to his thoughts about the plan itself and tonight's presentation. He shared he respects the work of the PC immensely, as a former member himself. The central question for him is not density or multi-family housing as the code calls for very high density in the area. The issue for him is can the office tower be responsibly and sustainably redeveloped and have any impacts appropriately addressed. He believes housing and retail have to be balanced against market demand, and consultants have shown that Mission has more retail space than the market supports. He doesn't believe it builds resiliency to build more retail space just for the sake of it. He does not believe it's a real deviation but that's a policy judgment that can be made at some point. He also did not wish to discount the traffic impacts and potential issues there. He believes a real concern is there for 56th and Metcalf but wanted to point out that the infrastructure has handled over 1,000 working in the office tower building when it was full of employees. The morning and evening peak times created the most issues when employees were all coming and going at the same time. The EIFS issue should be thought about with the filter that the form-based code was written 20 years ago and materials have changed, and he believes it's fair to recognize that. The original reasoning for rejecting EIFS has been addressed and satisfied for him. One area he would like to hear more about are the positive changes seen from new development, particularly to around Johnson Drive between Lamar and Nall where the road diet happened along with The Lanes, Locale, Mission Flats, and Mission Vale, all newer multi-family housing developments. He sees an opportunity to bring that same type of pedestrian activity in the west part of town. He feels the regeneration of an actively blighted area that will also build quality homes for people aligns with his values.

Councilmember Vaughn shared her agreement with most comments. She also expressed that 20 years feels too long to allow the form-based code to not be addressed and potentially revised. She is also in agreement to remand the project back to the PC.

Councilmember Kring shared her thoughts about balancing the needs of the city and the needs of residents, and what is good for the future. She has received more contact about this project than almost any other project and has heard mostly frustration. She, for the first time, does not support Staff on this project

and has environmental concerns about the project. She also disclosed frustration with Mr. Scott for allowing the bare minimum when stating that the impervious surface situation "wouldn't be any worse" for not wanting better. She also wants the Sustainability Commission to be part of the process before the final development plan goes through. She also has concerns about building to code when the City's adoption of the 2024 building codes go into effect in October. She's hopeful of moving forward but does not agree with the project.

Councilmember Carpenter-Davis indicated her support of many of the previous comments. She raised the question of whether the project fits in the community without complying with zoning and form-based code requirements, is it necessary, and will it get built. She explained that she hears from her residents about the east Gateway site already, and she does not want that for the west Gateway too. She is also unsure about breaking the guidelines and rules so often.

Mayor Flora echoed much of what had been said and acknowledged that many residents have raised concerns about density, traffic, and additional use of public spaces, like parks, because of the development. She wanted to note that when the Comp Plan was adopted there were years of public engagement ahead of that that provide conversations surrounding the community vision, and many of those conversations tied into density and diversification of tax base. She finds those conversations and the public engagement from that project differ from the concerns raised in this meeting. She acknowledged that it is a balancing act to think of the whole of the community versus what is heard on any one project. She also shared that she worries about the tone and tenor of meetings when negative comments are made that are targeted to residents who live in apartments. She wants everyone to be cognizant that the Council's vision is to ensure Mission be a welcoming community for all, which involves viewing all residents as equal regardless of where or how they live. She believes it is reasonable to consider the concerns raised about the impacts on public resources, and the flip side is that those resources are for everyone in the community. She stated that the hardest part for her is the mixed-use as she hopes to find pedestrian activation remains a focus if mixed-use is not included.

Councilmember Schmid shared that he lived in apartment in Mission for four years before purchasing his home and knows that people who move here love it and become part of the community, and that is very important to him.

Councilmember Chociej began by agreeing strongly with Mayor Flora's comments about the tone and tenor of comments related to apartments. He also believes that density should be on the parcel, and that he knows the project should be considered based on the current Comp Plan. For those who feel that the amount of density is not correct, that's a valid opinion too, especially if there is overwhelming feeling that the Comp Plan is "wrong" about the parcel being discussed.

Councilmember Kring asked for a stipulation for the remand be that the project has to be built under the 2024 energy codes, however Ms. Smith informed her that was not possible as a stipulation as it was not an original denial reason. However, when the project comes back to the CC those stipulations can be discussed.

Moved by Chociej, seconded by Ryherd to remand PC Case #26-15 for a preliminary development plan for three separate apartment buildings totaling 647 units to be located at property addressed as 5665 Foxridge and 5700 Broadmoor back to the Planning Commission for consideration of the following – to review substantial new traffic safety information, to determine whether the proposed development is likely to materially increase traffic injury risk, to reconsider the requested EIFS deviation in light of the newly submitted mineral wool system and supporting documentation, and to give greater consideration to current economic conditions affecting the feasibility of mixed-use, and to reconsider the preliminary development plan as a whole and return its recommendations to the Council.

Voting AYE: Vaughn, Komosa, Chociej, Kring, Carpenter-Davis, Haden Chomphosy, Ryherd and Schmid. Motion carried.

Upon completion of this item, a five minute recess was taken.

PUBLIC HEARING

3a. Public Hearing 2027 Budgets (City of Mission, Rock Creek Drainage District No. 1, Rock Creek Drainage District No. 2)
3b. Resolution Levying a Property Tax Rate Exceeding the Revenue Neutral Rate – City of Mission 2027 Budget

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3c. Resolution Levying a Property Tax Rate Exceeding the Revenue Neutral Rate – Rock Creek Drainage District #2

Mayor Flora opened the public hearing and asked Ms. Smith to make her presentation. Ms. Smith presented her full budget, and the full presentation can be found here beginning at minute 2:48:24. The recommended revised 2026 and recommended 2027 Budgets are presented in full in the meeting packet materials.

Joe Donaaway of Mission, KS shared his worries about price setting for large apartment buildings and an artificial high rental market, a "hub and spoke" collusion as he referred to it. He believes a resolution could help with that to avoid algorhythmic price setting. He also reviewed property taxes as part of revenue and believes that less TIF projects would avoid the need to increase property taxes. He met many people during a campaign last year who told of struggles related to paying property taxes to stay in their homes. He wondered if there was a known percentage of property taxes reserved for TIF project repayments. He would also like more condos as high-density housing as those bring pride of ownership and character. He also asked for clarification and shared that his comments earlier in the meeting about crime were not directed toward residents living in apartments but rather those coming in from outside of the community to commit crimes against those residents.

Ms. Smith gave a reminder that the TIF revenues provided do not exist without the development occurring. Without the project, no revenue is generated that funds the TIF.

There were no additional public comments, and Mayor Flora closed the public hearing.

Moved by Ryherd, seconded by Chociej to approve the Resolution of Intent to Exceed the Revenue Neutral Rate for the City of Mission Budget for 2027.

Voting AYE: Vaughn, Komosa, Chociej, Kring, Carpenter-Davis, Haden Chomphosy, Ryherd and Schmid. Motion Carried.

Moved by Ryherd, seconded Haden Chomphosy to approve the Resolution of Intent to Exceed the Revenue Neutral Rate for the Rock Creek Drainage

District No. 2 Budget for 2027.

Voting AYE: Vaughn, Komosa, Chociej, Kring, Carpenter-Davis, Haden Chomphosy, Ryherd and Schmid. Motion Carried.

ISSUANCE OF NOTES AND BONDS

There were no items related to the issuance of notes and bonds.

CONSENT AGENDA

5a. Minutes of the August 19, 2026 City Council Meeting
5b. Milhaven Picnic

Moved by Schmid, seconded Chociej to adopt the Consent Agenda as presented.

Voting AYE: Vaughn, Komosa, Chociej, Kring, Carpenter-Davis, Haden Chomphosy, Ryherd and Schmid. **Motion Carried**.

PUBLIC COMMENTS

Kevin Moxley of Overland Park, KS and a Mission business owner shared his concerns related to the Johnson Drive reconstruction project as his business is being impacted along Johnson Drive due to changes in traffic patterns that reduce the ability to access certain streets. He is confused about the closure of Barkley across Johnson Drive. He feels that the project is hurting small businesses in that area and does not believe the city is listening to business owners. He would like to see door hangers or additional communications other than emails. He was also unhappy about the confusing communications related to upcoming closure in addition to feeling like the Public Works department is unresponsive and is confused about the restriction of left turns.

COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Schmid explained that The Finance & Administration Committee met on September 2 and considered five items. The meeting minutes and Milhaven

Homes Association Picnic at Mohawk Park were considered under the Consent Agenda earlier tonight. Resolutions adopting the 2026 revised and 2027 recommended budgets for the City of Mission, the 2027 Rock Creek Drainage District #1 budget, and the Rock Creek Drainage District #2 budget will be considered under the Regular Agenda this evening.

7a. Resolution Adopting the 2026 Revised and 2027 Recommended Budgets - City of Mission

Councilmember Schmid explained that as a part of the annual budget process, the City Council adopts a budget resolution which outlines and describes the financial policies, tax and fee structures and other related issues identified in a particular fiscal year. The Resolution has been prepared based on input received from staff, Council and the public through. The 2026 Revised and 2027 Recommended Budgets were developed through a series of public meetings and work sessions throughout the summer and, following the public hearings held earlier tonight, are ready to proceed for final adoption.

There were no public comments or Council discussion.

Moved by Schmid, seconded by Kring to approve the Resolution outlining the policy decisions, mill levies, and fees included in the City of Mission's 2027 Budget and adopting the 2026 Revised and 2027 Recommended Budgets for the City of Mission, Kansas.

Voting AYE: Komosa, Vaughn, Ryherd, Chociej, Carpenter-Davis, Kring, Haden Chomphosy, and Schmid. **Motion Carried**.

7b. Resolution Adopting the 2027 Rock Creek Drainage District #1 Budget

7c. Resolution Adopting the 2027 Rock Creek Drainage District #2 Budget

Councilmember Schmid explained that additional budgets to approve tonight are the final 2026 Revised and 2027 Recommended budgets for Rock Creek Drainage District #1 and Rock Creek Drainage District #2. The 2026 Revised and 2027 Recommended Budgets were developed through a series of public

meetings and work sessions throughout the summer and, following the public hearings held earlier tonight, are ready to proceed for final adoption.

Moved by Schmid, seconded by Ryherd to adopt the Resolution approving the 2026 Revised and 2027 Recommended Budgets for Rock Creek Drainage District #1.

Voting AYE: Ryherd, Komosa, Carpenter-Davis, Kring, Haden Chomphosy, Schmid, Vaughn, and Chociej. **Motion Carried**.

Moved by Schmid, seconded by Haden Chomphosy to adopt the Resolution approving the 2026 Revised and 2027 Recommended Budgets for Rock Creek Drainage District #2.

Voting AYE: Ryherd, Komosa, Carpenter-Davis, Kring, Haden Chomphosy, Schmid, Vaughn, and Chociej. **Motion Carried.**

Community Development Committee

The Community Development Committee also met on September 2 and considered two items. The meeting minutes were approved under the Consent Agenda earlier tonight. A task order for 2027 stormwater and street project design will be considered under the Regular Agenda this evening.

7d. Task Order for 2027 Stormwater and Street Project Design

Councilmember Carpenter-Davis explained that the majority of the proposed task order is associated with the design of the 2027 stormwater improvement at 56th & Foxridge and Dearborn Street & 49th Street to address stormwater infrastructure needs and advance projects approved for SMAC System Renewal funding. The current engineer's estimate for construction of these projects is $469,348 and the City would be reimbursed 50% of that expense through SMAC. Both of these locations recently experienced stormwater infrastructure failures and are currently operating with temporary solutions. This task order will design permanent solutions at both locations which primarily includes replacing old, failed corrugated metal pipe (CMP).

The 2027 Residential Street Reconstruction Program will include the street improvements of 54th Terrace between Horton Street and Dearborn Street, and

63rd Terrace between Beverly Drive and Nall Avenue. The two street segments recommended for reconstruction are currently rated as failing based on their existing condition. Both of these streets were included as bid alternates in the 2026 Residential Street Reconstruction Project but were not selected for construction due to funding. The work on these streets included in this task order is for minimal engineering work including shop drawing review, compiling the new bid package, and a few design changes to the curb line.

The task order encompasses all necessary design services for the proposed streets and stormwater infrastructure for a total cost of $84,662.00. These services include surveying, data collection, design development, coordination with utility companies, and the creation of any necessary easement documents. Additional provisions cover project meetings, obtaining permits, drafting bid documents, and overseeing bid submission and construction.

Moved by Schmid, seconded by Haden Chomphosy to approve a task order with Burns & McDonnell for engineering design services for 2027 Stormwater Management Project and Residential Street Reconstruction Project in an amount not to exceed $84,662.00.

Voting AYE: Ryherd, Komosa, Carpenter-Davis, Kring, Haden Chomphosy, Schmid, Vaughn, and Chociej. **Motion Carried.**

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

COMMENTS FROM THE CITY COUNCIL

Councilmember Kring shared that the Johnson Conty Solid Waste committee met recently and she learned about Scraps KC. She hopes to talk to the Sustainability Commission about partnering with them.

Councilmember Chociej shared he was invited to try the Johnson County airport shuttle service recently and enjoyed the experience. He also thanked residents

who came to speak at the meeting along with staff and consultants who worked on the items discussed during the meeting.

COUNCIL COMMITTEE LIAISON REPORTS

Sustainability Commission (Chociej/Haden Chomphosy)

Councilmember Chociej shared that the group met earlier in the week and discussed composting. They are looking at programs in neighboring cities and what a successful program might look like in Mission. They are also discussing a green business award program and are working on that design. The chairperson shared that she has been nominated for a young professional award for green building. Councilmember Haden Chomphosy added that they would be beginning budget work. Mayor Flora reminded the group of the Go Green Environmental Fair coming up on October 17.

Parks, Recreation + Tree Commission (Komosa/Carpenter-Davis)

Councilmember Carpenter-Davis reported that the group met earlier in the week and reviewed a list of improvements made at the community center during its annual closure. They also got reports about the summer camp and outdoor pool from Parks & Recreation staff. There is also an ongoing tree drive.

Mission Magazine Editorial Board (Ryherd/Kring)

Councilmember Ryherd shared that the group met on September 1 to review the most recent issue and brainstorm ideas for the final issue of 2026. Issue 3 will upload to the printer soon, and the group discussed the upcoming 75th Anniversary street dance.

Family Adoption Committee (Schmid/Vaughn)

Councilmember Vaughn shared that the group reviewed letters to collect donated funds, which will help determine how many families can be served.

MAYOR'S REPORT

There was no Mayor's report.

CITY ADMINISTRATOR'S REPORT

Ms. Smith shared that the tentatively scheduled council work session for the following week had been cancelled. There will be a work session on September 30 to discuss roof replacement at the Powell Community Center with solar options. She also announced that there will not be a work session on October 14, that will be moved to November 18 ahead of the City Council meeting. A group is also going to start meeting to discuss e-mobility policies.

13a. Business Updates

City Clerk Robyn Fulks gave an update on the city's 75th Anniversary street dance being held on September 26 in downtown Mission.

13b. August Interim Financial Report

There were no questions on the financial reports.

EXECUTIVE SESSION

There was no need for an Executive Session.

ADJOURNMENT

Mayor Flora announced that the public video from tonight's meeting will be available through a link on the City's website at missionks.org.

Moved by Kring, seconded by Chociej to adjourn the meeting at 10:41 p.m. All present voted AYE. **Motion carried**.

Respectfully submitted by Robyn L. Fulks, City Clerk.

_____
Solana Flora, Mayor

_____
Robyn L. Fulks, City Clerk