

## OVERLAND PARK CITY COUNCIL MEETING

February 3, 2025

Mayor Curt Skoog called the Overland Park City Council meeting to order at 7:30 p.m., in the City Council Chambers. The following members were present, constituting a quorum:

Council President Holly Grummert; Mr. Jim Kite; Mr. Logan Heley; Mrs. Melissa Cheatham; Mr. Chris Newlin; Mr. Sam Passer; Mr. Gregg Riess; Mr. Scott Mosher; Mr. Jeff Cox; Mrs. Inas Younis; Mr. Richard Borlaza; Mr. Sam Passer; and Mr. Drew Mitrisin.

Also present were: Mrs. Lori Curtis Luther, City Manager; Mrs. Kristy Stallings, Deputy City Manager; Mrs. Kate Gunja, Assistant City Manager; Mr. Bryan Dehner, Assistant City Manager; Mr. Jack Messer, Assistant City Manager; Mr. Michael Koss, City Attorney; Mr. Steve Horner, Senior Assistant City Attorney; Ms. Doreen Jokerst, Chief of Police; Ms. Gena McDonald, Director of Finance and Budget; Mrs. Lorraine Basalo, Director of Public Works; Mr. Alan Long, Fire Chief; Mrs. Leslie Karr, Director of Planning and Development Services; Mr. Tony Sage, Chief Information Officer; Mrs. Danica Trexler, IT Support Specialist; and Ms. Cindy Terrell, Recording Secretary.

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### **PLEDGE OF ALLEGIANCE**

Mayor Curt Skoog led the Council in the Pledge of Allegiance.

### **OPEN PUBLIC COMMENT PERIOD**

No speakers.

### **PUBLIC HEARING**

None.

### **MAYOR CURT SKOOG**

PROCLAMATION – Proclaiming February 2025, as Black History Month in Overland Park.

Mayor Skoog proclaimed February 2025, as Black History Month in Overland Park.

Ms. Katrina Robertson, president, Johnson County NAACP, 8826 Santa Fe Drive, stated was present with several of their members. They are glad to receive the proclamation. At the National Association for the Advancement of Colored People (NAACP), they believe every day of every month of the year is one for studying African American history. This acknowledgement is due to the work started by founder, Mr. Carter G. Woodson.

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NON-AGENDA ANNOUNCEMENT - Mayor Skoog congratulated the Kansas City Chiefs on a trip to the Super Bowl for the third straight year. Go Chiefs!

**COUNCIL PRESIDENT HOLLY GRUMMERT**

Council President Grummert presented a report from the February 3, 2025, Committee-of-the-Whole meeting regarding the 2026-2030 Capital Improvements Program (CIP) and Maintenance Program (MIP). In February and March, Goal Area Committees will review their sections of the CIP. The Committee of the Whole will reconvene to discuss the recommendations. In April, a public hearing will be held regarding the proposed program and followed by adoption of the 2026-2030 Capital Improvements Program (CIP) and Maintenance Program (MIP), for budget planning purposes. The League of Kansas Municipalities features the City in the latest edition of Kansas Government Journal. The League included a two-page article highlighting the Overland Park emergency management decision-making processes. The article featured a description of the City's processes over the last few years to improve its response to severe weather and storm debris and recognizing the City's abilities to quickly assess the situation and implement a new effective solution for residents. On behalf of Mayor Curt Skoog, she was proud to participate at the recent SevenDays, Make a Ripple, Change the World (SevenDays), news conference. SevenDays is a local organization that exists to promote kindness and understanding through education and dialogue. She also had the privilege to meet with the Overland Park Teen Council. They are an outstanding group of young leaders, eager to learn about local government and civic engagement.

**CITY MANAGER LORI CURTIS LUTHER**

City Manager Lori Curtis Luther reported that Mayor's State of the City Address will be held on Tuesday, February 4, 2025, 4:00 p.m., at Johnson County Community College. Mayor Skoog will share successes of the City from past years and why Overland Park is a city on the move. Staff will post a video of the event on the City's website next week.

**CONSENT AGENDA**

**PUBLIC WORKS – Committee Report:**

AGREEMENT – HNTB Corporation, to provide engineering and architectural services for 175th Street, 179th Street to Switzer, in an amount not to exceed \$1,549,910.

AGREEMENT – Terracon Consultants, Inc., to provide material testing services for the Quivira, 179th Street to 187th Street, project, in an amount not to exceed \$182,962.

AGREEMENT – Kaw Valley Engineering, Inc., for on-demand construction materials testing services for respective projects and others to be initiated, in the amount of \$189,455.

AGREEMENT – Terracon Consultants, Inc., to provide construction material testing services for on-demand material testing for the 2025 Street Improvement Preservation projects.

WAIVE BID PROCESS AND AUTHORIZATION TO PURCHASE – Murphy Tractor and Equipment Co., Inc., to purchase a new 2025 front-end wheel loader, in an

amount not to exceed \$227,870, and authorizing the City Manager or designee to execute the necessary documents.

**FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT – Staff Report:**

COUNCIL MINUTES – September 9 and September 16, 2024.

CONFIRMATION OF INVESTMENTS – For agency securities in the amount of \$20,000,000.

EXPENDITURE ORDINANCE NO. 1B – Outlining the expenditures from the General Operating Fund and the Capital Projects Fund for January 3 through January 16, 2025.

Mayor Skoog presented the Consent Agenda and asked the Council if they wanted to remove any item for separate discussion.

Mrs. Grummert moved to approve the Consent Agenda, as presented. The motion was seconded by Mr. Logan Heley and carried by a roll-call vote of 12 to 0.

**REGULAR AGENDA:**

**COMMUNITY DEVELOPMENT – Committee Report:**

Logan Heley, Chair

The Community Development Committee will next meet on Wednesday of this week.

**COMMUNITY DEVELOPMENT – PLANNING AND DEVELOPMENT SERVICES – Staff Report:**

No report.

**COMMUNITY DEVELOPMENT – PARKS AND RECREATION SERVICES – Staff Report:**

No report.

**PUBLIC SAFETY – Committee Report:**

Melissa Cheatham, Chair

No report.

**PUBLIC SAFETY – POLICE DEPARTMENT – Staff Report:**

No report.

**PUBLIC SAFETY – FIRE DEPARTMENT – Staff Report:**

No report.

**PUBLIC WORKS – Committee Report:**

Jim Kite, Chair

No report.

**PUBLIC WORKS – Staff Report:**

No report.

**FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT – Committee Report:**

Chris Newlin, Chair

No report.

**FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT – Staff Report:**

AGREEMENT – Benefitsfocus.com, Inc., for benefits management for a term of one year, with up to four one-year renewal terms.

Deputy Kristy Stallings presented an agreement with Benefitsfocus.com, Inc., for benefits management for a term of one (1) year, with up to four (4) one-year renewal terms. The Council authorized negotiation of this agreement in October, based on a recommendation from the Finance, Administration and Economic Development Committee. This agreement is a cloud-based administration service for employee benefits that enable employees to select their benefits online, which will eliminate some manual processing used by the City for many years. Staff negotiated the agreement per the direction provided by the Committee, and recommended approval.

Mr. Jeff Cox said he would abstain from voting on this item.

Mr. Chris Newlin moved to approve the Agreement with Benefitsfocus.com, Inc., for benefits management for a term of one (1) year, with up to four (4) one-year renewal terms. Mr. Sam Passer seconded the motion, which carried by a vote of 11 to 0 to 1, with an abstention by Mr. Cox.

**ECONOMIC DEVELOPMENT PUBLIC-PRIVATE PARTNERSHIP PROJECTS**

RESOLUTION NO. 5021 – Providing for notice of a public hearing concerning the establishment of a Tax Increment Financing (TIF) Redevelopment District generally located at the southwest corner of Metcalf and West 80th Street (8036 Metcalf TIF Project).

Assistant City Manager Jack Messer presented Resolution No. 5021, providing for notice of a public hearing concerning the establishment of a Tax Increment Financing (TIF) Redevelopment District generally located at the southwest corner of Metcalf and West 80th Street, otherwise known as the 8036 Metcalf TIF Project. This is a project advanced by Hunt Midwest Real Estate Development, Inc., and their counsel was present this evening. The purpose of this agenda item is to consider a unanimous recommendation from the Finance, Administration and Economic Development (FAED) Committee to set a public hearing, and direct staff to advance the steps necessary in the process.

Mr. Messer stated this vacant parcel is generally located at the southwest corner of 80th Street and Metcalf. The TIF district includes the existing UMB building as well. The Planning Commission and Council unanimously approved this mixed-use project. It is in alignment with Vision Metcalf and FrameworkOP. On January 26, 2025, the FAED Committee unanimously recommended a strategic investment request. This action will establish a district. This is the first in a series of steps. Tonight's action will not approve anything; it simply announces a public hearing and directs staff to begin negotiations. The Council will hold a public hearing on March 24, 2025, and consider action at that time. If directed, staff will begin the negotiation of a development agreement or other tools, and the applicant will begin to take the necessary action, including preparing final feasibility and financial analysis. An additional step is necessary in the process before this becomes a project, which is to consider a project plan.

Mr. Newlin moved to approve Resolution No. 5021, providing for notice of a public hearing concerning the establishment of a Tax Increment Financing (TIF) redevelopment district generally located at the southwest corner of Metcalf and West 80th Street, otherwise known as the 8036 Metcalf TIF Project; and to direct staff to work with Hunt Midwest Real Estate Development, Inc., to finalize a Community Improvement District (CID) petition, prepare a TIF project plan, and negotiate a redevelopment agreement regarding the 8036 Metcalf redevelopment project, all for further review and consideration by the Finance, Administration and Economic Development Committee. Mr. Passer seconded the motion.

Mrs. Grummert said it is exciting to move this forward. The FAED Committee had an extensive conversation about the project. This will further the downtown Overland Park redevelopment projects and will include housing, retail, and more parking.

The motion carried by a roll-call vote of 12 to 0.

**PLANNING COMMISSION – Consent Agenda:**

SPECIAL EVENT PERMIT NO. SEP2025-00001 – 8101 Marty. A special event permit is requested to allow a Farmers' Market at the Matt Ross Community Center for 2025. Application made by Kristina Stanley, representing the City of Overland Park.

SPECIAL EVENT PERMIT NO. SEP2025-00021 – 7401 West 91st Street. A special event permit is requested from March 28, 2025, through January 1, 2026, to allow multiple lighting displays. Application made by Jon Larson, representing Dr. Vince Clinical Research.

SPECIAL EVENT PERMIT NO. SEP2025-00023 – 4350 West 107th Street. A special event permit is requested from March 1 through September 30, 2025, to allow a temporary storage unit. Application made by Allison Fisher, representing Bee Organized, LLC, and Soles4Soles.

SPECIAL USE PERMIT NO. SUP2024-00011 – 11748 West 95th Street. A special use permit is requested for a 10-year period of time to allow an event center. This property is currently zoned CP-2, Planned General District. Application made by Travis Wright. The Planning Commission approved this

item on January 13, 2025, for a 10-year period of time, by a vote of 9 to 0. Ordinance No. Z-4343,A.

SPECIAL USE PERMIT NO. SUP2024-00018 – 6100 West 127th Street. A special use permit is requested for a 10-year period of time to allow renewal of a communications tower. This property is currently zoned R-1, Single-Family Residential District. Application made by Congregation Beth Torah, Inc. The Planning Commission approved this item on January 13, 2025, for a 10-year period of time, by a vote of 9 to 0. Ordinance No. Z-4354.

SPECIAL USE PERMIT NO. SUP2024-00019 – 14225 Dearborn. A special use permit is requested for a 10-year period of time to allow renewal of a drinking establishment. This property is currently zoned R-1, Single-Family Residential District. Application made by Nicklaus Golf Club at Lionsgate. The Planning Commission approved this item on January 13, 2025, for a 5-year period of time, by a vote of 9 to 0. Ordinance No. Z-4355.

SPECIAL USE PERMIT NO. SUP2024-00022 – 6545 West 151st Street. A special use permit is requested for an indefinite period of time to allow a building and parking lot expansion for the Blue Valley Recreation Activity Center. This property is currently zoned RR-J, Rural Residential District, Johnson County. Application made by Blue Valley Recreation Activity Center. The Planning Commission approved this item on January 13, 2025, for an indefinite period of time, by a vote of 9 to 0. Ordinance No. Z-4356.

SPECIAL USE PERMIT NO. SUP2024-00023 – 7700 Wedd. A special use permit is requested for a three-year period of time to allow a temporary commercial use in an industrial district. This property is currently zoned M-1, Industrial Park District. Application made by Arrived Outdoors. The Planning Commission approved this item on January 13, 2025, for a three-year period of time, by a vote of 9 to 0. Ordinance No. Z-4357.

Mayor Skoog presented the Planning Commission Consent Agenda and asked if anyone wanted to pull an item for separate discussion.

Hearing none, Mrs. Grummert moved to approve the Planning Commission Consent Agenda, as presented. Mr. Heley seconded the motion, which carried by a roll-call vote of 12 to 0.

**PLANNING COMMISSION – Regular Agenda:**

REVISED PRELIMINARY PLAN NO. PDP2024-00042 – Frey Addition Commercial – Vicinity of the southwest corner of 135th Street and Antioch. Application made by William June Frey and Margaret Mary Frey Trust. The Planning Commission approved this item on January 13, 2025, by a vote of 8 to 1. (Related Case No. REZ2022-00007)

Director of Planning and Development Services Leslie Karr presented Revised Preliminary Plan No. PDP2024-00042. It is a request to modify a 3.5-acre commercial portion of the Oslo project located at the southwest corner of 135th Street and Antioch. In 2022, the property zoned as part of a larger project that includes

12.5 acres of RP-6, Planned High-Rise Apartment District, known as The OSLO project, the footprint of which has now gone vertical. This request addresses the commercial portion. The approved plan was for four (4) pad sites and 15,000 square feet of development. The revised plan is for six (6) pad sites, with an additional 13,000 square feet of commercial, for a total of 28,600 square feet of overall commercial development. She presented the approved project. At that time, traffic and stormwater for the entire project were reviewed in detail. There is a slight increase in traffic by this project, but staff has no concerns with the small increase. All stormwater from the project will connect to existing storm sewer and they are required to provide stormwater treatment, which does not change with the proposed revision.

Mrs. Karr presented the revised plan. She pointed out three (3) access points proposed from the development to an internal east/west drive. This drive will connect the project to Antioch to the east, Grandview farther to the west, and south through the apartment project to 137th Street. The project is required to dedicate additional right-of-way for 135th Street. If approved, project details that will be reviewed with final development plan include parking details, landscaping, final architecture and amenities. The two easternmost projects are working on their final plan submittals in anticipation of approval this evening. The two drive-thrus on the west end require a deviation from a code requirement that requires a 200-foot separation from residential property to the south.

Mrs. Karr said this application comes before the Council with a recommendation of approval from the Planning Commission. The Planning staff had some concern, primarily with the development pattern and the auto focus of some of the pad sites. This project zoned prior to the FrameworkOP comprehensive plan, which now shows this for a commercial hub, which is an acceptable location for drive-thru facilities. Staff has imperfect tools when they review applications against FrameworkOP with the current zoning. In this case, the approved plan was approved prior to those tools. The adopted comprehensive plan supports creating safe pedestrian connectivity and quality environments, which are some of the staff concerns with the project. It is not just that there are sidewalks in the development, but how they are incorporated and the spaces created by the layout. All of those things contribute towards creating an inviting environment, but it works with the residential to the south. The Planning Commission considered all of those items and recommended approval by a vote of 8 to 1, subject to stipulations supporting the requested deviation. The Council options on this item are to adopt the recommendation of the Planning Commission, override and deny the application with nine (9) votes, or continue or remand the request.

Mrs. Grummert asked if the plan always had two drive-thrus. Mrs. Karr responded that this is the approved plan. The two middle sites were proposed as drive-thru. There is also a bank identified that has a freestanding ATM structure. Mrs. Grummert asked for the best pedestrian route to get to the apartments. Mrs. Karr said there are a couple of connections that go to the south from the project, as well as the connecting perimeter sidewalk. Mrs. Grummert asked if the crossings are painted. Mrs. Karr did not believe so. There are crosswalks internal to the project that will be identified, but the plan does not show color. The applicant may be able to explain their plans for the crossings better.

Mr. Scott Mosher asked how many vehicles will be allowed to stack in the drive-thrus. Mrs. Karr replied it will meet City standards. They require 20 vehicles for the eastern drive-thru, a coffee shop, and will be required to meet the standard with a dual drive-

thru. The other two drive-thru users have yet to be identified. Mr. Mosher said there is a coffee shop on the other side that is already determined. Mrs. Karr said that was correct. Mr. Mosher asked what happens if the applicant were to decide they only want one facility. The size of the dining rooms would probably limit the volume potential of the two businesses. One major competitor might be a high volume opportunity. Mrs. Karr said that would depend on the change. It is not uncommon for commercial development, as they build out, for changes to be made to plans. Once they know the user and see the presented changes, it might just go to the Planning Commission, or something that would trigger a new public hearing and return to the Council. Mr. Mosher said he would not judge whether a person should spend their money on something like that, but after 47 years in three major companies dealing with restaurants, drive-thrus, and layouts, he does not see the users being high volume or effective from a walkability standpoint and/or a drive-thru due to the egress and ingress.

Mrs. Melissa Cheatham asked for staff's recommendation to the Planning Commission and for their recommendation this evening. Mrs. Karr said staff did not recommend approval. The Planning Commission recommended approval by a vote of 8 to 1, which is the recommendation before the Council tonight. Mrs. Cheatham asked for the staff recommendation to the Planning Commission. Mrs. Karr said staff did not recommend approval. There were concerns with connectivity, the number of pad sites, and the deviation for the drive-thru area. Mrs. Cheatham asked if staff recommended denial. Mrs. Karr replied that is correct. Mrs. Cheatham asked why staff did not support the recommendation. Mrs. Karr replied that there were concerns with the number of pad sites, the internal connectivity, and the deviation for the drive-thru. Mrs. Cheatham said the previous plan had two middle drive-thrus, but this revised plan has three drive-thrus. Mrs. Karr stated in the previous plan there were four (4) pad sites. The two in the middle were drive-thru restaurants in concept. There was a bank at the corner with an ATM. This revised plan keeps the bank and there are now three (3) drive-thru restaurants and a middle retail building.

Mr. Heley stated that staff wrote a lengthy recommendation. It seemed like there were many items staff wanted the applicant to address. He asked if this were to get remanded to the Planning Commission, what changes does staff want to see. Mrs. Karr stated that the Planning Commission considered those items, many of which they recommended be considered as part of final plans. Those final plans are currently working their way through the process, so they are already addressing some things. The Site Plan Review Committee of the Planning Commission already discussed items related to focal point, the trash enclosure, parking lot amenities, and architectural compatibility, as part of the final plan applications. They may have discussed some other things as well, but the Planning Commission's approach was to recognize those items and ask they be worked on with the final plans. Mr. Heley asked what items they plan to work on for final development plan, and what concerns did staff have with this plan that staff does not believe will get addressed as the plan heads to the final stages. Mrs. Karr replied they will address the pick-up windows for lot Nos. 1 and 2 at the time of final plan. The final plans already submitted are for the two eastern buildings, lot Nos. 5 and 6. The issues for lot Nos. 1 and 2 would wait until they know the users because they may end up being different from what the plan anticipates. Mr. Heley asked if staff wants the two drive-thrus on the west side, because he believes it indicated that staff only wanted one. Mrs. Karr explained that staff had concerns with the number of pad sites, the change from four to six. The



Planning Commission recommended approval after considering that input and is the recommendation for approval before the Council this evening.

Mr. Newlin said some of his constituents are concerned with increased traffic. The presentation relayed that staff has no concerns with increased traffic. The staff report shows a 40 percent uptick in traffic numbers, as it goes from 5,323 daily trips to 7,432 daily trips on the revised plan. Mrs. Karr said the total difference for daily trip generation is 2,109. Staff focuses on the a.m. and p.m. peak hours, in terms of impact and they are relatively minor. The street network is there and it is the opinion of the professional staff that the network can handle the additional traffic. Mr. Newlin said staff does not feel the development is very walkable. Mrs. Karr said that is a fair statement.

Mr. Drew Mitrison asked if staff had concerns with excess parking. Mrs. Karr stated the two eastern pad sites have more parking than allowed by code. They will discuss parking layout and amenities as part of final plan approval, so the applicant may be able to elaborate on some of the modification and amenities they are bringing forward. The applicant had new thoughts since approval of the preliminary plan with how they will meet those requirements.

Mr. Mitrison stated the Council and City has to live with these decisions for a long time, which can be a hindrance to redevelopment. He asked if staff had any concerns with the drive-thru structure that has no internal seating. Mrs. Karr said as they move towards updating the Unified Development Ordinance (UDO), how to incorporate drive-thrus into development is on the list. Staff has concerns with small drive-thrus when they think to the future and how a very narrow pad site might redevelop. That is part of the concern with increasing from four to six pad sites; the pad sites become smaller and the future redevelopment opportunities might become more limited. They do not have the tools in place at this time. It is merely something they are thinking about, as they think about the future of retail and how things might change in 20 or 30 years.

Mr. Greg Musil, attorney, Rouse Frets White Goss Gentile Rhodes, P.C. 5250 West 116th Place, Leawood, Kansas, recognized Mr. Bill Frey, Jr. in the audience. The subject site served as the Frey and Frey Nursery for over 40 years. Mr. Frey, Jr.'s, father, Mr. William Frey, Sr., was watching on virtual feed. His father purchased the site in the 1960's. They were pioneers in southern Overland Park before there was other development in the area. It is difficult to mesh FrameworkOP from May 2024 with plans and zoning approved prior to that time that remain in the UDO. One policy goal of FrameworkOP was to ensure the City utilizes its existing infrastructure and not do all green field growth. Through this process, staff has treated it as a green field site, which is how they described it in the staff report. It is not a green field site. It was a business for almost 50 years and then scraped after the 2022 approval in order to begin construction of The OSLO Living Apartments. Four pad sites were approved in the preliminary development plan. They could count the revised plan as having six (6) pad sites because they are on different lots, but there are actually five (5). In the old plan, the middle section was two drive-thrus and is now a two-story retail structure combined building that will look like one pad site. The drive-thrus will be pushed to the west behind a two-story 22,000 square-foot retail building if this plan works in the market.

Mr. Musil stated the six (6) equally sized lots were designed for Mr. Frey to have flexibility when he searches for tenants. He wants a coffee shop tenant and has a lot to offer. On lot Nos. 1 and 2, Councilmember Mosher made a good point and Mr. Frey will say that is exactly why the plan was revised. Right now, they have a chance to go after multiple market players for the two sites, but if they find one that wants both lots, they will combine them and return with a revised preliminary development plan.

Mr. Musil stated there will never be perfect pedestrian crossing with a drive-thru. To eliminate conflict between walking and driving, they would need to eliminate drive-thrus. The previous plan had two restaurant drive-thrus and one ATM drive-thru. The revised plan has two restaurant drive-thrus and a coffee shop. The coffee shop will generate a lot more traffic than an ATM.

Mr. Musil presented the site plan. When the Frey and Frey Nursery first opened for business it was on the edge of the prairie with nothing around it. Today, it is the vacant parcel in the middle of the site and surrounded by development. This is a redevelopment site for an infill site that takes advantage of the nearly 40,000 vehicles go through the intersection of 135th Street and Antioch every day, and Antioch carries close to 20,000 vehicles a day going north/south. It sits one-half mile from a highway that is increasing to six- to eight lanes in places. He understands that FrameworkOP is intended to give a better balance between pedestrian connectivity and automobiles. He thinks they met that with this plan, but that is ultimately the decision of the Council.

Mr. Musil said FrameworkOP talks about how markets, businesses, and consumer wants change. Quick-service coffee shops were few five years ago. These are examples of market changes driven by the consumer because they patronize them day after day.

Mr. Musil stated the UDO states that developments within 200 feet of residentially-zoned property should not have pick-up windows, both for noise and vehicle light disturbance. With the proposed development, the pick-up window will shine directly into the parking lot. The one on lot No. 2 would shine to the east of the OSLO garage structure that is already constructed. Headlights will shine into a corner on the first floor, which is not a residential unit, but common space. The distance between the pick-up windows and the building is nearly 300 feet. There is approximately 120 feet from the pick-up window across the commercial drive to the border, which is why they are asking for the deviation. The OSLO developer is selling the proposed projects to their residents, are receiving great response, and hope to start moving people in by April 1, 2025.

With regard to pedestrian connectivity, Mr. Musil said there are five (5) ways to get to 135th Street, and the approved plan only had two (2). They increased the pedestrian connections, so people can access the site from 135th Street. The entire perimeter of the site has full accessibility. There is cross-access from every lot and they gave considerations to drive-thru lanes. There are three (3) connections directly to the RP-6 residents. The two internal crossings will be traffic calming, raised tables. The pedestrian connections in any parking lot will be different colored and different kinds of pavement. They took extra steps for pedestrian safety. There will be an additional pedestrian connection from the pedestrian plaza at the corner, which will have a crosswalk and a sidewalk that will go up and over to another connection for access.

Mr. Musil stated that Chase Bank, in its final development plan, created a corner feature on its building that meets the 25-foot current UDO standards, which will frame the 135th Street and Antioch intersection by that building. There is no other framing at the remaining corners of the development.

Mr. Musil stated it is key to take advantage of areas of development that already have capacity and utilities. This is an infill development site. They want to balance car-centric with pedestrians. That is hard to do perfectly at an intersection that carries 60,000 vehicles per day, and do it with drive-thrus, which are allowed in a commercial hub under FrameworkOP.

Mr. Newlin asked Mr. Musil to restate what the Site Plan Review Committee reviewed. Mr. Musil replied they addressed that the trash enclosures on the commercial will match the trash enclosures on the residential. The commercial streetlights, parking lot lighting, and landscaping will match that of the residential development. They added pedestrian connections. They moved the location of the trash enclosure to within the Chase Bank lot. Chase goes to Planning Commission with a final development plan on February 10, 2025, and 7-Brew goes on March 10, 2025. Mr. Newlin liked the speed tables. He asked what type of pedestrian crossing will there be on the east side near Antioch. Mr. Musil explained they will build a sidewalk on Antioch that will connect to the 135th Street sidewalk. There will be sidewalks around Chase Bank where indicated on the plan. Mr. Newlin said crossings will be available to the west, so the two speed humps are also crossing points. Mr. Musil stated this site is half the distance between Antioch and Grandview. The other half is the Ritz Charles Plaza development. Mr. Newlin asked if that is a private street. Mr. Musil answered yes. Mr. Newlin said there would be two crossings off the private street. Mr. Musil said there would be a crossing to the west, in the center, and at the Antioch sidewalk.

Mr. Mosher said residents will walk across the apartment parking lot to access the subject site because there are no sidewalks. Mr. Musil said there are two sidewalks that will take people to protected landing areas. He pointed to the main apartment entrance and the sidewalk that cuts across the parking lot lane. Then there is a protected island, across another lane, a protected landing, the speed table, and walkers can go anywhere within the site on the sidewalks, some of which will definitely cross a driveway. Mr. Mosher stated the apartment sidewalks will not cut off the drivability and merely just go through the parking lot. Mr. Musil said that was correct; people will have to cross a drive lane. Mr. Mosher did not see that detrimental to the sidewalk plan, because pedestrians will have to take that path anyway. Mr. Musil said the only way to avoid going to the parking lot would be to go to Antioch and walk around.

Mr. Mosher remained concerned with the size of the buildings. It is not big enough to accommodate much seating for walk-in traffic. There is not a lot of room to park vehicles, except in the back. He cautioned the developers about putting too much in a small space. They want tenants that generate high volume who can pay higher rents.

Mr. Branden Brensing, vice president of real estate development, Ryan Companies, 215 East 18th Street, Kansas City, Missouri, stated their address point is 13600 Antioch. The OSLO KC will open to residents in about a month. They have exceeded all expectations for what they thought The OSLO could be with regard to interest. They have grandparents moving back to Overland Park to live close to family, and new Overland Park hires who want to live and work in close proximity. There is a

lot of excitement about the walkability to access the businesses across 135th Street to the north. The Frey Family have been intensely diligent in their communication. They care about Overland Park, especially about how this property is developed. He wanted to highlight their intense support for what the Frey Family is incorporating into the OSLO marketplace, and their excitement related to the retail lots that first came before the Council years ago. When they first began talking about redevelopment, no one knew what would become of the property. They have two users who want to call Overland Park home. The flexibility remains for what can exist on this property going forward.

Mr. Brensing stated when they began their process plan there were discussions about walkability and connectivity. At one point, they highlighted nearly 1.5 miles of sidewalks throughout this property that connect to the north, which has only increased. Ryan Companies staff certainly cares about the future residents moving to Overland Park. He does not share some of the concerns about headlights pointing into the units. At the Site Plan Review Committee when they were working through a couple of changes, they increased the amount of vegetation on the north side with the parking garages. That is also the location for the electric vehicle (EV) charging stations. The property has over 20 EV charging locations.

Mrs. Grummert moved to approve Revised Preliminary Plan No. PDP2024-00042, Frey Addition Commercial, vicinity of the southwest corner of 135th Street and Antioch, subject to stipulations a through r. Mr. Mosher seconded the motion.

Mrs. Grummert appreciated the dedicated walkability that will be clearly marked for the apartment residents and inside the site. She also appreciated the developer working with staff to alleviate some of the concerns raised by the Site Plan Review Committee. The Council will see any changes as the development advances.

Mr. Heley said he was very excited about The OSLO living portion, but has expressed concerns from the start about not massing closer to the thoroughfare, which FrameworkOP reiterated. The Council does not often see such a strong recommendation by staff against a proposal that makes its way to them. They need to remain mindful of that and he believes they are seeing it more since they approved FrameworkOP. It is the Council's job to do their best to follow FrameworkOP. Staff did a great job articulating the good points in this proposal, as well as all of the room for improvement to match up with FrameworkOP. Staff pointed out that for massing and orientation, open space, connections and transitions, and for parking, this proposal was not consistent with the building block analysis for a commercial hub in FrameworkOP. Staff gave a robust recommendation outlining their concerns. He would support a remand to the Planning Commission to give the applicant additional time to work on what staff wants in relation to FrameworkOP. There is a lot of car-centric intensity and this proposal adds to that. It is important that the Council supports FrameworkOP and the professional staff, as they defend and implement the comprehensive plan that the community helped build and the Governing Body adopted.

Mrs. Inas Younis said she would support the motion. She is confident the developer will address the concerns raised at the time of final development plan. This corner is very auto-centric and changing a couple elements or components of the plan will not change that. Traffic is organic to that area of the City. Apartment dwellers are accustomed, or expect, there will be noise and lights in relation to human activity.

They share walls with their neighbors. Apartments often develop around commercial properties, so she does not see that as a major issue.

Mr. Mitrisin appreciated that some of the buildings were up closer to 135th Street. He likes what the developer did with the middle properties, trying to combine two lots into one lot. He loves the speed tables. He felt they could achieve speed tables and walkability with any plan at this site, which should be the expectation. He continues to have great concern with the micro drive-thrus, looking at the long-term. This might be a trend today, but redevelopment of those very small spaces is concerning to him. The City is already trying to overcome some of those with some redevelopment north of I-435. The subject property will eventually redevelop. He has concerns with having three drive-thrus on the property and agrees with Councilmember Younis, that they are not going to eliminate auto centrality at this site because 135th Street is such a major corridor. Two drive-thrus would be better than three drive-thrus, and four pad sites are better than five pad sites. He would agree to a remand to the Planning Commission for further review. This is a valuable property on an important corner of the City and there is room for improvement.

Mr. Newlin agreed that this is an important corner in the City. He remembers the nursery and watched the area change and develop over the years. He agreed that the entire area would never become entirely walkable, so they do need concessions. The plan changed through discussions with the Site Plan Review Committee, which makes him feel a bit better. This site is important to Ward 6. He still has some concerns with traffic. The traffic numbers are somewhat more than what he originally anticipated with an additional drive-thru. He has confidence in staff. Their comments were strong that what will be done at the time of final development plan is proper and will synchronize the walkability portion and how the center is set up. He will support the motion.

The motion carried by a roll-call vote of 8 to 4, with Councilmembers Mitrisin, Cheatham, Heley, and Borlaza voting nay.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

#### **MID-AMERICA REGIONAL COUNCIL REPORT**

Mrs. Grummert reported on the December 2024 and January 2025 Mid-America Regional Council (MARC) meetings. MARC completed a thorough review of the budget and legislative agenda, which ensures the financial resources and advocacy priorities are aligned to address the regional needs and challenges. The 2025 Economic Forecast provided valuable insight into projected growth and challenges for the coming year to plan for the future. As part of the ongoing regional housing partnership work they looked at a recent survey of communities that have some type of policy or regulation in place for short-term rentals. The discussion is ongoing. Looking back on 2024, they reviewed the air quality and ozone season, March 1 through October 31. This discussion emphasized the importance of continued collaboration to improve public health and protect the environment through public health regional strategies. MARC continues to monitor the recent Federal funding distribution actions and evaluate

possible impacts on the programs it administers; and she stated that MARC is accepting nominations for the 2025 Regional Leadership Awards, which recognizes people, organizations, or initiatives that have made outstanding contributions to the region.

ADJOURNMENT

At 8:43 p.m., Mayor Skoog declared the meeting adjourned. Minutes transcribed by Cindy Terrell.

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Curt Skoog, Mayor

ATTEST:

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Elizabeth Kelley, City Clerk