

MERRIAM CITY COUNCIL AGENDA
CITY HALL
9001 WEST 62ND STREET
June 14, 2021
7:00 P.M.

If you require any accommodation (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-322-5500 no later than 24 hours prior to the beginning of the meeting.

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. PUBLIC ITEMS

Members of the public are encouraged to use this time to make comments about matters that do not appear on the agenda. Comments about items on the regular agenda will be taken as each item is considered. ***Please note: individuals making Public Comments will be limited to 5 minutes.*** In accordance with the *Governing Body Rules of Procedure*, the City reserves the right to refuse Public Comments that are personal, impertinent or slanderous.

IV. CONSENT AGENDA

All items listed under the heading are considered to be routine by the City Council and may be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which case that item will be removed from the Consent Agenda and considered separate.

1. Consider approval of the minutes of the City Council meeting held May 24, 2021.

V. PUBLIC HEARING

1. Public Hearing to amend the I-35 TIF District.
2. Consider approval of an ordinance adopting an amended I-35 TIF District Plan (recommend waiving first reading).

VI. MAYOR'S REPORT

1. Proclamation declaring June 2021 as LGBTQ+ Pride Month.
2. Confirm the appointment of the Downtown Merriam Planning Sustainable Places Grant Committee.

VII. COUNCIL ITEMS

1. Consider approval of an ordinance amending Chapter 59, Article III of the Merriam Code of Ordinance related to right-of-way use and excavations. (first reading)
2. Consider approval of an ordinance renaming Lee Drive. (first reading)
3. CIP Update.

VIII. STAFF ITEMS

IX. EXECUTIVE SESSION

X. ADJOURNMENT

Respectfully submitted,

Juliana Pinnick

City Clerk

**MERRIAM CITY COUNCIL MINUTES
CITY HALL
9001 WEST 62ND STREET
May 24, 2021
7:00 P.M.**

This was a virtual meeting held via Zoom.

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Council President Bob Pape called the meeting to order at 7:00 pm. Council and staff said the Pledge of Allegiance.

II. ROLL CALL

Scott Diebold
Chris Evans Hands
Bruce Kaldahl
Brian Knaff
David Neal
Bob Pape
Jason Silvers
Whitney Yadrich

Mayor Ken Sissom was absent.

Staff present via Zoom meeting: Chris Engel, City Administrator; Ryan Denk, City Attorney; Jennifer Jones-Lacy, Assistant City Administrator; Jim MacDonald, Public Works Director; Jenna Gant, Communication and Public Engagement Manager; Stephanie Thompson, Human Resource Manager; Bryan Dyer, Community Development Director; Anna Slocum, Parks and Recreation Director; Bryan Dehner, Fire Chief and Juli Pinnick, City Clerk.

III. PUBLIC ITEMS

In response to COVID-19 and remote City Council meetings, the public comment process that normally occurs during the City Council meeting has temporarily changed. Members of the public are still encouraged to share comments about matters that may or may not appear on the agenda by the following process below:

Submit public comment to the City Clerk at jpinnick@merriam.org by 6 p.m. on the date of the meeting; comments are limited to 500 words; must include "Public Comment" in the subject line; commenters must include their name and their address. Late submissions, submissions without "Public Comment" in the subject line; and comments without name and address will not be read into the public record. In accordance with the *Governing Body Rules of Procedure*, the City reserves the right to refuse Public Comments that are personal, impertinent or slanderous.

Billy Croan, 6636 Wedd St.

My neighborhood was recently burglarized for at least the 5th time since I moved here in 2014. The frequency is increasing. There's even been an invasion of an occupied home. I am concerned for the safety of my neighbors and my family.

My neighborhood has, for years, elected me to represent our concerns. After our neighborhood's discussion of our most recent burglary, I reached out to Merriam's Crime Analyst whom I met in city-sponsored public engagement events years ago, to get his advice and to ask for help identifying measures my neighborhood could take to reduce and help the PD solve crime.

I wrote to our Analyst for his advice and guidance, because he's professionally dedicated to understanding crime here in Merriam. I even asked him to direct me to another PD if he wasn't the right person to ask because I figured the answers I sought might be the same metro wide. In a response I could hardly believe, our own City Administrator actually chastised me for "asking staff to do my bidding" or "address my curiosities" in his words. It's troubling to read our admin label a citizen, asking the police for help reducing crime, as merely some "pet project".

But our admin stated my request was "inappropriate" for asking too many questions and he claimed I asked staff to "provide customized information". The facts do not reflect that. I was asking the Analyst's input based on his valued experience. I didn't assign work nor set due dates. I would have been happy to wait for his reply.

We espouse 'pride in serving the public' and 'creating strong connections'. I remember how genuine and welcoming was Merriam's public engagement before the quarantines. I now fear that's changed since participating in those events years ago.

If questions from the public need to be screened by the city admin, that calls into question faith in our staff -- or the need to even have staff. That's not leadership. That's control. And I can't imagine it being efficient at scale. Maybe it's just me who's been selected for filtering though. I'm left wondering for now.

In the end, none of the questions I took the time to ask about crime reduction were answered. And I was *criticized for speaking to police about crime!* Prioritizing that chastisement over public safety seems wrong to me. Prioritizing control over leadership. But that's what happened.

Pet project, my bidding, inappropriate, my curiosities. Remember those words. They weren't my own.

I'm taking the time to write today because I hope that bringing this experience into Kansas' beautiful daylight will encourage examination and adjustment of the priorities and attitudes I observed. It is pertinent council business because you supervise and guide the admin through the yearly review process, and I would like you to remember this when you are next considering who's values and priorities you want to lead the city's staff in their daily activities as city admin.

IV. CONSENT AGENDA

All items listed under the heading are considered to be routine by the City Council and may be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which case that item will be removed from the Consent Agenda and considered separate.

1. Consider approval of the minutes of the City Council meeting held May 10, 2021.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEM 1. COUNCILMEMBER NEAL SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

V. MAYOR'S REPORT

1. Acknowledge receipt of the City's 2020 Financial Audit Report.

Tara Laughlin, Allen, Gibbs and Houlik, L.C. presented the 2020 Audit Report.

The AGH Independent Auditor's Report indicates the financial statements fairly present the financial position of the City in accordance with generally accepted accounting principles. AGH also provided a separate "Required Communications" letter that summarizes the firm's audit responsibilities and observations.

Staff has compiled the 2020 Comprehensive Annual Financial Report (CAFR) that includes the Independent Auditor's Report on page 7, Management's Discussion and Analysis on page 9 and Statistical Section on page 79. Printed copies are available upon request and the report will be available on the website at www.Merriam.org/Government/Departments/Finance. A companion report to the CAFR, the Popular Annual Financial Report (PAFR) will be available in June.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL ACKNOWLEDGE RECEIPT OF THE 2020 FINANCIAL AUDIT REPORT. COUNCILMEMBER DIEBOLD SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

VI. PUBLIC HEARING – Public Hearing regarding the City’s grant application submittal for 2022 Community Development Block Grant (CDBG) funding.

Community Development Director Bryan Dyer provided the background for this item.

This is the Public Hearing for the city’s application to Johnson County for 2022 CDBG funds. The purpose of the Public Hearing is to receive comments on the City’s CDBG application.

The City of Merriam’s 2022 CDBG application is for \$70,000 for the removal of 10 KCPL “cobra head” streetlights and the installation of 19 City of Merriam standard LED streetlights on W. 53rd Street from Switzer Road to Merriam Drive. The project will complete the installation of city street lights in the northwestern portion of the city.

The “cobra head” streetlights are spaced far apart and do not provide a large amount of illumination at ground level. The CDBG funds will be used to replace the “cobra head” lights with streetlights that are much more appealing, energy efficient, and owned by the city. The streetlights that are installed by the city are aesthetically pleasing, shorter, and provide better lighting at ground level. This increased lighting encourages pedestrian activity and neighbor interaction. This increase in activity discourages crime in neighborhoods.

This project will complete the installation of city standard streetlight from W. 53rd Street to W. 47th Street. The completion of the street light system will provide residents with a lighted, pedestrian connection to Brown Park, Switzer Road, and Merriam Drive. The project will serve approximately 459 residents.

The purpose of this Public Hearing is to receive feedback on the application that is included in the Council’s information packet. After conducting the Public Hearing, if appropriate, the Council can authorize the Mayor to sign the application.

Total project cost \$128,666

Funding -

CDBG	\$70,000
CIP	\$40,312
Public works labor	\$18,354

Council President Pape opened the Public Hearing at 7:28 pm. Members of the public were able to make public comments regarding the 2022 CDBG funding *via email* to the City Clerk at jpinnick@merriam.org prior to 6:00 pm on the date of the meeting. Please include “CDBG” in the subject line.

There were no public comments submitted. The Public Hearing closed at 7:29 pm.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL AUTHORIZE THE MAYOR TO SIGN THE 2022 CDBG APPLICATION. COUNCILMEMBER YADRICH SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

VII. COUNCIL ITEMS

1. Consider approval of the purchase of Self-Contained Breathing Apparatus (SCBA) for Fire Department

Fire Chief Bryan Dehner provided the background for this item.

Consideration for replacement of the City of Merriam's (FD) Self Contained Breathing Apparatus (SCBA) in concurrence with the established 10-year SCBA replacement cycle of the Overland Park Fire Department. The approval of this purchase will accelerate the City of Merriam's SCBA replacement schedule by approximately 8 years and will ensure both consistency and safety between organizations. In addition, based upon the recommendation of the Overland Park Fire Department and in relation to the pending merger, Johnson County Fire District #2 will move forward with a similar purchase so as to ensure consistency across all three organizations.

The current SCOTT SCBA have reached their scheduled/planned replacement cycle of 10 years. The 10-year replacement cycle allows for continued adherence to NFPA safety standards as outlined in NFPA 1981 (2018 Edition). The standard identifies the respiratory protection and functional requirements for SCBA used by emergency services personnel and includes the following updates:

- Universal RECTUS fitting required by all manufacturers.
- Enhanced testing procedures for regulator/facepiece interface.
- Alert tone changes to create a universal pass alarm.
- Increased data logging capabilities.

SCBA training and fit testing of all fire department personnel is included in the purchase price as well as in-service training for 9-12 Field Specialist Level Maintenance Technicians.

The price of the SCBA and associated equipment is \$111,752.25. This includes discounted pricing for quantities purchased (in conjunction with Overland Park Fire Department's purchase) and taking into consideration a trade-in allowance of \$12,350.00 for our current Merriam SCBA inventory.

COUNCILMEMBER DIEBOLD MOVED THAT THE COUNCIL APPROVE THE PURCHASE OF 15 SCBA AND ASSOCIATED EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$111,752.25. COUNCILMEMBER SILVERS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

2. Visitors Bureau Annual Report.

Visitors Bureau Director Karen Crane presented the Annual Report.

3. Monthly Finance Report.

City Administrator Chris Engel presented the April Finance Report.

4. Community Development Update.

Community Development Director Bryan Dyer provided the following updates:

The Planning Sustainable Places Grant for the Merriam Drive Gateway is hosting a bus tour of the grant area for elected officials on June 17. Councilmembers should let Mr. Dyer know if they would like to participate in the tour.

The other Planning Sustainable Places Grant for Downtown Merriam is gearing up and looking for advisory committee members. Councilmembers should contact Mr. Dyer if they are interested in serving or have a recommendation for a committee member.

The Planning Commission will meet in a couple of weeks to consider approval of a Final Development Plan for the Hyundai property. They plan to do some façade changes which will include some bronze metal panels as well as a new pylon sign.

VIII. STAFF ITEMS

City Administrator Chris Engel commented that next Monday, Memorial Day will be the opening day for the outdoor pool at the new Community Center.

Staff and some councilmembers participated in an online outreach meeting with Johnson County Library Board to gather input for the new library. There were about 40 participants and the board did a good job seeking input from stakeholders.

The city received a copy of a letter last week from representative Sharice Davids requesting funding for the Upper Turkey Creek flood control project. The letter was

addressed to the House Appropriations Committee to request funding for preconstruction, engineering and design of the project.

IX. EXECUTIVE SESSION

X. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER YADRICH MOVED TO ADJOURN AT 8:11 PM. COUNCILMEMBER HANDS SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

Respectfully submitted,

Juliana Pinnick

City Clerk

DRAFT



AGENDA ITEM INFORMATION FORM

AGENDA ITEM: Consider approval of an ordinance making certain findings and authorizing an amendment to the District Plan for the I-35 Redevelopment District.

SUBMITTED BY: Chris Engel, City Administrator
Bryan P. Dyer, Community Development Director

MEETING DATE: June 14, 2021

PROJECT BACKGROUND/DESCRIPTION:

In August 1994, the City of Merriam established a Redevelopment District, now known as the I-35 Redevelopment District, and adopted a district plan identifying proposed redevelopment project areas within the Redevelopment District. The district plan generally identified the improvements to occur within each project area. Those improvements generally consist of building, facilities and other development.

Since the adoption of the I-35 Redevelopment District Plan, the Plan has been amended five separate times. The most recent amendment occurred in 2018 with the creation of the Redevelopment Project Area L for the development of the parking structure that serves the Merriam Community Center and future Johnson County Library.

On May 10, 2021, the City Council approved a resolution setting June 14, 2021 as the date for the public hearing to consider the findings related to an amendment to the I-35 District Plan and to adopt the proposed plan amendments. The notice of the public hearing was properly advertised in the city's official newspaper and mailed to all property owners and tenants within the I-35 Redevelopment District.

The proposed amendment creates Redevelopment Project Area M and generally describes the proposed improvements for the Area. Project Area M is the "Kmart" property that is located at the southwest corner of Shawnee Mission Parkway and Antioch Road. The area does not include the existing La Petite Academy. The Amended District Plan includes a general description of the proposed commercial, retail, multifamily residential and/or office facilities with supporting parking, structured parking, infrastructure and related improvements.

CITY COUNCIL GOALS AND OBJECTIVES

Objective 4.2 – Expand the commercial tax base

FINANCIAL IMPACT

Amount of Request/Contract: _____

Amount Budgeted: _____

Funding Source/Account #: _____

SUPPORTING DOCUMENTS

- Shawnee Mission Parkway & Antioch Road (southwest corner) Blight Study
- Ordinance

ACTION NEEDED/STAFF RECOMMENDATION

City Council waive the customary first reading, approve the attached ordinance that makes certain findings and authorizes an amendment to the District Plan for the I-35 Redevelopment District, and authorize the Mayor to sign the effectuating ordinance.

Shawnee Mission Parkway & Antioch Road (southwest corner) Redevelopment

Blight Study

City of Merriam, Kansas

June 5, 2021

Shawnee Mission Parkway & Antioch Road (southwest corner) Redevelopment

Blight Study

City of Merriam, Kansas

June 5, 2021

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Section I

Introduction

The following report, Shawnee Mission Parkway & Antioch Road Redevelopment District Blight Study, was completed in June 2021. The proposed redevelopment district consists of an area bounded by the centerlines of Shawnee Mission Parkway on the north, Antioch Road on the east, W. 64th Terrace on the south, and Eby Avenue on the west (the “Study Area”) in Merriam, Johnson County, Kansas.

The Study Area consists of seven property tax parcels totaling approximately 14.92 acres of fee simple property and not including public right-of-way. Three of the parcels in the Study Area are improved with four commercial retail structures facing Shawnee Mission Parkway, including a former Kmart that has been vacant since 2014, a Freddy’s Frozen Custard & Steakburgers restaurant, a Krispy Kreme doughnut shop, and a small restaurant at the southwest corner of Antioch Road and Shawnee Mission Parkway. Four of the parcels are vacant ground, of which three are located along the southern edge of the Study Area adjacent to W. 64th Terrace and one is located at the southeast corner of Shawnee Mission Parkway and Eby Avenue.

The purpose of this analysis is to determine if the Study Area described above evidences “blight” as defined in the Tax Increment Financing Act – Sections 12-1770 to 12-1780g K.S.A. (the “Act”), and if the area does not evidence blight, determine if the non-qualifying area qualifies as a “conservation area” as defined by the Act.

The consultant previously visited the proposed redevelopment district in December 2017, January 2018 and most recently in June 2021. The effective date of this study is June 5, 2021, the last day of inspection.

Definitions

Tax Increment Financing (“TIF”) is a financing/development tool that allows for new increments of property tax revenues and local sales taxes resulting from a specified redevelopment above past taxes on the property to be used to retire bonds sold to finance eligible redevelopment project costs or to reimburse the developer on a pay-as-you-go basis.

Projects using TIF must have plans approved by the City Council of the City of Merriam, Kansas. During the establishment process for redevelopment districts, the county or school district may veto the inclusion of any privately owned parcel subject to ad valorem taxes.

Eligible redevelopment districts are blighted areas, conservation areas, enterprise zones, a major tourism area, or buildings designated as historical theaters. The establishment or modification of a redevelopment district must be approved prior

to establishment of a redevelopment project.

K.S.A. 12-1770a(c) provides the following definition for a “Blighted area”:

“Blighted area” means an area which:

- (1) Because of the presence of a majority of the following factors, substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:*
 - (A) A substantial number of deteriorated or deteriorating structures;*
 - (B) predominance of defective or inadequate street layout;*
 - (C) unsanitary or unsafe conditions;*
 - (D) deterioration of site improvements;*
 - (E) tax or special assessment delinquency exceeding the fair market value of the real property;*
 - (F) defective or unusual conditions of title including, but not limited to, cloudy or defective titles, multiple or unknown ownership interests to the property;*
 - (G) improper subdivision or obsolete platting or land uses;*
 - (H) the existence of conditions which endanger life or property by fire or other causes; or*
 - (I) conditions which create economic obsolescence;*
 - (2) has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation; feasibility study and remediation or other similar state or federal action;*
 - (3) a majority of the property is a 100-year floodplain area; or*
 - (4) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 et seq., and amendments thereto.*
- (K.S.A. 12-1770a(c))

The Blight Study presents an overview of factors including a review of physical conditions sufficient to make a determination of a blighted area. The “Determination of Study Area Conditions” in this study provides conclusions regarding the analysis and presence of blight in key areas; however, the City Council of Merriam will make a final determination of a blighted area that is based on the extent to which conditions constitute a liability within the Study Area.

Study Methodology

The Blight Study includes a detailed analysis of site, building, and public improvement conditions. Qualifying blight conditions throughout the Study Area were identified and analyzed to produce a chart demonstrating blight conditions present in the Study Area. Field investigations were conducted to document physical conditions within the categories of blight set out in the state statute. Pertinent Geographic Information Systems (GIS) data was obtained through Johnson County, Kansas and analyzed. Additional supplemental and updated information was obtained through various reports and studies prepared or commissioned by the City of Merriam, Johnson County and other public entities.

Previous Blight Determinations

No part of the Study Area has been declared blighted previously by any government jurisdiction.

Tract Descriptions

The proposed redevelopment district consists of seven property tax parcels. Tract descriptions of each of the parcels – as notated by the Johnson County Appraiser online – are included in Appendix A – Property Ownership & Tract Descriptions.

Ownership

The proposed redevelopment district consists of seven property tax parcels. All of the property tax parcels are identified by the Johnson County Appraiser's office. A listing of the tax parcels identified by the Johnson County Appraiser is included in Appendix A with ownership information, site address, county parcel identification number and the tract description.

Report Format

The Blight Study is presented in three sections and an Appendix. Section I presents an overview of the project, a definition of "blight," and the study methodology. Section II presents a description of the Study Area and an overview of existing conditions. Section III defines the primary categories of blight and documents conditions which are present within each category and provides a conclusion derived from the research.

Proposed Shawnee Mission Parkway & Antioch Road (southwest corner) Redevelopment District Boundary



Section II

Area Overview and Description

PROPERTY DATA

Location & Access

The proposed Shawnee Mission Parkway & Antioch Road (southwest corner) Redevelopment District is located approximately one-tenth of one mile east of the Interstate 35 and U.S. Highway 56 (Shawnee Mission Parkway) interchange in Merriam, Johnson County, Kansas. The Study Area is located approximately 1.0 mile west of U.S. Highway 69 (Metcalf Avenue) and five miles east of Interstate 435.

The proposed redevelopment district includes two signalized intersections on Shawnee Mission Parkway at Eby Avenue/IKEA Way and at Antioch Road. Shawnee Mission Parkway and Antioch Road are both classified as “Improved Thoroughfares”. Shawnee Mission Parkway is divided with a median and consists of six drive lanes running east/west (three lanes in each direction) and a center turn lane. Antioch Road consists of four drive lanes running north/south (two lanes in each direction).

The location provides the proposed redevelopment district with excellent access to the regional and local highway/street network.

The Study Area is well served by public transit. Route No. 403 (Antioch-Olathe) operates north/south along Antioch Road adjacent to the Study Area south of Shawnee Mission Parkway, and provides connections to Downtown Kansas City, Missouri, Johnson County Community College, Corporate Woods and Olathe. The route operates during the week during peak morning and afternoon hours. Transit facilities and other routes are easily accessed through nine transfer points along the route, including the Mission Transit Center and the Kansas City Streetcar. Three free park and ride stations and three bike share stations also exist along the route.

Access to each of the properties is primarily good.

Land Area

According to calculations from Johnson County’s GIS maps, the proposed redevelopment district contains a total of approximately 14.92 acres of fee simple property.

Topography

The Johnson County Geographic Information System map with contours illustrates a varying terrain generally sloping downward from the northeast corner of the Study Area to the southwest corner of approximately fifty feet. Steep gradients exist along the edges of the Study Area, with the steepest occurring just south and west of the vacant former Kmart (slopes of 30%-48%). The property along Shawnee Mission Parkway generally slopes to the south at an average of 6.5%, while along Antioch Road on the eastern edge

the property slopes downward to the west at a slope of about 9%-10%. The lowest point is located near the intersection of Eby Avenue and West 64th Terrace and the highest point is located near the intersection of Shawnee Mission Parkway and Antioch Road.

No part of the Study Area is located within a 100-year or 500-year floodplain.

Easements

The consultant was not provided with title reports that encompass any part of the Study Area. No overall evaluation can be developed regarding easements or other restrictions which may be in effect within the Study Area.

Utilities

All utilities are available to the properties in the Study Area.

Zoning

There are three zoning districts located within the Study Area: 1) C-1 (Neighborhood Shopping District); 2) C-2 (Retail Business District); and 3) PUD-G (Planned Unit Development – General). Below is a chart summarizing the zoning district classifications within the Study Area:

<i>Zoning Classification</i>	<i>Purpose</i>
<i>C-1 Neighborhood Shopping District</i>	The C-1 Neighborhood Shopping District is designed to permit areas of convenience shopping facilities so located to serve one or more residential neighborhoods.
<i>C-2 Retail Business District</i>	The C-2 Retail Business District is designed to provide a district for a broad range of retail shopping facilities.
<i>PUD-G Planned Unit Development - General</i>	The zoning of land to one of the planning districts shall be for the purpose of encouraging and requiring orderly development on a quality level equal to or greater than that of the equivalent standard zoning districts, but permitting deviations from normal and established development techniques. The use of planned zoning procedures is intended to encourage large scale development tracts, efficient development of small tracts, innovative and imaginative site planning, conservation of natural resources and minimum waste of land.

*City of Merriam, Kansas – Zoning Ordinance

Environmental

The consultant was previously provided with several environmental assessments for the former Kmart property. An “Additional Limited Site Investigation Report” was conducted in November 2013. Analysis of soil samples and groundwater samples did not exhibit contaminants of concern above Kansas Department of Health and Environment (KDHE) Tier 2 Residential Scenarios and Environmental Protection Agency (EPA) VISLs. Impacted groundwater above KDHE non-residential RSKs were limited to the formerly excavated areas in the former automotive service bay.

A leaking underground storage tank has been identified on the north side of Shawnee Mission Parkway and groundwater monitoring takes place on a semi-annual basis. The site is classified by KDHE as “Monitor.”

Real Estate Taxes

A nine-year history of the assessed values within the Study Area is included in the appendix.

The foregoing figures are the Appraiser’s opinion of market value and the resulting assessed value for each of the properties. All property is physically viewed and re-inspected on a six-year cycle, and valuations may change annually due to a statutorily required market study for ad valorem tax purposes using mass appraisal techniques.

To determine assessed value, the assessment ratio for commercial properties is 25.0%, and for residential properties the ratio is 11.5%. Vacant land is assessed at 12.0%. The real estate mill levy for 2021 was \$118.174 per \$1,000 of assessed valuation. Residential properties valued less than \$20,000 receive a school general credit determined by the assessed value and the school general mill rate. Property taxes for residential properties with values greater than \$20,000 are calculated as the assessed value multiplied by the mill levy plus any non-mill levy tax (special assessments and intangibles) less the school general credit. There are no residential properties located within the Study Area.

In 2021, the Study Area generated \$1,806,483 in taxable assessed value, generating a total of \$218,648.14 in real estate taxes, or \$0.34 per square foot of property. Since 2013 the assessed value for the Study Area has increased a total of 50.3%.

Taxes have not been paid for 8703 Shawnee Mission Parkway for 2018 through 2020 for a total of \$447,014.14.

Improvements

The Study Area consists of approximately 14.92 acres in the southwest quadrant of the intersection at Shawnee Mission Parkway and Antioch Road, and has been developed with a Kmart retail store (constructed in 1968 and now vacant since closing in 2014) consisting of 109,258 square feet; a Freddy’s Frozen Custard & Steakburgers restaurant (opened December 2019 after remodeling of a closed Winstead’s restaurant that was

vacant since January 2017 and had been constructed in 1976) consisting of 3,615 square feet; a Krispy Kreme donut shop (constructed in 1999) consisting of 3,400 square feet; and Pegahs Family Restaurant (formerly an International House of Pancakes restaurant constructed in 1971) consisting of 3,672 square feet. The Study Area also consists of three vacant lots south of the Kmart and one west of the Freddy's restaurant that have never been developed. A drive-up Commerce Bank ATM is also located in the parking lot of the Kmart between the Krispy Kreme donut shop and the Pegahs restaurant.

Billboards

There are no billboards in the Study Area.

Neighborhood Demographics

Population & Household Income

The following provides population and income trends within a one-, three-, and five-mile radius of the proposed redevelopment district from 8703 Shawnee Mission Parkway, the approximate center of the proposed redevelopment district.

8703 Shawnee Mission Parkway Radius	Historical Population		Estimated Population	Projected Population
	2000	2010	2020	2025
One Mile	7,315	7,212	7,550	7,737
chg. (1 mi.)		-1.4%	+4.7%	+2.5%
chg. from '00 (1 mi.)		-1.4%	+3.2%	+5.8%
Three Mile	97,462	94,887	100,415	104,625
chg. (3 mi.)		-2.6%	+5.8%	+4.2%
chg. from '00 (3 mi.)		-2.6%	+3.0%	+7.3%
Five Mile	232,369	227,912	238,156	245,972
chg. (5 mi.)		-1.9%	+4.5%	+3.3%
chg. from '00 (5 mi.)		-1.9%	+2.5%	+5.9%

Source: ESRI; Sterrett Urban, LLC

8703 Shawnee Mission Parkway Radius	Estimated Median HH Income	Projected Median HH Income
	2020	2025
One Mile	59,988	62,584
Three Mile	60,885	64,321
Five Mile	68,701	73,263

Source: ESRI

The population figures for that area within one, three and five miles of the proposed redevelopment district demonstrate a loss of population between 2000 and 2010 of between 1.4% to 2.6%, with the slowest rate of loss closest to the proposed redevelopment district. Between 2010 and 2020, and again between 2020 and 2025, population is projected to grow anywhere within five miles of the proposed redevelopment district, ranging between 4.5% and 5.8% between 2010 and 2020 (with the highest rate of growth within three miles of the proposed redevelopment district) and

ranging between 2.5% and 4.2% between 2020 and 2025, with the slowest rate of growth nearest the proposed redevelopment district.

The median household income estimated for the one-mile and three-mile radius around the proposed redevelopment district for 2020 is slightly lower than the current estimate available from all U.S. households from 2020 of \$62,203. The same trend holds for income projections for 2025.

The most recent unemployment data for the Study Area is for Johnson County, Kansas as a whole. The following data was provided by the Mid-America Regional Council (MARC):

Civilian Labor Force – Johnson County, Kansas
February 2021

<i>Labor Force</i>	<i>Labor Force Employed</i>	<i>Labor Force Unemployed</i>	<i>Percentage Unemployed</i>
344,506	333,886	10,620	3.1%

Source: Mid-America Regional Council

According to the Bureau of Labor Statistics, the preliminary unemployment rate for the Kansas City, KS/MO metropolitan area in April 2021 was 4.1%.

According to the Mid-America Regional Council, an unemployment rate of 4.0% can generally be considered “full employment.”

Section III

Determination of Study Area Conditions

Significant findings of the Shawnee Mission Parkway & Antioch Road (southwest corner) Redevelopment Blight Study are presented in this discussion which follows. These findings are based on a review of documents and reports, interviews, field surveys, and analyses conducted in December 2017, January 2018 and June 2021. The site and buildings on the property, along with public improvements adjacent to the property, were evaluated and deficiencies noted. As previously explained, the purpose of this study was to recognize, analyze and report any blighting factors that may be present in the Study Area pursuant to the definition of blight set forth in the KSA Chapter 12, Article 17, 12-1770a. This blight study has been prepared for use in conjunction with establishing the Study Area as a redevelopment district.

The analysis will first begin with examining the Study Area with regard to the presence of blighting factors as noted in the definition below. Following that analysis is an examination of whether the presence of a predominance of the factors defined below “impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals, or welfare in its present condition and use”.

Blight Defined

As presented in Section I, blight is defined as follows:

“Blighted area” means an area which:

- 1) *Because of the presence of a majority of the following factors, substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:*
 - (A) *A substantial number of deteriorated or deteriorating structures;*
 - (B) *predominance of defective or inadequate street layout;*
 - (C) *unsanitary or unsafe conditions;*
 - (D) *deterioration of site improvements;*
 - (E) *tax or special assessment delinquency exceeding the fair market value of the real property;*
 - (F) *defective or unusual conditions of title including, but not limited to, cloudy or defective titles, multiple or unknown ownership interests to the property;*
 - (G) *improper subdivision or obsolete platting or land uses;*
 - (H) *the existence of conditions which endanger life or property by fire or other causes; or*

- (1) *conditions which create economic obsolescence;*
- 2) *has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation; feasibility study and remediation or other similar state or federal action;*
- 3) *a majority of the property is a 100-year floodplain area; or*
- 4) *previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 et seq., and amendments thereto.*
(K.S.A. 12-1770a(c))

Each category is discussed in the following pages with demonstrative exhibits where appropriate.

Blight Factor 1: Substantial Number of Deteriorated or Deteriorating Structures

The condition of a substantial number of deteriorated or deteriorating structures was primarily established through field survey work and observation of exterior physical conditions of the properties within the Study Area. Building deterioration rating criteria considered included the following: primary structure (roof, walls, foundation); secondary structure (fascia/soffits, gutters/downspouts, exterior finishes, windows and doors, stairways/fire escapes); and exterior structure (mechanical equipment, loading areas, fences/walls/gates, other structures).

A substantial number of deteriorated or deteriorating structures exist in the Study Area and examples of structural deterioration can be found throughout much of the Study Area.

The most common examples of structural deterioration found in the Study Area involved deterioration of the roof and the failure of exterior finishes. Other deterioration found throughout the area included the deterioration of siding, doors, gutters and downspouts, fascia/soffits, mechanical equipment and loading areas.

The roof at the vacant former Kmart requires substantial repair or replacement and is leaking a significant amount of water to the interior. A portion of the roof coping at the Krispy Kreme Donut store is damaged. And a portion of the roof of the Pegahs Family Restaurant requires repair.

Much of the exterior paint of the vacant former Kmart store is fading or failing and peeling, largely as a result of continued exposure to water leaking from the gutters and downspouts. Much of the former Kmart is constructed of masonry, but in that area where wood siding was used in the seasonal sales area the siding is in poor condition and rotting. Most windows have been boarded at the vacant former Kmart property as a

security precaution and to replace some broken windows. Metal doors are primarily rusted and/or non-operable. Gutters and downspouts are damaged and leaking water, which in turn has been damaging the exterior finishes, masonry, and asphalt surfaces. Mechanical equipment on the roof has rusted and/or become dislodged.

Deterioration at the Krispy Kreme store includes the failure of exterior finishes, namely painted concrete that is peeling. The deterioration that exists at the Krispy Kreme and at the Pegahs Family Restaurant is relatively minor.

Major deterioration exists at the lone vacant building within the Study Area – the former Kmart. The building comprises a total of 109,258 square feet, or about 91% of the 119,945 square feet that includes all four structures within the Study Area. As a result, it is deemed that a substantial number of deteriorating or deteriorated structures exist within the Study Area.

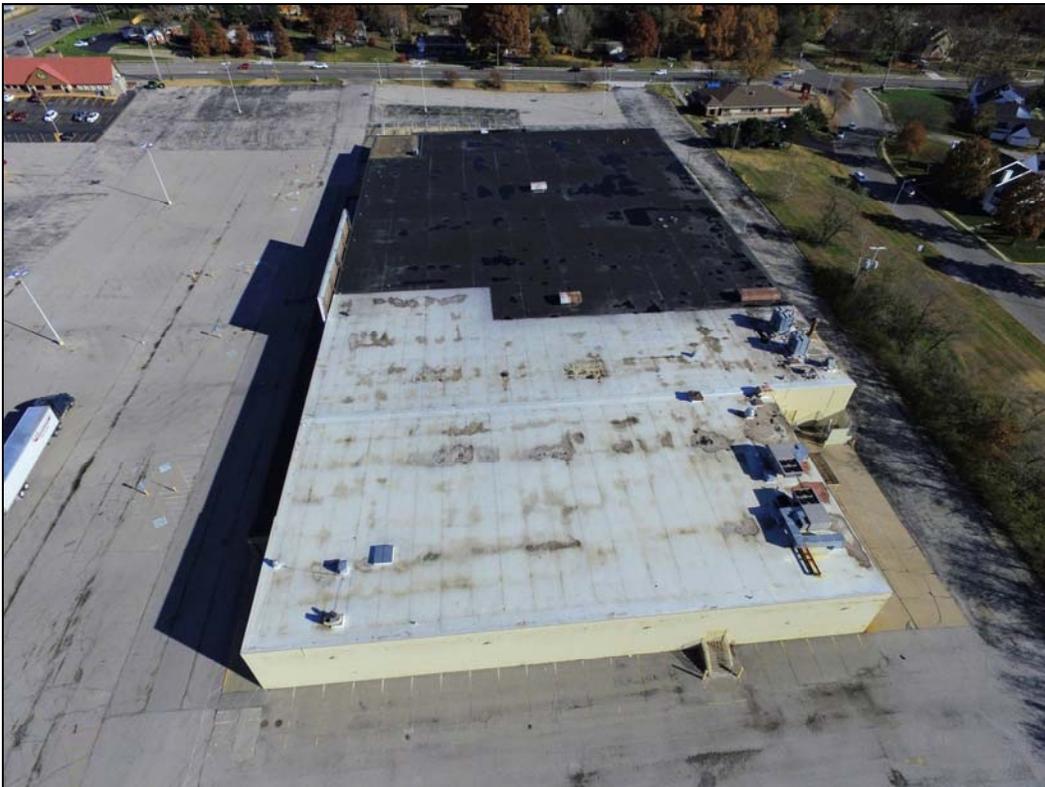
Below are photos of structural deterioration found throughout the Study Area. The photos below are not all of the instances of structural deterioration in the Study Area, but are meant to show examples of the deterioration commonly found throughout the Study Area.



8703 Shawnee Mission Parkway – deterioration of roof, coping (2018/2021)



8703 Shawnee Mission Parkway – deterioration of roof, mechanical equipment (2018/2021)



8703 Shawnee Mission Parkway – deterioration of roof, mechanical equipment, parking surface (2018/2021)



8703 Shawnee Mission Parkway – deterioration of roof, coping, mechanical equipment (2021)



8703 Shawnee Mission Parkway – deterioration of interior (ceiling, floor) (2018)



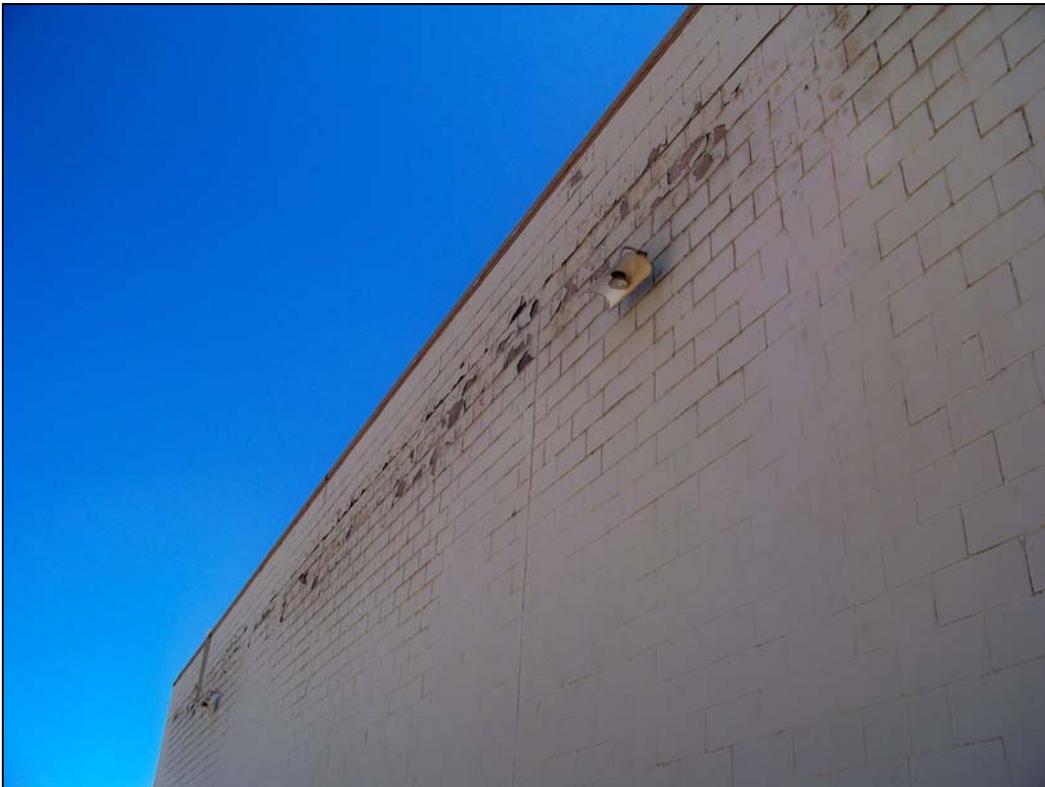
8703 Shawnee Mission Parkway – deterioration of interior (ceiling, floor, building systems) (2018)



8703 Shawnee Mission Parkway – deterioration of interior (ceiling, floor) (2018)



8703 Shawnee Mission Parkway – deterioration of interior (ceiling, floor) (2018)



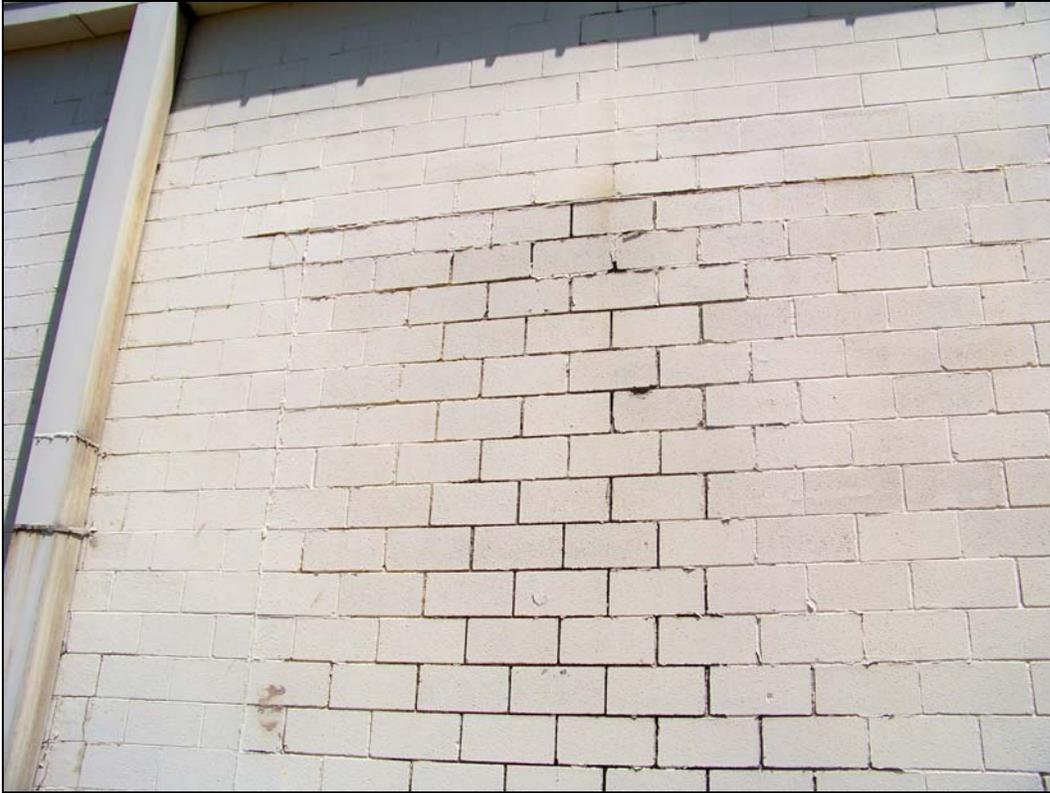
8703 Shawnee Mission Parkway – failure of finishes (2021)



8703 Shawnee Mission Parkway – failure of finishes; deterioration of gutter, dock area (2021)



8703 Shawnee Mission Parkway – failure of finishes; deterioration of dock area, masonry wall (2021)



8703 Shawnee Mission Parkway – deterioration of masonry wall (requires pointing); failure of finishes (2021)



8703 Shawnee Mission Parkway – deterioration of masonry wall, doors, driveway (2021)



8703 Shawnee Mission Parkway – failure of finishes; deterioration of doors, windows, surface parking (2021)



8701 Shawnee Mission Parkway – deterioration of roof, chimney, siding; failure of finishes (2021)



8703 Shawnee Mission Parkway – failure of finishes; damaged masonry (2021)



8703 Shawnee Mission Parkway – failure of finishes (2021)

Blight Factor 2: Predominance of Defective or Inadequate Street Layout

Conditions typically associated with defective or inadequate street layout include poor vehicular access and/or internal circulation within the Study Area; substandard driveway definition and parking layout (e.g. lack of curb cuts, awkward entrance and exit points); offset or irregular intersections; and substandard or nonexistent pedestrian circulation. During the on-site investigation and field survey, these conditions were present throughout the Study Area.

There were no offset intersections found within or along the perimeter of the Study Area. Another important indicator of defective or inadequate street layout is high levels of traffic accidents. According to crime reports for Johnson County, none of the intersections along the perimeter or within either area exhibited a high number of accidents.

Parts of some surface parking areas do not have curbs, or at the very least wheel stops.

Sidewalks are typically nonexistent within much of the Study Area except along most of the eastern edge along Antioch Road and along the northern edge next to Shawnee Mission Parkway.

Parking areas generally had good circulation but were missing wheel stops or wheel stops were misaligned, causing potential conflicts between vehicles and pedestrians. Although one-way drives were rare in the Study Area (i.e., delivery access at the Pegah's restaurant and the Commerce Bank ATM access between the Pegah's restaurant and the Krispy Kreme restaurant), those areas that are one car width wide are typically not signed as one-way, presenting the potential for vehicle/vehicle conflict.

Pavement markings are very difficult to see throughout much of the Study Area. Signs alerting drivers to pedestrian pathways in the Study Area are misaligned or pedestrian pathways are difficult, if not impossible, to discern, creating the increased potential for vehicle/pedestrian conflict. Delineated pedestrian circulation is severely lacking within the Study Area with the exception of building perimeters, along Shawnee Mission Parkway and a portion of Antioch Road. Most pedestrian circulation that does exist is disjointed and does not provide good linkages with surrounding areas or destinations within the Study Area.

Examples of these conditions within the Study Area are provided in the photos below.



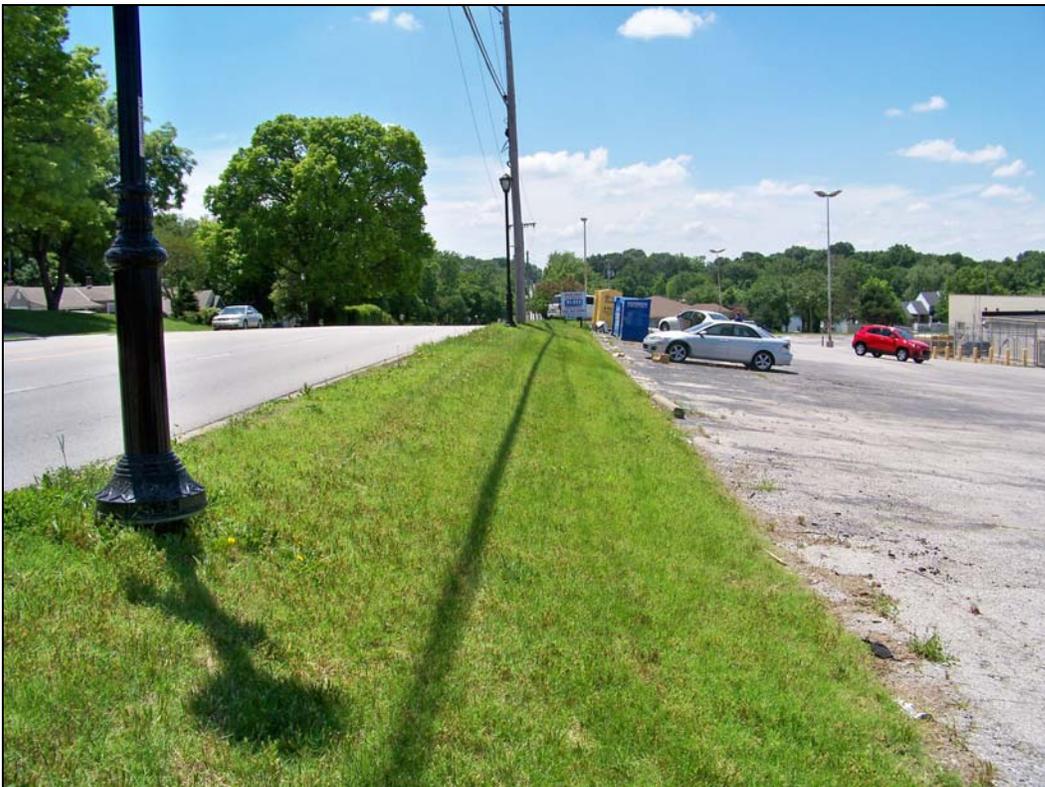
Looking north along Eby Avenue – lack of pedestrian circulation (2021)



8703 Shawnee Mission Parkway – lack of delineated vehicular and pedestrian circulation (2021)



Looking south along Antioch Road – lack of pedestrian circulation (2021)



Looking south along Antioch Road – lack of pedestrian circulation; lack of curb, wheel stops (2021)



Looking south along Eby Avenue – lack of pedestrian circulation (2021)



8703 Shawnee Mission Parkway – poor pedestrian signage and delineated pathways (2021)



8703 Shawnee Mission Parkway – poor pedestrian signage and poorly delineated pedestrian pathways (2021)

Blight Factor 3: Unsanitary or Unsafe Conditions

There are numerous locations within the Study Area exhibiting unsafe or unsanitary conditions. The most prevalent Study Area conditions considered unsafe or unsanitary include overgrown vegetation, broken/uneven sidewalks and uneven surface parking areas. Other unsanitary or unsafe conditions include graffiti and vagrant activity.

No separate environmental assessments were conducted for this Study, but as noted previously environmental assessments have been previously conducted and have shown environmental liabilities to exist at 8703 Shawnee Mission Parkway (the vacant former Kmart, particularly at the auto service department at the east side of the property).

Examples of these blighting conditions are shown below.



8703 Shawnee Mission Parkway – standing water and uneven floors (2018)



8703 Shawnee Mission Parkway – overgrown vegetation; uneven parking surface (2021)



8703 Shawnee Mission Parkway – deterioration of sidewalk, drive aisle; boarded window (2021)



No Address (vacant lots south of vacant Kmart) – overgrown vegetation (2021)



8703 Shawnee Mission Parkway – overgrown vegetation; trash/debris; vagrant activity (2021)



8703 Shawnee Mission Parkway – trash/debris; vagrant activity (2021)



8703 Shawnee Mission Parkway – trespassing/improper activity on sidewalk (2021)



8701 Shawnee Mission Parkway – steep slope (>5%) for walking (2021)



8703 Shawnee Mission Parkway – uneven surface parking area (2021)

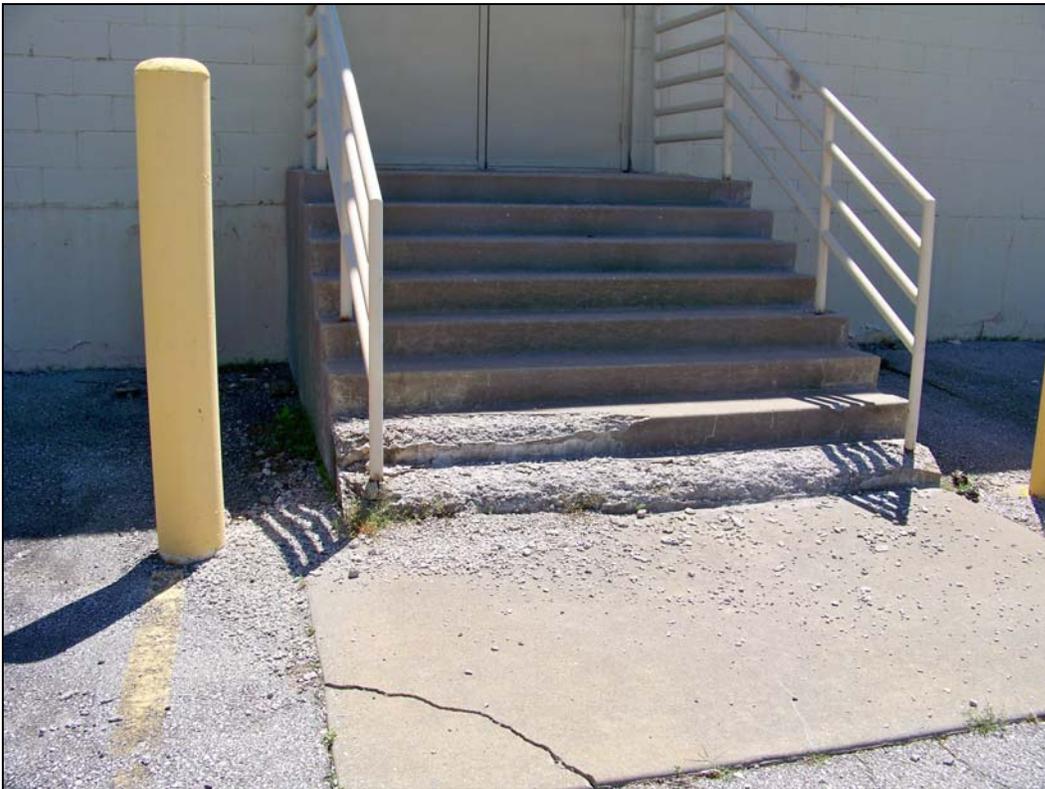


8703 Shawnee Mission Parkway – graffiti; unscreened dumpster in parking lot circulation (2021)

Blight Factor 4: Deterioration of Site Improvements

The condition of deterioration of site improvements was primarily established through field survey work and observation of exterior physical conditions of the property within the Study Area. Blight conditions were observed related to the deterioration of the site and non-primary improvements. These conditions which negatively affect the appearance and utilization of the area were prevalent throughout the Study Area. The most common condition was the deterioration of surface parking lots, driveways, fences, steps and the lack of trash enclosures.

The Study Area satisfies the criterion for deterioration of site improvements.



8703 Shawnee Mission Parkway – deterioration of surface parking area, steps (2021)



8703 Shawnee Mission Parkway – deterioration of surface parking area (2021)



8703 Shawnee Mission Parkway – deterioration of surface parking area (2021)



8703 Shawnee Mission Parkway – deterioration of surface parking area, fence, drain (2021)



8701 Shawnee Mission Parkway – deterioration of surface parking area; lack of trash enclosure (2021)



8703 Shawnee Mission Parkway – deterioration of surface parking area (2021)



8703 Shawnee Mission Parkway – deterioration of surface parking area (2021)



8703 Shawnee Mission Parkway – deterioration of light pole, surface parking area (2021)

Blight Factor 5: Tax or Special Assessment Delinquency Exceeds Fair Market Value of Real Property

Delinquencies of tax or special assessments do exist within the Study Area. Taxes have not been paid for that tax parcel improved with the vacant former Kmart and the Krispy Kreme restaurant (8703 Shawnee Mission Parkway) since 2018 for a total of \$447,014.14. According to the Johnson County Assessor's records, the appraised value in 2020 was \$5,238,000. The delinquent tax does not exceed the fair market value of the property.

Blight Factor 6: Defective or Unusual Conditions of Title

The Study Area is not characterized by defective or unusual conditions of title.

Blight Factor 7: Improper Subdivision or Obsolete Platting

There are specific conditions that can be used to determine whether an area is blighted based on improper subdivision or obsolete platting. Among these conditions are faulty lot shape and/or layout, inadequate lot size, poor access, as well as conformity of use.

Of the seven parcels, three have not been platted. The unplatted parcels include those improved with the Pegah's restaurant, the Freddy's Frozen Custard & Steakhburgers restaurant, and the vacant former Kmart and Krispy Kreme restaurant. The three parcels make up 88% of the Study Area.

An analysis of the three parcels indicates the existing development conforms with existing zoning and subdivision requirements. However, although the three parcels have access from public right-of-way and access management to Shawnee Mission Parkway is good, the Study Area suffers from the lack of a grid network of streets parallel and perpendicular to Shawnee Mission Parkway, as noted in the Shawnee Mission Parkway Visioning Study completed in May 2013.

As noted in the Visioning Study, modern retail and mixed-use developments, such as shopping centers and town centers, would benefit from strongly defined vehicular and pedestrian connections with the extension of Slater Street from the north to the Study Area, and through the Study Area between Antioch Road and Eby Avenue. Increasing connections would improve the feasibility of redevelopment of the Study Area in addition to surrounding properties. The lack of such access hinders the marketability of the Study Area for redevelopment due to the cost to provide such connections that the public expressed support for in surveys and workshops conducted during the development of the Shawnee Mission Parkway Corridor Plan completed in December 2013. A platting process, as required by current City ordinance, would ensure that such access is planned for, and should be enforced with the redevelopment of the Study Area.

The lack of platting - which for the type of development envisioned by the aforementioned visioning and corridor plans is obsolete – results in insufficient access to and within the Study Area and contributes to the Study Area’s market obsolescence, impairing the value of the Study Area. The lack of platting is a blighting factor.

Blight Factor 8: Existence of Conditions which Endanger Life or Property by Fire and Other Causes

Fire safety information pertaining to the parcels in the Study Area was not gathered for this Blight Study as the data was not available.

Per crime data supplied by Trulia, levels of crime within the Study Area are low relative to other residential and commercial areas within Johnson County and within the metropolitan area.

Conditions do not exist that endanger life or property by fire and other causes in the Study Area.

Blight Factor 9: Conditions which Cause Economic Obsolescence

External, or economic, obsolescence is one of the most important factors when determining a property’s value.

Economic obsolescence is a loss in value caused by factors outside the subject property. Examples may include an oversupplied market, very expensive financing or a locational factor such as proximity to a negative environmental influence. External obsolescence is generally incurable on the date of the inspection, but this does not mean that it is permanent. An external obsolescence caused by market conditions, for example, is rarely permanent as market conditions change over time. External influences can affect both the site and improvements.

It can be caused by factors like the neighborhood experiencing a rise in crime. It can also be caused by economic factors such as problems in the job market. A recession or economic depression that reduces property value can also be categorized as economic obsolescence.

Several conditions contribute significantly to economic obsolescence in the Study Area:

- The Study Area could accommodate additional commercial development on the vacant lots located south of the vacant former Kmart on W. 64th Terrace. Development has not taken place due to low visibility, lack of demand in the marketplace (particularly in this general location), the possible need for additional infrastructure capacity, and the presence of other blighting factors within the Study Area.

- Reduced demand for the product. The vacant former Kmart – about 91% of the developed space in the Study Area and vacant since 2014 – indicates a lack of demand in the marketplace and insufficient funding to address the blighting factors visible throughout the Study Area.

Conclusion

The table below summarizes the findings of the blight factors analysis for the Study Area:

<i>Factor</i>	<i>Present</i>	<i>Not Present</i>
<i>A majority of the following factors:</i>		
<i>A substantial number of deteriorated or deteriorating structures.</i>	X	
<i>A predominance of defective or inadequate street layout.</i>	X	
<i>Unsanitary or unsafe conditions.</i>	X	
<i>Deterioration of site improvements.</i>	X	
<i>Tax or special assessment delinquency exceeding the fair market value of the real property.</i>		X
<i>Defective or unusual conditions of title including but not limited to cloudy or defective titles, multiple or unknown ownership interests in the property.</i>		X
<i>Improper or obsolete platting.</i>	X	
<i>The existence of conditions which endanger life or property by fire and other causes.</i>		X
<i>Conditions which create economic obsolescence.</i>	X	

As demonstrated in the table above, a majority of blight factors are present within the Study Area.

The analysis will now examine whether the blight factors that exist within the Study Area cause at least one of the following conditions in the Study Area’s present condition and use:

- Substantially impairs or arrests the development and growth of the municipality;
OR
- Constitutes an economic or social liability; OR
- Is a menace to the public health, safety, morals, or welfare.

As demonstrated earlier in the report, all of the area within a five-mile radius of the Study Area is estimated to have experienced an increase in population and in household income. Thus, the blighting factors have not substantially impaired or arrested the development and growth of the municipality.

It is unknown whether the Study Area can be considered a menace to the public health, safety, moral, or welfare of the community, as the metrics generally employed to determine if such conditions exist are not available specifically for the Study Area but for larger areas such as census tracts and census block groups.

An assessment of the Study Area to determine if an economic liability exists due to the presence of the blighting factors follows.

Economic Liability

The following are generally considered economic characteristics of blighted areas:

- Reduced or negligible income;
- Impaired economic value;
- Depreciated values;
- Impaired investments;
- Negligible income

Previously it was shown that the present condition of the Study Area generates \$218,648 annually in real estate taxes and the assessed value of the Study Area as a whole has experienced an increase of about 50.3% since 2013. Although the increase is not insignificant, the assessed value of the vacant Kmart – which accounts for about 91% of the building area in the Study Area – is extremely low compared to other nearby comparable retail properties. According to the Johnson County Appraiser’s records, the vacant former Kmart has a valuation of \$25.08 per square foot, compared to valuations in excess of \$90 up to \$126 for other similar properties. In addition, the vacant retail space is not generating sales tax that would benefit multiple taxing jurisdictions. Clearly the long-term vacancy and the condition of the properties within the Study Area, in addition to the economic obsolescence that is present, has caused the assessed value of the Study Area to seriously lag those of other retail commercial properties and development.

As noted above, the economic success of the Study Area has been hindered by several dominating factors, including the deterioration of primary structural improvements and site improvements, and unsafe conditions found throughout the Study Area. Doing nothing will only result in further deterioration of building and site improvements and worsening safety conditions, lessening the attractiveness of the area and feasibility of redevelopment of the Study Area. Improvements and elimination of the blighting factors within the Study Area would result in new employment opportunities in the area and increased property taxes. The potential increase in activity would also generate new sales, personal property, employment, and utility taxes.

Economic underutilization – evidenced by a high vacancy rate, deteriorating and unsafe improvements, and lagging assessed values and tax revenues for the vast majority of the properties – in a high-traffic and highly visible location in the vibrant Shawnee Mission Parkway Corridor just south of the highly successful and recent IKEA and Merriam

Town Center/Village developments in Merriam, Kansas indicates that the Study Area is blighted.

A summary of the conclusion of our analysis is presented in the table below:

<i>Factor</i>	<i>Present</i>	<i>Not Present</i>
<i>A majority of the following factors:</i>		
<i>A substantial number of deteriorated or deteriorating structures.</i>	X	
<i>A predominance of defective or inadequate street layout.</i>	X	
<i>Unsanitary or unsafe conditions.</i>	X	
<i>Deterioration of site improvements.</i>	X	
<i>Tax or special assessment delinquency exceeding the fair market value of the real property.</i>		X
<i>Defective or unusual conditions of title including but not limited to cloudy or defective titles, multiple or unknown ownership interests in the property.</i>		X
<i>Improper or obsolete platting.</i>	X	
<i>The existence of conditions which endanger life or property by fire and other causes.</i>		X
<i>Conditions which create economic obsolescence.</i>	X	
<i>Cause the following in its present condition and use:</i>		
<i>Substantially impairs or arrests the development and growth of the municipality.</i>		X
<i>Conditions which constitute an economic or social liability.</i>	X	
<i>A menace to the public health, safety, morals or welfare.</i>		X

Most of the factors of the statutory blight definition were present in the Study Area of the proposed Shawnee Mission Parkway & Antioch Road (southwest corner) Redevelopment. Although some elements of the Study Area are in adequate or sound condition, a majority of blighting factors exist to a degree throughout the Study Area as a whole, which could lead the legislative body to a finding that the proposed redevelopment district is blighted.

Therefore, the consultant has determined that the proposed Shawnee Mission Parkway & Antioch Road (southwest corner) Redevelopment District of Merriam, Johnson County, Kansas as of June 5, 2021, is a “blighted area” according to the definition provided in Kansas’ Tax Increment Financing Act statutes (KSA 12-1770 et seq.) and constitutes an economic liability in its present condition and use.

Appendix A

Property Ownership & Tract Descriptions

No.	Parcel ID No.	Site Address	Tract Description	Owner
1	JF241213-3025	8817 SHAWNEE MISSION PARKWAY	13-12-24 BEG ON S/L HWY 72.2' S & 765.68' W NE COR NE 1/4 S 2.4' SWLY 44.54' S 161.99' E 200' N 175' W 156.59' TO BEG PT VAC BLK 5 MERRIAM PLAZA .799 AC M/L MEC-0501 0053 0001	RESTAURANT INVESTORS ON I-35 LLC
2	JF241213-3028	8701 SHAWNEE MISSION PARKWAY	13-12-24 BEG NE COR NE 1/4 S 75.2' & W 30' TO PT OF BEG S 150' X W 150' PT OF VAC MERRIAM PLAZA .52 ACS M/L MEC-0501 0053 0003	BLOCK PROPERTIES XXXII
3	JF241213-3029	8703 SHAWNEE MISSION PARKWAY	13-12-24 BG 775.21' S & 30' W NE CR NE1/4 W 841' N 458.79' E62.98' N 62.75' E 200' N 175' E 134.11' & 294.5' S 150' E 150' S 550' TO BG PT OF VAC MERRIAM PLAZA 11.854 ACS M/L MEC 501 53 3A	THREE TRAILS TWO LLC ET AL
4	JP63700000 0002	NOT AVAILABLE	PINEGATE LT 2 MEC 501 53 2	KANNARI SPORTS, LLC
5	JP63700000 0003	NOT AVAILABLE	PINEGATE LT 3 MEC 501 53 3	KANNARI SPORTS, LLC
6	JP63700000 0004	NOT AVAILABLE	PINEGATE LT 4 MEC 501 53 4	KANNARI SPORTS, LLC
7	JR241213-3027	NOT AVAILABLE	13-12-24 BEG ON S/L HWY 455' E & 103' S NW COR NE 1/4 NE 1/4 S 207' E 73' N TO S/L HWY SWLY 75.46' TO BEG PT VAC BLK 5 MERRIAM PLAZA (EBY AVE) .370 ACS M/L MEC 501 53 2 BTAO 3092-0	CITY OF MERRIAM

Appendix B

Property Valuation & Taxes

Shawnee Mission Parkway and Antioch Rd (SWC) Redevelopment
Blight Study

Appendix B
Property Valuation and Taxes

No.	Parcel ID No.	Total Assessed Value									Appraised	Taxes and Fees	
		2013	2014	2015	2016	2017	2018	2019	2020	2021	2020	2020	Delinquent
1	JF241213-3025	177,250	159,750	164,001	162,521	185,250	185,251	164,751	338,000	354,900	1,352,000	39,942.81	0.00
2	JF241213-3028	114,501	112,501	115,500	108,750	109,251	99,500	110,716	105,500	105,448	422,000	12,467.36	0.00
3	JF241213-3029	891,000	909,751	909,751	1,087,251	1,145,251	1,375,001	1,375,001	1,309,151	1,309,151	5,238,000	160,598.86	447,014.14
4	JP63700000 0002	6,018	11,490	15,319	15,319	15,319	15,319	17,234	13,405	13,405	111,710	2,041.07	0.00
5	JP63700000 0003	7,260	11,088	14,784	14,784	14,784	14,784	16,632	12,936	12,936	107,800	1,976.24	0.00
6	JP63700000 0004	5,974	9,122	12,164	12,164	12,164	12,164	13,685	10,643	10,643	88,690	1,621.80	0.00
7	JR241213-3027	0	0	0	0	0	0	0	0	0	0	0.00	0.00
Total		1,202,003	1,213,702	1,231,519	1,400,789	1,482,019	1,702,019	1,698,019	1,789,635	1,806,483	7,320,200	218,648.14	447,014.14
Annual Change %			0.97%	1.47%	13.74%	5.80%	14.84%	-0.24%	5.40%	0.94%			
Cumulative Change %			0.97%	2.46%	16.54%	23.30%	41.60%	41.27%	48.89%	50.29%			

Appendix C

Certification / Assumptions & Limiting Conditions / Qualifications

Certification

I certify that, to the best of my knowledge and belief...

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report, and we have no personal interest with respect to the parties involved.
4. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. Our compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report.
6. Patrick Sterrett has made a personal inspection of the property that is the subject of this report January 9, 2018 and June 5, 2021.
7. This study is not based on a requested result or a specific conclusion.
8. We have not relied on unsupported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, familial status, age, receipt of public assistance income, handicap, or an unsupported conclusion that homogeneity of such characteristics is necessary to maximize value.



Patrick Sterrett
Sterrett Urban, LLC

Assumptions & Limiting Conditions

This Blight Study is subject to the following limiting conditions and assumptions:

1. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are Sterrett Urban's unbiased professional analyses, opinions, and conclusions.
2. Information provided and utilized by various secondary sources is assumed to be accurate. Sterrett Urban cannot guarantee information obtained from secondary sources.
3. The nature of real estate development is unpredictable and often tumultuous. In particular, the natural course of development is difficult to predict and forecast. Sterrett Urban deems our projections as reasonable considering the current and obtained information.
4. Sterrett Urban has considered and analyzed the existing conditions concerning the subject property within the redevelopment area. We have considered these existing conditions when forming our analysis and conclusions. However, it should be understood that conditions are subject to change without warning, and potential changes could substantially affect our recommendations.
5. Our analyses, opinions and conclusions were prepared in conformance with the Code of Professional Ethics and Standards of the American Institute of Certified Planners.

Patrick Sterrett, AICP

Principal



Urban Planning & Development Services

Sterrett Urban LLC is an urban planning and real estate development advisory firm which counsels an array of public and institutional clients, as well as private investors and developers, interested in bringing development projects and revitalization efforts to fruition. **Sterrett Urban LLC** has unmatched experience and expertise providing redevelopment, community planning, and economic development strategies and implementation services for a wide variety of product types and settings.

The firm, founded in 2006, is led by Patrick Sterrett, a certified urban planner who has more than twenty-five years of experience forging partnerships, managing complex real estate development projects, and creating vibrant, sustainable urban plans and designs. Current and recent work includes creating a development program and financing strategies for a \$20 million mixed-use project on Troost Avenue; developing a strategy to unwind the original financing framework Mr. Sterrett helped originate for the LAMP nonprofit campus that involves tax abatement, New Markets tax credits, and Historic Preservation tax credits; land use planner for the redevelopment of the three million square foot former Bannister Federal Complex; continued management of two community improvement districts originally formed by Mr. Sterrett for others; and the development of financing strategies for a \$20 million charter school in Kansas City, Missouri and a \$5.5 million social service center and health clinic in Kansas City, Kansas, both of which may include the use of tax credits and tax abatement.

Prior to forming **Sterrett Urban LLC** in 2006, Mr. Sterrett spent eleven years at the Economic Development Corporation of Kansas City, Missouri (EDC) and initiated and/or managed for the public sector some of the largest pioneering redevelopment projects in recent memory in Kansas City and in the country. During his tenure at the EDC, Mr. Sterrett provided staffing to each of the redevelopment agencies and also served as Executive Director of the Port Authority, where he managed land development, the negotiation of redevelopment agreements and creation of mixed-use development programs for the Kansas City Riverfront, former Richards-Gebaur Airport as an intermodal hub, a mixed-use village within the Columbus Park Neighborhood, and creation/implementation of a redevelopment strategy for the Crossroads Arts District.

Mr. Sterrett's work has been featured in local and national publications, and his work in the Crossroads Arts District and the Power & Light District in Kansas City has been recognized by the International Economic Development Council as exemplary of the most advanced redevelopment methods to revitalize distressed areas, including brownfields.

Mr. Sterrett earned a Bachelor Architecture and a Master of Urban Planning with a concentration in housing and community development from the University of Kansas.

Patrick Sterrett, AICP

Principal



Urban Planning & Development Services

Select Professional Experience

Sterrett Urban LLC

2006 – Current

Owner/Principal

REDEVELOPMENT PLANNING/BUILDING CONDITION STUDIES

Blight Study

Independence Marketplace (TIF); WNQE Independence VI, LLC; Independence, MO

Blight Study

11828 NW Plaza Circle Community Improvement District; Yashoda Hotels, LLC; Kansas City, MO

Blight Study

7611 NW 97th Terrace Community Improvement District; BVM PLATT CITY, LLC; Kansas City, MO

*Blight Study

Ten Main Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

Blight Study

Brookfield Building (Chapter 353); Brookfield Hotel Investment, LLC; Kansas City, MO

*Blight Study

Kansas City Convention Center Headquarters Hotel (TIF); TIF Commission of Kansas City, MO; Kansas City, MO

*Blight Study

Mt. Cleveland Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

*Blight Study

63rd & Holmes Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

Blight Study

23rd & Sterling Community Improvement District; McKeever Enterprises, Inc.; Independence, MO

General Development Plan and Qualifications Analysis (Blight)

17th & Madison (PIEA); PIEA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Blight)

63rd Street Corridor (PIEA); PIEA of Kansas City, MO; Kansas City, MO

*In conjunction with APD Urban Planning & Management, LLC

Patrick Sterrett, AICP

Principal



Urban Planning & Development Services

REDEVELOPMENT PLANNING/BUILDING CONDITION STUDIES (CONTINUED)

General Development Plan and Qualifications Analysis (Blight)
Green Village (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Study

32nd Street Place (TIF); Woodsonia Joplin, LLC; Joplin, MO

Blight Study

32nd Street Place Community Improvement District; Woodsonia Joplin, LLC; Joplin, MO

*Blight Study

Linwood/Prospect (TIF); TIF Commission of Kansas City, MO; Kansas City, MO

*Blight Study

Oak Park Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

Blight Study

16 Main Street (Chapter 353); PC Homes, LLC; Parkville, MO

Blight Study

NE 58th Street & N. Oak Trafficway (Chapter 353); North Eagle Properties, LLC; Gladstone, MO

Blight Study

Twin Creeks Center Community Improvement District; White Goss, Attorneys at Law; Kansas City, MO

Blight Study

325 E. 31st Street Community Improvement District; Syndicate Property Holdings 1, LLC; Kansas City, MO

Blight Study

612 W. 47th Street Community Improvement District; JH Investors, LLC; Kansas City, MO

Blight Study

801 Westport Road Community Improvement District; GLI Hospitality & ADMJM WP1, LLC; Kansas City, MO

Development Plan & Blight Study

1411 Quebec (Chapter 353); MetroPark Warehouses, Inc.; North Kansas City, MO

Urban Renewal Plan & Blight Study

3200 Gillham Road Urban Renewal Area (LCRA); Exact Acme, LLC; Kansas City, MO

*In conjunction with APD Urban Planning & Management, LLC

Patrick Sterrett, AICP

Principal



Urban Planning & Development Services

REDEVELOPMENT PLANNING/BUILDING CONDITION STUDIES (CONTINUED)

*Blight Study

40 Highway & Noland Road (TIF); TIF Commission of Kansas City, MO; Kansas City, MO

Blight Study

89th & State Line Community Improvement District; State Line Corner, LLC; Kansas City, MO

Blight Study

Boomtown Central (TIF); Denali Summit, LLC; Joplin, MO

Blight Study – Court Testimony

Armour/Gillham Corridor (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Economic Development Area

Aviara (TIF); City of Liberty, MO; Liberty, MO

Blight Study

4080 W. State Highway 76 (TIF); Fee/Hedrick Family Entertainment; Branson, MO

Blight Study

Creekside (TIF & CID); Parkville Development 38, LLC, Parkville Development 140, LLC, Parkville Development 50, LLC, Parkville Development VV1, LLC; Parkville, MO

Blight Study

Johnson Drive & Renner Road (TIF); Kingdom Real Estate, LLC & Paru, LLC; Shawnee, KS

Blight Study

Merriam Corners (TIF); Merriam Corners, LLC et al.; Merriam, KS

Urban Renewal Plan & Blight Study

Midtown Infill Multifamily Housing Urban Renewal Area (LCRA); FFV Development, LLC; Kansas City, MO

Blight Study

NW 112th Street & I-29 Community Improvement District; Bank of Weston & WB Seventeen, LLC; Kansas City, MO

Blight Study

NW Prairie View Road & NW 72nd Street (TIF & CID); North K I-29 2004, LLC; Kansas City, MO

*Blight Study

3800 Block of Prospect Ave Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

*In conjunction with APD Urban Planning & Management, LLC

Patrick Sterrett, AICP

Principal



Urban Planning & Development Services

REDEVELOPMENT PLANNING / BUILDING CONDITION STUDIES (CONTINUED)

Blight Study

Riverside Red X Community Improvement District; Riverside Red X, Inc.; Riverside, MO

Conservation Area Study

Stag's Spring (TIF); Stag's Spring, LLC; Shawnee, KS

Blight Study

8th & Grand Boulevard (TIF, CID, LCRA, PIEA, Ch. 353); New Generation Construction; Kansas City, MO

Blight Study

Turner Vista (TIF); College Park Developers, LLC; Kansas City, KS

Blight Study

Villa West (TIF); 29th Street Partners, LLC; Topeka, KS

Blight Study

Vivion Point Community Improvement District; Lockard Kansas City Holdings, LLC; Kansas City, MO

Blight Study

Ward Parkway Plaza Community Improvement District; Greensboro Property Company, LLC; Kansas City, MO

Blight Study

Tiffany Landing Community Improvement District; Tiffany Landing, LLC; Kansas City, MO

General Development Plan and Qualifications Analysis (Undeveloped Industrial Area)

Frontage at Executive Park (PIEA), PIEA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Blight)

22nd/23rd Street Connector (PIEA); PIEA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Blight)

2nd Amended Ellison/Knickerbocker (PIEA), PIEA of Kansas City, MO; Kansas City, MO

*Blight Study

Second & Delaware Development Plan (Chapter 353); Chapter 353 Advisory Board of Kansas City, MO; Kansas City, MO

*Blight Study

Commerce Tower Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

*In conjunction with APD Urban Planning & Management, LLC

Patrick Sterrett, AICP

Principal



Urban Planning & Development Services

REDEVELOPMENT PLANNING/BUILDING CONDITION STUDIES (CONTINUED)

*Blight Study

Key Coalition Neighborhood Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Insanitary Area)

Victory Court (PIEA); PIEA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Blight)

I-35 & W. 13th Street (PIEA); PIEA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Blight)

Troost Bannister (PIEA); PIEA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Insanitary Area)

Seven301 (PIEA); PIEA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Blight)

Oxford on the Blue (PIEA); PIEA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Blight)

1st Amended Ellison/Knickerbocker (PIEA); PIEA of Kansas City, MO; Kansas City, MO

*Blight Study

Bannister & I-435 (TIF); TIF Commission of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Blight)

1st Amended Armour/Gillham Corridor (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Study Addendum (Social Liabilities)

Armour/Gillham Corridor (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Study

Liberty Commons (TIF); City of Liberty, MO; Liberty, MO

Blight Study

Hospital Hill III Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

General Development Plan and Qualifications Analysis (Insanitary Area)

Hawthorne Road (PIEA); PIEA of Kansas City, MO; Kansas City, MO

*In conjunction with APD Urban Planning & Management, LLC

Patrick Sterrett, AICP

Principal



Urban Planning & Development Services

REDEVELOPMENT PLANNING/BUILDING CONDITION STUDIES (CONTINUED)

General Development Plan

Amended/Restated Folgers Coffee Company (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Study

Inter-State Building Development Plan (Chapter 353); Abbot Properties; Kansas City, MO

General Development Plan & Blight Study

39th Terrace (PIEA), PIEA of Kansas City, MO; Kansas City, MO

Blight Study

Truman-Hardesty (TIF); TIF Commission of Kansas City, MO; Kansas City, MO

Blight Study

Oak Barry Community Improvement District; MD Management; Kansas City, MO

General Development Plan & Blight Study

Metro North Mall (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Study

Metro North Square Community Improvement District; MD Management; Kansas City, MO

General Development Plan & Blight Study

155th & Kensington (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Study

Hospital Hill III Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

Blight Study Update

Columbus Park Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

General Development Plan & Blight Study

Troost-Rockhill (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Feasibility & Redevelopment Boundary Analysis

Northwest Briarcliff Road Corridor, City of Kansas City, MO

General Development Plan & Blight Study

Valentine-Broadway (PIEA); PIEA of Kansas City, MO; Kansas City, MO

*In conjunction with APD Urban Planning & Management, LLC

Patrick Sterrett, AICP

Principal



Urban Planning & Development Services

REDEVELOPMENT PLANNING / BUILDING CONDITION STUDIES (CONTINUED)

General Development Plan & Blight Study

Westport–Main (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Study

Indiana Corridor Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

Blight Study

Troost/Paseo Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

General Development Plan & Blight Study

Blue Valley (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Study

Martin City Corridor Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

Blight Study

Longfellow–Dutch Hill Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

General Development Plan & Blight Study

Stuart Hall/HD Lee (PIEA); PIEA of Kansas City, MO; Kansas City, MO

Blight Study & Urban Renewal Plan

Columbus Park Urban Renewal Area (LCRA); LCRA of Kansas City, MO; Kansas City, MO

*In conjunction with APD Urban Planning & Management, LLC

Economic Development Corporation of Kansas City, Missouri

1995 – 2006

Executive Director, Port Authority of Kansas City, Missouri

Planner / Senior Planner

Author of the following plans and studies:

Riverfront TIF Plan / Blight Study

74th & Wornall TIF Plan / Blight Study (plan not approved)

19th Terrace TIF Plan / Conservation Study

22nd & Main St. TIF Plan / Conservation Study

47th & Roanoke TIF Plan

Prospect North TIF Plan

Jazz District TIF Plan

Pershing Road TIF Plan

Eastwood Urban Renewal Plan / Blight Study

South 31st Street Urban Renewal Plan / Blight Study

Longfellow–Dutch Hill Urban Renewal Plan

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN FINDINGS AND AUTHORIZING AN AMENDMENT TO A DISTRICT PLAN FOR THE I-35 REDEVELOPMENT DISTRICT IN THE CITY OF MERRIAM, KANSAS.

WHEREAS, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the "Act"), cities are authorized to assist in the development and redevelopment of certain eligible areas located within cities by issuing special obligation tax increment bonds for financing of redevelopment projects or by providing for reimbursement of eligible costs of redevelopment projects in accordance with the Act, provided the cities comply with the procedures set forth in the Act; and

WHEREAS, the City of Merriam, Kansas (the "City"), previously established a redevelopment district commonly referred to as the "I-35 Redevelopment District" (the "District") and has adopted a district plan identifying proposed redevelopment project areas and, in a general manner, buildings, facilities and improvements in each proposed redevelopment project area (the "District Plan"), all pursuant to the Act and Ordinance No. 1222 of the City, as amended by Ordinance Nos. 1412, 1464, 1536, 1686, and 1787 of the City; and

WHEREAS, the Governing Body of the City has determined it is in the best interest of the City to amend the District Plan to further promote, stimulate and develop the general and economic welfare of the City; and

WHEREAS, the Governing Body of the City hereby finds and determines it desirable to modify the boundaries of the Redevelopment District by adding an area to the Redevelopment District as set forth on Exhibit A (the "Additional Area"); and

WHEREAS, the Governing Body of the City hereby accepts the "Shawnee Mission Parkway & Antioch Road (southwest corner) Redevelopment Blight Study" detailing the existing conditions that cause the Additional Area to meet the definition of a blight area as defined by the Act, and

WHEREAS, the amended District Plan creates a new redevelopment project area, Project Area M, which includes a significant portion of the Additional Area; and

WHEREAS, the Act authorizes the City to make substantial changes to the District Plan subject to the same procedures for public notice and hearing as is required for the establishment of a redevelopment district; and

WHEREAS, the Governing Body of the City has held a public hearing on a proposed amendment to the District Plan after providing notice of such hearing as required by the Act and as set forth in Resolution No. 909 of the City adopted on May 10, 2021;

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MERRIAM, KANSAS, AS FOLLOWS:

SECTION 1. In accordance with the Act, the Governing Body of the City makes the following findings:

- (a) The District proposed to be developed is an “eligible area” as defined by the Act.
- (b) The Additional Area is a “Blighted area” as defined by the Act.
- (c) The conservation, development or redevelopment of the District is necessary to promote the general and economic welfare of the City.
- (d) The amended district plan for the District, identifies all of the proposed redevelopment project areas, including the new Project Area M, and, in a general manner, all of the buildings and facilities that are proposed to be constructed or improvements in each redevelopment project area, is attached to this Ordinance as Exhibit C.
- (e) The description of the District is set forth on Exhibit B to this Ordinance and such description does not include any area not designated in the notice of public hearing on the proposed amended district plan.

SECTION 2. Pursuant to the Act, the District Plan is hereby amended in accordance with Exhibit C. The City’s Finance Director, the City Clerk, the City’s Bond Counsel, the City’s Financial Advisor and other authorized representatives of the City are authorized to cooperate with the developer or developers of property within the District to prepare redevelopment project plans to be submitted to the Planning Commission pursuant to the Act.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the Governing Body of the City and publication once in the official City newspaper.

Passed by the City Council of the City of Merriam, Kansas, and approved by the Mayor on this June 14, 2021.

CITY OF MERRIAM, KANSAS

(SEAL)

Ken Sissom, Mayor

ATTEST:

Juliana Pinnick, City Clerk

APPROVED AS TO FORM:

Joseph D. Serrano, City's Bond Counsel

APPROVED AS TO FORM:

Ryan Denk, City Attorney

EXHIBIT A
ADDITIONAL AREA DESCRIPTION

Beginning at the point where the west lot line of the Drury Subdivision No. 1 extended to the north intersects with the existing I-35 Redevelopment District in the City of Merriam, Johnson County, Kansas, thence northeasterly along the boundary of the I-35 Redevelopment District to the intersection of the centerlines of Eby Avenue and Shawnee Mission Parkway, thence east along the centerline of Shawnee Mission Parkway to a point where it intersects the centerline of Antioch Road, thence south along the centerline of Antioch Road to a point where it intersects with the north lot line of Lot 1, Pinegate subdivision extended, thence west along said lot line to a point where it intersects with the west lot line of Lot 1 Pinegate subdivision, thence south along said lot line to a point where the lot line extended intersects with the centerline of W. 64th Terrace, thence west along the centerline to a point where it intersects the centerline of Eby Avenue, thence north along the centerline of Eby Avenue to a point where the centerline intersects with the north lot line of Drury Subdivision No. 1 extended, thence west along said lot line to the point of beginning.

EXHIBIT B
BOUNDARIES OF REDEVELOPMENT DISTRICT

Beginning at the intersection of Interstate Highway 35 and 75th Street; thence west along 75th Street to a point 250 feet west of the west right-of-way line of the Burlington Northern Railroad; thence north 800 feet; thence east 100 feet; thence north 540 feet; thence east approximately 690 feet to the centerline of the Burlington Northern Right-of-Way; thence north along the centerline of the Burlington Northern right-of-way to the centerline of 67th Street; thence west along 67th Street to the west property line of Lot 5, Cunningham Gardens Subdivision; thence north along the west property line of Lot 5 to the south property line of West Vernon Place Unit No. 2 Subdivision; thence east along said south property line to the east property line of said West Vernon Place Unit No. 2 Subdivision; thence north to the north property line of said subdivision; thence east 100 feet along the boundary between the existing R-1 and I-1 zoning districts; thence north 750 feet along said zoning district boundary; thence easterly 230 feet along said zoning district boundary; thence northerly 200 feet along said zoning district boundary; thence easterly 253 feet along said zoning district boundary; thence northerly 50 feet along said zoning district boundary; thence easterly to the centerline of the Burlington Northern right-of-way; thence northerly along said railroad right-of-way to Shawnee Mission Parkway; thence east along said parkway to Interstate Highway 35; thence north along said highway to a point west of 62nd Terrace projected; thence easterly along 62nd Terrace to Slater Road; thence south along Slater Road to Shawnee Mission Parkway; thence west along said parkway to the intersection of the East Frontage Road; thence southwesterly along said frontage road to a point north of the west line of the Pinegate Subdivision projected; thence south along said line to a point east of 65th Street projected; thence west along said line and 65th Street to Interstate Highway 35; thence south along said highway to the point of beginning on 75th Street; and

Part of the Southeast ¼ of Section 12, Township 12 South, Range 24 East in the City of Merriam, Johnson County, Kansas, more particularly described as follows: BEGINNING at the point of intersection of the Centerline of Slater Street and the Centerline of Johnson Drive, said centerline of Johnson Drive also being the North line of the Southeast 1/4, of said Section 12; thence North 90° West along the centerline of Johnson Drive and the North line of said Southeast ¼, 918.48 feet to the point of intersection of said North Line of the Northeast ¼ and the Northerly prolongation of the Westerly right of way line of Grandview Avenue, said point of the intersection also being a point on the Easterly right of way line of Interstate Highway No. I-35; thence Southerly along the Easterly right of way lone of Interstate Highway No. I-35 to the point of intersection of said Easterly right of way line of Interstate Highway No, I-35 and the Westerly prolongation of the Centerline of 62nd Street Terrace; thence South 89° 49' 24" East along said centerline of 62nd Street Terrace, 1129.62' to the point of the intersection of said centerline of said 62nd Street Terrace and the centerline of Slater Street; thence North 00° 37' 19" East, along the centerline of Slater Street, 2206.37 feet to the point of beginning on Slater Street; and,

Beginning at the point where the west lot line of the Drury Subdivision No. 1 extended to the north intersects with the existing I-35 Redevelopment District in the City of Merriam, Johnson County, Kansas, thence northeasterly along the boundary of the I-35 Redevelopment District to the intersection of the centerlines of Eby Avenue and Shawnee Mission Parkway, thence east along the centerline of Shawnee Mission Parkway to a point where it intersects the centerline of Antioch Road, thence south along the centerline of Antioch Road to a point where it intersects with the north lot line of Lot 1, Pinegate subdivision extended, thence west along said lot line to a point where it intersects with the west lot line of Lot 1 Pinegate subdivision, thence south along said lot line to a point where the lot line extended intersects with the centerline of W. 64th Terrace, thence west along the centerline to a point where it intersects the centerline of Eby Avenue, thence north along the centerline of Eby Avenue to a point where the centerline intersects with the north lot line of Drury Subdivision No. 1 extended, thence west along said lot line to the point of beginning. Containing 329 acres of land, more or less.

EXHIBIT C
AMENDED REDEVELOPMENT DISTRICT PLAN
I-35 Redevelopment District – Merriam, Kansas

Background

In 1988 the City of Merriam, Kansas (the “City”), in cooperation with the State of Kansas and pursuant to K.S.A. 12-17,107 through 12-17,113, established an enterprise zone (the “Enterprise Zone”) located generally west of Interstate Highway 35 and south of Shawnee Mission Parkway. Portions of the Enterprise Zone were located east of I-35, immediately north and south of Shawnee Mission Parkway. K.S.A. 12-1770 *et seq.* (the “Act”), permits cities to establish redevelopment districts and undertake redevelopment projects in areas which were established as enterprise zones prior to July 1, 1992.

Pursuant to the Act and Ordinance No. 1222 of the City, as amended by Ordinance Nos. 1412, 1464, 1536, 1686, and 1787, the City has previously established a redevelopment district commonly known as the “I-35 Redevelopment District” (the “District”) and has adopted a redevelopment district plan identifying proposed redevelopment project areas and, in a general manner, buildings, facilities and improvements in each proposed redevelopment project area (the “Original District Plan”). This Redevelopment District Plan amends and restates the Original District Plan.

District Boundary

The boundary for the District is shown on Figure 1.

Redevelopment Project Areas

Proposed Redevelopment Project Areas are illustrated on Figure 2.

In general, the buildings, facilities and improvements constructed or improved or proposed to be constructed or improved in each redevelopment project area identified on Figure 2 are set forth below. Detailed plans for the development of each potential project area will be developed in conjunction with a public or private sector owner or developer.

Area A: This area abuts I-35 and Shawnee Mission Parkway (U.S. Highway 56). It should be developed for a highway oriented commercial use. The area should be developed as a single site for a single commercial use, to eliminate access limitations and to minimize disruption to the traffic carrying capacity of Shawnee Mission Parkway. Access to the area should be oriented to Eby or 62nd Terrace; not directly to Shawnee Mission Parkway. The site is appropriate for one or more commercial buildings associated with an automobile dealership, or one or more buildings containing food service, transient lodging, or general retail uses.

Area B: This area abuts East Frontage Road with excellent visibility from I-35. This area should be developed for a highway oriented commercial use. The site is constrained by stormwater drainage passing through the center of the site. The site is appropriate for one or more small commercial buildings associated with an automobile dealership, food service, transient lodging, general retail, or general office use.

Area C: This area abuts West Frontage Road with excellent visibility from I-35. This area should be developed for a commercial or assembly use which requires outstanding regional accessibility and visibility. Due to the size of the tract, it is best suited to a single large development which requires a site in excess of 5 acres, and which can take advantage of the existing land assemblage. The site is best suited to one or more large commercial, warehouse, or light manufacturing buildings of regional importance.

Area D: This area is comprised of two sub-areas, as it is divided by the railroad tracks. The area has excellent visibility from I-35. The area is best suited for a highway oriented commercial, warehousing, or light manufacturing development west of the railroad tracks. The sub-area east of the railroad tracks is similar in character to Area C discussed above. However, due to this area's close proximity to Shawnee Mission Medical Center across I-35 to the east, it is also suitable for a large medical laboratory, medical office, or general office use. The site is most suitable for one or more structures as a single development in highway oriented commercial, or office use.

Area E: This area abuts W. 67th Street near I-35. The area has excellent regional accessibility, but lacks direct visibility from I-35. It is best suited for a single large building for warehouse or light manufacturing use, or one or more buildings for general commercial use which is a destination business as opposed to a business which requires direct visibility to high volumes of motorists.

Area F: This area abuts West Frontage Road, along I-35, immediately south of 67th Street. The site characteristics are similar to those set forth for Area C above. The area is suitable for a broad range of potential future uses including one or more large buildings for commercial, warehouse, light manufacturing, and corporate office use. The area is also considered suitable for a multi-structure general commercial development, should the current use of the area become obsolete.

Area G: This area abuts I-35 and has excellent visibility from the highway. It lacks independent access but may be combined with the abutting automobile dealership facility or other adjacent property. It is suitable for combination with abutting property to extend the abutting use in a manner which does not require direct access to the public street system. The site is appropriate for expansion of the auto dealership facility or the expansion of the parking area for the abutting financial services business.

Area H: This area is located in a commercial / industrial area adjacent to the BNSF Railway railroad tracks. It is suitable for a range of commercial and industrial uses typically found in light industrial areas, including light manufacturing, automotive service and construction industry uses.

Area I: This area is between 62nd Terrace and 62nd Street on Grandview, west of the present Municipal City Hall and Fire Station, to I-35. This area should be developed into commercial uses with the greatest potential being automotive sales and/or services. Access to this area should be from 62nd Terrace and with adequate parking this area should support between 25,000 and 35,000 of retail or automotive services space.

Area J: This area is bounded to the west by the I-35 right-of-way. The southern boundary is W. 62nd St extended, excluding the City Police Station property. The east boundary is Eby Street. The boundary heads north on Eby Street to a point where W. 60th Street extended intersects with Eby Street. From that point, the boundary heads west, back to the I-35 right-of-way. This area has excellent visibility from I-35 and is suitable for retail uses. This area should be developed as a large retail facility with supporting

parking, infrastructure and related improvements.

Area K: This area is bounded to the north by Johnson Drive, excluding the property at the immediate southwest corner of the intersection of Johnson Drive and Slater Street. From the southeast corner of said property, the boundary heads south along Slater Street to a point approximately 230 feet south of the intersection of Slater Street and W. 60th Terrace. From that point, the boundary heads west to Eby Street. The boundary then heads north on Eby Street to a point where W. 60th Street extended intersects with Eby Street. From that point, the boundary heads west, back to the I-35 right-of-way. This area should contain commercial, retail, office and/or multifamily residential facilities with supporting parking, infrastructure and related improvements.

Area L: This area is generally bounded to the west by IKEA Way. Starting at the intersection of IKEA Way and W. 62nd Street, the boundary heads approximately 320 feet north along IKEA Way. From there the boundary heads east approximately 220 feet, then south approximately 270 feet, then east to Slater Street. The boundary then travels approximately 170 feet south along Slater Street. The boundary then heads west approximately 300 feet, then south approximately 100 feet; then west to IKEA Way. The boundary then heads north along IKEA Way to the point of beginning. This area should contain structured parking, infrastructure and related improvements related to the public buildings to be located in Vavra Park.

Area M: This area is generally bounded by Eby Avenue to the west, Shawnee Mission Parkway to the north, Antioch Road to the east, and W. 64th Terrace to the south, excluding Lot 1, Pinegate subdivision and the existing development in the northwest portion of the area. This area should contain commercial, retail, multifamily residential and/or office facilities with supporting parking, structured parking, infrastructure and related improvements.

Figure 1
I-35 Redevelopment District
TIF District Map

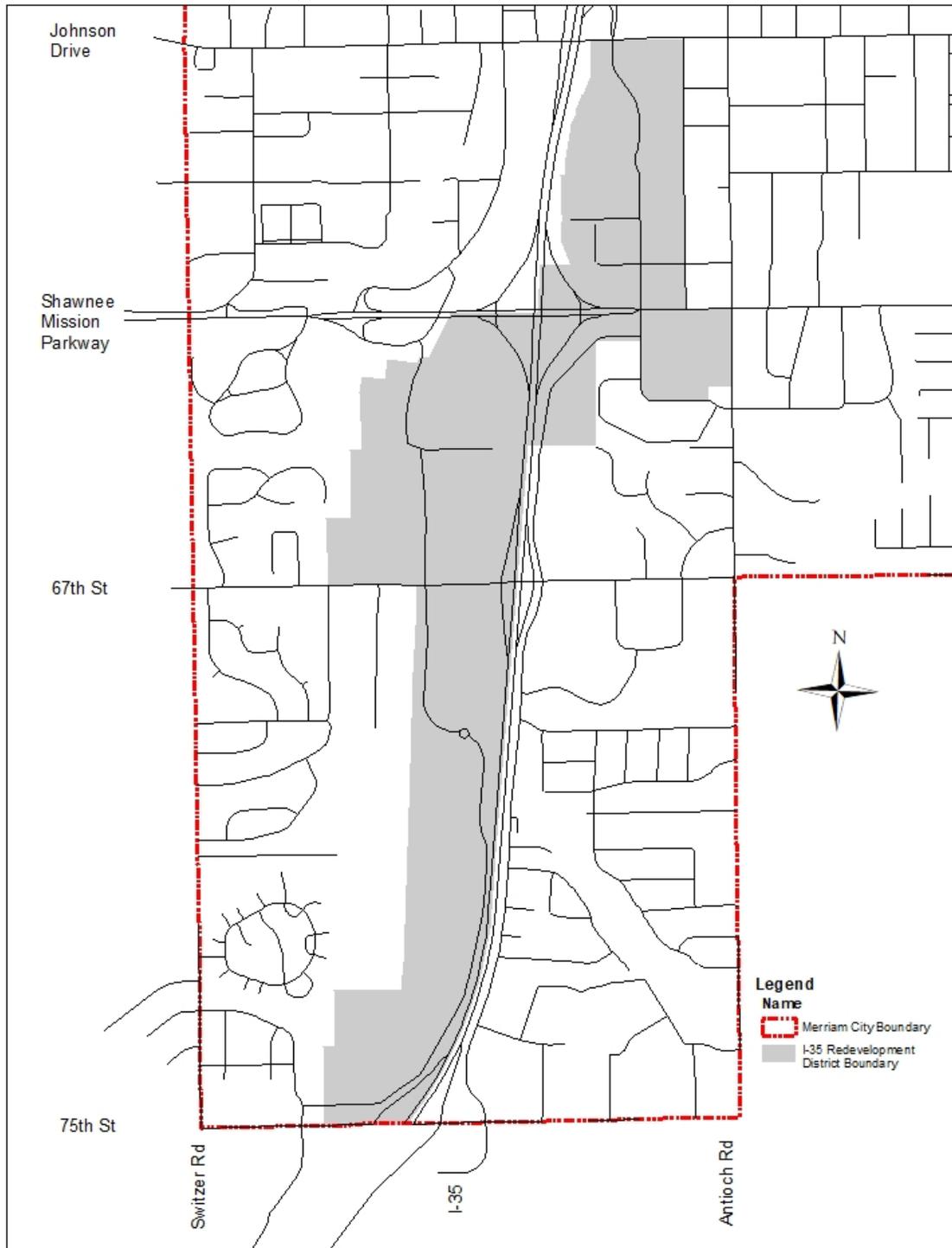
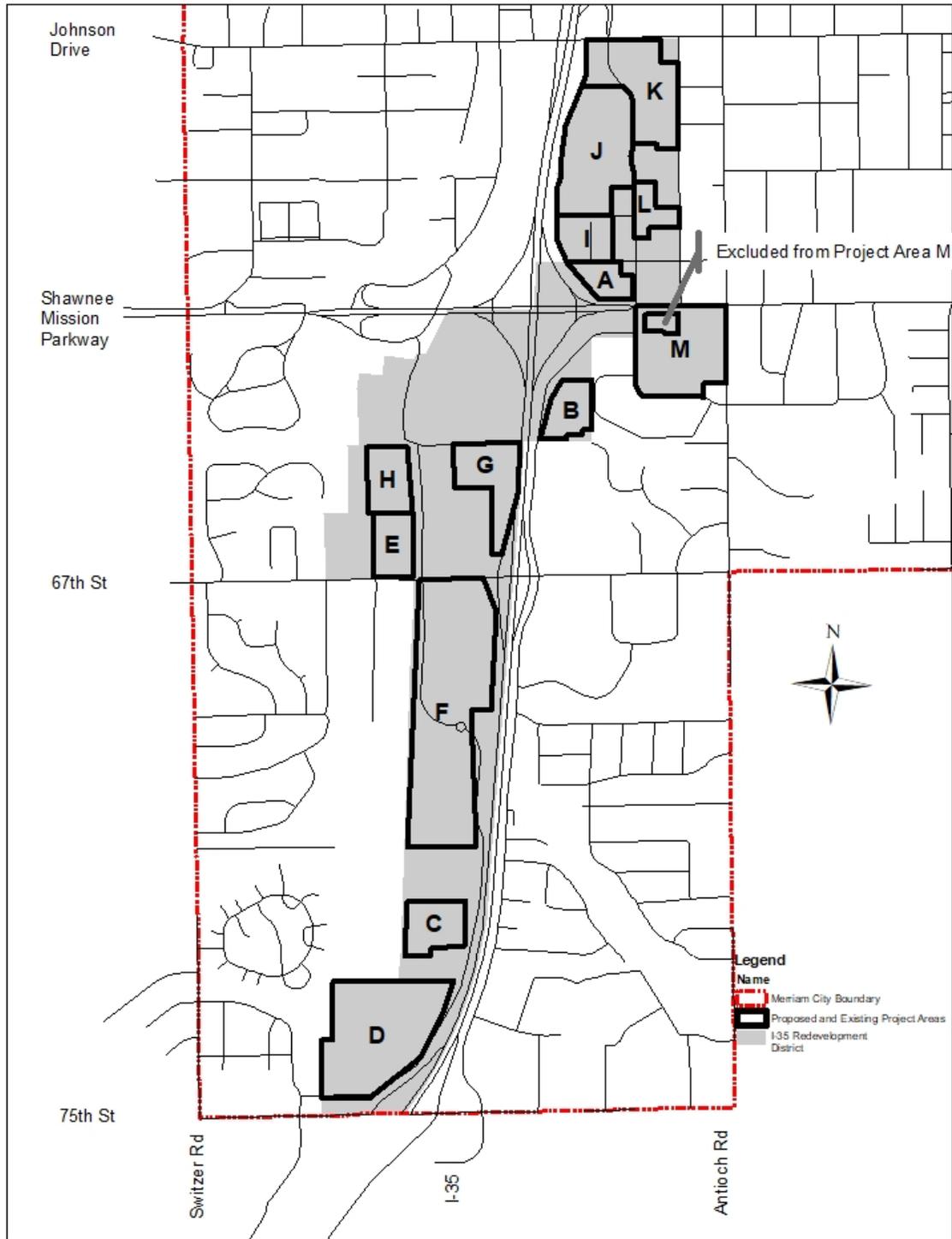


Figure 2
Redevelopment Project Areas



Amending the I-35 Redevelopment District

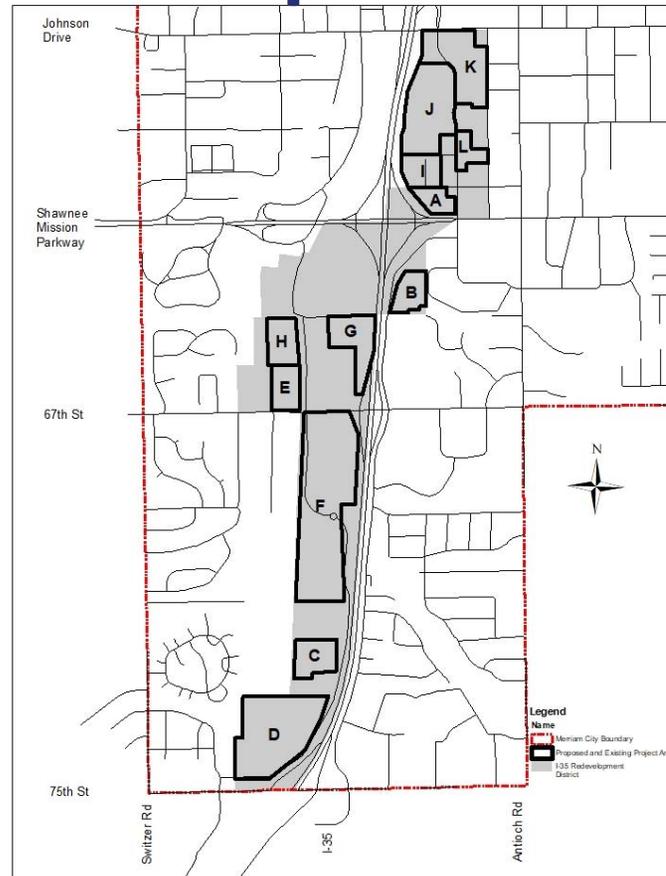
City Council
June 14, 2021



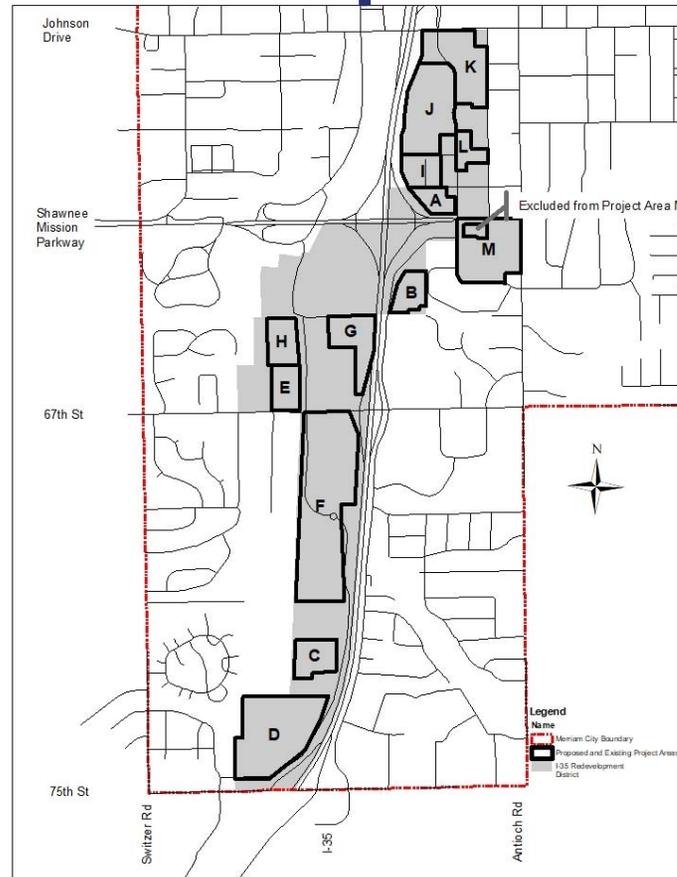
Kansas State Statutes 12-1771 (e)

Addition to area; substantial change. Any addition of area to the redevelopment district or bioscience development district or any substantial change as defined in K.S.A. 12-1770a and amendments thereto, to the district plan shall be subject to the same procedure for public notice and hearing as is required for the establishment of a district.

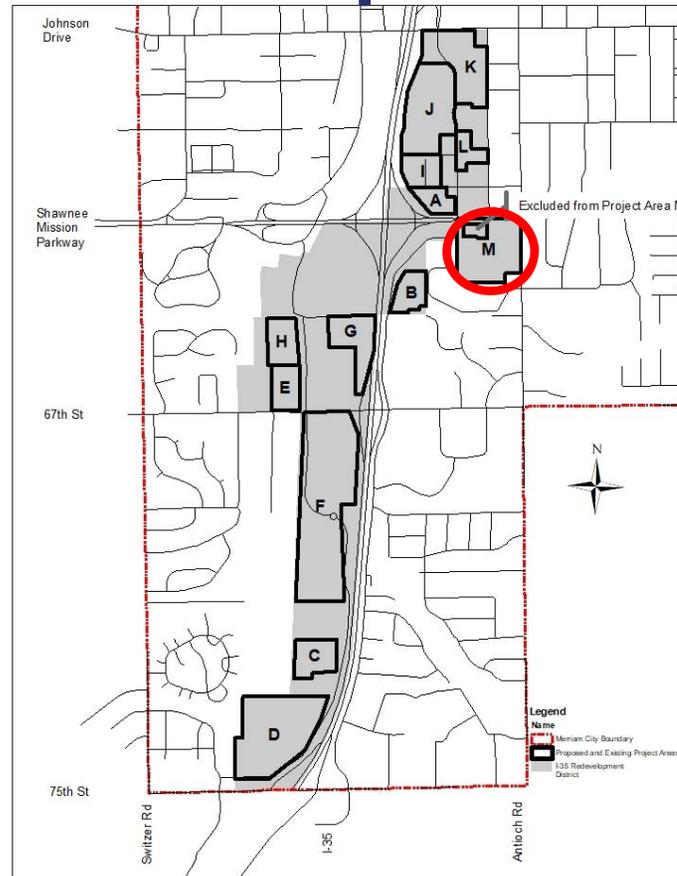
Existing I-35 Redevelopment District



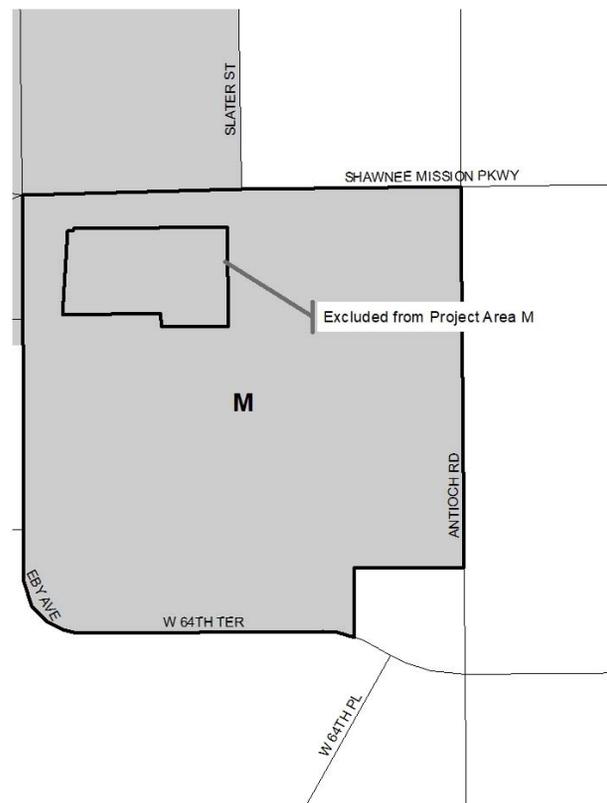
Proposed I-35 Redevelopment District



Proposed I-35 Redevelopment District



Project Area M



Potential Next Steps

- Approval of Addition to the I-35 Redevelopment District
- Create the following:
 - Redevelopment Agreement with developer
 - TIF Project Plan for Area M
 - Feasibility Study
- Planning Commission Conduct Public Hearing on Rezoning and Development Plan
- City Council Consider
 - Redevelopment Agreement
 - Project Plan for Area M
 - Rezoning
 - Development Plan

Throughout the process there will be additional opportunities for input/discussion from – City Council, Planning Commission, residents, neighborhoods, the developer, etc.



Questions?



PROCLAMATION

***WHEREAS,** The month of June is designated as LGBTQ+ Pride Month and it commemorates the Stonewall Rebellion that occurred during the weekend of June 27-29, 1969 in New York City, New York, that gave birth to the modern lesbian, gay, bisexual, and transgender (LGBT) civil rights movement. The month of June also marks a time when all those committed to justice and equality celebrate the notable achievements and outstanding service that lesbian, gay, bisexual, transgender, queer and other (LGBTQ+) Americans make to our city, state and nation; and*

***WHEREAS,** LGBTQ+ Pride is defined as the positive stance against discrimination and violence toward lesbian, gay, bisexual, transgender, queer and others to promote their self-affirmation, dignity, equality rights, increase their visibility as a social group, build community, and celebrate sexual diversity and gender variance; and*

***WHEREAS,** Individually and collectively, members of the City of Merriam's LGBTQ+ community contribute greatly to neighborhood revitalization, economic vitality, arts and culture, and the social fabric of our city, county, state, and country; and*

***WHEREAS,** The City of Merriam prides itself on its inclusiveness and protects its residents from discrimination and harassment based on race, color, sex, religion, disability, age, marital status, place of birth, families with children, sexual orientation or national origin, and we are committed to continued social progress and the cause of human rights, celebrating the great diversity of our community.*

***NOW, THEREFORE,** I, Ken Sissom, by the virtue of the authority vested in me as the Mayor of Merriam, Kansas, do hereby proclaim June, 2021 as*

"LGBTQ+ PRIDE MONTH"

in the City of Merriam, and urge all citizens to join in ending prejudice everywhere it may exist, respect the rights of all people, and celebrate the diversity and richness of our city and county.

Proclaimed this 14th day of June, 2021.



ATTEST

Ken Sissom, Mayor

Juliana Pinnick, City Clerk

TO: City Council
FROM: Chris Engel, City Administrator
DATE: June 14, 2021
RE: Confirm Mayor's Appointment of Downtown PSP Committee

PROJECT BACKGROUND/DESCRIPTION:

In 2020 the City received grant funding from the Mid-America Regional Council (MARC) to complete a Planning Sustainable Places Plan (PSP) for Downtown Merriam Drive between Johnson Drive and Waterfall Park. To receive grant funding, a PSP Plan should focus on looking at the “big picture” for a designated area and crafting a future vision that integrates transportation, land use and the environment. The project must also meaningfully engage the community in a collaborative dialogue through a localized public engagement process that engages multiple audiences.

The specific goal of the Downtown Merriam PSP Plan will be to address the following priorities:

- Identify how Complete Street Concepts can enhance Merriam Drive
- Develop street design recommendations for Merriam Drive
- Identify uses/business types that are appropriate for Merriam Drive
- Engage business owners to gather their opinions as to sustainable future development
- Identify how public investments can support future development and enhance transportation

In early 2021, after an RFP process, Confluence was selected as the team to develop the Merriam PSP Plan. The Confluence Team was selected because of their past experience with similar PSP processes; but also their familiarity with the downtown corridor, having previously worked on the Parks Facility Master Plan, 5701 Merriam Drive Plan, and the Comprehensive Plan 2040.

In addition to the work of Confluence, the plan will be informed by an engagement process that will provide several opportunities for input. There will be meetings with the general public, smaller stakeholder groups (i.e. businesses, neighborhoods, community organizations, etc.), and a Working Committee that will provide the most frequent input.

In May, the City Council was engaged to nominate members to the Working Committee. Nominees were shared with the Mayor and a roster of business owners and engaged citizens developed.

Working Committee members will be tasked with regularly meeting with Confluence and exploring the different opportunities that could exist along the Merriam Drive corridor. Committee meetings will be held at the Merriam Community Center and be open to the public. It is anticipated the committee will first gather in late-June with the duration of their work lasting 6 – 8 months.

All committee materials including meeting packets, minutes, and presentations will be made available on the city website at www.merriam.org/downtown.

Attachments: Roster

Downtown PSP Committee

Brian Dailey	9521 W 53rd Street	Chair of Planning Commission, Comp 2040 Committee
Christopher Leitch	8600 W 60th Street	Chair of Park Board, Comp 2040 Committee, Library employee
Staci Chivetta	5541 Goodman Street	Chair of 5701 Committee, Art Committee, Park Board
Jacob Laha	5023 Farley Street	Comp 2040 Committee, 5701 Committee, architect
Garick Lair	9619 W 57th Place	Attorney, Internal Auditor
Sean Zaudke	6330 Mackey Street	5701 Committee, architect
Stoney Bogan	5732 Connell Drive	Business - DMP, Chamber
Abel Perea	5735 Kessler Lane	Business - Abel's Garage
Darene Street	5842 Merriam Drive	Business - KC Strings
Jessica Butler	9408 Johnson Drive	Business - American Family
Danny Carr	5700 Merriam Drive	Business - Electronic Technology Inc
Dave Carroll	5837 Merriam Drive	Business - True Auto Parts
Whitney Yadrich	9620 W 57th Place	City Council Liaison (Ward 2)
Brian Knaff	5114 Perry Lane	City Council Liaison (Ward 2)
Chris Evans Hands	10206 Edelweiss Circle	City Council Liaison (Ward 3)
David Neal	6127 Antioch Road	City Council Liaison (Ward 4)
Ken Sissom	7215 Mastin Street	Mayor
Jim MacDonald		Public Works Director
Bryan Dyer		Community Development Director
Andrea Fair		Planner
Chris Engel		City Administrator



AGENDA ITEM INFORMATION FORM

AGENDA ITEM: Consider approval of an ordinance amending Section 59-71 of the Code of Ordinances of the City of Merriam by exempting the replacement/repair of existing driveway from having to obtain a right-of-way permit. (First reading)

SUBMITTED BY: Bryan P. Dyer, Community Development Director
Jim MacDonald, Public Works Director

MEETING DATE: June 14, 2021

PROJECT BACKGROUND/DESCRIPTION:

Currently, the repair/replacement of an existing driveway requires the property owner/contractor to obtain two City of Merriam permits – building and right-of-way (ROW) permits – and inspections from two city departments – Public Works and Community Development. Both department’s inspectors look at the same aspects of the installation. The two inspections and permits are required by Sec 59-71 of the City Code.

To streamline the process and reduce the number of permits and inspections required for the repair/replacement of an existing driveway, staff recommends requiring only a Building Permit and inspection from Community Development. To accomplish this, existing driveways need to be added to the list of activities that are exempt from obtaining a right-of-way permit.

If the ordinance is approved, driveway repair/replacement will require that the property owner/contractor to obtain only a building permit and inspections from the Building Inspector.

The enlargement of an existing curb cut or a new curb cut will still require a Public Works right-of-way permit.

CITY COUNCIL GOALS AND OBJECTIVES

2.3 Investigate and develop pilot programs to explore new ways to deliver services

FINANCIAL IMPACT

Amount of Request/Contract: _____

Amount Budgeted: _____

Funding Source/Account #: _____

SUPPORTING DOCUMENTS

Draft ordinance

ACTION NEEDED/STAFF RECOMMENDATION

This is a first reading. No action required.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 59, ARTICLE III OF THE CODE OF ORDINANCES OF THE CITY OF MERRIAM, KANSAS CONCERNING RIGHT-OF-WAY USE AND EXCAVATIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MERRIAM, KANSAS:

Section 1. That section 59-71 of the Code of Ordinances, City of Merriam, Kansas, is hereby amended to read as follows:

Section 59-71 Permit Requirement

- a. Except as otherwise provided, no ROW-user may excavate any right-of-way or conduct any repair, construction, or reconstruction of facilities located within the right-of-way without first having obtained the appropriate right-of-way permit.
- b. There are three exemptions to this provision:
 1. Contractors working on the construction or reconstruction of public improvements on behalf of the city.
 2. ROW-users performing routine service operations which do not require excavation in the right-of-way and do not disrupt traffic for more than four hours.
 3. The replacement/repair of existing driveways that do not increase the width of the existing curb cut.

Section 2. Severability. If any part or parts of this Ordinance shall be held to be invalid, such invalidity shall not affect the validity of the remaining parts of this Ordinance. The Governing Body hereby declares that it would have passed the remaining parts of this Ordinance if it would have known that such part or parts thereof would be declared invalid.

Section 3. Savings Clause. Neither the adoption of this Ordinance, nor the future repeal or amendment of any section or part or portion thereof be construed as a waiver of any license, fee or penalty at said effective date and unpaid under either Ordinance, nor be construed as affecting any of the provisions of these Ordinances relating to the collection of any such license, fee or penalty, or the penal provisions applicable to any violation thereof, and all rights and obligations thereunder shall continue in full force and effect.

Section 4. Existing Sections. Those sections of Chapter 59, Article III, of the Code of Ordinances, City of Merriam, Kansas not heretofore repealed shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the official City newspaper, all as provided by law.

PASSED by the Governing Body this _____ day of _____, 2021.

APPROVED AND SIGNED by the Mayor this _____ day of _____, 2021.

Ken Sissom, Mayor

ATTEST:

Juliana Pinnick, City Clerk

APPROVED AS TO FORM:

Ryan Denk, City Attorney



AGENDA ITEM INFORMATION FORM

AGENDA ITEM: Consider approval of an ordinance renaming Lee Drive between W. 67th Street and Carmax Drive to Slater Street, W. 68th Street, and Eby Avenue. (First reading)

SUBMITTED BY: Bryan P. Dyer, Community Development Director

MEETING DATE: June 14, 2021

PROJECT BACKGROUND/DESCRIPTION:

At the April 12, 2021 meeting, a resident requested the Council to consider renaming Lee Drive. The resident noted that the building is no longer owned or utilized by the Lee Jean Corporation.

The City Council does have the ability to rename streets by approving an ordinance. If the Council does desire to rename the street, staff recommends utilizing the county's E911 street naming grid.

Because Lee Drive is a unique "U" shaped street, in order to comport with the street naming grid each of the three "legs" of the street needs a unique name.

Attached is a draft ordinance naming the east portion of the street "Slater Street", the south portion "W. 68th Street", and the west portion "Eby Avenue".

Staff contacted Carmax and Nations Holdings (owner and occupant of the "Lee Building") to inform them of the potential street name change. Both companies understood the reason for the change and had no concerns.

CITY COUNCIL GOALS AND OBJECTIVES

FINANCIAL IMPACT

Amount of Request/Contract: _____

Amount Budgeted: _____

Funding Source/Account #: _____

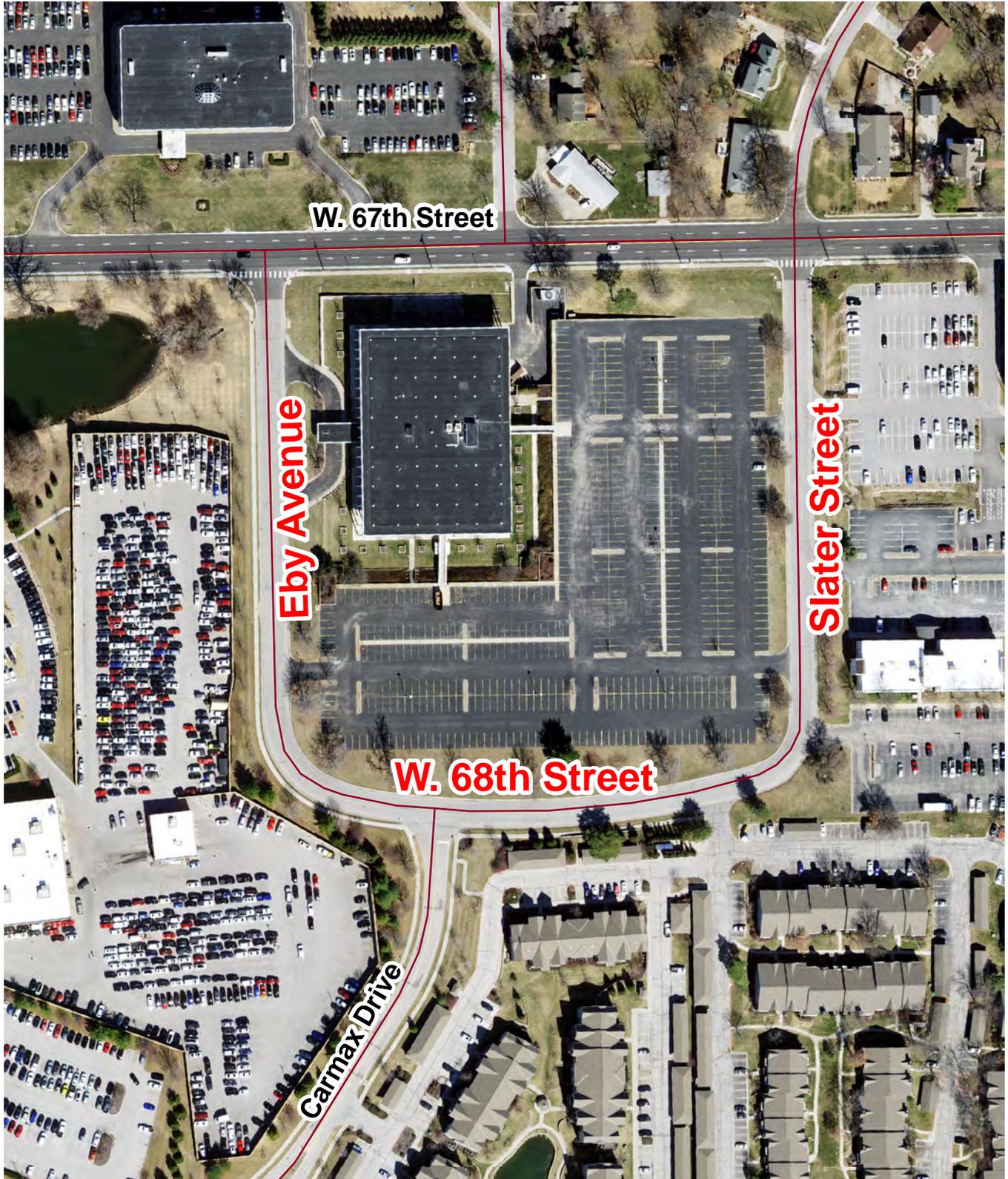
SUPPORTING DOCUMENTS

- Lee Drive Map
- Draft ordinance

ACTION NEEDED/STAFF RECOMMENDATION

This is a first reading. No action required.

Renaming of Lee Drive City Council - June 14, 2021



ORDINANCE NO. _____

AN ORDINANCE CHANGING THE NAME OF THE STREET KNOWN AS LEE DRIVE LOCATED BETWEEN W. 67th STREET AND CARMAX DRIVE IN THE CITY OF MERRIAM, KANSAS.

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

SECTION 1. That the street named Lee Drive, located between W. 67th Street and Carmax Drive, is hereby renamed in the following manner:

1. The east portion of the street that runs north to south is renamed to Slater Street, and;
2. The west portion of the street that runs north to south is renamed to Eby Avenue, and;
3. The south portion of the street that runs east to west is renamed to W. 68th Street.

SECTION 2. That a certified copy of this Ordinance shall be filed with the Clerk and Register of Deeds of Johnson County, Kansas.

SECTION 3. This Ordinance shall take effect on September 1, 2021 and be in force from and after its passage and publication as provided by law.

PASSED by the Governing Body this 28th day of June, 2021.

APPROVED AND SIGNED by the Mayor this 28th day of June, 2021.

(Seal)

Ken Sissom, Mayor

ATTEST:

Juliana Pinnick, City Clerk

APPROVED AS TO FORM:

Ryan Denk, City Attorney



INTEROFFICE MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM: JIM MACDONALD, PUBLIC WORKS DIRECTOR
SUBJECT: JUNE UPDATE
DATE: June 14, 2021

HIGHLIGHTS

2021 Street Improvements program

East Frontage Road- 67th to 75th St CARS project, 2021 Mill and Overlay Program, 2021 Sidewalk Maintenance/Repair Program. J.M. Fahey Contractor

- All concrete work and paving has been completed on Goodman, Craig, 55th st, 55th Terr, Perry lane, 51st Place and 51st Terr. Weather permitting, pavement markings will begin the week of the 14th.
- Substandard curb and sidewalk sections are currently being replaced along East Frontage Road from 67th st to 75th st.
- Anticipated start date for sidewalk repair program is late July.

West Vernon Place PES

- BHC has completed the existing condition evaluation of the PES. They will start working on the proposal options next.

Capital Improvement Active Project List

Last Updated 6/10/2021

PROJECT NAME	FUNDING SOURCES	BUDGETED CONSTRUCTION COST	ACTUAL CONSTRUCTION COST	STATUS	DESIGN CONSULTANT	PUBLIC MEETING #1	PUBLIC MEETING #2	PUBLIC MEETING #3	ENGINEER'S ESTIMATE	BID OPENING	AWARD AT COUNCIL	CONTRACTOR	CONTRACT AMOUNT	NOTICE TO PROCEED	PROJECTED SUBSTANT COMPLETION DATE
2020															
East Frontage Road Improvements 67th to 75th	CARS/Sp. Sales Tax Street/Stormwater	\$1,549,000		Awarded	Affinis	4/1/21			\$1,343,617.50	2/17/21	3/9/21	J.M Fahey	\$1,046,464.35	5/3/21	
Sidewalk Maintenance/Repair Program	CIP Maintenance Program	\$150,000		Awarded	Affinis	4/1/21			\$177,700.00	2/17/21	3/9/21	J.M Fahey	\$206,234.00	5/3/21	
West Vernon Place PES	CIP Maintenance Program	\$50,000		Awarded	BHC Engineering						3/9/21	BHC Engineering	\$49,682	3/12/21	

CITY OF MERRIAM PARK AND RECREATION
ADVISORY BOARD MEETING MINUTES
Tuesday, May 25, 2021
6:00PM

Roll Call

The May meeting of the Merriam Parks & Recreation Advisory Board was called to order at 6:00 pm, by Chairperson Staci Chivetta. Board members in attendance included: Billy Croan, Kathy Stull, LaVera Howard, Evan Quinley, Christopher Leitch, Katie Leary and Tony Scott. Staff member in attendance was Anna Slocum, Director. Public in attendance included: Nancy Hupp; Christian and Shannon Ryan.

Public Comments

Nancy Hupp thanked Christopher Leitch and the Johnson County Library for their facilitation of the virtual public meeting for the new Merriam branch. In addition, Memorial Weekend will be an exciting day for Merriam residents and guests as the outdoor pool will open to the public for the first time!

Christian Ryan, a member of Scout Troop 0247, presented his Eagle Scout project proposal. His project, included in the packet, involves planting three trees approved by the City of Merriam to replace damaged, old growth trees at Quail Creek Park. As part of the project, he would raise the money to purchase trees that are at least three years of age or 1 ½" caliper. Labor to plant the trees will be provided by the troop. Planting of the trees would occur in September and Christian would be responsible for watering trees once per week for one month.

Questions asked by board members for clarification included:

1. Why is this project important? Trees provide many benefits but are key in helping clean the air. Native trees will have a better survival rate and are more suited to the environmental conditions.
2. Who will provide the tools and hardware required to plant? Tools will be provided by the scout troop.
3. Have locations been identified? Two trees will be planted close to the walking path and one in the center of the park.
4. There was a comment that when selecting varieties to be mindful of the type of trees planted, the suggested Burr Oak produces damaging acorns. Other varieties have fruits or berries that can cause issues.

This item will be discussed as new business at the June meeting with a decision from Park Board made at that time.

Approval of Meeting Minutes

Billy Croan made a motion to approve the April minutes. LaVera Howard seconded the motion. Motion passed unanimously.

Staff Reports

Director's Report

Community Center Update

A memo updating the specifics was included in the packet. Highlights included the completion of the 11-month warranty walk. "Bask" is now operational with programming matching the lighting of the trellis; the outdoor pool is full and balanced with staff finalizing preparations of the concession cart. With the change in the mask mandate, operations within the facility are shifting. Staff are required to wear masks when interacting with the public and not behind protective glass with the exception of when outdoors. Preschool Park will return June 1 and staff is making preparations for Child Watch to open. The goal is open this in early July. With the elimination of social distancing, the building will operate at full capacity including room rentals. Birthday Parties are the only facet of operation yet to return due to staffing concerns with a recent loss of the full-time Customer Service Representative, Facility Attendants and Fitness Attendants.

Discussion during this report included clarifying questions about the type of toys returning for Preschool Park as well as providing basketballs for open play.

Membership / Visit Reports

Included in the packet were the monthly reports. There is still growth occurring in memberships with 114 added in April. Visits experienced a 3% drop from March which staff attributed to Spring Break as daily visits dropped ~20% from March. There was no discussion of the information presented.

Summer Special Events

A list of summer events was included in the packet. With the uncertainty of the pandemic, staff consolidated events to build an exciting July to celebrate Parks and Recreation month. Four Friday's in July there were will events rotating from parks to the pool. To end the month and celebrate one year of operation a "Birthday Party" at the pool with feature a pirate and mermaid show, DJ and beach balls as giveaways. The summer season will conclude with a Concert in the Courtyard.

Discussion during this report inquired about the bumper cars listed for Concert in the Courtyard. These are provided by the company contracted for inflatables. Similar to an amusement park ride, the cars are battery operated and will run on an inflatable rink.

Streamway Trail / 55th & Merriam Drive Update

Kincade Bus Service is working to improve access for bus drivers at 55th & Merriam Drive. This improvement will involve relocation of the Streamway Trail that buffers the parking lot to the north. The closures along this section will be intermittent once work begins. There will be signage and detours for trail users. The project is slated to be complete in three weeks, pending weather.

Discussion during this update was verification of the location. 55th Street runs east / west by Sonic. The trail on the west side of Merriam Drive is sidewalk until it crosses 55th Street to go behind Enterprise to Waterfall Park. During closures, patrons will continue on the sidewalk to Waterfall Park in front of Enterprise.

Tim Murphy Art Gallery

Invitation for the June 3 reception was included in the packet. Beverages will once again be served.

Discussion during this report included location of the bar during the reception. Staff will evaluate the placement. Since May was the first ever reception, it is important to continue to provide feedback based on the patron experience as staff adjust to the new space.

Farmers' Market Update

The May 2021 update was provided in the packet. Since the market did not operate for the first three weeks of 2020 the attendance is compared to 2019 showing an increase of 58%.

Discussion during this update focused on the potential need to add door foot pulls to the restrooms and the improvement of the new hand dryers. Those doors push out so door pulls would provide no benefit.

Program Evaluation

Two program evaluations were included in the packet for review: Kids DIY Class and Finding Your Roots. There were no questions or discussion on these reports.

New Business

Tim Murphy Art Gallery Fundraiser

The flyer announcing this program was provided to members at their chair. As shared in April, a segment of wood floor was salvaged from IBFCC. The idea was to create something for MCC to commemorate IBFCC and the art gallery program. Scott Diebold created a sign that now hangs at the entrance of the art gallery with a descriptor block explaining its significance. With plenty of flooring left, there are smaller pieces of wood that could have the logo routed in to sell as a fundraiser. The pieces would sell for \$10 each.

Discussion / questions related to the program provided clarity for promotions. Suggestions included: providing a postcard identifying the significance similar to a "certificate of authenticity"; the average size of the board; limited addition – unique collectable; the importance and relation to IBFCC to build mystique. With this suggestions, staff will finalize the event, adjust the time frame with a roll-out on June 14 through July 31. The information will be shared throughout the art community and promoted on Facebook, E-Merriam and other outlets.

Other Business

Finalization of Meeting Procedures and Rules of Order

Included in the packet was a memo outlining the discussion of the April meeting with a clean version of the General Meeting Rules included with the recommended changes. The three changes included: updating the written notice of the agenda, correcting a typographical error and adding annual election protocol based on Robert's Rule of order.

Discussion by members focused on the item "Discussion of Issues" specifically that members should raise their hand. There was concern that there is inconsistency and should be eliminated. While at this time the topics discussed are civil, if there is an item of contention, this needs to remain in order for the chairperson to have control of the discussion. It was decided that instead of removing it entirely it be edited to read: *A member of the Advisory Board or staff shall gain the attention of the Chair, and, being acknowledged, their comments and questions should be limited to the issue before*

the board. Billy Croan made a motion to approve the Meeting Precedure and Rules of Order with the change discussed. LaVera Howard seconded the motion. Motion passed unanimously.

2021 Project Update

Chatlain Swing is installed and safety surface is scheduled to be completed this week. Staff is working with The Whole Person to plan a ribbon cutting for early June. As soon as a date is set, staff will send out invitations. There was a question raised if the portable toilet at that location was ADA accessible. All portable toilets should be accessible but staff will double check to ensure this is not an issue.

Banner Replacement is complete. The Farmers' Market banners will be green and feature the new tractor logo in white. Due to the timing of this project, they will be unveiled for the 2022 season.

The new bench has been added to the courtyard.

Due to some unexpected projects, there has been no work on the Veteran Banner Program. It is currently a goal to have ideas to present at the July meeting as there are parking ordinances that need to be reviewed and possibly updated in June.

Members asked about an update to the 5701 land plan. There is currently a Planning Sustainable Places Grant looking at revitalization of Downtown. In addition, Turkey Creek Improvement has been placed before the Corps of Engineers for budget review. This is the first time ever this has been accomplished. Lastly, as part of the Capital Improvement Program (CIP), which looks at city projects over a 5-year span, this project is slated for funding in 4 of the 5 years with the largest amount budgeted for 2024. CIP is evaluated annually and is made up of five 1-year plans. Based on funding and priority, projects can be move within the plan.

Future Meeting Protocol

As the restrictions are removed, it is staff's intent to follow the direction of City Council. When City Council returns to meeting in person, it would be staff's preference that Park Board return to meeting in the conference room. At that time, it is staff's recommendation to evaluate which staff are required to attend the meeting. Unless there is a special report, it is staff's recommendation that only the Director and Assistant Director attend Park Board meetings moving forward.

Discussion of this item focused on how comfortable people would feel in a smaller room, the need to wear masks or not wear masks. Staff will wear masks based on direction from Administration. Each member would need to evaluate their comfort level and do what is best for them. The group decided to try the conference room when City Council returns to meeting in person.

Adjournment

Christopher Leitch called for a motion to adjourn. Billy Croan seconded. The meeting adjourned at 7:15 p.m.

CITY COUNCIL SUGGESTED MOTIONS FOR YOUR CONSIDERATION

CONSENT AGENDA

- 1. Move that the council approve Consent Agenda Item 1.**

PUBLIC HEARING

- 1. Move that the council waive the customary first reading of an ordinance adopting an amended I-35 District Plan.**
- 2. Move that the council approve an ordinance adopting an amended I-35 District Plan.**

MAYOR'S REPORT

- 1. No motion.**
- 2. Move that the council confirm the Mayor's appointment of Downtown Planning Sustainable Places (PSP) Committee.**

COUNCIL ITEMS

- 1. No motion. (first reading)**
- 2. No motion. (first reading)**
- 3. No motion.**

EXECUTIVE SESSION