



**NIEMAN**

— — — — **NOW!**

**AFTER ACTION REPORT**

A young child is climbing a rope structure, looking upwards with a focused expression. The ropes are thick and orange, set against a clear blue sky with some light clouds. The child is wearing a blue shirt and a safety harness. The overall scene is bright and active.

# SHAWNEE

Shawnee is a suburban community located in northwestern Johnson County. Shawnee covers 42.3 square miles in a strategic location within the metropolitan area; located approximately nine miles southwest of downtown Kansas City, Missouri. Its location along several major transportation routes (adjacent to I-35, I-435, and K-7 Highway), and ease in access to the entire metro area has been a major factor in the City's growth and development. The City is a desirable residential community with expanding commercial, office, and industrial sectors.

One of the State's earliest towns, Shawnee was also the site of the first territorial legislature and the first territorial governor. Located at the intersection of early military and territorial roads leading to the Santa Fe Trail, Shawnee also became the first county seat of Johnson County. In 1856, when Kansas City was barely seven years old, the areas known as "Gum Springs" became Shawneetown, which was ultimately incorporated in 1922. The City became a City of the First Class in 1971.

One of the most unique attributes to Shawnee is its geography. Rolling hills with plenty of trees, and bucolic streams, creeks, and rivers add to the beauty of the City. Although these attributes can make it difficult to build and develop, they certainly have not slowed the City down.

Through continued growth, the City has expanded in all areas since the 1970's (geographically, services, population, businesses). Over the last 20 years, a focal point of citizen interest has been the redevelopment of the City's downtown corridor both in terms of commercial and residential investment. In order to strategically align this renewed interest with future re/development of the area, the City invested in several studies to guide the future of downtown.

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In 2002, the Downtown Action Agenda was completed with the assistance of an outside consultant HyettPalma in association with the National League of Cities. Overall, the goals of the study were to develop a strategy to further revitalize downtown Shawnee; define a vision with input from local businesses, downtown residents, community members, and the City; provide advice for public-private partnerships; and develop a framework for implementation.

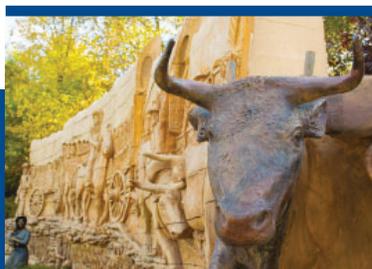
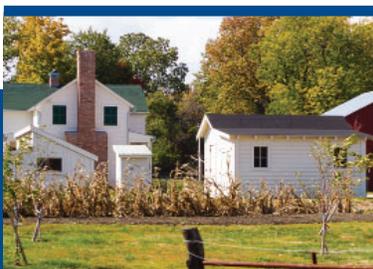
Based on the recommendations of the Downtown Action Agenda, the Shawnee Downtown Partnership was created along with new zoning regulations and a new Townsquare (TSQ) zoning district, live/work allowances, reduced parking requirements, and limited auto-oriented uses within the district. Pedestrian zones within the new district were also developed as outlined below:

- Pedestrian Zone 1 - Focus on historic preservation and pedestrian orientation
- Pedestrian Zone 2 - Focus on upgrading existing structures and public properties
- South Nieman Road Zone – Focus on destination services with greatest potential for mixed-use sites/structures
- Shawnee Mission Parkway Zone – The “Gateway” with larger regional commercial developments

There was also a recommendation for additional public investments, which led to the construction of several amenities and public right-of-way projects, including:

- Splash Cove swimming pool
- Sister Cities Park with Rolle Bolle courts and a shelter
- Pioneer Crossing Park
- Shawnee Town 1929 expansion
- A new plaza area with a fountain and landscaping along Johnson Drive in front of City Hall
- New streetscape features in the downtown area

The study was also the impetus to creating a framework for new construction and renovation in the Pedestrian Zones. The Pedestrian Zone Design Guidelines focus on preservation of historical character and pedestrian scale improvements with an emphasis on building materials, design features, general form and design requirements, and signage.



## DOWNTOWN IMPROVEMENT POLICY STATEMENT

In 2003, City staff created a Downtown Improvement Program through Policy Statement 47 (PS-47). Acknowledging that appearance plays a vital role in the perception of the community, PS-47 serves to encourage commercial and residential property owners to improve the appearance of their buildings. The goal of PS-47 is to make downtown more attractive to customers and new businesses, contributing to the viability of downtown. Below is a timeline of various incentive programs that have been created to achieve this goal.

- Downtown Improvement Grant Program (2003)
  - Downtown Improvement Loan Program (2003)
  - Downtown Business Incentive Program (2008, updated 2010)
  - Downtown Restaurant Incentive Program (2015)
  - Downtown Improvement Grant Program (Revised & effective 2021)
- 





In 2013, the Shawnee Mission Parkway Visioning Study was completed. It focused on creating a “Place” with enhanced landscaping, civic plazas and parks, distinctive branding, and the incorporation of public art. It also served as a guide to shape redevelopment efforts and identified key destinations and community assets along the Shawnee Mission Parkway Corridor. The goals of the study were to create a comfortable, walkable, and safe environment; contribute to the economic vitality of the community; include multi-modal travel opportunities; facilitate place making; and support environmentally friendly development. It also identified a number of takeaways including improving vehicle and pedestrian connectivity, increasing transit, minimizing surface parking (by moving parking between or behind buildings), prioritizing funding and incentives, and promoting public/private partnerships for redevelopment.

# COMMUNITY CONNECTIONS STUDY

The Community Connections Study, completed in 2013, identified opportunities to provide direction for public and private investments along the Nieman Road corridor. The objectives were to increase the economic viability, re-introduce natural features, improve multi-modal circulation, celebrate the historical and cultural significance of the area, and enhance the identity of the corridor. The study identified five opportunity areas and directions to support them.



## ECONOMIC INVESTMENT STRATEGIES

- Retain existing businesses
- Strengthen/expand to food purveyors
- Add more personal services
- Add a variety of new housing



## RESTORATION OF THE STREAM/CREATION OF A CENTRAL GREEN AREA

- Re-naturalize the Turkey Creek stream bed
- Add trees and other vegetation
- Build a pavilion for transit riders and events
- Construct a multi-use path



## ELEVATION OF THE CORRIDOR'S IMAGE

- Celebrate and interpret history
- Replace street lights with unique fixtures
- Plant trees in existing planting strips
- Encourage unique, artful signs
- Reinforce the food emphasis



## ENCOURAGEMENT OF INFILL HOUSING

- Incorporate new housing types – specifically, cottage housing, row houses, stacked apartments, and accessory dwelling units



## CIRCULATION

- Develop cross connections to/from neighborhoods
- Enhance transit options
- Re-align cross section of Nieman Road (aka, road diet)

## DOWNTOWN ACTION PLAN UPDATE

Following the completion of the Community Connections Study, an update to the 2002 Downtown Action Agenda was completed. The 2014 Downtown Action Plan Update resulted in a compilation of recommendations from the Shawnee Mission Parkway Corridor Study and the Community Connections Study and identified goals and actions to continue investment in the area over the next decade with a focus on the Nieman Road corridor. The 2014 Downtown Action Plan Update identified eight key action items:

1. Walkable, safe, and convenient multi-modal corridor
2. Offer more “Live, Work, Play” choices
3. Better pedestrian connectivity within the district
4. Enhance the economic value of businesses and properties
5. Develop alternative means of community outreach
6. Reintroduce natural features to enhance the habitat
7. Enhance the identity of the corridor
8. Continue to upgrade the development potential along Shawnee Mission Parkway



Overall, there was a commitment by the City to support and undertake various projects to achieve many of the goals and key action items in the 2014 Downtown Action Plan Update, which included:

- The creation of a Single Family Residential Overlay - R-1(O) Zoning District
- Enhanced sign allowances for businesses in the area
- PS-47 revisions for additional targeted incentives
- Public / Private partnerships
- \$3.7 million public & private investment between August 2017-July 2018 with a total of \$101.2 million total investment since 2002



# NIEMAN ROAD — — — — — REALLOCATION OF RIGHT-OF-WAY STUDY

In 2015, the Nieman Road Reallocation of Right-of-Way Study was developed to build on the previous efforts and implement the infrastructure projects specifically recommended in the Community Connections Study . The study resulted in a plan to:

- Improve the image of the corridor
- Identify enhancements for multi-modal movement, lane reconfigurations, and intersection improvements
- Recommend streetscape and place making improvements
- Manage access to businesses along the corridor, and
- Reconfigure utilities in the corridor including burying overhead electrical and communication lines.

The final study recommendations included reconstructing Nieman Road from a 4-lane street to a 3-lane street with a 10 foot multi-use trail on the east side and sidewalk enhancements on the west side; upgrading traffic signals at Johnson Drive and 55th Street; and burying overhead utilities. Access management was also a key item to eliminate duplicative entrances by adjusting some driveways for better alignment and safety throughout the corridor.

# DOWNTOWN DESIGN GUIDELINES

In 2018, the Downtown Design Guidelines for the South Nieman Road corridor were completed. These included recommendations for implementing compatible, quality renovation and new development. There was an intention to preserve and enhance the built environment, while allowing flexible, innovative design. The South Nieman Road Downtown Design Guidelines' key elements include:

- Smaller setbacks for new construction along primary streets (e.g. Buildings can be constructed up to the sidewalk)
- Parking behind buildings
- Pedestrian scale storefronts
- Multi-modal accommodations
- Quality building materials
- Removing parking minimums and encouraging shared parking

For all properties directly on Nieman Road, residential uses are permitted when associated with office, retail, and/or other primary permitted uses. Commercial uses must be the primary use along the ground floor that fronts Nieman Road. Minimum yard setback reduction and development allowances (determined on contextual basis with site-by-site guidance by the Zoning Regulations and Design Guidelines) are also included.

**... OUT OF ALL THESE STUDIES, AND PUBLIC ENGAGEMENT OPPORTUNITIES THE NIEMAN NOW! PROJECT CAME TO LIFE.**



Nieman Now! was the largest Capital Improvement Project in the City's history with a budget of approximately \$38 million. The project included:

- Four major stormwater projects (Nieman South, Nieman Middle, Nieman North, and 6200 Nieman) with 4,675 linear feet of channel improvements
- Implementing a road diet that took Nieman Road from four to three lanes from 55th Street south to Shawnee Mission Parkway and the realignment of the intersection at Johnson Drive and Nieman Road
- Consolidating driveway entrances along Nieman Road between Johnson Drive and Shawnee Mission Parkway to increase safety and efficiency
- Constructing a new multi-use trail along portions of the east side of Nieman from the Frontage Road to 55th Street and along the stormwater channel from 62nd and Roger Road west to Flint Street
- Installation of new LED street lights from 55th Street to Shawnee Mission Parkway,
- Mid-block pedestrian crossings along Nieman at 61st Street and between 58th and 55th Streets
- Burying overhead electric and communication utility lines and the relocation of water, gas, and sewer lines along Nieman Road from 55th Street to Shawnee Mission Parkway
- Realigning Turkey Creek and the removal of 28 structures and four roadways (Nieman Road, Rogers Road, 60th Street, and Flint Street) from the FEMA floodplain
- Constructing three new plaza areas including Trail Scout Park (along the Shawnee Mission Parkway Frontage Road) and Oxbow Park, which spans either side of Nieman Road at Roger Road.

Originally, staff planned to conduct these projects in phases over 10 years. However, the Governing Body made the decision to move forward with all projects in order to maximize City tax dollars with available funding from Johnson County, State of Kansas, as well as Federal funds to limit ongoing impacts to area businesses.

## PROJECT DELAYS AND CHALLENGES

This project took longer than anticipated. The following is a summary of the project delays and challenges and how the City overcame them to ensure the Nieman Now! Project was a success.

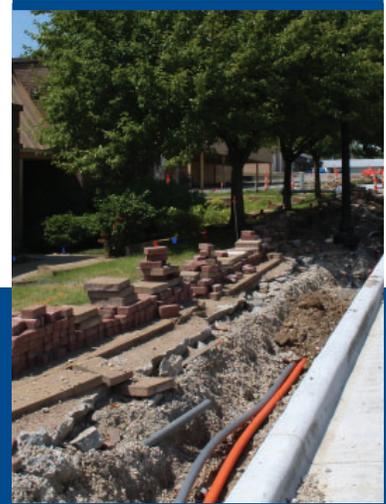
**Property Acquisition:** Throughout the project, 11 houses and three commercial structures were purchased and removed. There were also numerous temporary and permanent easements that were needed. The acquisition of property is always challenging. The City follows a standard process for acquiring private property when it is needed as part of a project. First, the City works with the property owner to purchase the property. If these negotiations are not successful, the City moves to condemnation. This process is much more involved and therefore takes much longer to complete.

**Utilities:** Due to the age of the corridor, there were major utility upgrades required. A large component of the project was burying the electrical lines along the corridor. This also included removing and burying communication lines that were attached to electrical poles and providing new utility service lines to each business along the corridor. Some of this utility work could not be completed until Evergy (formerly Kansas City Power & Light) removed the electrical poles which could not occur until the communication lines were buried.

Working with Evergy was a tremendous challenge. During the review of the agreement to bury their lines, the City did not anticipate cost sharing any of their work. Previous case law indicated that utilities in the right-of-way have to relocate at their own expense. Evergy did not agree. The dispute ended up stalling the execution of the contract to relocate their lines and the City had to engage the Kansas Corporation Commission and a third-party attorney to navigate the agreement. The City eventually placed a clause in the contract that allowed the City to contest any charges after construction was complete. This allowed the relocation of their lines to continue. Evergy bid their portion of the work but the bids came back higher than expected and had to rebid, which took longer than expected. Once the City and Evergy agreed on a contractor,



## PROJECT DELAYS AND CHALLENGES



they were able to move ahead on relocating their lines. The City ended up paying \$1.9 million towards the cost to bury the utilities. This issue was exacerbated by the negotiation of the purchase of existing streetlights, a separate project in which Evergy refused to negotiate the sale price or update their franchise agreement. The actual cost totaled over \$3 million. Between that reduction and the streetlight purchase price reduction, it saved the City over \$3.5 million. Although the project had started construction, the separate decision to relocate the utilities and the interpretation of cost-responsibility caused significant delay. Future projects will ensure all utilities are relocated before beginning other portions of the project due to the limited authority local municipalities have with the utility companies.

WaterOne had to replace lines from Shawnee Mission Parkway to 55th Street and Kansas Gas replaced their lines from 62nd Terrace to 55th Street. This work also included new service lines to all the homes and businesses along the corridor.

One of the biggest issues the City encountered with the utilities is the City has minimal leverage to manage construction time frames. Multiple utilities made scope changes throughout the project that significantly delayed the start of the actual road construction.

**Contractors:** Other delays included the lack of labor availability (due the amount of construction in the metro area including the new KCI Airport). Also, while the City and Evergy negotiated their contract, the City's Nieman Road contractor had to begin work on other projects in order to keep their staff employed. This caused a minor delay once the utility lines were relocated.

**Staffing:** Additional challenges consisted of City leadership changes during this project. The City Manager retired in the fall of 2017, which led to an interim City Manager, and the hiring of a new City Manager in 2018. The Development Services Director retired in 2018 and the staffing of that department transitioned into the Public Works Department (Engineering Division) and the Community Development Department. Leadership changes also included six new City Councilmembers between the 2017 and 2019 elections.

# PROJECT FINANCIALS



In order to maximize all available funding sources, staff strategically managed the budget of this project. The projected \$38 million project included \$3 million in County Assisted Road System (CARS) funding and \$13.5 million in Stormwater Management Advisory Council (SMAC) funding from Johnson County. The stormwater portion of Nieman Now! was subdivided into four projects to maximize the City's chance to receive outside funding. This was done to make the projects small enough to score well and move up on Johnson County's funding priority list. The project could have been bid as a single project which may have created efficiencies in the timing; however, the City would have lost a significant portion of the \$13.5 million in SMAC funds. The City also used the Economic Development Fund to make the annual General Obligation bond payments, which total almost \$800,000 per year. The Special Highway Fund was used to match the CARS funding. Therefore, there were no General Fund dollars or a property tax increase needed to construct this \$38 million project of which nearly 45% was grant funded.

## PROJECT SUCCESS STORIES

The City of Shawnee has the highest rating in the State of Kansas for the National Flood Insurance Program Community Rating System. The completion of this project allowed for the Federal Emergency Management Agency to issue a Letter of Map Revision (LOMR) for 37 properties to be removed from the floodplain including 28 structures. The redesign and movement of the waterway also allowed for additional property to be built along the Nieman and Goddard area.

- Removed 28 structures from the FEMA 100 year floodplain
- Allowed redevelopment of four commercial properties on Shawnee Mission Parkway
- Nieman Road was removed from 100 year floodplain (Rogers and Nieman Road area)
- New water line, gas line, underground electric, and communication cables along Nieman Road along with the installation of new service connections to the homes and businesses
- Removed Flint Street and 60th Street from FEMA floodplain
  - Flint Street received a National Award of Merit from the Design Build Institute of America
- Implementation of the “Road Diet” (Reduced Nieman Road from four lanes to three lanes)
- Created development opportunities for Stag’s Creek (35K square feet of office), Stag’s Spring/ Sixty16 Apartments with 67 multifamily units, upcoming catalyst site with live/work/play units, Andy’s Frozen Custard, Raising Canes, redevelopment of the Hartman Hardware Building, Drastic Measures, Aztec Theater, two breweries, proposed redevelopment of the Wonderscope Children’s Museum, and McLain’s Bakery that revitalized a former automotive repair business into a unique food destination
- Provided entrance signs at Shawnee Mission Parkway to showcase Downtown Shawnee
- New streetscape along Nieman Road from Shawnee Mission Parkway to 55th Street
- Enhanced walkability to provide pedestrian connections to downtown Shawnee from all directions



# THANK YOU

MARC  
Governing Body  
Planning Commission  
Downtown Partnership  
Downtown Business Association  
Downtown Business Owners  
Shawnee Residents  
All City Staff

**FOR MAKING NIEMAN NOW! A SUCCESS!**



[CITYOFSHAWNEE.ORG/NIEMANNOW](http://CITYOFSHAWNEE.ORG/NIEMANNOW)