

Meeting with Grata Development concerning Red Hawk Run, December 18, 2024

Grata Development, LLC held a neighborhood meeting to discuss the 5<sup>th</sup> plat of the Red Hawk Run subdivision (see invitations). The meeting was held at Kaw Prairie Church, 9421 Meadow View Dr., Lenexa at 6:00 pm. The meeting lasted around 1-1/2 hours. Overall, the meeting was cordial with only a couple of times where it was a bit tense. Everyone tried to be respectful of others.

**SUMMARY:** Grata Development wants to change the approved plat for the first tier of houses, those that back up to Woodland Road, from 5 lots to 9 lots in order to make the development profitable. There was no agreement on that request. Instead the residents offered a compromise to increase the number of first tier lots from the approved 5 to a new plat of 7 lots. The residents stated the 7 lots would be close to, but likely just under, the minimum lot size of 15,000 square feet as stated in the Woodland Road Corridor Plan, dated November 9, 2004. The residents want Grata to adhere to that Plan but could accept this deviation in lot size if it would help Grata develop the land. Mr. Shram made no commitment but stated he would run the numbers to determine if that was profitable.

The meeting was principally directed towards the residents of Red Hawk Run but Travis Shram had also invited Gregory Betzen as he and Barbara Yannone own the pasture south of Red Hawk Run. Gregory Betzen asked Travis Shram if Mr. Dean Vakas and a few residents on the west side of Woodland Road could attend the meeting; Travis Shram agreed. The twelve people that attended and the time they have lived in the neighborhood were:

Travis Shram and Brady \_\_\_\_, Grata Development, LLC  
Judy Caldwell, Red Hawk Run, 6 years  
Sheila Jaskowiak, Red Hawk Run, Home Owner's Association (HOA), 4 years  
Lisa Polson, 121<sup>st</sup> Lane, 35 years  
Steve & Karen Roberts, 121<sup>st</sup> Lane, 32 years  
Danny Rothenberger, Red Hawk Run, 10 years  
Dien & Hong(?) Truong, Red Hawk Run, 5 years  
Gregory Betzen & Barbara Yannone, 122<sup>nd</sup> Terrace, 31 years

Everyone introduced themselves to the rest of the attendees. Five people attending lived in Red Hawk Run and another five people lived west of Woodland Road. Travis Shram noted there were fewer residents from Red Hawk Run than expected. The five people from west of Woodland all participated in the development of the Woodland Road Corridor Plan (**Plan**) in the late 1990's and the Plan's update in 2004.

At the beginning of the meeting, Barbara Yannone announced she was going to video record the meeting on her telephone. No one objected and Barbara recorded 1 hour, 25 minutes before her telephone's battery was depleted. That video is available to corroborate this memorandum.

Grata purchased the 10.4 acres in an auction in October 2021. Grata wants to develop 29 lots on this acreage versus the 25 lots originally platted in 2004. The extra 4 lots all back up to Woodland Road; which has been platted at 5 larger lots per the Plan. When asked why the meeting was being held, Travis Shram said Olathe City Planning requested Grata hold the meeting to get resident's input into Grata's request to add more lots by making the lots along Woodland smaller than defined in the Plan.

Travis Shram explained that if Grata can't amend the plat to include 9 lots in the first tier, then the development is not viable and Grata will pull out. He explained how Red Hawk Run's HOA has had issues for years and is dysfunctional. Grata is helping Red Hawk Run with managing its HOA and is providing them some money. Not all of Red Hawk Run homes are in the HOA as 1/3 of the homes in the first phase were not required to be in the HOA. Travis Shram stressed how the HOA needs more funds and the additional lots Grata wants to add to the 5<sup>th</sup> plat would help as each home pays \$200 per year into the HOA. This conversation went on quite awhile as Travis Shram explained how Red Hawk Run needed the extra homes so the HOA could adequately maintain common property, mow along Woodland and Langley, remove dead trees, etc. Gregory Betzen mentioned that several times this summer he mowed the grassed area along Woodland Road south of Langley St. in order to help Red Hawk Run keep it looking better. It seemed nearly one-half of the meeting focused on the HOA. Travis Shram said the extra 4 lots would generate \$400,000 in revenue for Grata, along with an extra \$800 for the HOA each year. Travis Shram said the development of the 5<sup>th</sup> plat would be killed without the extra 4 lots. Sometime later in the meeting, Travis Shram stated the HOA is a mess, Grata is not going to keep funding the HOA, and Grata could sit on the property for the next twenty years.

Gregory Betzen stated he had calculated the total square footage along Woodland using dimensions on Grata's revised plat. It appeared there is at least 96,000 sf to be developed, and possibly more, along Woodland Road. The Plan requires a 15,000 sf minimum lot size in the first tier of lots along Woodland Road. Applying that minimum size lot to the total square footage calculates short of 7 lots. He suggested that the residents might be willing to allow 7 lots versus the 5 currently platted along Woodland in order to help Grata with its financial situation. Judy Caldwell, Lisa Polson, Barbara Yannone, and Gregory Betzen all emphasized the need to compromise on the issue. That compromise was the only offer made to Grata by any of the residents attending the meeting.

Travis Shram said the loss of \$400,000 is a deal breaker but would not support that statement with facts or financial information. Gregory Betzen disputed that the loss of 4 lots/\$400,000 was

a deal breaker but also noted he did not expect Grata to share its financial expectations. Barbara Yannone questioned how the loss of 2 lots would make the development unprofitable. Travis Shram wants the 9 lots but agreed to look into the overall profitability of the development with 7 lots along Woodland. That results in 2 extra lots in the development in lieu of the 4 Grata wants. Travis Shram made no commitment other than to “run the numbers”. Travis Shram offered larger setbacks as one of several alternative approaches. There was little discussion on those alternatives.

Lisa Polson, Karen Roberts, and Barbara Yannone discussed how the Woodland Road Corridor Plan came to be in the late 1990’s, who was involved in its development and how its development was hard fought at times. The residents west of Woodland were the primary participants engaged with the City of Olathe, along with the owners of the undeveloped property and developers associated with the land east of Woodland Road. The Plan was a compromise between the opposing views of how development should be planned along Woodland Road. The compromise in the Plan, along with other concessions like no special road taxes, was made as the City of Olathe wanted the residents along Woodland Road to accept annexation by the City without resistance. The current residents expect the City to honor its commitments, even if it is over 20 years later.

They noted in the late 1990’s, Red Hawk Run did not exist. In the early 2000’s when Red Hawk Run was being proposed, the residents along Woodland lobbied for Red Hawk Run to have an average of 3 lots per acre, grass berms, more trees, etc., thus making a better neighborhood for the current Red Hawk Run home owners. At that time, the developer had threatened to build a 7-11 convenience store if the residents did not agree with their proposal. Karen Roberts noted the “pastoral” look along Woodland is a result of the implementation of the Woodland Plan Corridor Plan.

It was noted that all other subdivisions along Woodland have complied with the Plan, except for the apartments within Woodland Forest near K-10 Highway. Travis Shram said the other subdivisions have the advantage of using cul-de-sacs to get the required lot size in the first tier lots. The dimensions of this area, the 5<sup>th</sup> plat, make a cul-de-sac along Woodland impossible. Gregory Betzen stated the City Council would not approve Grata’s new plat; later tempering that statement to he did not think the City Council would approve the new plat.

Travis Shram said installing the east-west sewerline that ends at Woodland is a problem. The 9 lot plat made its installation better. Gregory Betzen said the 5 lot plat put a bend in the line and Grata should do the same; possibly more or less than the original. Travis Shram talked about the sewer line next to and under the BNSF tracks and Gregory Betzen noted he had watched its installation two decades ago.

There was a discussion about future development on open land north of Red Hawk Run and Olathe's desire to have a road through Red Hawk Run connect to the new 119<sup>th</sup> Street. Travis Shram said Mayor Bacon had called him, as well as others, to ask if Grata might be interested in developing the land north of Red Hawk Run. Travis Shram said Grata was not interested as the height of the new 119<sup>th</sup> Street bridge & roadway versus the lower elevation of the land to be developed made the area undesirable.

Brady took extensive notes throughout the meeting. The undersigned observed Brady looked to have at least four pages of hand written notes. This memo documents the meeting from the notes/memory of the undersigned and the video recording by Barbara Yannone of most of the meeting.

Gregory Betzen

A handwritten signature in black ink, appearing to read "Gregory Betzen", with a long horizontal line extending to the right.