Unified Government of Wyandotte County and Kansas City, Kansas

Planning & Zoning / Board of Commissioners

Commission Chambers
701 N. 7th Street Trafficway, Kansas City, KS 66101

Mayor Tyrone Garner
Commissioner At-Large Dist. 1 Melissa Bynum – Commissioner At-Large Dist. 2 Tom Burroughs – Commissioner Dist. 1 Gayle E. Townsend – Commissioner Dist. 2 Bill Burns – Commissioner Dist. 3 Christian Ramirez – Commissioner Dist. 4 Evelyn Hill – Commissioner Dist. 5 Mike Kane – Commissioner Dist. 6 Phil Lopez – Commissioner Dist. 7 Chuck Stites – Commissioner Dist. 8 Andrew Davis

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AGENDA

Thursday, January 9, 2025
7:00 PM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **REVISIONS**
6. **MAYOR'S AGENDA**

   6.1 PRESENTATION: MAYORS OF BONNER SPRINGS, EDWARDSVILLE AND LAKE QUIVIRA
   Synopsis: Presentations from the Mayor of Bonner Springs, Edwardsville, and Lake Quivira regarding updates on activities and needs of each entity.
   Tracking #: 2110

   6.2 PROCLAMATION: PROVIDER APPRECIATION DAY
   Synopsis: A Proclamation proclaiming January 16, 2025, as Provider Appreciation Day.
   Tracking #: 2119

   6.3 PROCLAMATION: GOLDEN ROYALTIES CHAPTER DAY
   Synopsis: A Proclamation proclaiming January 18, 2025, as Golden Royalties Chapter Day.
   Tracking #: 2120

7. **CLERK'S-STATEMENT**
   (Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Consent Agenda. Your item will

then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)

PLANNING & ZONING COMMISSION

8. PLANNING AND ZONING CONSENT AGENDA

A. Change of Zone Application(s)

A.1. **COZ2024-031 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTING**

Synopsis: Change of Zone from R-1(B) Single Family District to RP-2(B) Planned Two Family District to construct duplexes at 810 North 10th Street, 1007 Armstrong Avenue, and 1013 Armstrong Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.
Tracking #: 21672

A.2. **COZ2024-032 - LADENA WASHINGTON WITH ALTAR SUPPORT**

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District for a five (5) lot subdivision at 13303 Parallel Parkway, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.
Tracking #: 21675

A.3. **COZ2024-034 - AMY GRANT WITH POLSINELLI PC**

Synopsis: Change of Zone from No Zoning to RP-5 Planned Apartment District to construct an apartment complex at 6909 State Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.
Tracking #: 21674

A.4. **COZ2024-035 - DONNA AGEE**

Synopsis: Change of Zone from R-1(B) Single Family District to R-2(B) Planned Two Family District for a legal non-conforming duplex at 621 North 17th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.
Tracking #: 21673

B. Special Use Permit Application(s)

B.1. **SP2024-089 - DANIEL PARKER WITH ABOGADOS KC LLC**

Synopsis: Special Use Permit for continuation of a Short-Term Rental at 535 Central Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.
Tracking #: 21667

B.2. **SP2024-102 - NEAL PALMER**

Synopsis: Special Use Permit for continuation of a Short-Term Rental at 2520 North 131st Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.
Tracking #: 21668

B.3. **SP2024-103 - JAMES SULLIVAN**

Synopsis: Special Use Permit for continuation of a used automotive dealership at 1401 Merriam Lane, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.
Tracking #: 21669

B.4. **SP2024-104 - DENISE TOMASIC**

Synopsis: Special Use Permit for continuation of a Short-Term Rental at 419 North 6th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.
Tracking #: 21670

B.5. **SP2024-106 - TRAVIS GUNTER WITH VERITAS ARCHITECTURE**

Synopsis: Special Use Permit for an emergency group home and event space for Foster Adopt Connect at 901 North 8th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.
Tracking #: 21671

C. Master Plan Amendment Application

C.1. **MPL2024-012 - AMY GRANT WITH POLSINELLI PC**

Synopsis: Master Plan Amendment from No Designation to High-Density Residential (PlanKCK Comprehensive Plan) for construction of an apartment complex at 6909 State Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

Tracking #: 215

D.Miscellaneous

D.1. AN ORDINANCE rezoning property at 601 Village West Parkway (COZ2024-014) from A-G Agriculture District to CP-3 Planned Commercial District, RECOMMENDED FOR APPROVAL.
Tracking #: 21652

D.2. AN ORDINANCE rezoning property at 9711 State Avenue (COZ2024-025) from A-G Agriculture District to MP-2 Planned General Industrial District, RECOMMENDED FOR APPROVAL.

Tracking #: 21666

D.3. AN ORDINANCE rezoning property at 313 North 10th Street (COZ2024-026) from R-1(B) Single-Family District to RP-5 Planned Apartment District, RECOMMENDED FOR APPROVAL.
Tracking #: 21651

D.4. AN ORDINANCE rezoning property at 7957 State Avenue (COZ2024-030) from C-1 Limited Business District and R-1 Single Family District to CP-1 Planned Limited Business District, RECOMMENDED FOR APPROVAL.
Tracking #: 219

D.5. AN ORDINANCE authorizing a Special Use Permit (SP2024-005) for operation of an automotive repair business at 1101 Minnesota Avenue, RECOMMENDED FOR APPROVAL.
Tracking #: 21664

D.6. AN ORDINANCE authorizing a Special Use Permit (SP2024-054) for continuation of the temporary use of land for a community garden and greenhouse at 1810 North 1st Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21665

D.7. AN ORDINANCE authorizing a Special Use Permit (SP2024-055) for continuation of community garden, storage containers, coolers, and farm market training at 1900 North 1st Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21663

D.8. AN ORDINANCE authorizing a Special Use Permit (SP2024-063) for continuation of live entertainment at a drinking establishment at 322 North 6th Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21662

D.9. AN ORDINANCE authorizing a Special Use Permit (SP2024-065) for a daycare center at 3424 North 99th Street, RECOMMENDED FOR APPROVAL.
Tracking #: 213

D.10. AN ORDINANCE authorizing a Special Use Permit (SP2024-070) for continuation of a Short-Term Rental at 408 Sandusky Avenue, RECOMMENDED FOR APPROVAL.
Tracking #: 212

D.11. AN ORDINANCE authorizing a Special Use Permit (SP2024-071) for continuation of a Short-Term Rental at 2706 Espenlaub Lane, RECOMMENDED FOR APPROVAL.
Tracking #: 211

D.12. AN ORDINANCE authorizing a Special Use Permit (SP2024-072) for continuation of a Short-Term Rental at 4138 Lloyd Street, RECOMMENDED FOR APPROVAL.
Tracking #: 217

D.13. AN ORDINANCE authorizing a Special Use Permit (SP2024-079) for continuation of a Short-Term Rental at 3925 Springfield Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21661

D.14. AN ORDINANCE authorizing a Special Use Permit (SP2024-080) for continuation of a Short-Term Rental at 4028 Booth Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21660

D.15. AN ORDINANCE authorizing a Special Use Permit (SP2024-081) for continuation of a Short-Term Rental at 4456 Springfield Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21659

D.16. AN ORDINANCE authorizing a Special Use Permit (SP2024-085) for used automotive sales at 49 South 7th Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21658

D.17. AN ORDINANCE authorizing a Special Use Permit (SP2024-090) for continuation of a Short-Term Rental at 4110 South Minnie Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21657

D.18. AN ORDINANCE authorizing a Special Use Permit (SP2024-091) for operation of a Short-Term Rental at 4516 Eaton Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21656

D.19. AN ORDINANCE authorizing a Special Use Permit (SP2024-092) for operation of a Short-Term Rental at 2918 West 46th Avenue, RECOMMENDED FOR APPROVAL.
Tracking #: 21655

D.20. AN ORDINANCE authorizing a Special Use Permit (SP2024-093) for operation of a Short-Term Rental at 7146 Parallel Parkway, RECOMMENDED FOR APPROVAL.
Tracking #: 21654

D.21. AN ORDINANCE authorizing a Special Use Permit (SP2024-096) for operation of a used automotive sales lot with light repair at 7521 Nebraska Avenue, RECOMMENDED FOR APPROVAL.
Tracking #: 21653

REGULAR COMMISSION

9. REGULAR CONSENT AGENDA

9.1 PLAT: AMOURDALE BUSINESS PARK
Synopsis: Plat of Amourdale Business Park, located at Osage and Amourdale Parkway, and being developed by SLP Properties, LLC.
Tracking #: 2114

9.2 MINUTES
Synopsis: Minutes from the Regular Session meeting on September 28, 2023.
Tracking #: 2115

9.3 WEEKLY BUSINESS
Synopsis: Weekly business materials dated December 12 and 27, 2024.
Tracking #: 2116

10. PUBLIC HEARING AGENDA

11. STANDING COMMITTEES' AGENDA

11.1 RESOLUTION: APPROVING THE WAIVING OF CERTAIN APPLICATION AND PERMIT FEES FOR RESIDENTIAL DEVELOPMENT EAST OF 55TH STREET IN KANSAS CITY, KANSAS
Synopsis: Approval of a resolution requiring the County Administrator to waive certain enumerated application and permit fees for residential development east of 55th Street in Kansas City, Kansas, and repealing a previous resolution regarding the waiver of fees east of 78th Street.

*On December 9, 2024, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted 5/1 to approve and forward to Board of Commissioners.*
Tracking #: 21308

11.2 RESOLUTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO CALCULA CERTAIN NEW GROWTH REVENUES FOR THE PURPOSE OF RECOMMENDIN BUDGETARY OPTIONS

Synopsis: A resolution authorizing the County Administrator to calculate, for a period of te years, 25% of new growth revenues and to recommend to the Board of Commissioners corresponding additional debt payments or reductions in the mill levy as part of the annual budget. process.

*On December 9, 2024, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to Boa Commissioners with no recommendation.*

Tracking #: 21406

12. ADMINISTRATOR'S AGENDA

12.1 ORDINANCE: AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS FOR DEBT FINANCING

Synopsis: An ordinance authorizing various public improvements and authorizing the issuance of general obligation bonds to finance a portion of the costs of such improvements.

Tracking #: 21637

12.2 RESOLUTION: SALE OF GO BONDS

Synopsis: A resolution authorizing the offering for sale general obligation bonds of the Unified Government of Wyandotte County/Kansas City, KS. This item relates directly to the Authorization Ordinance/Resolution on the agenda.

Tracking #: 21638

13. COMMISSIONERS' AGENDA

14. ADJOURN

The Unified Government of Wyandotte County and Kansas City, Kansas will provide necessary, reasonable auxiliary aids and services, such as ASL translators, machine-readable copies of meeting materials, or on-site language interpretation. Individuals requiring any auxiliary aids or services should contact the Unified Government.

Please click this URL to join. https://us02web.zoom.us/j/88230471299

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International numbers available: https://us02web.zoom.us/u/keAs9NaryY

Tracking ID: 2110

Report to
Planning & Zoning / Regular Commission

MEETING DATE	PRESENTER	DEPARTMENT
	Irene Caudillo, Chief of Staff Ana Marin, Executive Assistant icaudillo@wycokck.org, amarin@wycokck.org x5010, x5010	Mayor's Office

AGENDA ITEM #6.1.

PRESENTATION: MAYORS OF BONNER SPRINGS, EDWARDSVILLE AND LAKE QUIVIRA

BACKGROUND

Presentations from the Mayor of Bonner Springs, Edwardsville, and Lake Quivira regarding updates on activities and needs of each entity.

RECOMMENDATION

For information only

For Information Only

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

n/a

IT/POLICY CONSIDERATIONS

PROCUREMENT CONSIDERATIONS

LEGAL CONSIDERATIONS

ATTACHMENTS

Mayor Stephens PPT Jan 9 2025 FINAL

Approved by Mayor and/or Chair and Administrator to add to agenda.

City of Bonner Springs Development Highlights and Upcoming Projects

Tom Stephens

Mayor

tstephens@bonnersprings.org

City of Bonner Springs
KANSAS

Community Events & Engagement

- We are actively working to create events that highlight our downtown including special events that bring people together and enjoy our small-town atmosphere.















City of Bonner Springs
KANSAS

Small Town Proud

- Our City Band is a summer tradition on Thursday nights in June and July.

- For the past few years, we've added a food truck festival that has been massively popular.





City of Bonner Springs
KANSAS

Special Events

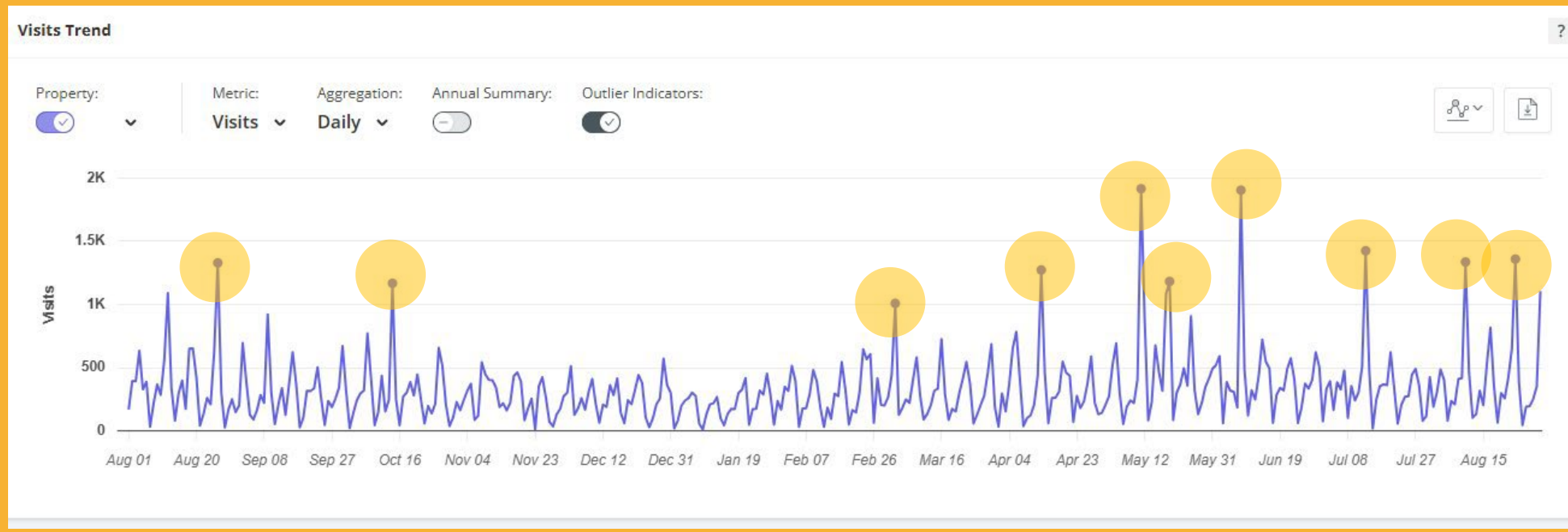
- Each of these high points on the visitor trend report is a special event in downtown.











City of Bonner Springs
KANSAS

Tiblow Days Continues to Grow





- Friday attendance for Tiblow days is averaging 5,000 visitors and Saturday is averaging 12,000 visitors. {Placer.AI data}

- August 22, 23 and 24 is the 2025 date.



City of Bonner Springs
KANSAS

2024 Was a Busy Year!

Water Plant Completed with Upgraded Service for Customers

Our new $30M plant opened in September 2024. Our water hardness has been reduced dramatically as we continue our efforts to reach a hardness of 150 ppm (versus previous water hardness of 400+ ppm).





City of Bonner Springs
KANSAS

Bonner Springs Fire Department

- In 2024, our Fire Department completed the transition from volunteer to full-time staff.

- The cities of Kansas City, Bonner Springs and Edwardsville now participate in an automatic dispatch agreement.



City of Bonner Springs
KANSAS

Looking Forward to 2025!



City of Bonner Springs
KANSAS

138th Street Reconstruction





138th Street Reconstruction

- This project will completely reconstruct the roadway from K-32 to Morris Ave. including new curbs, gutters, sidewalks, and the surface street.
- Wyandotte County provided support for this project through CIFI funding.
- Project will begin in February 2025.

City of Bonner Springs
KANSAS

Sandstone Townhomes

- 140 market-rate townhomes
- Leasing for the first phase of construction began in December 2024
- Remainder of townhomes to finish in 2025.
- RHID project



City of Bonner Springs
KANSAS

120 Oak Apartments

- 93 units of moderate-income apartments in downtown Bonner Springs
- Studio, 1-bedroom and 2-bedroom units
- Kansas Housing Resources Corporation MIH project with $1.7M in funding for workforce housing
- Starting construction in January 2025



City of Bonner Springs
KANSAS

Bonner Springs Senior Villas

- 132nd and Kansas Avenue
- 48 units of senior (55+) affordable senior housing
- Received tax credits from Kansas Housing Resources Corporation (9%)



City of Bonner Springs
KANSAS

Cornerstone Apartments

- Located at the Southwest Corner of K-7 and I-70
- 204 units of attainable housing for working families and individuals
- Six, 3-story walk up buildings including an office and clubhouse
- Received tax credits from Kansas Housing Resources Corporation (4%)



City of Bonner Springs
KANSAS

Compass 70 Logistics Park

- Scannell Industries has two buildings under construction at 110th and Riverview in the new industrial park.



City of Bonner Springs
KANSAS

Commercial Development

- QT adding a 2nd location at K-7/Speaker Road
- New convenience store to be built in 2025 on K-32 (Snak Atak)
- New ownership of former Kincaid building on Front Street (Dietz Trailers)



City of Bonner Springs
KANSAS

Entertainment – Country Stampede

- Country Stampede has relocated their operations to utilize Azura Amphitheater for the annual music festival in June.
- There are plans to add more live music events in 2025 at Azura Amphitheater.



City of Bonner Springs
KANSAS

Entertainment – Mattel/EPIC Development

- The City Council has reviewed and approved a STAR Bond District for this project.
- The creation of a STAR Bond District is the first of many steps needed to evaluate this project.
- A private developer is looking to bring a $488M investment into the City through the creation of a major commercial and tourist attraction, which would be the first of its kind in the State and surrounding region.
- Currently, the City is evaluating the project and the consideration of incentives.



City of Bonner Springs
KANSAS

Questions?

City of Bonner Springs
KANSAS

Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, January 16, 2025, is recognized as National Religious Freedom Day, a day to celebrate and reaffirm the fundamental right of religious freedom for all citizens; and

WHEREAS, religion has its greatest impact not at the national level but at the local level, where people of faith live by their convictions and serve and bless others on a one-on-one basis, fostering a sense of community and mutual support; and

WHEREAS, religion benefits our community by providing a moral compass, fostering love, and offering strength during loss; for decades, religious institutions and people of faith have played a crucial role in our city through charitable activities, aiding the needy, comforting those in loss, and encouraging us to high standards of integrity; and

WHEREAS, the United States Constitution and the Kansas Constitution affirm the right of all citizens to freely exercise their religious faith or nonreligious beliefs in the public square without being deprived of other rights or privileges; and

WHEREAS, we all benefit from a pluralistic society where residents of all beliefs work together for the common good while holding divergent viewpoints, and where all citizens are free to exercise such influence as their ideas and values may engender; and

WHEREAS, Kansas City welcomes and protects people of diverse backgrounds by allowing them to freely live according to their deeply held convictions as protected by law; and

WHEREAS, Kansas City encourages all residents to strive to understand the experiences and concerns of others while supporting the essential role religion plays in protecting human dignity, strengthening society, and fostering a culture of tolerance and peace.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim January 16, 2025, as:

“Provider Appreciation Day”

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

_____

TYRONE GARNER, MAYOR/CEO

Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, the Golden Royalties Chapter of the American Business Women's Association has worked hard to collect monies to aid deserving young women in our community to further their educational pursuits and go to college; and

WHEREAS, the Golden Royalties Chapter of the American Business Women's Association was chartered on May 8, 1993, with Charlotte Collins, Founder of Wyandotte County of Kansas City, Kansas; and

WHEREAS, the mission of the American Business Women's Association is to bring together businesswomen of diverse occupations and to provide opportunities for them to help themselves and others grow personally and professionally through leadership, education, networking support, and national recognition; and

WHEREAS, the Golden Royalties Chapter has hosted an annual educational and scholarship event honoring the life and legacy of the late Dr. King, Jr. and giving homage to his wife, the late Coretta Scott King for the last 32 years; and

WHEREAS, they have awarded over $32,000 in scholarships and grants through ABWA's National Scholarship Program, Stephen Bufton Memorial Education Fund (SBMEF) to young women in our community to further their educational pursuits; and

WHEREAS, the 2025 Educational and Scholarship Event honors individuals in the greater Kansas City and Illinois Community who are keeping the late Dr. King's DREAM alive through their outstanding community service at the "Keeping the Dream Alive" awards ceremony; and

WHEREAS, the 2025 MLK Honorees are fully deserving of this award.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim Saturday, January 18, 2025, as:

"Golden Royalties Chapter Day"

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

_____

TYRONE GARNER, MAYOR/CEO

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 9, 2025

Re: **Change of Zone Petition COZ2024-031**

GENERAL INFORMATION

Applicant Information:
Austin Thompson
Atlas Land Consulting
14500 Parallel Road, Unit R
Basehor, KS 66007

Subject Property:
810 North 10th Street, 1007 and 1013 Armstrong Avenue
Kansas City, KS 66101

Requested Action and Purpose:
Approval of a Change of Zone from R-1(B) Single Family District to RP-2 Planned Two Family District.



Commission Districts:
Commissioner At-Large, District #2: Tom Burroughs
District #2 Commissioner: William (Bill) Burns

Existing Zoning District(s):
R-1(B) Single Family District

Proposed Zoning District(s):
RP-2 Planned Two Family District



	Adjacent Zoning	Adjacent Uses
North	**C-0 Nonretail Business and CP-2 Planned General Business Districts**	**Church parking lot**
South	**R-1(B) Single Family District**	**Single family homes**
East	**CP-1 Planned Limited Business District**	**Vacant commercial building**
West	**R-1(B) Single Family District**	**Vacant lot**

Total Tract Size: 0.51 Acre

Comprehensive Plan Area: Downtown Area Plan

Comprehensive Plan Designation: The Downtown Area Plan designates this property as Neighborhood Residential, which allows primarily single-family detached units (properly designed, duplex or four-plex allowable along collectors/arterials or as transitions from commercial or mixed-use development).

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 10th Street as Major Collector and Armstrong Avenue as a Local Street.

Parking Requirement: Section 27-457(d) One (1) parking space for each dwelling unit shall be provided on the premises. The applicant has not provided a site plan, so Staff cannot determine how many parking spaces are available for each dwelling unit.

Landscaping Requirement: Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner, side yard, and one (1) tree per 7,000 square feet of stie area for uses other than residences. The applicant has not provided a plan depicting trees on each lot.

Advertisement: The Wyandotte Echo – November 14, 2024
Letters to Property Owners – November 15, 2024

Public Hearings: December 9, 2024 and January 9, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Austin Thompson with Atlas Land Consulting, has applied for a Change of Zone to rezone three (3) parcels from R-1(B) Single Family District to RP-2 Two Family District to build three (3) duplexes at 810 North 10th Street, 1007 and 1013 Armstrong Avenue.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VII Sections 27-245 – 27-339, Article VI Section 27-210 through 212 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. Violations for weeds, brush, junk, tires and trash bags between 2003 – 2014 at 1013 Armstrong Avenue.
2. Numerous violations for weeds, junk, trash, grass between 2002 – 2020 at 1007 Armstrong Avenue.
3. Numerous violations for weeds, junk, trash and debris in the yard between 2001 – 2003 at 810 North 10th Street.

Outstanding or Related Permit and Cases:

1. 07375-00086 – Demolition Permit in 2008 for a residence at 1007 Armstrong Avenue.
2. 03375-00214 – Demolition Permit for two (2) duplexes that were fire damaged and declared unfit in 2003 at 810 North 10th Street.

Previous Planning Actions:

1. There are no previous planning actions on the subject property.

FACTORS TO BE CONSIDERED

1. ***The Character of the Neighborhood.***

   These subject properties are within the Riverview Statistical Neighborhood and the Wyandotte Countians Against Crime (WCAC) Neighborhood Group. The neighborhood consists of single-family homes along North 10th Street, Armstrong and Ann Avenues with vacant parcels interspersed throughout. The site is one (1) block south of Minnesota Avenue, which is part of the Central Business District and the primary mixed-use commercial corridor in the downtown area.

2. ***The zoning and uses of properties nearby and the proposed use's expected compatibility with them.***

   The zoning and uses of properties nearby are set out above. The proposed use, duplexes, is across the street from commercial businesses and the Downtown Area Plan Mixed Use land use designation. The north side of Armstrong Avenue are commercial uses and south along 10th Street are established single-family neighborhoods includes two (2) parks, Waterway Park to the west and Northrup Park and is compatible with surrounding uses.

3. ***The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions detrimentally affect nearby property?***

   Removal of the restrictions should not detrimentally affect nearby property because in 2003 a duplex was demolished due to fire damage, at this corner.

   The construction of three (3) duplexes will infill vacant Land Bank parcels.

4. ***The length of time the property has remained vacant as zoned and/or the length of time the property has been actively marketed.***

   The properties have been vacant as zoned since at least 2003.

5. ***The extent to which the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.***

   The proposed use is reasonably necessary for the convenience and welfare of the public as the proposal will lead to additional housing being developed on the properties. The proposed use will not substantially or permanently injure the use, quality, or marketability of nearby property so long as it is properly designed, as it is consistent with nearby uses.

6. ***The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.***

   The proposed use will inherently lead to an increase in traffic as these are existing vacant lots, however, it is not expected to be to the point where it would affect road capacity, safety, or create parking problems along North 10th Street or Armstrong Avenue, a Major Collector, and local street, respectively.

7. ***The degree of conformance of the proposed use to the Master Plan.***

   The proposed use conforms to the Downtown Area Plan, which is designated as Neighborhood Residential, which allows primarily single-family detached units (properly designed, duplex or four-plex allowable along collectors/arterials or as transitions from commercial or mixed-use development). The design of the duplex must enhance the existing neighborhood character.

8. ***The extent to which the proposed use could cause environmental harm or enhance the environment.***

   If the site is properly managed and maintained, the proposed use will not cause environmental harm. There will be significant landscaping planted around the perimeter of the site that will enhance the environment and buffer from the adjacent street.

9. ***The extent to which utilities and public services are available and adequate to serve the proposed use.***

   a. ***Electric and Water Service***

      To be provided by BPU Electric and Water Divisions.

   b. ***Sanitary Sewer Service***

      UG provides sanitary sewer service.

   c. ***Storm Water Control***

      To be designed to meet City Code.

   d. ***Police***

      Police service is provided by Midtown Patrol, District 116.

   e. ***Fire***

      Fire service is provided by Station #1, located at North 6th Street and Armstrong Avene.

f. Transit

The Kansas City ATA provides transit service at the North 10th Street and Armstrong Avenue intersection, Route #104 and one (1) block north at the North 10th Street and Minnesota Avenue intersection, Route #101.

g. Schools

Public Education is provided by Douglas Elementary School, Northwest Middle School, and Wyandotte High School, under Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

10. The economic impact of the proposed use on the community.

The economic impact of the proposed use would be limited. The proposed use would be for the economic benefit of the property owner; however, the construction of three (3) duplexes would add to the housing stock to an area that has vacant Land Bank owned parcels, which is a benefit to the community.

11. The capability of the proposed use to meet applicable ordinance requirements.

The project can meet all ordinance requirement with revisions.

12. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. The proposed use would benefit the property owner. If denied, the property owner can still build three (3) single-family homes or opt into the Narrow Lot Design Guidelines and build three (3) single-family homes, each with an accessory dwelling unit over the garage.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Microsoft Teams on November 22, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Site Plan
Site Design
Existing Grades
Building Elevations

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone Application **COZ2024-031**, subject to:

1. **The character of the Neighborhood Residential land use designation in the Downtown Area Plan is as follows:**
    a. **Reinforced neighborhood character and context with proper infill design;**
    b. **Primarily single-family detached units (properly designed duplex or four-plex allowable along collectors/arterials or as transitions from commercial or mixed-use development);**
    c. **Pedestrian scale buildings and walkable areas;**
    d. **On-street parking/alley access for services/garages;**
    e. **Front porches, yards and small park or community garden/gathering areas encouraged;**
2. **The duplexes should be similar in size, scale and design as the single-family residences in the adjacent neighborhood;**
3. **Maintain the existing grades on the property, specifically the front stairs from the duplexes to the sidewalk along Armstrong Avenue;**
4. **Garages shall be rear loaded off the alley;**
5. **Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees;**
6. **Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner, side yard, and one (1) tree per 7,000 square feet of stie area for sues other than residences;**
7. **All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;**
8. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
9. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;**

10. **If approved, the property owners or tenants must file and maintain a current business occupation tax application for a home-based business with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;**
15. **The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a final CO; and,**
16. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the**

ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2024-031** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

December 9, 2024 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Floor Plan
Site Photographs provided by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	December 9, 2024 Approval	January 9, 2025

STAFF CONTACT: **Byron Toy, AICP**
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-031** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-031** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

December 9, 2024, City Planning Commission Minutes:

Hearing starts at 1:38:41:

CHANGE OF ZONE APPLICATION COZ2024-031 – AUSTIN THOMPSON WITH ATLAS LAND CONSULTING – SYNOPSIS: Change of Zone from R-1(B) Single Family District to RP-2(B) Planned Two Family District to construct duplexes at 810 North 10th Street, 1007 Armstrong Avenue, and 1013 Armstrong Avenue. *Detailed Outline of Requested Action:* The applicant, Austin Thompson with Atlas Land Consulting, has applied for a Change of Zone to rezone three (3) parcels from R-1(B) Single Family District to RP-2 Two Family District to build three (3) duplexes at 810 North 10th Street, 1007 and 1013 Armstrong Avenue.

The following items were included as part of the record for this case:
1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 9, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Austin Thompson, applicant, Atlas Land Consulting, 14500 Parallel Road, Unit R, Basehor, Kansas 66007

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:40:59: Planning Director Hand stated that this is for a Change of Zone from R-1(B) Single Family District to RP-2(B) Planned Two Family District to construct three (3) duplexes on three (3) abutting properties. This is a Land Bank project located in the Downtown Area Plan. Staff received no letters in support or in opposition. There are some Notices of Violation related to vacancies, which would all be addressed by the proposed redevelopment. Staff recommends approval with conditions, including going to the RP-2 District, which would trigger a review of the Area Plan Design Guidelines that protect and enhance neighborhood character.

The Planning Commission directed questions to Director Hand.

Motion starts at 1:42:14:

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application COZ2024-031:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

Motion to recommend APPROVAL Passed: 7 to 0
Subject to:

1. **The character of the Neighborhood Residential land use designation in the Downtown Area Plan is as follows:**
   a. **Reinforced neighborhood character and context with proper infill design;**
   b. **Primarily single-family detached units (properly designed duplex or four-plex allowable along collectors/arterials or as transitions from commercial or mixed-use development);**
   c. **Pedestrian scale buildings and walkable areas;**
   d. **On-street parking/alley access for services/garages;**

e. Front porches, yards and small park or community garden/gathering areas encouraged;

2. The duplexes should be similar in size, scale and design as the single-family residences in the adjacent neighborhood;

3. Maintain the existing grades on the property, specifically the front stairs from the duplexes to the sidewalk along Armstrong Avenue;

4. Garages shall be rear loaded off the alley;

5. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees;

6. Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner, side yard, and one (1) tree per 7,000 square feet of stie area for sues other than residences;

7. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;

8. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

9. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;

10. If approved, the property owners or tenants must file and maintain a current business occupation tax application for a home-based business with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;

11. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

12. All existing and future driveways must feature curb cuts that are constructed to UG standards;

13. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;

14. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable

local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;

15. **The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a final CO; and,**
16. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP


C-3
C-3
C-3
R-1(B)
C-0
CP-2
C-D
Armstrong Ave
R-1(B)
CP-1
R-1(B)
Ann Ave
R-1(A)
CP-0
N
GeoSpatial Services Division (GSS) of Department of Technical Services

LAND USE MAP


MINNESOTA
Urban Residential
WATERWAY
ARMSTRONG
11TH
10TH
Planned Open space
ANN
Neighborhood Residential
BARNETT
N

COZ2024-031 COMMENT RESPONSE

STAFF REPORT

1. The character of the Neighborhood Residential land use designation in the Downtown Area Plan is as follows:

• Reinforced neighborhood character and context with proper infill design;

• Primarily single-family detached units (properly designed duplex or four-plex

allowable along collectors/arterials or as transitions from commercial or mixed-use development);

• Pedestrian scale buildings and walkable areas;

• On-street parking/alley access for services/garages;

• Front porches, yards and small park or community garden/gathering areas encouraged.

-ACKNOWLEDGE

2. Provide a site plan of the proposed duplexes.

a. Indicate on the site plan the driveways and one (1) space per dwelling unit.

-ACKNOWLEDGE

3. Provide floor plans and building elevations. Staff cannot further review this

application until the subsequent information is provided. The duplexes should be similar in size, scale and design as the single-family residences in the adjacent neighborhood.

-SEE ATTACHED FLOOR PLANS

4. Maintain the existing grades on the property, specifically the front stairs from the

duplexes to the sidewalk along Armstrong Avenue.

-ACKNOWLEDGE

5. Garages shall be rear loaded off the alley.

-ACKNOWLEDGE

6. Provide a landscape plan showing at least one (1) tree per lot complying with

Section 27-700(a).

-1 TREE PER SITE WITH BUSHES ADDED

7. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

-ACKNOWLEDGE

STANDARD CONDITIONS

1. Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner, side yard, and one (1) tree per 7,000 square feet of stie area for sues other than residences. -ACKNOWLEDGE

2. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted. -ACKNOWLEDGE

3. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process. -ACKNOWLEDGE

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5. If approved, the property owners or tenants must file and maintain a current business occupation tax application for a home-based business with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or

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7. All existing and future driveways must feature curb cuts that are constructed to UG standards. -ACKNOWLEDGE

8. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable. -ACKNOWLEDGE

9. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620. -ACKNOWLEDGE

10. The Department of Planning + Urban Design shall not give approval for any final

Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a final CO. -ACKNOWLEDGE

11. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper. -ACKNOWLEDGE

Application Number COZ2024-031
Date and Location: November 22, 2024 @ 6pm via Microsoft Teams

Meeting called to order at: 6pm

Names of people in attendance:
-Austin Thompson with Atlas Land Consulting

Meeting adjourned at: 6:30 pm

Minutes taken by:_Austin Thompson with Atlas Land Consulting

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Johnson)

Comes now Austin Thompson, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition #COZ2024-031.
2. That I conducted a neighborhood meeting on November 22, 2024 @ 6pm via Microsoft Teams.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

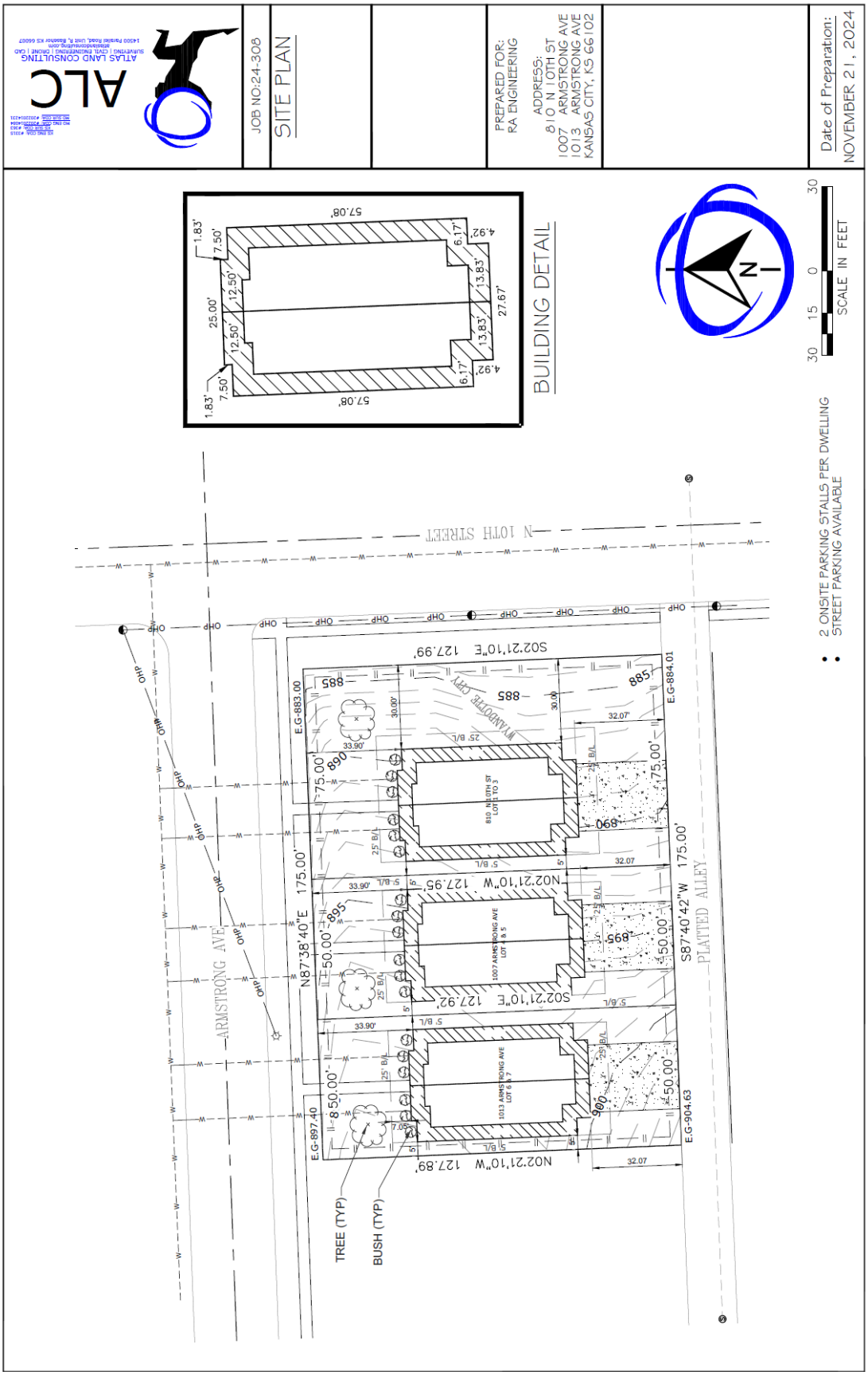
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25th day of November, 2024.

My commission expires 12th of January, 2027.

Notary Public

NOTARY PUBLIC - STATE OF KANSAS
DOMONIQUE DENICE KETTLER
My Appt. Exp 1/12/2027


ATLAS LAND CONSULTING
JOB NO:24-308
SITE PLAN
PREPARED FOR:
RA ENGINEERING
ADDRESS:
810 N 10TH ST
1007 ARMSTRONG AVE
1013 ARMSTRONG AVE
KANSAS CITY, KS 66102
Date of Preparation:
NOVEMBER 21, 2024
BUILDING DETAIL
57.08'
1.83'
7.50'
25.00'
12.50'
6.17'
4.92'
13.83'
27.67'
N
30 15 0 30
SCALE IN FEET
2 ONSITE PARKING STALLS PER DWELLING
STREET PARKING AVAILABLE
N 10TH STREET
ARMSTRONG AVE
PLATTED ALLEY
WYANDOTTE CNTY
810 N 10TH ST LOT 1 TO 3
1007 ARMSTRONG AVE LOT 4 & 5
1013 ARMSTRONG AVE LOT 6 & 7
S02°21'10"E 127.99'
N02°21'10"W 127.95'
S02°21'10"E 127.92'
N02°21'10"W 127.89'
N87°38'40"E 175.00'
S87°40'42"W 175.00'
E.G-883.00
E.G-884.01
E.G-897.40
E.G-904.63
885
890
895
900
75.00'
50.00'
32.07'
33.90'
30.00'
25' B/L
5' B/L
OHP
TREE (TYP)
BUSH (TYP)

	REVISION TABLE NUMBER / DATE / BY / DESCRIPTION	FIRST FLOOR PLAN	1211 MINNESOTA AVE KANSAS CITY, KS 66102	DATE:	SCALE: 1/4" = 1'-0"	SHEET: 3	











Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 9, 2025

Re: **Change of Zone Petition COZ2024-032**

GENERAL INFORMATION

Applicant Information:
LaDena Washington
Altar Support
P.O. Box 171935
Kansas City, KS 66117

Subject Property:
13303 Parallel Parkway
Kansas City, Kansas 66109

Requested Action and Purpose:
Approval of a Change of Zone from A-G Agriculture and R-1 Single Family District.

Preliminary Plat for five (5) single-family residential lots. (Approved)

Commission Districts:
Commissioner At-Large, District #1:
Melissa Bynum
District #5 Commissioner:
Mike Kane

Existing Zoning District(s):
A-G Agriculture District

Proposed Zoning District(s):
R-1 Single Family District





	Adjacent Zoning	Adjacent Uses
North	**A-G Agriculture District**	**Large lot single-family homes**
South	**A-G Agriculture District**	**Farmland**
East	**A-G Agriculture District**	**Farmland**
West	**A-G Agriculture District**	**Wooded land**

Total Tract Size: 6.50 Acres

Comprehensive Plan Area: Prairie Delaware Piper Area Plan

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates the subject property as Planned Mixed Residential, which allows patio homes, townhouses, condominiums, garden apartments, housing for seniors, and other multi-family uses.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Parallel Parkway as a Major Arterial.

Parking Requirement: Section 27-454(e) Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport.

Landscaping Requirement: Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences. This will vary for each parcel and tract of land.

Advertisement: The Wyandotte Echo – November 14, 2024
Letters to Property Owners – November 15, 2024

Public Hearings: December 9, 2024 and January 9, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, LaDena Washington of Altar Support, is requesting a Change of Zone from A-G Agriculture District to R-1 Single Family District.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VII Sections 27-245 – 27-339, Article VI Section 27-210 through 212, Article XXI Sections 27-502 – 27-709, Article VII Sections 27-245-339, Article XI Section 27-215, Article VIII Sections 27-340 – 27-765, Article VII Sections 27-245 – 27-339, Article VI Section 27-213, and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. There are no notices of violation on the subject property.

Outstanding or Related Permit and Cases:

1. There are no outstanding or related permit and cases on the subject property.

Previous Planning Actions:

1. There are no previous planning entitlements on the subject property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Prairie-Piper Statistical Neighborhood and Block Group 0448032. The neighborhood consists of large lot single-family homes along Parallel Parkway with some smaller single-family lots along North 134th Street. Parallel Parkway is a high trafficked four (4) lane roadway with access to Kansas Highway 7 (K-7).

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The zoning and uses of properties nearby are set out above. The proposed use, single-family homes, is compatible with the adjacent uses as there are large lot single-family homes along the North 134th Street and the rural western fringe of Parallel Parkway.

3. The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions detrimentally affect nearby property?

The property is suitable for uses to which it has been restricted as A-G Agriculture District allows large agricultural, farming activities and single-family homes. Removal of these restrictions for R-1 Single Family District will not detrimentally affect nearby property as R-1 uses by-right are more restrictive than A-G Agriculture District.

4. The length of time the property has remained vacant as zoned and/or the length of time the property has been actively marketed.

The property has been vacant farmland since at least 1997 which is based on aerial photography.

5. The extent to which the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.

The proposed development will provide housing that is reasonably necessary for the convenience and welfare of the public. This parcel was recently platted to be one of three (3) parcels along Parallel Parkway for one (1) single-family home. Developing this land will not substantially injure the visual quality or marketability of nearby property as it will be built to UG standards and design guidelines, but it would convert an open, vacant agricultural field to a small, single-family subdivision.

6. The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.

The proposed development with five (5) single-family homes will not increase traffic along North 132nd Street or Parallel Parkway to a degree that will adversely affect the road capacity, safety, or create parking problems. A Traffic Impact Study is currently being reviewed by the Public Works Department and the County's Traffic Engineer. Additional analysis and comments may be generated separately from this report.

7. The degree of conformance of the proposed use to the Master Plan.

The proposed use does conform to the Prairie Delaware Piper Area Plan from the standpoint of its land use designation, which is designated as Planned

Mixed Use Residential, which allows single-family detached residential units in additional to townhomes, four-plexes and multi-family apartments, if certain thresholds are met – either by acreage or number of units.

The goDotte Countywide Strategic Mobility Plan identifies Parallel Parkway as a Major Arterial, which requires at least an 8-foot sidewalk along the Parallel Parkway Road right-of-way and a five (5) foot sidewalk along the private street, North 132nd Street.

8. The extent to which the proposed use could cause environmental harm or enhance the environment.

If the site and stormwater management infrastructure are properly managed and maintained, the proposed use will not cause environmental harm.

9. The extent to which utilities and public services are available and adequate to serve the proposed use.

a. Electric and Water Service

To be provided by BPU Electric and Water Divisions.

b. Sanitary Sewer Service

Sanitary sewer service is being extended by the developer and maintained by the Unified Government.

c. Storm Water Control

To be designed to meet City Code.

d. Police

Police service is provided by West Patrol, District 228.

e. Fire

Fire service is provided by Station #8, located at North 123rd Street and Leavenworth Road.

f. Transit

There is no public transit provided to or near the subject property.

g. Schools

Public Education is provided by Piper Elementary School, Piper Middle School, and Piper High School, under Piper USD 203.

h. Streets

See item #6 above.

10. The economic impact of the proposed use on the community.

The proposed use will have a minimal economic impact on the community. The residences will generate property tax for the Unified Government and increased residences would create greater demand on local retail and thereby sales taxes; however, the Unified Government and the Board of Public Utilities will have to maintain the roads, sanitary and storm sewers, water and power for this development in perpetuity. The Unified Government must also then provide city services to new residents (Police, Fire, Public Health, Sherrif, schools, etc.).

If the road is privatized, the UG will not have to maintain the infrastructure, but we will have to provide services (Police, Fire, Sheriff, school, etc.).

11. The capability of the proposed use to meet applicable ordinance requirements.

The project is capable of meeting applicable ordinance requirements.

12. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, the owners will still have property that is able to be developed, however, not in the intensity they originally sought to redevelop it as or keep as either agricultural or open space.

13. Whether the preliminary plat is consistent with the comprehensive plan, the major street plan and any other adopted plans.

The Prairie Delaware Piper Area Plan designates this property as Mixed Residential District, which allows patio homes, townhouses, condominiums, garden apartments, housing for seniors, and other multi-family uses.

The developer is responsible for the installation of all infrastructure, included, but not limited to: streets, sidewalks, sanitary and storm sewers, detention basins, etc. The five (5) lot subdivision will be built in accordance with the Department of Planning and Urban Design, Public Works Department, KCKFD and Wyandotte County Health Department standards and regulations.

14. Whether the preliminary plat is in compliance with the standards and requirements of the zoning ordinance, subdivision regulations and other applicable unified government policies and regulations.

The preliminary plat is in compliance with the standards and requirements of the zoning ordinance and subdivision regulations. The Prairie Delaware Piper Area Plan requires between 80 – 100% of the lots have a minimum lot width of 70 feet. The subdivision complies with this Area Plan requirement.

15. Whether the subdivision is compatible in lot size, lot-to-structure proportion, building size, and architectural design with existing and proposed development on adjacent properties.

The subdivision as proposed is not compatible in lot size or lot-to-structure proportion with existing rural development patterns of adjacent properties, primarily to the north, across Parallel Parkway. There are lots similar in size to the proposed five (5) lot subdivision on North 134th Street top the west. Staff has not received the proposed square footages or the architectural design of the residences, so we cannot offer additional comments at this time and have asked that these documents be provided in *Staff Comments and Suggestions*.

16. Whether the proposed subdivision will cause adverse or negative impacts on the natural or social environment.

The proposed subdivision will develop a natural, open field that is home to various wildlife, but also serves as a natural stormwater infiltration system. Paving this area for houses, roads and driveways will increase stormwater runoff and the infrastructure necessary to manage it.

Preserving the natural terrain of the site as per the subdivision ordinance should mitigate any negative natural impacts. Following the Area Plan single-family design guidelines and zoning ordinance should support the social environment.

17. Whether the subdivision will not cause an undue burden on the unified government for maintenance of land and/or facilities.

The subdivision will increase the Unified Government's burden for maintenance of land and/or facilities. The Developer is responsible for installing all of the associated infrastructure related to this subdivision, but the Unified Government and Board of Public Utilities (BPU) is charged with maintaining it in perpetuity, unless the applicant privatizes North 132nd Street, absolving the Unified Government of future maintenance.

BPU is still responsible for maintaining water and electrical services to this subdivision.

18. Whether the subdivision does not encourage premature extension of public services, piece-meal or premature development based upon the location of surrounding development and the availability of public facilities and services.

The proposed subdivision does encourage premature extension of public services, premature development based upon the location of surrounding development and the availability of public services and facilities. This block along Parallel Parkway is rural in nature with large lot single-family homes on septic service being sanitary waste disposal and open ditches for stormwater runoff.

Water and electric needs to be maintained by BPU. Power lines cannot be privatized.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 9151 Parallel Parkway on November 21, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Compliance with the Prairie Delaware Piper Area Plan
Unified Government Infrastructure Maintenance Costs
Pedestrian Connectivity and Sidewalks

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone Application **COZ2024-032**, subject to:

1. **Sec. 27-215h(4)a Final Street, sanitary sewer, storm drainage and any other engineering plans shall be completely approved by the engineer prior to submitting the final plat to the Planning Commission. The Board of Public Utilities shall have indicated in writing prior to submission that any need water main extension agreement or any electrical distribution agreement has been executed by the development and that underground wiring will be provided unless otherwise provided as set out herein;**
2. **Sec.27-215(h)(2)c.13(iii) A final and complete set of protective covenants shall be submitted with the final plat and shall be recorded concurrently with the plat. No lot may be sold unless the covenants have been recorded. They may be included on the actual plat as appropriate. Such covenants shall have a life of not less than 50 years and shall contain: floor area requirements and a provision not allowing construction of a driveway with direct access onto a designated thoroughfare on a residential lot;**
3. **Sec. 27-280(f) Residential lots shall not face on or otherwise receive access onto streets designated as major streets unless the lot has a minimum lot area of five (5) acres and a minimum of 300 feet of frontage on the major street. Lot 1 cannot have direct access to Parallel Parkway – only North 132nd Street without a variance from the Board of Zoning Appeals;**
4. **Review the Prairie Delaware Piper Area Plan Residential Design Guidelines for residential building materials, architectural diversity, front loaded garages and**

identification features;

5. **The minimum habitable square footage (not including the garage) in Area 1 is 1,600 square feet;**
6. **Primary materials for the fronts of homes should be: masonry, stucco, cement board, and wood siding;**
7. **For side and rear building facades the use of horizontal lap siding and vertical lap vinyl (minimum 42 gauge) siding is acceptable;**
8. **Include single-story elements such as porches, covered entries and second stories that have a set back from the first floor on two (2) story homes;**
9. **The overall residential community should include multiple building elevation designs. One (1) front, side and rear building elevations should not be used more than 40% of the units;**
10. **Front loaded garages should incorporate at least one (1) of the following guidelines to limit the dominance of garage doors on the front façade:**
    a. **Incorporate upper-level dormers above the garage, or,**
    b. **Design porches, stoops, and/or façades should protrude at least five (5) feet in front of the garage; or,**
    c. **Use trim, windows and other details to de-emphasize the visual impact of the garage in relation to the rest of the structure;**
11. **Per the goDotte Countywide Strategic Mobility Plan, build an 8-foot sidewalk along the north property line on Parallel Parkway;**
12. **Per the Subdivision Code, build a five (5) foot sidewalk on the private street;**
13. **All dwelling units within a new development must be provided with a basement or with a FEMA standard safe room constructed to standards for the protection of the occupants (FEMA Publication 320 or 361);**
14. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
15. **All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);**
16. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;**
17. **All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;**
18. **Regarding BPU transformer screening, the following applies:**
    a. **Gate doors are required for all types of screening that are placed in front of the transformers.**
    b. **Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet of clearance**

from pad when gate doors open.

c. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.

d. For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.

e. Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking into account the growth of saplings).

f. Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open;

19. **If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
20. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
21. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
22. **A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
23. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
24. **Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;**

25. **A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;**
26. **The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a final CO; and,**

Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2024-032** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

December 9, 2024 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
GeoSpatial Services Division Comment Letter
KCKFD Comment Letter
Prairie Delaware Piper Area Plan Residential Design Guidelines
Preliminary Plat
Final Plat
Site Plan
Utility Plan
Paving Plan

PUBLIC HEARING SCHEDULE

Action(s)	**City Planning Commission**	**Unified Government Board of Commissioners**
Change of Zone	December 9, 2024, Approval	January 9, 2025
Preliminary and Final Plat	December 9, 2024, Approved.	

STAFF CONTACT: **Byron Toy, AICP**
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-032** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-032,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

December 9, 2024, City Planning Commission Minutes:

Hearing starts at 1:43:15:

CHANGE OF ZONE APPLICATION COZ2024-032 – LADENA WASHINGTON WITH ALTAR SUPPORT – SYNOPSIS: Change of Zone from A-G Agriculture District to R-1 Single Family District for a five (5) lot subdivision at 13303 Parallel Parkway.

PLAT2024-034 – LADENA WASHINGTON WITH ALTAR SUPPORT – SYNOPSIS: Preliminary and Final Plat (Brown Family Estates) for a five (5) lot subdivision at 13303 Parallel Parkway.

Detailed Outline of Requested Action: The applicant, LaDena Washington of Altar Support, is requesting a Change of Zone from A-G Agriculture District to R-1 Single Family District and a Preliminary and Final Plat to create five (5) single-family residential lots to build a subdivision at 13303 Parallel Parkway on 6.50 acres.

The following items were included as part of the record for this case:
1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 9, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Phillip Brown, Civil Engineer representing the applicant, 2711 North 91st Street, Kansas City, Kansas 66109

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:45:49: Planning Director Hand stated that this Change of Zone is being heard in conjunction with PLAT2024-034 for five (5) single family lots on a private street. The Change of Zone is from A-G Agriculture District to R-1 Single Family District. It is in the Prairie-Delaware-Piper Area Plan. Staff received no letters in support or in opposition. There are no Notices of Violation on the property. Staff recommends approval with conditions.

Motion starts at 1:46:25:

On motion by Mrs. Jones, seconded by Ms. Easterwood, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application COZ2024-032:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

Motion to recommend APPROVAL Passed: 7 to 0
Subject to:

1. **Sec. 27-215h(4)a Final Street, sanitary sewer, storm drainage and any other engineering plans shall be completely approved by the engineer prior to submitting the final plat to the Planning Commission. The Board of Public Utilities shall have indicated in writing prior to submission that any need water main extension agreement or any electrical distribution agreement has been executed by the development and that underground wiring will be provided unless otherwise provided as set out herein;**
2. **Sec.27-215(h)(2)c.13(iii) A final and complete set of protective covenants shall**

be submitted with the final plat and shall be recorded concurrently with the plat. No lot may be sold unless the covenants have been recorded. They may be included on the actual plat as appropriate. Such covenants shall have a life of not less than 50 years and shall contain: floor area requirements and a provision not allowing construction of a driveway with direct access onto a designated thoroughfare on a residential lot;

3. **Sec. 27-280(f) Residential lots shall not face on or otherwise receive access onto streets designated as major streets unless the lot has a minimum lot area of five (5) acres and a minimum of 300 feet of frontage on the major street. Lot 1 cannot have direct access to Parallel Parkway – only North 132nd Street without a variance from the Board of Zoning Appeals;**
4. **Review the Prairie Delaware Piper Area Plan Residential Design Guidelines for residential building materials, architectural diversity, front loaded garages and identification features;**
5. **The minimum habitable square footage (not including the garage) in Area 1 is 1,600 square feet;**
6. **Primary materials for the fronts of homes should be: masonry, stucco, cement board, and wood siding;**
7. **For side and rear building facades the use of horizontal lap siding and vertical lap vinyl (minimum 42 gauge) siding is acceptable;**
8. **Include single-story elements such as porches, covered entries and second stories that have a set back from the first floor on two (2) story homes;**
9. **The overall residential community should include multiple building elevation designs. One (1) front, side and rear building elevations should not be used more than 40% of the units;**
10. **Front loaded garages should incorporate at least one (1) of the following guidelines to limit the dominance of garage doors on the front façade:**
    a. **Incorporate upper-level dormers above the garage, or,**
    b. **Design porches, stoops, and/or façades should protrude at least five (5) feet in front of the garage; or,**
    c. **Use trim, windows and other details to de-emphasize the visual impact of the garage in relation to the rest of the structure;**
11. **Per the goDotte Countywide Strategic Mobility Plan, build an 8-foot sidewalk along the north property line on Parallel Parkway;**
12. **Per the Subdivision Code, build a five (5) foot sidewalk on the private street;**
13. **All dwelling units within a new development must be provided with a basement or with a FEMA standard safe room constructed to standards for the protection of the occupants (FEMA Publication 320 or 361);**
14. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
15. **All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);**

16. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;**
17. **All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;**
18. **Regarding BPU transformer screening, the following applies:**
    a. **Gate doors are required for all types of screening that are placed in front of the transformers.**
    b. **Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet of clearance from pad when gate doors open.**
    c. **Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.**
    d. **For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.**
    e. **Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking into account the growth of saplings).**
    f. **Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open;**
19. **If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
20. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
21. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
22. **A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
23. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**

24. **Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;**
25. **A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;**
26. **The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a final CO; and,**
27. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

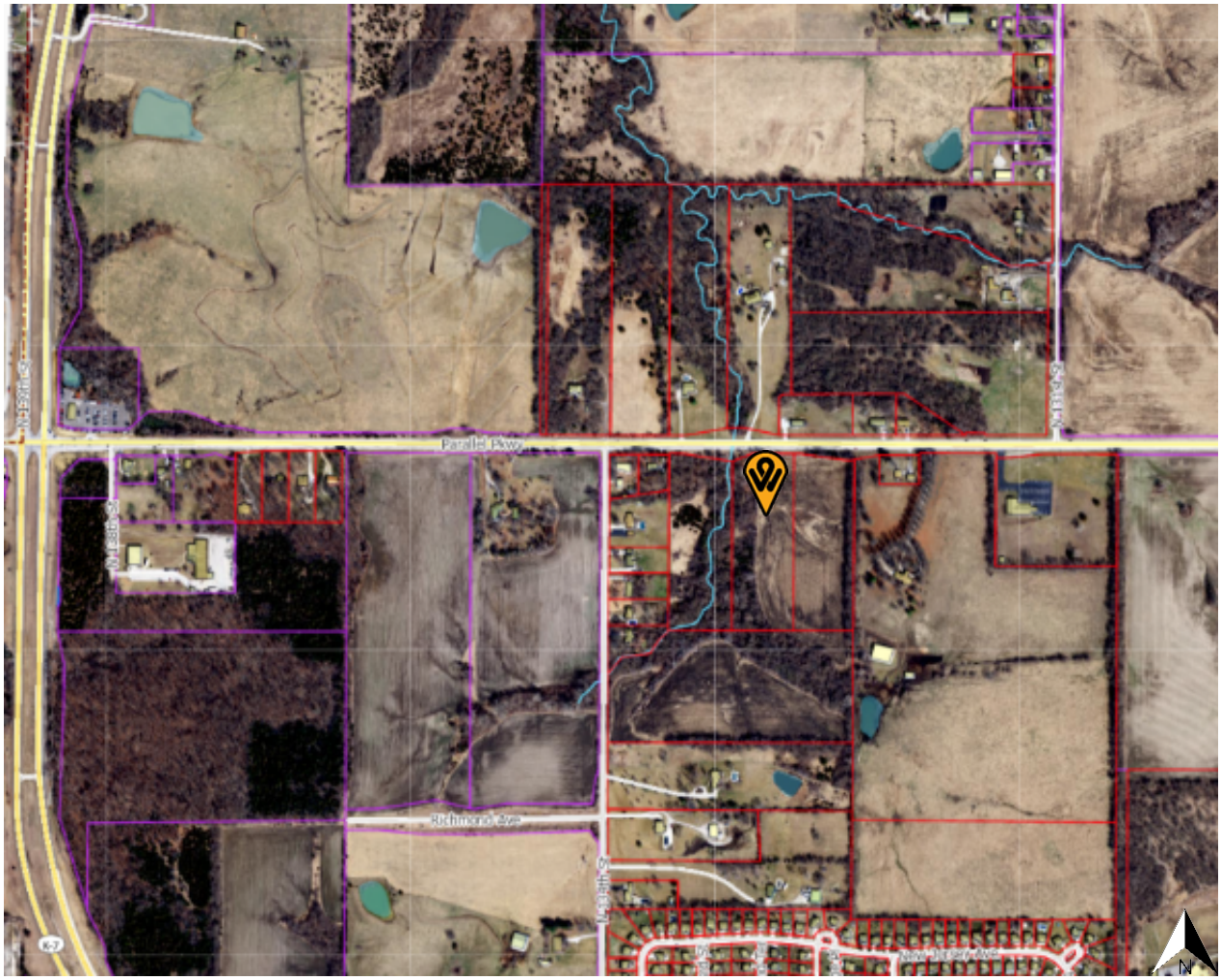
On motion by Mrs. Jones, seconded by Ms. Easterwood, the Planning Commission voted as follows to **APPROVE PLAT 2024-034:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

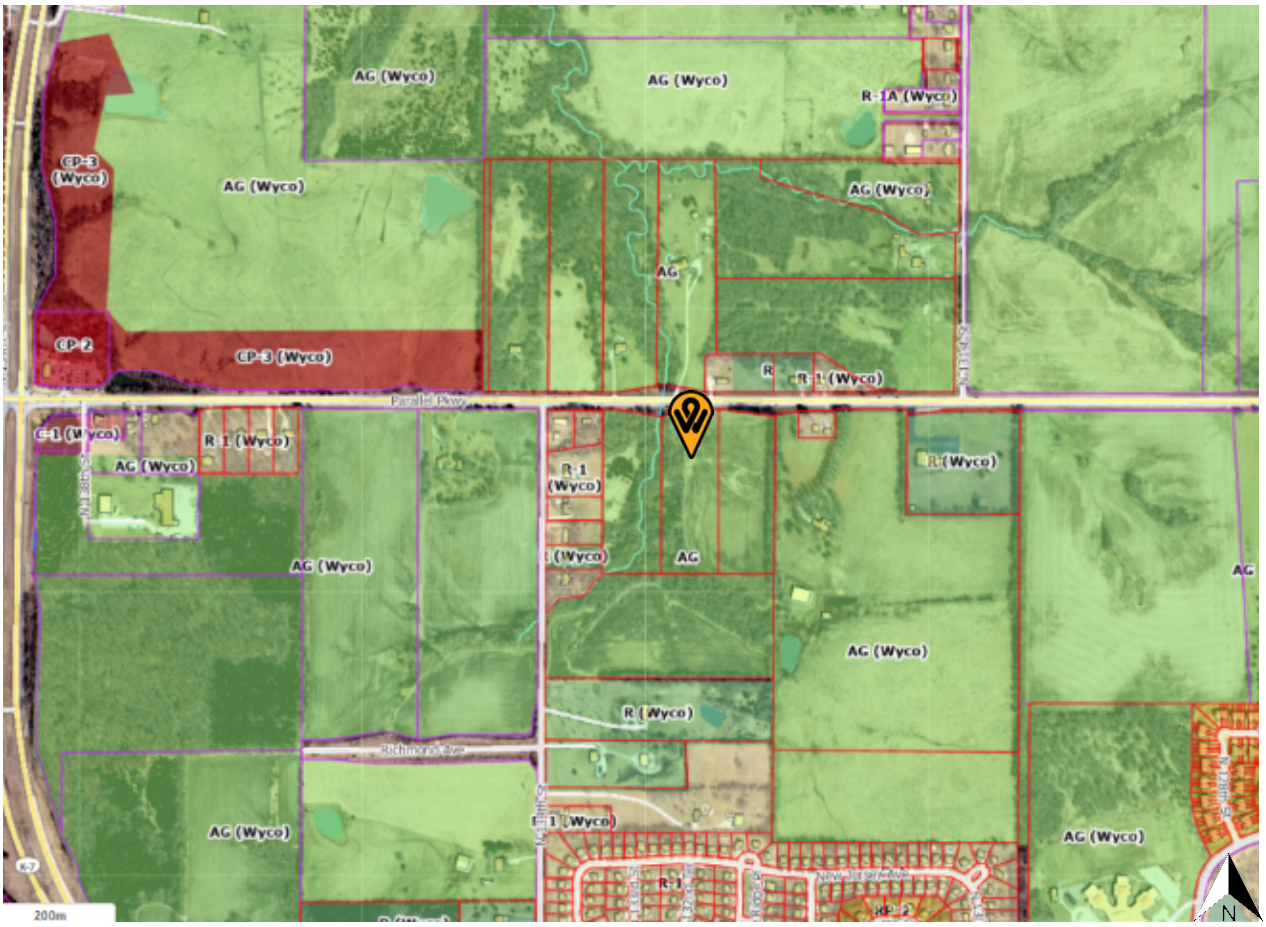
Motion to APPROVE Passed: 7 to 0
Subject to the above conditions.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP


AG (Wyco)
AG (Wyco)
R-1A (Wyco)
CP-3 (Wyco)
AG (Wyco)
AG (Wyco)
AG
CP-2
CP-3 (Wyco)
R-1 (Wyco)
Parallel Pkwy
R-1 (Wyco)
AG (Wyco)
R-1 (Wyco)
AG (Wyco)
R-1 (Wyco)
AG
AG (Wyco)
AG (Wyco)
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Richmond Ave
AG (Wyco)
R-1 (Wyco)
AG (Wyco)
200m
N

LAND USE MAP


Planned Mixed
Residential District
PARALLEL
RICHMOND
134TH
131ST
NEW JERSEY
DELAWARE
DELAWARE RIDGE
132ND
133RD
ONZET
130TH
129TH
N

GeoSpatial Services
Division

710 North 7th Street Suite 200
Kansas City, Kansas 66101

Phone: (913) 573-2941
Fax: (913) 573-4106

To: Gunnar Hand, Planning and Urban Design
Janet Parker, Planning and Urban Design
From: Robert Ringel, GIS Analyst, Unified Government GSS
Date: November 5, 2024
RE: **PARALLEL'S PRAIRIE ESTATES**

We have researched the official county records for the above plat as submitted to Planning and Urban Design by:
Atlas Land Consulting

And we have determined the following:
Takes all of CIC-TAS Parcel:
426601
Owner-of-Record:
Altar Support, Inc.
Jurat Signatures:
Robert J. & Stepanie M. Stimac

We find that the plat is: **Presently unacceptable for posting.**
Please note the following comments.

1) Legal Description
A boundary description needs to be added to the legal description.

2) Street Name
Due to the alignment, the street name should be changed to 133rd Street.

3) Dimension
The north line of Lot 1 needs an interior dimension.

4) Approvals
In the Approvals, revise to "Monica Sparks, Unified Clerk."

5) Ownership
The ownership needs to be updated.

1

DEVELOPMENT REVIEW COMMITTEE

Unified Government of Wyandotte County/ Kansas City, Kansas

FIRE DEPARTMENT-FIRE PREVENTION DIVISION
815 North 6th St. (913) 573-5550
Kansas City, Kansas 66101 (913) 551-0490 fax

DEPARTMENTAL REQUIREMENTS AND RECOMMENTDATIONS

DRC No. PLAT2024-034 / COZ2024-032/PR2024-034 Address: 13303 Parallel Pkwy

Development Name: Ladena Washinton Description: new 5 lot subdivision

STAFF ONLY : ☐ A ☐ A/C ☐ F & F ☐ H/C ☐ R/A

Ordinance Requirements:

Before this Department can approve the issuance of a building permit for the above-named project, the developer, owner or contractor must address / agree with the following requirements, stipulated by the Unified Government Ordinances, by signing this form.

Any open burning of cleared vegetation must be permitted by the Fire Marshal and Air Quality offices
Use of explosives requires application and approval from the City Fire Marshal.
*Submit hydrant locations for review per Sec.507, 2012 IFC. All houses should be within 600' of a hydrant. All bldgs to be within 150' of code compliant access road(s) per Sec.503, 2012 IFC
*Signs for "NO PARKING" shall be posted per Sec.D103.6, 2012 IFC
-Roads 20 to 26 feet wide (curb face to curb face) - NO on street parking either side
-Roads over 26 to 32 feet wide (curb face to curb face) - Parking on one side
-Roads over 32 feet wide (curb face to curb face) - on street parking allowed both sides
-Dead end access roads 150'+, SHALL comply with Sec. D103.4 and table D103.4, 2012 IFC for min. road width 26'(curb face to curb face) and min. cul-de-sac diameter of 96'.
*For subdivisions with more than 75 units, fire access entrance roads must comply with Sec.D107.2.2018 IFC, and be separated by min. 1/2 the diagonal of the area served, with a minimum of (2)entrances per City Ordinance Chapter 15, Article III-Sec.15.54, D107.1

NOTE: Items highlighted with (*) must be addressed prior to departmental approval.

Harvey Fields Digitally signed by Harvey Fields Date: 2024.11.04 14:51:15 -06'00' 11/4/24

Attending DRC Member: Date

I,_____, as_____of the above referenced project, do hereby certify that I will comply with all of the above ordinance requirement(s), and give consideration to the recommendation(s) above.

Signature and Date **Contact Phone Number and Email Address**

Mailing Address, City, State, and Zip Code

ALTAR - 13303 Parallel Pwky KC, KS 66109 Date: 11/21/2024 - 7Pm

Sign In Sheet

Name	Date	Phone or email
[redacted]	11/21/24	(913) 915-1389
[redacted]	11-21-24	9-687-5820

1. List of people who participated in your in-person, Zoom or Teams meeting.
2. List of people who contacted you with questions and comments – please document their names and questions/comments.
3. Signed and **notarized** affidavit that you held the meeting.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

Comes now Alicia Vann, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # COZ2024-032 + Plat 2024-034 + PR2024-034
2. That I conducted a neighborhood meeting on 11/21/24.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25 day of November, ~~200~~ 2025

My commission expires April of 12, ~~200~~ 2025.

Notary Public

CHRIS WARD
Notary Public - State of Kansas
My Appointment Expires 4-12-2027

Overall Planning and Design

Quality of Design

A common theme throughout all of the community workshops and meetings was the concern and desire that new development be of the highest quality. In the major tourism area now known as Village West, the Unified Government has effectively used design guidelines to achieve the high quality design that was desired.

Quality design impacts both the site design and the building design. This would include establishing standards or design guidelines for:

- New residential neighborhoods,
- Commercial centers, and
- Employment areas.

Actions

- The Unified Government will work with property owners and developers to establish well planned, commercial centers and technology ready business parks along major transportation corridors.
- The Unified Government will work with residential developers to coordinate residential subdivisions to function as neighborhoods with community services including parks, religious institutions, schools and open spaces.
- The guidelines within this plan should be used to evaluate new developments proposed within the study area.



Residential amenity

Land Use Compatibility

New development should be compatible or 'fit' within the overall setting.

Guidelines

- New residential developments that are proposed to adjacent residential subdivision should have lot sizes and unit sizes that are similar in size, or
- New residential developments that are proposed to adjacent residential subdivision should have lot sizes and unit sizes that transition in size from the existing development to the new development if a variety of units types and lot sizes are proposed. The transition can be accomplished by utilizing existing natural features, setbacks, berms and landscaping, or by placing larger lots along a property line.

Residential Design Guidelines

The following design guidelines are for residential developments.

Residential Building Materials

- Primary materials for the fronts of homes should be: masonry, stucco, cement board, and wood siding.
- Accent materials should include real or cultured masonry materials.
- For side and rear building facades the use of use horizontal lap siding and vertical lap vinyl (minimum 42 gauge) siding is acceptable.
- Roof materials should be a composite shingle (35 year minimum) or approved equal.
- Use of plain, flat siding is discouraged as a primary siding material. Use of horizontal siding on the front of the home with panel siding on the sides and rear is discouraged.

Architectural Diversity

- All sides of a building shall display a similar level of quality and architectural interest. The majority of a building's architectural features and treatments shall not be restricted to a single façade. However, direct window conflicts across side property and/or rear property lines should be avoided.
- Incorporate a variety of features such as overhangs, dormers, bay windows, cantilevers, porches, entries, accent materials to provide articulation and interest.
- Include single story elements such as porches, covered entries and second stories that have a set back from the first floor on two story homes.
- Fronts of buildings should be articulated thorough the use of window-bays, insets, balconies, porches or stoops related to entrances and windows.
- The overall residential community should include multiple building elevation designs. One front, side and rear building elevations should not be used on more than 40 percent of the units.

Garages and Carports

- Garages and carports should incorporate architectural treatments that derive from the main building in terms of materials, detailing, roof materials and colors. When possible, side and rear loaded garages and carports are preferred.

Front loaded garages and carports: Front loaded garages should incorporate at least one of the following guidelines to limit the dominance of garage doors on the front facade:

- Incorporate upper level dormers above the garage, or
- Design porches, stoops and/or facades should protrude at least five (5) feet in front of the garage, or
- Use trim, windows and other details to de-emphasize the visual impact of the garage in relation to the rest of the structure.

Safe Rooms

All duplexes and tri-plexes must be built with a tornado safe room for the protection of the occupants.

Housing Style Variation

Residential units within developments of more than 25 dwelling units should have a minimum of three distinctive floor plans, with a minimum of three elevations per floor plan.

Identification Features

All residential developments are required to have entry features. These features may include:

- Neighborhood name within a landscape feature
- Monuments
- Special lighting feature
- Enhanced bus stop
- Fountain
- Special landscape





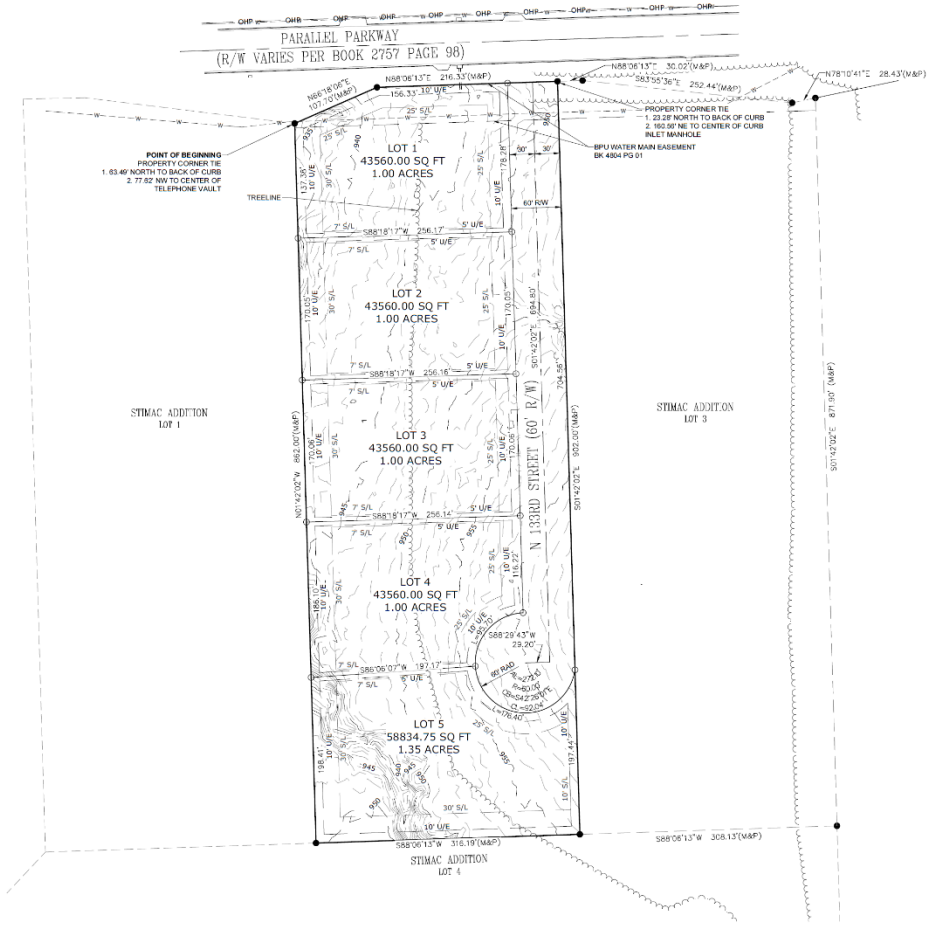
Commercial Centers:

Commercial centers are based on the concept framework that resulted from the community meetings. Commercial centers should serve the future surrounding neighborhoods. The centers will vary in development intensity and number of goods and services to be provided based on the land capacity analysis and the proposed residential densities.

Specific commercial locations are not identified on the Land Use Plan. identifying appropriate locations is premature while the area is experiencing rapid growth. Market forces will influence the timing and location of commercial centers. The following types of centers are considered:

BROWN FAMILY ESTATES

A REPLAT OF LOT 2 STIMAC ADDITION, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS



DESCRIPTION:

A REPLAT OF LOT 2, STIMAC ADDITION, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS, PREPARED BY ANDREA N WEISHAUBT, PLS 1730 DATED NOVEMBER 13, 2024, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2, ALSO KNOWN TO BE A POINT ON THE SOUTH RIGHT OF WAY LINE OF PARALLEL PARKWAY AS IT NOW EXISTS; THENCE NORTH 88°18'05" EAST, ALONG THE NORTH LINE OF SAID LOT 2 AND SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 157.76 FEET; THENCE NORTH 89°06'13" EAST, CONTINUING ALONG SAID NORTH LINE AND SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 216.33 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 01°42'02" EAST, ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 902.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 88°06'13" WEST, ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 316.19 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 01°42'02" WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 882.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 283,264.38 SQ FEET MORE OR LESS OR 6.50 ACRES

ALC
ATLAS LAND CONSULTING
SURVEYING | CIVIL ENGINEERING | DRONE | CAD
14500 Parallel Road, Unit R, Bonner KS 66007

PRELIMINARY PLAT

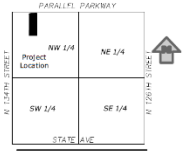
LEGEND

- ◬ DENOTES FOUND SECTION CORNER
- ○ DENOTES SET 1/2" REBAR ALC KS CLS 363 MO CLS 2022014231
- ● DENOTES FOUND 1/2" REBAR CAP LS 1408 UNLESS NOTED OTHERWISE
- S/L SETBACK LINE
- U/E UTILITY EASEMENT
- (M) MEASURED
- (D) DEEDED
- (P) PLATTED
- (C) CALCULATED

GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983.
2. ALL DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.
3. FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP/COMMUNITY PANEL NUMBERS 20209C0023E EFFECTIVE SEPTEMBER 2, 2015, AREA ZONE X " AREA OF MINIMAL FLOOD HAZARD"
4. KS ONE CALL WAS NOT CALLED.
5. CURRENT ZONING - R-1
6. CLOSURE PRECISION: 1 PART IN 6010330.000
7. REFERENCED SURVEY:
   - SUBDIVISION OF MILLER ESTATE
   - VILLES ACRES
   - ROAD RECORD BOOK 2727 PAGE 98
   - STIMAC ADDITION

VICINITY MAP



SECTION 05-11-23
1" = 2000'

This is to certify on this 13TH day of AUGUST, 2024 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.

ANDREA N WEISHAUBT PLS 1730

JOB NO:24-239

SCALE	PREPARED FOR
60 30 0 60 SCALE IN FEET	
SEC-TWN-RNG	ALTAR SUPPORT
05-11S-23E	ADDRESS: 13205 PARALLEL PKWY KANSAS CITY, KS 66109

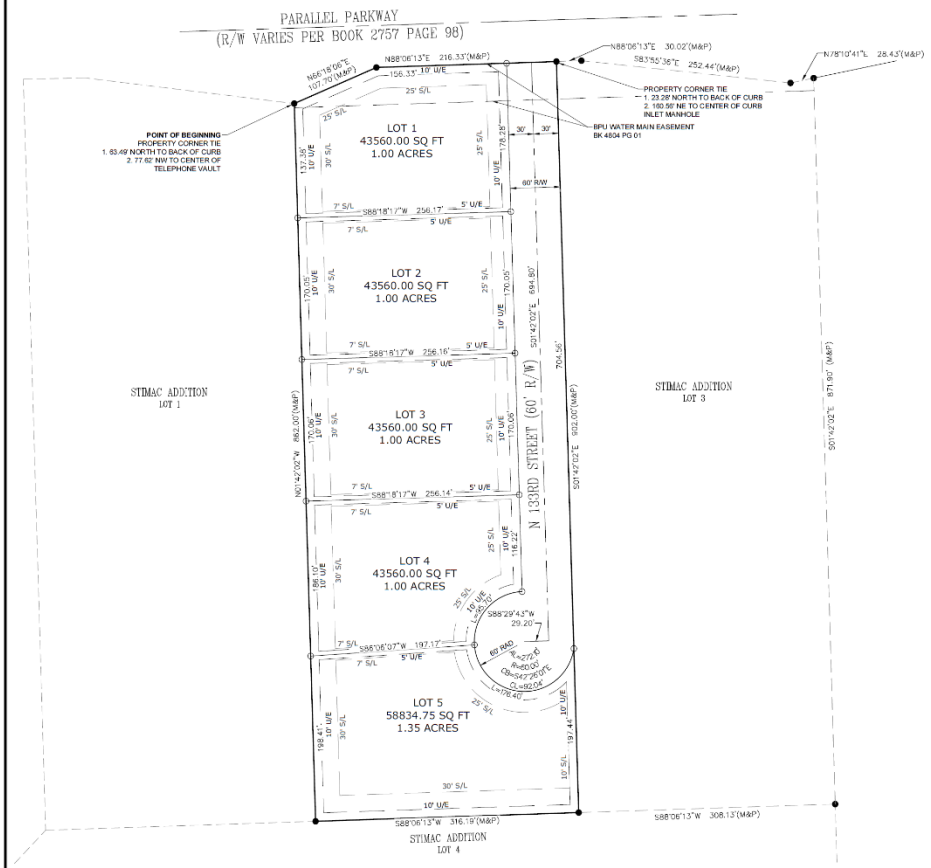
DATE

SEPTEMBER 12, 2024

11/14/2024 3:04 PM AUSTI
CAD FILE : S:\Atlas Land Consulting\2024\24-239 Vann 13303 Parallel\Plat.dwg

BROWN FAMILY ESTATES

A REPLAT OF LOT 2 STIMAC ADDITION, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS



DESCRIPTION:

A REPLAT OF LOT 2, STIMAC ADDITION, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS, PREPARED BY ANDREA N WEISHAUPT, PLS 1730 DATED NOVEMBER 13, 2024; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2, ALSO KNOWN TO BE A POINT ON THE SOUTH RIGHT OF WAY LINE OF PARALLEL PARKWAY AS IT NOW EXISTS; THENCE NORTH 66°19'06" EAST, ALONG THE NORTH LINE OF SAID LOT 2 AND SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 107.70 FEET; THENCE NORTH 88°06'13" EAST, CONTINUING ALONG SAID NORTH LINE AND SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 216.33 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 01°42'02" EAST, ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 852.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 88°06'13" WEST, ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 316.19 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 01°42'02" WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 852.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 283,294.38 SQ FEET MORE OR LESS OR 6.50 ACRES

DEDICATION:

*THE UNDERSIGNED PROPRIETOR OF THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS "**BROWN FAMILY ESTATES**"*

An easement is hereby granted to the Unified Government of Wyandotte County/Kansas City, Kansas, to enter upon, construct, maintain, use and authorize the location, of conduits for providing water, gas, cable, electric, sewers, and other utility services, including related facilities and appurtenances thereto, and drainage facilities, upon, under, over and across those areas outlined and designated on this plat as "Utility Easement" or "U/E", and further, subject to administration and regulation by the City, the subordinate use of such areas by other governmental entities and utilities, franchised or authorized to do business in the City of Kansas City, Kansas.

In accordance with KSA 12-512b, all rights, obligations, reservations, easements, or interest shown as vacated with this plat shall be vacated as to use and as to title, upon filing and recording of this plat. The proprietors, successors, and assigns, of property shown on this plat hereby absolve and agree, jointly and severally, to indemnify the Unified Government of Wyandotte County/Kansas City, Kansas, of any expenses incident to the relocation of any existing utility improvements hereinafter installed and required to be relocated in accordance with proposed improvements described in this plat.

The undersigned proprietors of the above described land hereby consents and agrees the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or part thereof, for public use, from the lien and effect of any special assessments, and that the amount of the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of that land fronting or abutting on such dedicated public ways or thoroughfares.

IN TESTIMONY WHEREOF,
*I, undersigned owner of **BROWN FAMILY ESTATES** have set our hands this _____ day of _____ 202_.*

ALTAR SUPPORT INC, MANAGING MEMBER, ALICIA VANN

ACKNOWLEDGEMENT:

STATE OF KANSAS
COUNTY OF

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____ 202_, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME ALTAR SUPPORT INC, MANAGING MEMBER, ALICIA VANN, TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FORGOING INSTRUMENT OF WRITING, AND DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARY SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC _____
My Commission Expires: _____

*THIS PLAT OF **BROWN FAMILY ESTATES** HAS BEEN SUBMITTED TO AND APPROVED BY THE UNIFIED GOVERNMENT OF WYANDOTTE/KANSAS CITY, KANSAS, PLANNING COMMISSION*

*DATED THIS _____ DAY OF _____ 202_*
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, PLANNING COMMISSION

BY _____, CHAIRMAN
JEFF CARSON

_____, SECRETARY
GUNNAR NAND, AICP

THE DEDICATIONS SHOWN HEREON, IF ANY, ARE ACCEPTED THIS _____ DAY OF _____ 202_.

_____
TYRONE GARNER, MAYOR/CEO

_____
MONICA SPARKS, UNIFIED CLERK

RECOMMENDED FOR APPROVAL BY THE WYANDOTTE COUNTY ENGINEER, THIS_____ DAY OF_____ 202_.

_____
TROY SHAW, P.E., COUNTY ENGINEER

COUNTY SURVEYOR APPROVAL:
THIS SURVEY HAS BEEN REVIEWED FOR FILING, PURSUANT TO KSA 58-2005, 58-2005, AND 58-2011, FOR CONTENT ONLY AND IS IN COMPLIANCE WITH THOSE PROVISIONS. NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.

REVIEWED BY _____ DATE: _____
BRENT E. THOMPSON, KS P.L.S. 1277

STATE OF KANSAS)SS
COUNTY OF)

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE ON THIS _____ DAY OF _____ 20__ AT _____ O'CLOCK AND IS DULY RECORDED.

_____
SUSAN P. NELSON, REGISTER OF DEEDS

_____
MARGARET A. CRENDAC, DEPUTY

ALC
ATLAS LAND CONSULTING
SURVEYING | CIVIL ENGINEERING | DRONE | CAD
14580 Parallo Road, Unit 5, Bonner KS 66007

FINAL PLAT

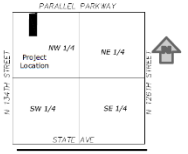
LEGEND

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   -STIMAC ADDITION

VICINITY MAP



SECTION 05-11-23
1" = 2000'

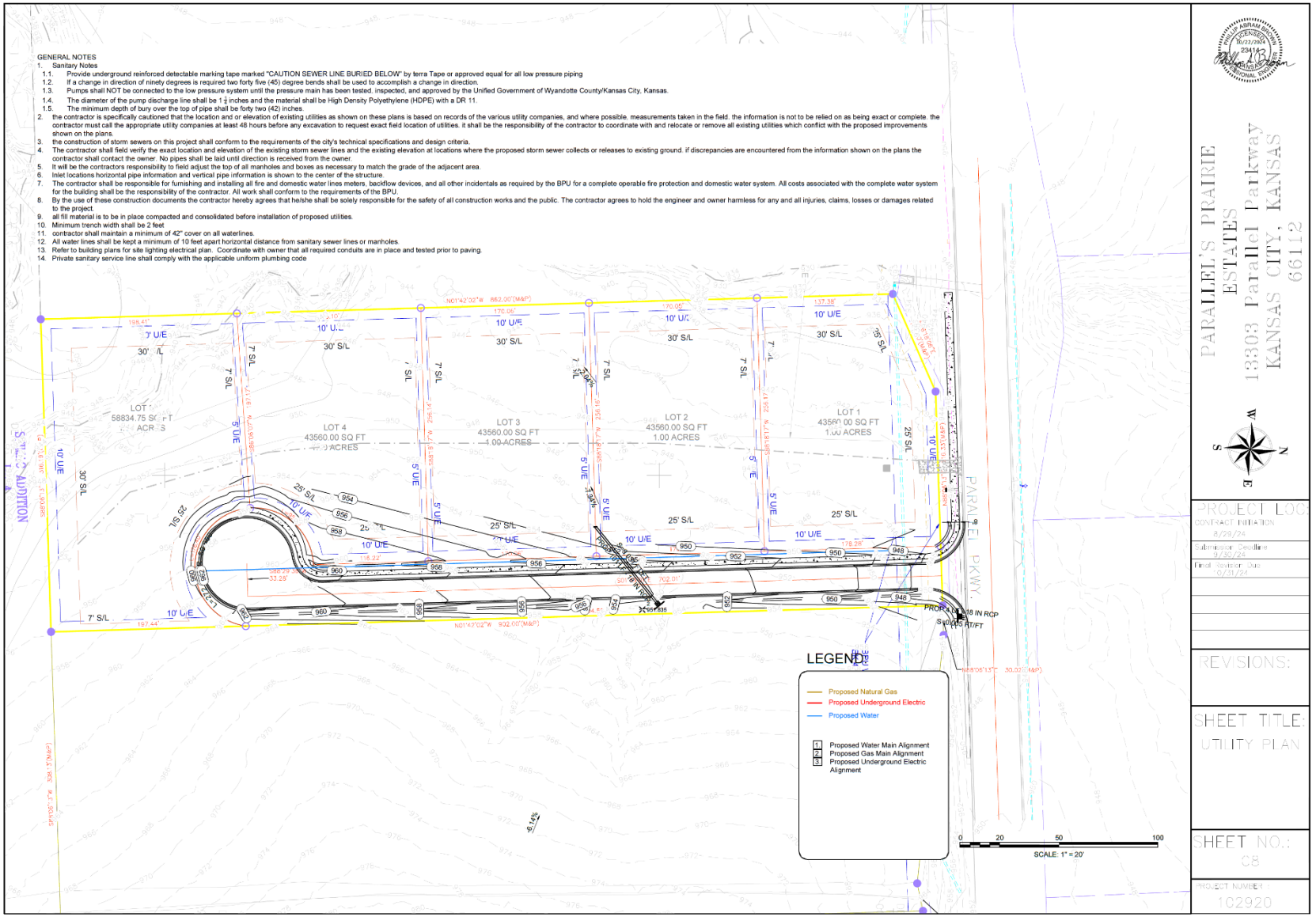
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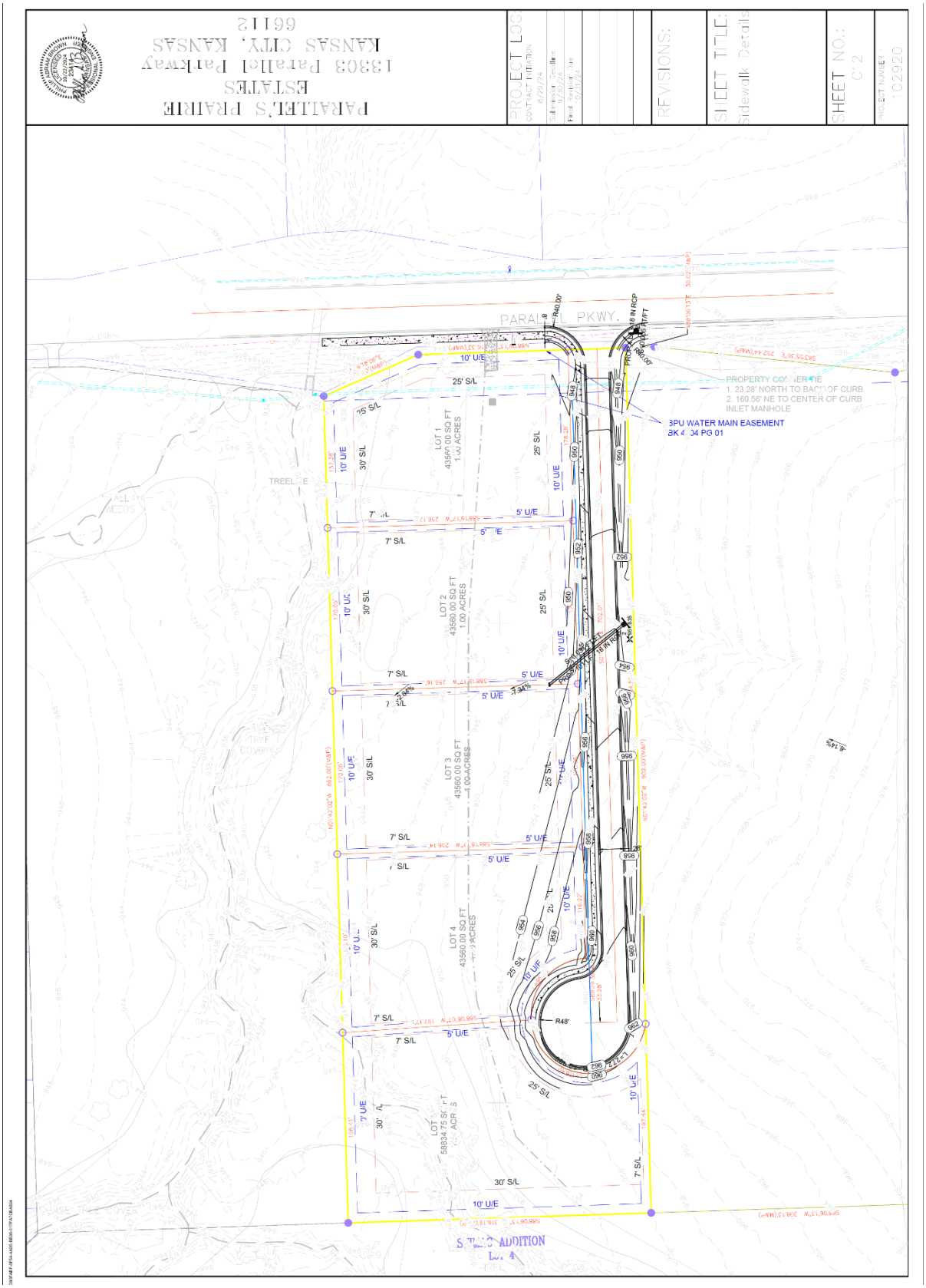
ANDREA N WEISHAUPT PLS 1730

JOB NO:24-239

SCALE	PREPARED FOR
60 30 0 60 SCALE IN FEET	
SEC-TWN-RNG	ALTAR SUPPORT
05-11S-23E	ADDRESS: 13205 PARALLEL PKWY KANSAS CITY, KS 66109
DATE	
SEPTEMBER 12, 2024	

PARALLEL'S PRAIRIE
ESTATES
13803 Parallel Parkway
KANSAS CITY, KANSAS
66112
PROJECT LOCATION
SHEET TITLE:
SITE PLAN
SHEET NO:
C3
PROJECT NUMBER:
LEGEND
Property Line
2' Wet Curb & Gutter
Existing Contours
Proposed Contours
Proposed Spot Elevation
Existing Storm Sewer
Proposed Storm Pipe
Construct 6" concrete curb
Install ADA Ramp per ug standard detail UG-4100-F
Install public 5' concrete sidewalk
SCALE: 1" = 40'
PARALLEL PKWY.
3PU WATER MAIN EASEMENT
BK 4004 PG 01
TREE LINE
TALL WEEDS
SHRUB TREE COVER
R40.00'
R48'
10' U/E
25' S/L
30' S/L
5' U/E
7' S/L
Site Grading Notes:
1. Contours and elevations, existing and proposed contours are shown on plans at two foot (2') contour intervals, unless otherwise noted. proposed contours and elevations shown represent approximate finish grade.
2. If the contractor does not accept existing topography as shown on the plans, without exception, he shall have made at his expense, a topographic survey by a registered land surveyor and submit it to the owner for review.
3. Clearing and Grubbing: Prior to beginning preparation of subgrade, all areas under pavements or building shall be stripped of all topsoil, vegetation, large rock fragments (greater than 9 inches in any dimension) and other deleterious material. Trees and vegetation designated for retention shall be protected from damage. All trees shall be removed in their entirety. Stripping materials shall not be incorporated into structural fills.
4. Topsoil stripping: Prior to the start of site grading, the contractor shall strip all topsoil from areas to be graded, and stockpiled at a location on or adjacent to the site as directed by the owner. At completion of grading operations and related construction the contractor will be responsible for redistribution of topsoil over all areas disturbed by construction activities. Topsoil shall be placed to a minimum depth of six inches (6") and in accordance with the grading plan. Topsoil shall not be placed while the subgrade is frozen, excessively wet or in a condition that may otherwise adversely affect the planting operation. The rock systems of all trees shall be removed in their entirety.
5. Contractor shall adjust and or cut existing pavement as necessary to assure a smooth fit and continuous grade. Contractor shall assure positive drainage away from buildings for all natural and paved areas.
6. Subgrade Preparation: prior to placement of new fill material, the existing subgrade shall be proof rolled and approved under the direction of the owner or his representative.
7. Proof rolling: subsequent to completion of stripping and over-excavation, all building and pavement areas to receive fill shall be systematically proof rolled using a tandem axle dump truck loaded to approximately 20,000 pounds gross weight. Areas of excessive deflection, soft or loose soil shall be over-excavated and replaced with controlled structural fill.
8. Earthwork:
8.1. Surface water shall be intercepted and diverted during the placement of fill.
8.2. All fill material shall be compacted and free of vegetation, organic matter, topsoil and debris. In areas where the thickness of the engineered fill is greater than five, feet building and pavement construction shall not commence until so authorized by the onSite geotechnical engineer to all for consolidation.
8.3. The upper 9 inches of pavement subgrade areas shall be compacted to a minimum density of ninety five percent of the materials maximum dry density as determined by ASTM D698 (Standard proctor compaction. The moisture content at the times of placement and compaction shall be within a range of 0% below to 4% above optimum moisture content as defined by the standard proctor.
9. All grades around building shall be field adjusted as necessary to assure positive drainage away from buildings. Finish grades shall be 6" below all grades around building shall be field down 6" from finish floor and slope away another 6" in 10 feet. Contractor shall notify owner prior to final subgrade construction of any areas not within this slope requirement.
10. All excavation shall be considered unclassified. No separate or additional payments shall be made for rock excavation.
11. All areas disturbed by earthwork operations shall be seeded unless shown otherwise by the landscaping plan or erosion control plan.
12. Contractor shall verify the exact location of all existing utilities and shall coordinate the protection of the various utility companies. the information is not to be relied on as being exact or complete. The contractor must call the appropriate utility companies at least 48 hours before any excavation to request exact field location of utilities. It shall be the responsibility of the contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plans.
13. The contractor shall adhere to all terms & conditions as outlined by the EPA or applicable state NPDES permit for storm water discharge associated with construction activities. Refer to project SWPPP requirements.
14. All excavated fill is not immediately loaded and hauled off the site shall be stockpiled on site. Contractor shall provide all appropriate BMPs to stay in compliance with the respective area units stockpile is removed from site.


GENERAL NOTES
1. Sanitary Notes
1.1. Provide underground reinforced detectable marking tape marked "CAUTION SEWER LINE BURIED BELOW" by terra Tape or approved equal for all low pressure piping
1.2. If a change in direction of ninety degrees is required two forty five (45) degree bends shall be used to accomplish a change in direction.
1.3. Pumps shall NOT be connected to the low pressure system until the pressure main has been tested, inspected, and approved by the Unified Government of Wyandotte County/Kansas City, Kansas.
1.4. The diameter of the pump discharge line shall be 1 1/4 inches and the material shall be High Density Polyethylene (HDPE) with a DR 11.
1.5. The minimum depth of bury over the top of pipe shall be forty two (42) inches.
2. the contractor is specifically cautioned that the location and or elevation of existing utilities as shown on these plans is based on records of the various utility companies, and where possible, measurements taken in the field. the information is not to be relied on as being exact or complete. the contractor must call the appropriate utility companies at least 48 hours before any excavation to request exact field location of utilities. it shall be the responsibility of the contractor to coordinate with and relocate or remove all existing utilities which conflict with the proposed improvements shown on the plans.
3. the construction of storm sewers on this project shall conform to the requirements of the city's technical specifications and design criteria.
4. The contractor shall field verify the exact location and elevation of the existing storm sewer lines and the existing elevation at locations where the proposed storm sewer collects or releases to existing ground. if discrepancies are encountered from the information shown on the plans the contractor shall contact the owner. No pipes shall be laid until direction is received from the owner.
5. It will be the contractors responsibility to field adjust the top of all manholes and boxes as necessary to match the grade of the adjacent area.
6. Inlet locations horizontal pipe information and vertical pipe information is shown to the center of the structure.
7. The contractor shall be responsible for furnishing and installing all fire and domestic water lines meters, backflow devices, and all other incidentals as required by the BPU for a complete operable fire protection and domestic water system. All costs associated with the complete water system for the building shall be the responsibility of the contractor. All work shall conform to the requirements of the BPU.
8. By the use of these construction documents the contractor hereby agrees that he/she shall be solely responsible for the safety of all construction works and the public. The contractor agrees to hold the engineer and owner harmless for any and all injuries, claims, losses or damages related to the project.
9. all fill material is to be in place compacted and consolidated before installation of proposed utilities.
10. Minimum trench width shall be 2 feet
11. contractor shall maintain a minimum of 42" cover on all waterlines.
12. All water lines shall be kept a minimum of 10 feet apart horizontal distance from sanitary sewer lines or manholes.
13. Refer to building plans for site lighting electrical plan. Coordinate with owner that all required conduits are in place and tested prior to paving.
14. Private sanitary service line shall comply with the applicable uniform plumbing code
LOT 1
43560.00 SQ FT
1.00 ACRES
LOT 2
43560.00 SQ FT
1.00 ACRES
LOT 3
43560.00 SQ FT
1.00 ACRES
LOT 4
43560.00 SQ FT
1.00 ACRES
PARALLEL PKWY.
LEGEND
Proposed Natural Gas
Proposed Underground Electric
Proposed Water
1 Proposed Water Main Alignment
2 Proposed Gas Main Alignment
3 Proposed Underground Electric Alignment
SCALE: 1" = 20'
PARALLEL'S PRAIRIE ESTATES
13303 Parallel Parkway
KANSAS CITY, KANSAS 66112
PROJECT LOG
CONTRACT INITIATION 8/29/24
Submittal Deadline 9/30/24
Final Revision Due 10/31/24
REVISIONS:
SHEET TITLE:
UTILITY PLAN
SHEET NO.:
08
PROJECT NUMBER:
102920


PARALLEL'S PRAIRIE
ESTATES
13303 Parallel Parkway
KANSAS CITY, KANSAS
66112
PROJECT LOG
REVISIONS:
SHEET TITLE:
Sidewalk Details
SHEET NO.:
C 2
PARALLEL PKWY.
10' U/E
25' S/L
30' S/L
LOT 1
43560.00 SQ FT
1.00 ACRES
LOT 2
43560.00 SQ FT
1.00 ACRES
LOT 3
43560.00 SQ FT
1.00 ACRES
LOT 4
43560.00 SQ FT
1.00 ACRES
5' U/E
7' S/L
R48'
PROPERTY CORNER TIE
1. 23.28' NORTH TO BACK OF CURB
2. 160.56' NE TO CENTER OF CURB INLET MANHOLE
BPU WATER MAIN EASEMENT
BK 4 34 PG 01









Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 9, 2025

Re: **Change of Zone Petition COZ2024-034 and Master Plan Amendment Petition MPL2024-012**

GENERAL INFORMATION

Applicant Information:
Amy Grant and Curtis Petersen
Polsinelli PC
900 West 48th Place
Kansas City, Missouri 64112

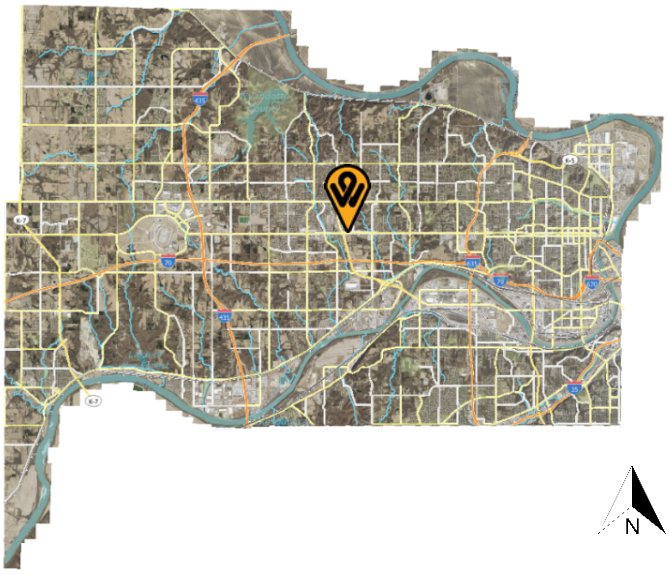
Subject Property:
6909 State Avenue
Kansas City, Kansas 66102

Requested Action and Purpose:
Approval of a Change of Zone from No Zone to RP-5 Planned Apartment District and Master Plan Amendment from Mixed-Use to High-Density Residential (PlanKCK) to construct a 192 garden-style apartment complex.

Commission Districts:
Commissioner At-Large, District #1: Melissa Bynum
District #8 Commissioner: Andrew Davis

Existing Zoning District(s):
No Zoning

Proposed Zoning District(s):
RP-5 Planned Apartment District





	Adjacent Zoning	Adjacent Uses
North	CP-2 Planned General Business District	Lowe's Home Improvement Store
South	MP-2 Planned General Industrial District	Turner Logistics Center
East	MP-2 Planned General Industrial District	Turner Logistics Center
West	RP-5 Planned Apartment District	Garden Apartments

Total Tract Size: 10.05 Acres

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Current Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Corridor Mixed Use, which allows medium scale, up to five story buildings that integrate complimentary land uses such as retail, office, small businesses and residential.

Proposed Plan Designation: The applicant proposes to amend the designation to High-Density Residential, which allows attached owner and renter occupied mid-rise and high-rise residential developments.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates State Avenue as a Major Arterial.

Parking Requirement: The applicant is proposing to change the zoning to RP-5 Planned Apartment District. Section 27-460(d) states "One and one-half (1.5) parking spaces shall be provided for each dwelling unit that has one bedroom or less. Two (2) parking spaces shall be provided for each dwelling unit that has two bedrooms or more.

The applicant is proposing 60 one (1) bedroom units, 60 two (2) bedroom units, and 72 three (3) bedroom units, which requires 354 parking spaces. The applicant is only provided 273 spaces, which requires a variance to be approved.

Landscaping Requirement:	The applicant is proposing to change the zoning to RP-5 Planned Apartment District. Section 27-460(f) states “Trees are required at not less than one (1) per 4,500 square feet of site area”. Section 27-700(b)(1) states “All multifamily residential projects shall include at least one (1) shade tree per eight (8) dwelling units and one (1) shrub per dwelling unit in addition to the tree requirement, but not in addition to the buffer plantings if required. The development is required to provide 122 trees and 192 shrubs. The applicant is proposing 132 trees and 559 shrubs.
Advertisement:	The Wyandotte Echo – November 14, 2024 Letters to Property Owners – November 15, 2024
Public Hearings:	December 9, 2024 and January 9, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Amy Grant and Curtis Petersen, on behalf of Marian Development, is requesting a Change of Zone from No Zone to RP-5 Planned Apartment District and a Master Plan Amendment to the PlanKCK Comprehensive Plan from Mixed-Use to High-Density to develop a 192-unit garden style apartment complex at 6909 State Avenue

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VII Sections 27-245 – 27-339, Article VI Section 27-210 through 212 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There have been no Noise or Disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. There are no Notices of Violation on the subject property.

Outstanding or Related Permits and Cases:

1. There are no related or outstanding permits and cases on the subject property.

Previous Planning Actions:

1. Approval of a Change of Zone (COZ2023-002) from No Zone to RP-5 for an apartment development in 2023.
2. Approval of a Master Plan Amendment (MPL2023-003) from Mixed-Use to High Density Residential in the City-Wide Comprehensive Plan in 2023.
3. The previous two (2) entitlements were withdrawn prior to publication.

FACTORS TO BE CONSIDERED

Change of Zone

1. The Character of the Neighborhood.

The subject property is located within the Coronado Statistical Neighborhood and the Turner Community Connection neighborhood group. The neighborhood consists of a diversity of uses, including single-family residences, multi-family garden style apartments, small-scale retail, large-scale big box retail, and industrial warehouses. The property is located along State Avenue, a mixed-use corridor that runs west into Leavenworth County and east into Downtown KCK, as well as College Parkway, which runs north to Leavenworth Road and south into the Turner Neighborhood.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The zoning and uses are set out above. The proposed use may have compatibility issues with the adjacent big box retail store to the north and the industrial warehouse to the east, as both uses may create issues with noise, traffic, and illumination, however, the proposed use is compatible with the multi-family residences and Kansas City, Kansas Community College to the north and west.

3. The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions detrimentally affect nearby property?

The property is currently unzoned. The applicant is requesting a Change of Zone to RP-5 Planned Apartment District, which would make the property suitable for the proposed use of a garden-style multi-family development. The removal of restrictions will not affect nearby property.

4. ***The length of time the property has remained vacant as zoned and/or the length of time the property has been actively marketed.***

   The property has been vacant since its creation. The property was previously public right-of-way for the Kansas Department of Transportation (KDOT).

5. ***The extent to which the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.***

   The proposed use is reasonably necessary for the convenience and welfare of the public, as it provides multiple housing unit types (between one, two, and three bedrooms) and is within walking distance of the employment hub of Turner Logistics Center, and the educational hub of Kansas City, Kansas Community College. The property is also located along the #101 State Avenue bus line, a major transit corridor within the RideKC system. The proposed use will not injure the use, quality, or marketability of nearby property, and has the potential to increase the marketability and use, as it proposes housing near several major destinations within Kansas City, Kansas.

6. ***The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.***

   The proposed use will inherently create an increase in traffic and parking demand, as it proposes to add 192 permanent housing units to the location. The proposed use, however, will not increase traffic to the point where it exceeds the capacity of State Avenue and College Parkway, both Major Arterials to accommodate them. The property, however, does not currently provide adequate parking, as it is 81 spaces short of the required 354 spaces. A variance must be sought.

7. ***The degree of conformance of the proposed use to the Master Plan.***

   The PlanKCK Comprehensive Plan designates the subject property as Corridor Mixed Use, which allows medium scale, up to five story buildings that integrate complimentary land uses such as retail, office, small businesses and residential. The applicant proposes to amend the designation to High-Density Residential, which allows attached owner and renter occupied mid-rise and high-rise residential developments.

8. ***The extent to which the proposed use could cause environmental harm or enhance the environment.***

   The proposed use has the potential to harm the environment, as it will increase the amount of impervious surface on the site, thus creating additional run-off. If managed properly, however, this is not expected to be an issue.

9. The extent to which utilities and public services are available and adequate to serve the proposed use.

a. Electric and Water Service

BPU provides water and electric service.

b. Sanitary Sewer Service

The UG provides sanitary sewer service.

c. Storm Water Control

The UG provides storm water control.

d. Police

Police service is provided by West Patrol, District #222.

e. Fire

Fire service is provided by Station #2, which is one (1) mile from the subject property.

f. Transit

Transit service is provided by KCATA routes #101 – State Avenue and #106 – Quindaro/Amazon, with a stop at 69th and State Avenue, directly east of the subject property. The property is also served by KCATA route #199 – KCK Microtransit, which provides door to door demand response service.

g. Schools

Public Education is provided by Turner Elementary School, Turner Middle School, and Turner High School under Turner USD 202.

10. The economic impact of the proposed use on the community.

The proposed use will have a beneficial economic impact on the community. The multiple housing unit types (between one, two and three bedrooms) within the complex will promote a diverse population to make use of the nearby employment center, shopping, entertainment, and transit.

11. The capability of the proposed use to meet applicable ordinance requirements.

The proposed use currently does not meet ordinance requirements for parking. The applicant is proposing 60 one (10 bedroom units, 60 two (2) bedroom units, and 72 three (3) bedroom units, which requires 354 parking spaces. The applicant is only provided 273 spaces, which requires a variance to be approved, or an additional 81 spaces be provided on-site.

12. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, however, the owners will still have to file for a change of zone to be able to develop the property in any form.

Master Plan Amendment

1. Whether events subsequent to the comprehensive plan adoption have changed the character and/or condition of the area as to make the application acceptable.

The subject property did not exist when the City-Wide Master Plan was created, as it was formerly KDOT right-of-way. Since the development of the plan, the right-of-way was vacated and the subject property was created and assigned the adjacent designation of Mixed-Use, which has since been redesignated to develop the Turner Logistics Center.

2. Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan.

This portion of State Avenue and College Parkway features a diverse range of uses, including single-family residences, multi-family garden style apartments, small-scale retail, large-scale big box retail, and industrial warehouses. The property is located along State Avenue, a mixed-use corridor that runs west into Leavenworth County and east into Downtown KCK. The proposed Master Plan Amendment is consistent with the goals of the Comprehensive Plan as to provide more dense housing along State Avenue, much of which has been designated for mixed-use development.

3. ***Whether the proposed amendment will result in comprehensive plan or regulatory conflicts.***

   The proposed amendment would not result in a conflict with the Comprehensive Plan, as the plan intends to provide housing density along State Avenue. The amendment will also not create regulatory conflicts as the property is seeking a Change of Zone to RP-5 Planned Apartment District with the Master Plan Amendment.

4. ***Whether the proposed amendment would allow a change in development on the subject site without creating adverse impacts on existing or planned surrounding uses or creating inconsistencies with applicable future land use map patterns.***

   The proposed amendment will allow for the property to be developed according to the Comprehensive Plan's Multi-Family Design Guidelines, which will limit the impact on existing and surrounding uses.

5. ***The impacts of the potential costs and benefits derived by the community or area by the proposed change.***

   The proposed use will create more benefits for the community as compared to the costs on the community. This proposal seeks to construct 192 apartment units of varying unit types (including one, two, and three bedroom units) in a commercial and institutional node, with Kansas City, Kansas Community College and Turner Logistics Center located adjacent to the subject property.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting on November 25, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Parking
Buffering and Screening
Building Materiality
Northern Entrance from State Avenue
Traffic Calming
Traffic Study

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone and Master Plan Amendment applications **COZ2024-034 and MPL2024-012**, subject to:

1. **The applicant shall file for a variance for the reduced parking amounts**

proposed. This Change of Zone and Master Plan Amendment will not be published until the variance application is approved by the Board of Zoning Appeals;

2. **Speed bumps shall be provided along the eastern drive aisle, to slow down traffic entering from the north;**
3. **Downspouts shall be recessed into the building and painted to blend in with the façade;**
4. **50 trees and 150 bushes shall be provided along the eastern property line;**
5. **All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;**
6. **All landscaping shall be irrigated;**
7. **Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;**
8. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
9. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
10. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
11. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
12. **A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
13. **Site improvements that include land disturbance activity on greater than**

one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;

14. **A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) Permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks, or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;**
15. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,**
16. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2024-034 and MPL2024-012,** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

December 9, 2024 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Neighborhood Meeting Materials
Site Plan
Landscape Plan
Elevations
Site Photos, Taken by Staff, Dated November 15, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	December 9, 2024 Approval	January 9, 2025
Master Plan Amendment		

STAFF CONTACT: **James Molloy**
jlmolloy@wycokck.org

MOTIONS

Change of Zone

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-034** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-034,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2024-012** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2024-012,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

December 9, 2024, City Planning Commission Minutes:

Hearing starts at 1:48:35:

MASTER PLAN AMENDMENT MPL2024-012 – AMY GRANT WITH POLSINELLI PC – SYNOPSIS: Master Plan Amendment from No Designation to High-Density Residential (PlanKCK Comprehensive Plan) at 6909 State Avenue.

CHANGE OF ZONE APPLICATION COZ2024-034 – AMY GRANT WITH POLSINELLI PC – SYNOPSIS: Change of Zone from No Zoning to RP-5 Planned Apartment District to construct an apartment complex at 6909 State Avenue.

Detailed Outline of Requested Action: The applicants, Amy Grant and Curtis Petersen, on behalf of Marian Development, is requesting a Change of Zone from No Zone to RP-5 Planned Apartment District and a Master Plan Amendment to the PlanKCK Comprehensive Plan from Mixed-Use to High-Density to develop a 192-unit garden style apartment complex at 6909 State Avenue

The following items were included as part of the record for this case:
1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 9, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Curt Peterson, applicant, Polsinelli PC, 900 West 48th Place, Kansas City, Missouri 64112
- Shelby Miles, Marion Development, Developer
- Andrew Gribble, Kimley-Horn, Engineer

A slide presentation of the proposal was shown (part of the recording of this meeting).

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:55:41: Planning Director Hand stated that this Change of Zone is being heard in conjunction with MPL2024-012 to change from Mixed-Use to High-Density Residential. The Change of Zone is from No Zone to RP-5 Planned Apartment District. It is in the PlanKCK Area in the Midtown neighborhood. Staff received

no letters in support or in opposition. There are no Notices of Violation on the property. Staff recommends approval with conditions. The applicant will have to return for a parking variance for the proposed site plan. Staff recommends keeping the speed bumps listed in Condition #2 as the long straight of way road on the property could lead to unsafe driving conditions.

The Planning Commission directed questions to Director Hand.

Motion starts at 1:59:25:

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of Master Plan Amendment MPL2024-012:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

Motion to recommend APPROVAL Passed: 7 to 0
Subject to:

1. **The applicant shall file for a variance for the reduced parking amounts proposed. This Change of Zone and Master Plan Amendment will not be published until the variance application is approved by the Board of Zoning Appeals;**
2. **Speed bumps shall be provided along the eastern drive aisle, to slow down traffic entering from the north;**
3. **Downspouts shall be recessed into the building and painted to blend in with the façade;**
4. **50 trees and 150 bushes shall be provided along the eastern property line;**
5. **All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;**
6. **All landscaping shall be irrigated;**
7. **Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where**

the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;

8. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, install-+led, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
9. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
10. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
11. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
12. **A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
13. **Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;**
14. **A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) Permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks, or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;**
15. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all**

covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and

16. **/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,**
17. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

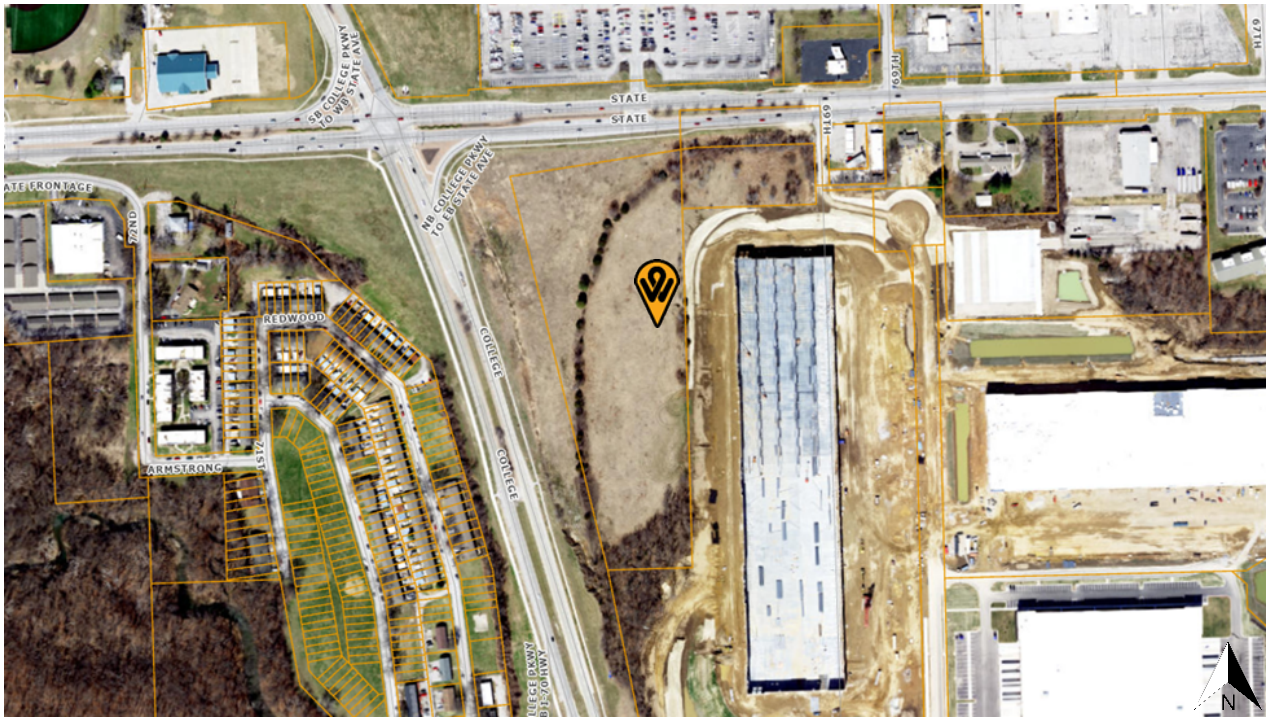
On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application COZ2024-034:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

Motion to recommend APPROVAL Passed: 7 to 0
Subject to the above conditions.

ATTACHMENTS

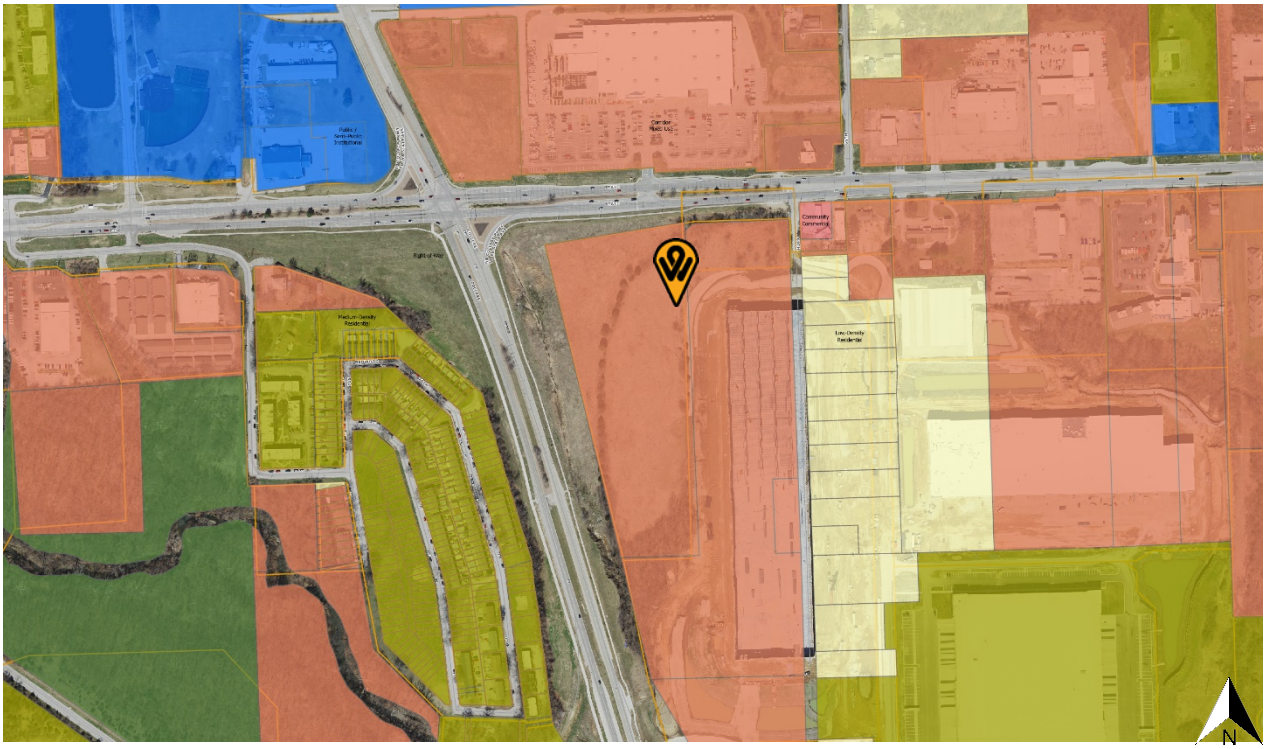
AERIAL IMAGERY



ZONING MAP



LAND USE MAP



Project Name: Marian Development
Location: 6909 State Avenue

Attendees:
Amy Grant, Polsinelli PC (Law Firm)
Shelby Miles (Marian Development)
Andrew Gribble (Engineer)

The meeting was held via zoom virtual meeting and was called to order at 5:00 p.m. The development team concluded the meeting at 5:30 p.m. after it was determined that none of the invitees had joined the meeting.

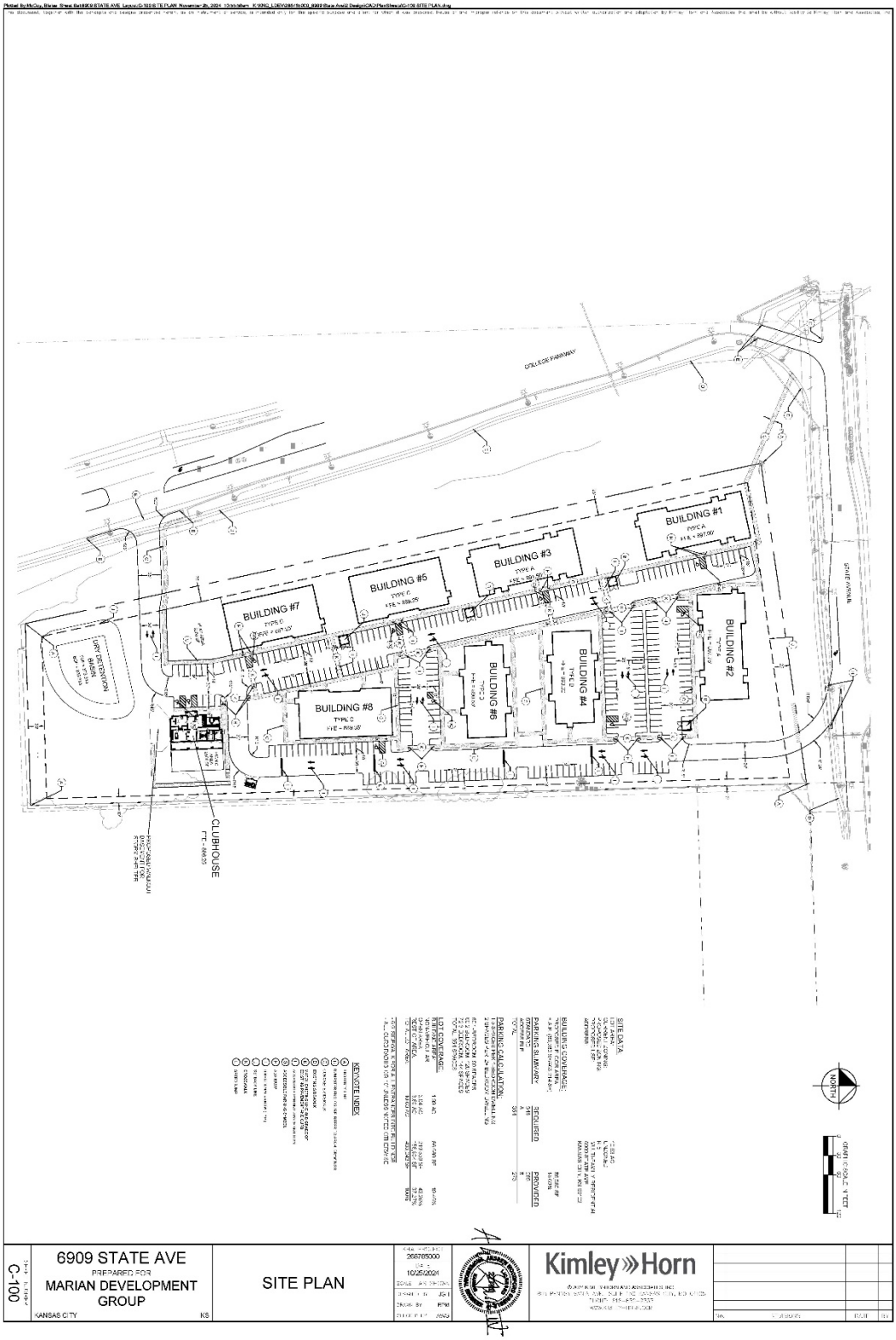
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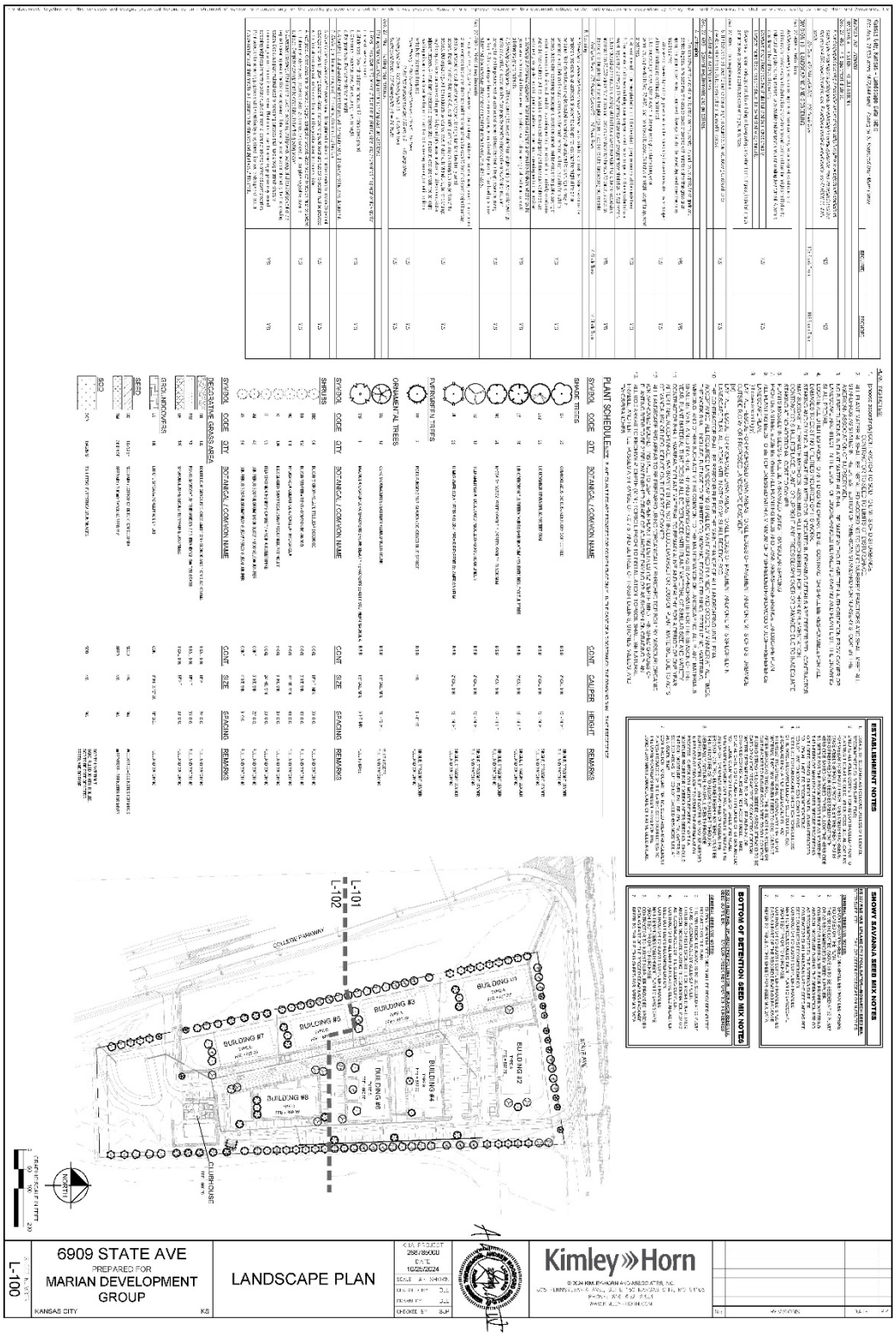
MEETING SIGN-IN SHEET	
Project: Marian Development	Meet Date: November 25, 2024
Facilitator: Amy Grant, Polsinelli PC	Place/Room: Virtual Zoom Call
Application #: COZ2024-034 and MPL2024-012	

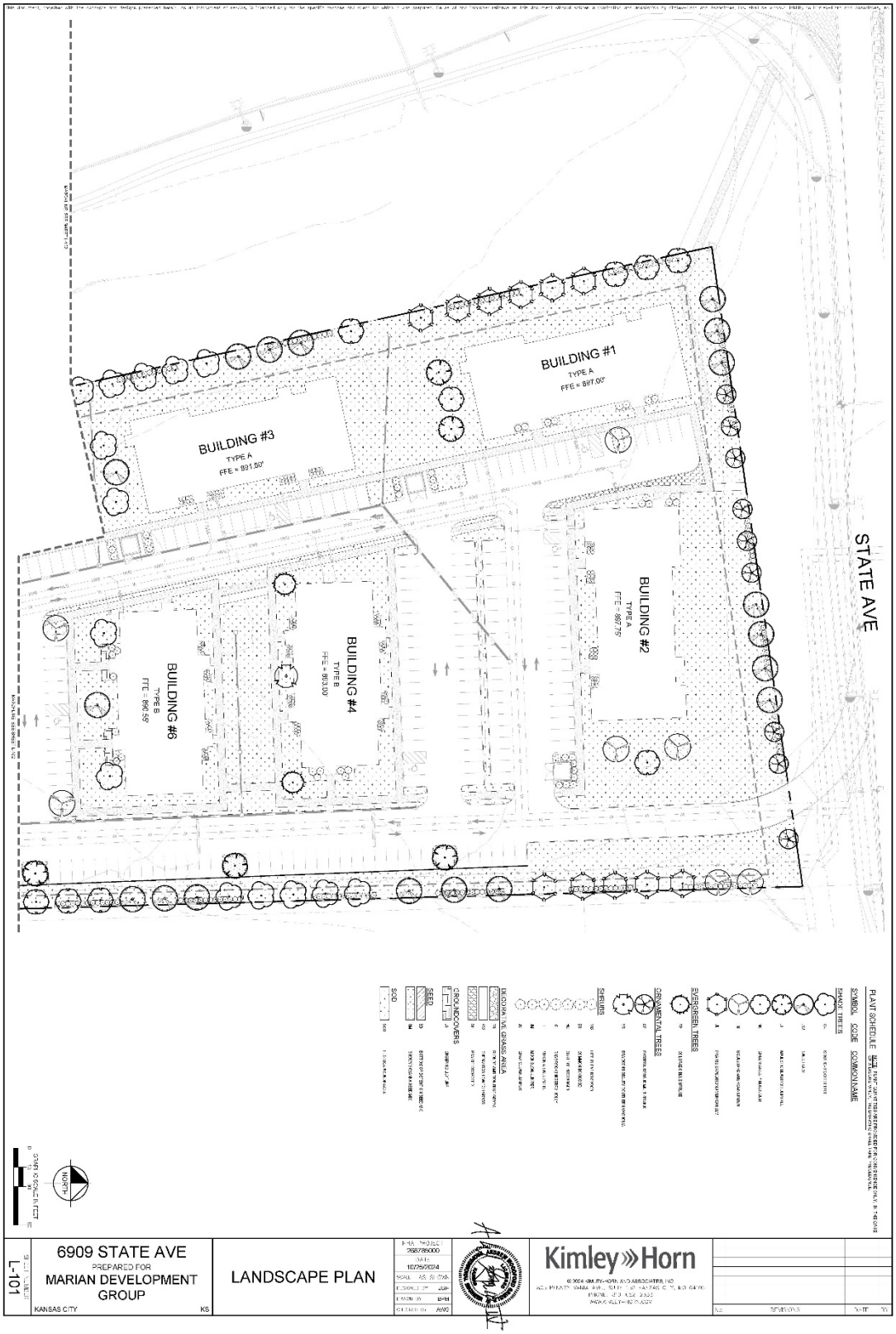
Name	Address	Email Address

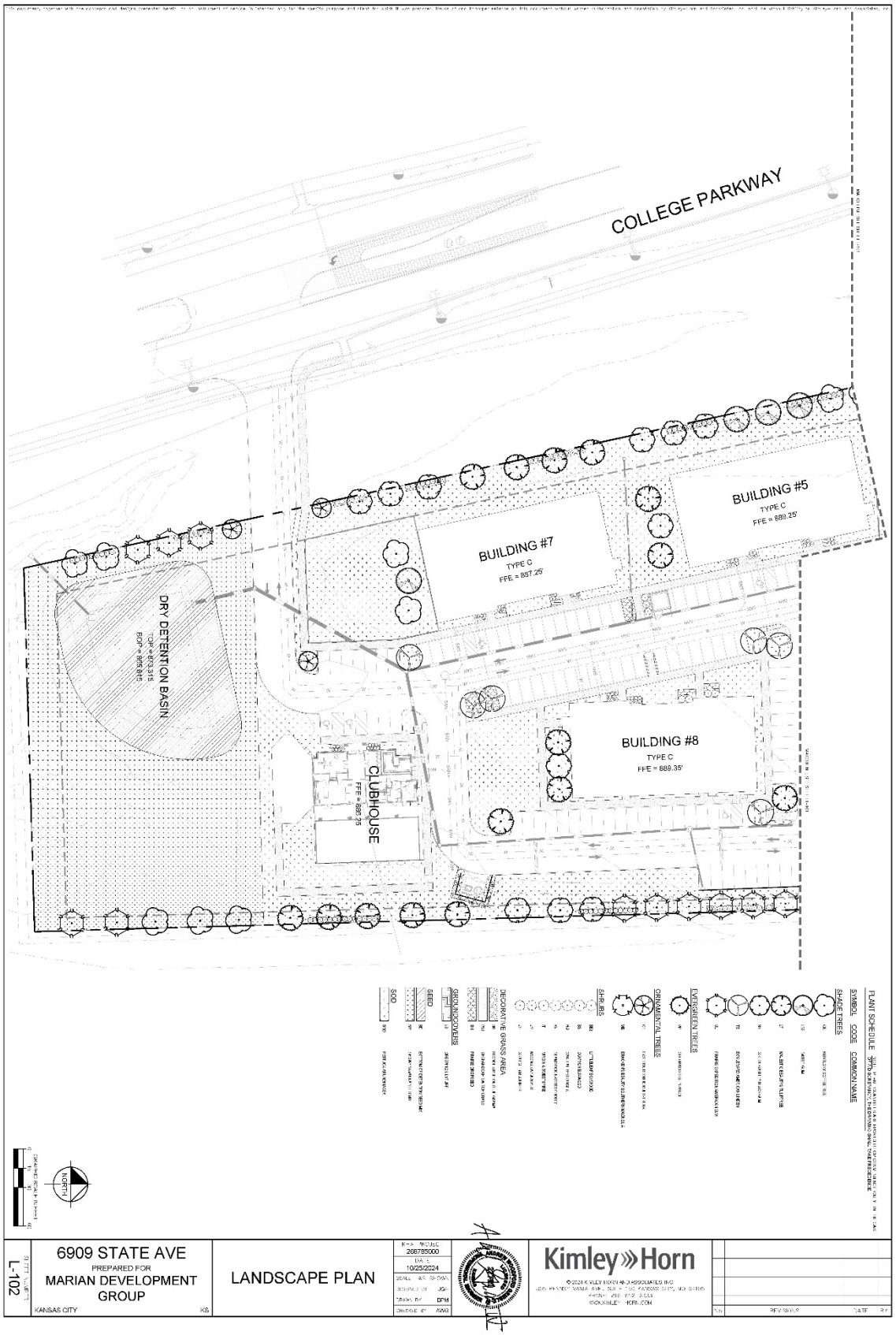
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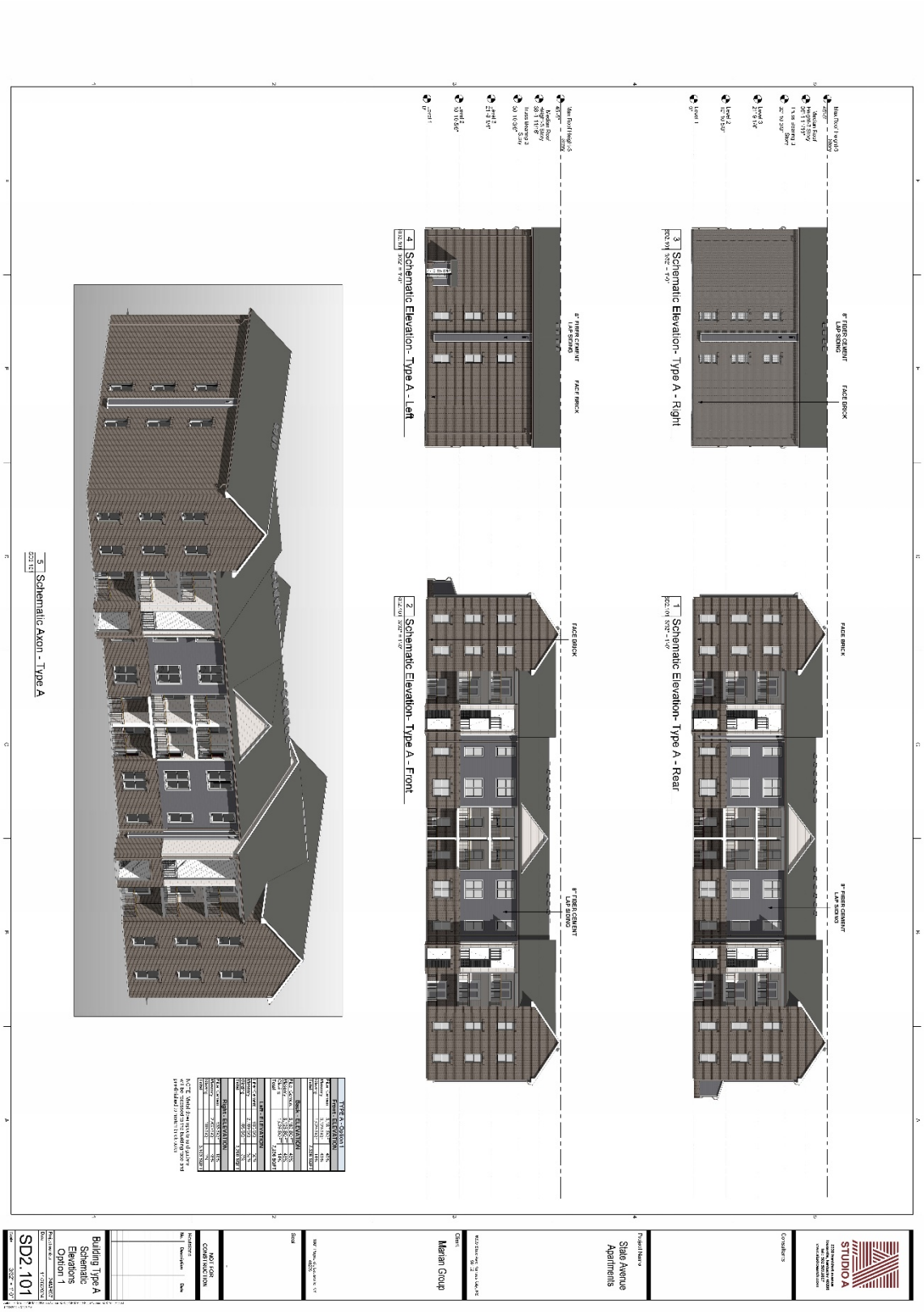
SITE PLAN


BUILDING #1
BUILDING #2
BUILDING #3
BUILDING #4
BUILDING #5
BUILDING #6
BUILDING #7
BUILDING #8
CLUBHOUSE
COLLEGE PARKWAY
SHAFF AVENUE
6909 STATE AVE
PREPARED FOR
MARIAN DEVELOPMENT GROUP
KANSAS CITY KS
SITE PLAN
C-100
Kimley»Horn


L-100
6909 STATE AVE
PREPARED FOR
MARIAN DEVELOPMENT GROUP
KANSAS CITY KS
LANDSCAPE PLAN
Kimley»Horn
L-101
L-102
COLLEGE PARKWAY
BUILDING #1
BUILDING #2
BUILDING #3
BUILDING #4
BUILDING #5
BUILDING #6
BUILDING #7
BUILDING #8
CLUBHOUSE
KENT AVE
NORTH
PLANT SCHEDULE
ESTABLISHMENT NOTES
SHOWY SAVANNA SEED MIX NOTES
BOTTOM OF DETENTION SEED MIX NOTES

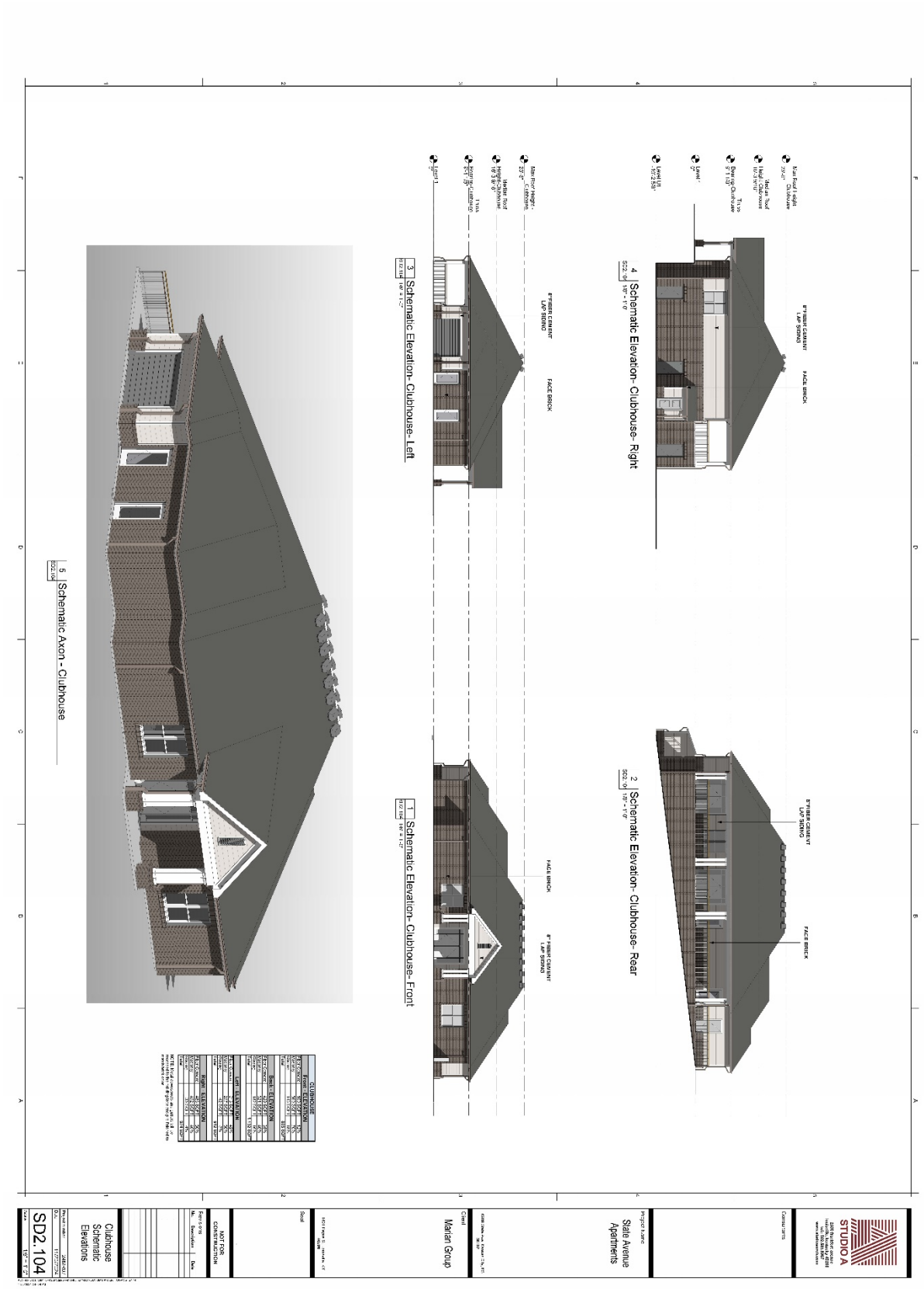

BUILDING #1
TYPE A
FFE = 897.00'
BUILDING #2
TYPE A
FFE = 887.75'
BUILDING #3
TYPE A
FFE = 891.50'
BUILDING #4
TYPE B
FFE = 863.00'
BUILDING #6
TYPE B
FFE = 846.59'
STATE AVE
PLANT SCHEDULE
SYMBOL
CODE
COMMON NAME
SHADE TREES
EVERGREEN TREES
ORNAMENTAL TREES
SHRUBS
GROUNDCOVERS
SEED
SOD
NORTH
6909 STATE AVE
PREPARED FOR
MARIAN DEVELOPMENT GROUP
KANSAS CITY
KS
LANDSCAPE PLAN
L-101
Kimley»Horn


COLLEGE PARKWAY
BUILDING #5
TYPE C
FFE = 889.25'
BUILDING #7
TYPE C
FFE = 887.25'
DRY DETENTION BASIN
BUILDING #8
TYPE C
FFE = 889.35'
CLUBHOUSE
FFE = 888.25
NORTH
PLANT SCHEDULE
SYMBOL
CODE
COMMON NAME
SHADE TREES
SHRUBS
ORNAMENTAL TREES
EVERGREEN TREES
DECORATIVE GRASS AREA
GROUNDCOVERS
SEED
SOD
L-102
6909 STATE AVE
PREPARED FOR
MARIAN DEVELOPMENT GROUP
KANSAS CITY
KS
LANDSCAPE PLAN
PROJECT
268785000
DATE
10/25/2024
Kimley»Horn


1 Schematic Elevation- Type A - Rear
2 Schematic Elevation- Type A - Front
3 Schematic Elevation- Type A - Right
4 Schematic Elevation- Type A - Left
5 Schematic Axon - Type A
FACE BRICK
8" FIBER CEMENT LAP SIDING
Project Name
Slate Avenue Apartments
Client
Marian Group
Consultants
STUDIO A
Building Type A Schematic Elevations Option 1
SD2.101
NOT FOR CONSTRUCTION

4 Schematic Elevation- Type B - Right
2 Schematic Elevation- Type B - Rear
3 Schematic Elevation- Type B - Left
1 Schematic Elevation- Type B - Front
5 Schematic Axon - Type B
FACE BRICK
8" FIBER CEMENT LAP SIDING
STUDIO A
State Avenue Apartments
Maiian Group
NOT FOR CONSTRUCTION
Building Type B Schematic Elevations
SD2.102

4 Schematic Elevation- Type C - Right
3 Schematic Elevation- Type C - Rear
2 Schematic Elevation- Type C - Left
1 Schematic Elevation- Type C - Front
5 Schematic Axon - Type C
FACE BRICK
8" FIBER CEMENT LAP SIDING
STUDIOA
Consultants
Project Name
State Avenue Apartments
Client
Marian Group
Seal
Building Type C Schematic Elevations Option 1
SD2.103
3/32" = 1'-0"


4 Schematic Elevation- Clubhouse- Right
2 Schematic Elevation- Clubhouse- Rear
3 Schematic Elevation- Clubhouse- Left
1 Schematic Elevation- Clubhouse- Front
5 Schematic Axon - Clubhouse
STUDIO A
Project Name
Slate Avenue Apartments
Client
Matan Group
Seal
NOT FOR CONSTRUCTION
Clubhouse Schematic Elevations
SD2.104

SITE PHOTOS, TAKEN BY STAFF, DATED NOVEMBER 15, 2024







Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 9, 2025

Re: **Change of Zone Petition COZ2024-035**

GENERAL INFORMATION

Applicant Information:
Donna Agee
Representative
Premier Rentals, LLC
2941 North 27th Street
Kansas City, Kansas 66104

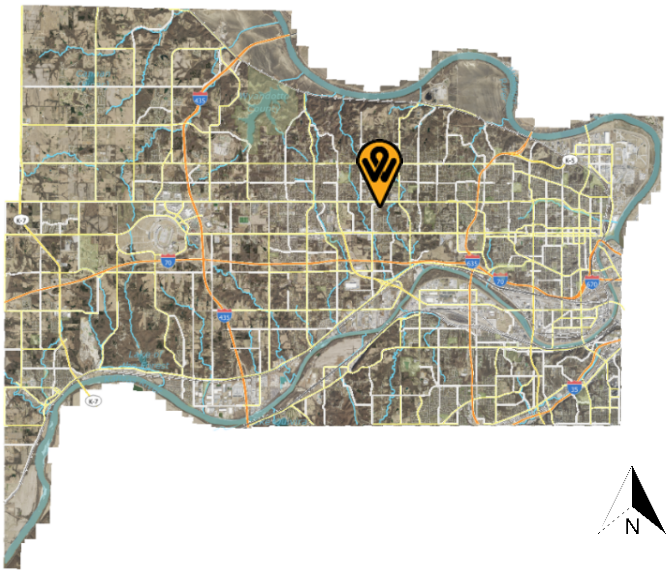
Subject Property:
621 North 17th Street
Kansas City, Kansas 66102

Requested Action and Purpose:
Approval of Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District to bring a non-conforming duplex into compliance.

Commission Districts:
Commissioner At-Large, District #2: Tom Burroughs
District #2 Commissioner: William J. Burns, Jr.

Existing Zoning District(s):
R-1(B) Single Family District

Proposed Zoning District(s):
R-2(B) Two Family District





	Adjacent Zoning	Adjacent Uses
North	R-1(B) Single Family District	Single-family residence
South	R-1(B) Single Family District	Single-family residence
East	R-1(B) Single Family District	Single-family residence
West	R-1(B) Single Family District	Single-family residence

Total Tract Size: 0.14 Acre

Comprehensive Plan Area: The Central Area Plan

Comprehensive Plan Designation: The Central Area Plan designates the subject property as Urban Density, which allows for attached and detached residences; including town homes, duplexes, triplexes, fourplexes.

Major Street Plan: The goDotte County Wide Strategic Mobility Plan designates North 17th Street as a Local/Neighborhood Street.

Parking Requirement: Section 27-457 (d) states “One (1) parking space for each dwelling unit shall be provided on the premises”. The subject property currently provides two (2) parking spaces and two (2) units are proposed, therefore, the property fulfills this requirement.

Landscaping Requirement: Section 27-700 (a) states “One (1) shade tree per dwelling unit is required in the front or corner side yard”. The subject property fulfills this requirement.

Advertisement: The Wyandotte Echo – November 14, 2024
Letters to Property Owners – November 15, 2024

Public Hearings: December 9, 2024 and January 9, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Donna Agee, is requesting a Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District to bring a non-conforming duplex into compliance at 621 North 17th Street, Kansas City, Kansas 66102.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VII Sections 27-245 – 27-339, Article VI Section 27-210 through 212 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. 2022 – CAC22-2244 – Code Administration Citation – 3rd Administrative citation for a structural violation.
2. 2023 – CMP23-2955 – Enforcement Complaint – 311 Complaint of trash and debris on the property (closed).
3. 2023 – STR23-1274 – Structural – Damaged soffits, eaves, and gutters.
4. 2024 – CMP24-2143 – Enforcement Complaint – Overgrown grass and weeds (closed).
5. 2024 – STR24-0612 – Structural – Stop Work Order for a conversion of a house to a duplex (closed).

Outstanding or Related Permit and Cases:

1. 2024 – GAS24-0025 – Gas Permit – Gas Pressure Test
2. 2024 – PLM24-0645 – Plumbing Permit – Replace drain, water, and vent on single-family home (open).
3. 2024 – ELE24-0828 – Electrical Permit – Replacing wiring, install new breaker panel on single-family home (open).
4. 2024 – BSR24-0133 – Stop Work Order – Converted house into duplex without permits.
5. 2024 – RES24-0521 – Residential – Patch sheetrock from electric and plumbing work (open).

Previous Planning Actions:

1. There are no previous planning entitlements on the subject property.

FACTORS TO BE CONSIDERED

1. ***The Character of the Neighborhood.***

   The subject property is located in the Riverview Statistical Neighborhood, the Cathedral Neighborhood group, and the Downtown Shareholders Business Group. The urban neighborhood is predominantly Single-Family Residential District. On the perimeter of the neighborhood, there are a few R-2 Two Family Districts. The character of the neighborhood is defined by its diversity, housing types, and architectural style. This neighborhood is adjacent to the 18th Street mixed-use corridor between Central Avenue and Minnesota Avenue commercial corridors. In addition, Bishop Ward High School is to the West of the subject property, along with Donnelly College.

2. ***The zoning and uses of properties nearby and the proposed use's expected compatibility with them.***

   The zoning and uses are set out above. The subject property is surrounded by parcels zoned in the R-1(B) Single Family District. The overall character and uses of the surrounding parcels are primarily single-family residential with some two-family residences and multi-family residences to the west of the property and mixed throughout the Cathedral Neighborhood.

3. ***The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions detrimentally affect nearby property?***

   Removal of the restrictions will not detrimentally affect nearby properties as this property has been used intermittently as a non-conforming duplex since 1972.

4. ***The length of time the property has remained vacant as zoned and/or the length of time the property has been actively marketed.***

   The property has been vacant for the past six (6) months as the property is undergoing renovation.

5. ***The extent to which the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.***

   The proposed use is reasonably necessary as the use as a duplex provides additional housing for the community. The proposed use will not substantially or permanently injure the use, quality, or marketability of nearby property, as it is consistent with the nearby uses.

6. ***The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.***

The proposed use will not increase traffic to the point where it exceeds the capacity of North 17th Street, a Local/Neighborhood Street, as the use of the property is not changing, rather, the zoning district is changing to match the use of the property.

7. The degree of conformance of the proposed use to the Master Plan.

The Central Area Plan designates the subject property as Urban Density, which allows for attached and detached residences; including town homes, duplexes, triplexes, fourplexes. The proposed use as a duplex would conform to the Central Area Plan.

8. The extent to which the proposed use could cause environmental harm or enhance the environment.

The proposed use will not cause environmental harm or enhance the environment as the use of the property is not changing, rather, the zoning and designation will change to match the current and proposed use of the property. The proposed use is an existing, permitted structure in a built-out urban neighborhood.

9. The extent to which utilities and public services are available and adequate to serve the proposed use.

a. Electric and Water Service

BPU provides electric and water services.

b. Sanitary Sewer Service

Sanitary sewer service is provided by the Unified Government.

c. Storm Water Control

Storm water control is provided by the Unified Government.

d. Police

Police service is provided by Midtown Patrol, District #116.

e. Fire

Fire service is provided by Station #9, which is 1.1 miles away from the subject property.

f. Transit

Public Transit is provided by Routes KCATA Route 101, JCT Route 402, and UGT Route 118, with a stop at North 18th Street and Barnett Avenue, which is one (1) block from the subject property.

g. Schools

Public Education is provided by Mckinley Elementary School, Central Middle School, and Wyandotte High School, under: Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

10. The economic impact of the proposed use on the community.

The economic impact of the proposed use on the community is minimal, as this change of zone is changing the zoning district to match the current and proposed future use of the property as a duplex, rather than a redevelopment of the property.

11. The capability of the proposed use to meet applicable ordinance requirements.

The proposed use is capable of meeting applicable ordinance requirements.

12. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

The relative gain to public health, safety and welfare is minimal, as this change of zone is simply changing the zoning district to better match the current and proposed use of the property. The hardship imposed on the property owner may be significant; if the existing duplex on the property was destroyed, the owner could only build a single-family residence rather than another duplex without the Change of Zone.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Microsoft Teams on November 25, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Parking
Rental License

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone Application **COZ2024-035**, striking condition #1, subject to:

1. ~~**Two (2) off-street parking spaces shall be provided for each dwelling unit;**~~
2. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
3. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
4. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
5. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
6. **A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
7. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,**
8. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2024-035** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

December 9, 2024 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Floor Plan
Site Plan
Photo of Property, Submitted by the Applicant
Neighborhood Meeting Materials
Site Visit Photos, Taken by Staff – Dated November 15, 2024

PUBLIC HEARING SCHEDULE

Action(s)	**City Planning Commission**	**Unified Government Board of Commissioners**
Change of Zone	December 9, 2024 Approval	January 9, 2025

STAFF CONTACT: **Kiley Meierarend**
kmeierarend@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-035** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-035,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

December 9, 2024, City Planning Commission Minutes:

Hearing starts at 2:02:46:

CHANGE OF ZONE APPLICATION COZ2024-035 – DONNA AGEE – SYNOPSIS: Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District for a legal non-conforming duplex at 621 North 17th Street. *Detailed Outline of Requested Action:* The applicant, Donna Agee, is requesting a Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District to bring a non-conforming duplex into compliance at 621 North 17th Street, Kansas City, Kansas 66102.

The following items were included as part of the record for this case:
1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 9, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative).

Present in Support:

- Donna Agee, applicant, Premier Rentals LLC, 2941 North 27th Street, Kansas City, Kansas 66104

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:04:47: Planning Director Hand stated that the Change of Zone is from a R-1(B) to R-2(B) for a legal non-conforming duplex. It is in the Central Area Plan. Staff received no letters in support or in opposition. There were Notices of Violation on the property from when it was vacant before it was purchased from the applicant to be rehabbed. Staff recommends approval with conditions. Director Hand pointed out one typo in Condition #1 and suggests striking Condition #1 as the applicant already meets the code requirements for parking.

Motion starts at 2:06:23:

On motion by Mr. Ernst, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application COZ2024-035 and striking Condition #1:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

Motion to recommend APPROVAL Passed: 7 to 0
Subject to:

1. ~~**Two (2) off-street parking spaces shall be provided for each dwelling unit;**~~
2. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
3. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit,**

and if so, must take it upon themselves to initiate the building permit process accordingly;

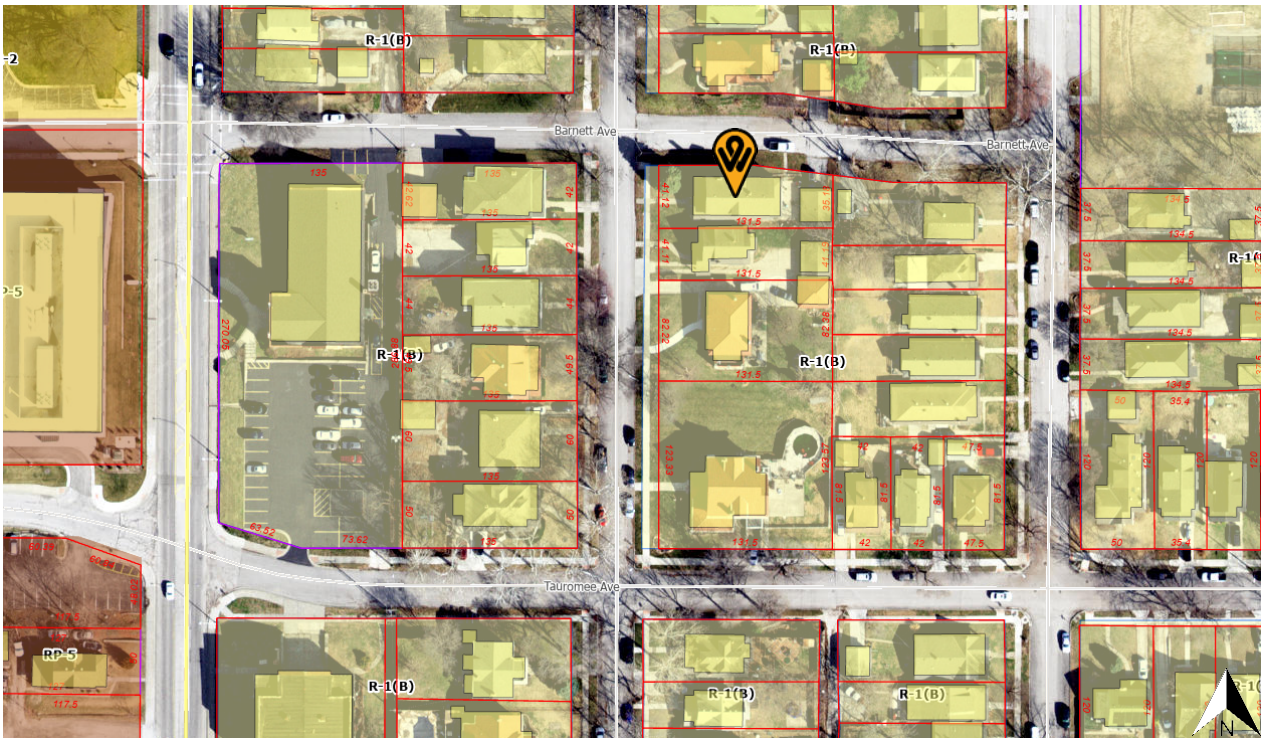
4. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
5. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
6. **A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
7. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,**
8. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

ATTACHMENTS

AERIAL IMAGERY



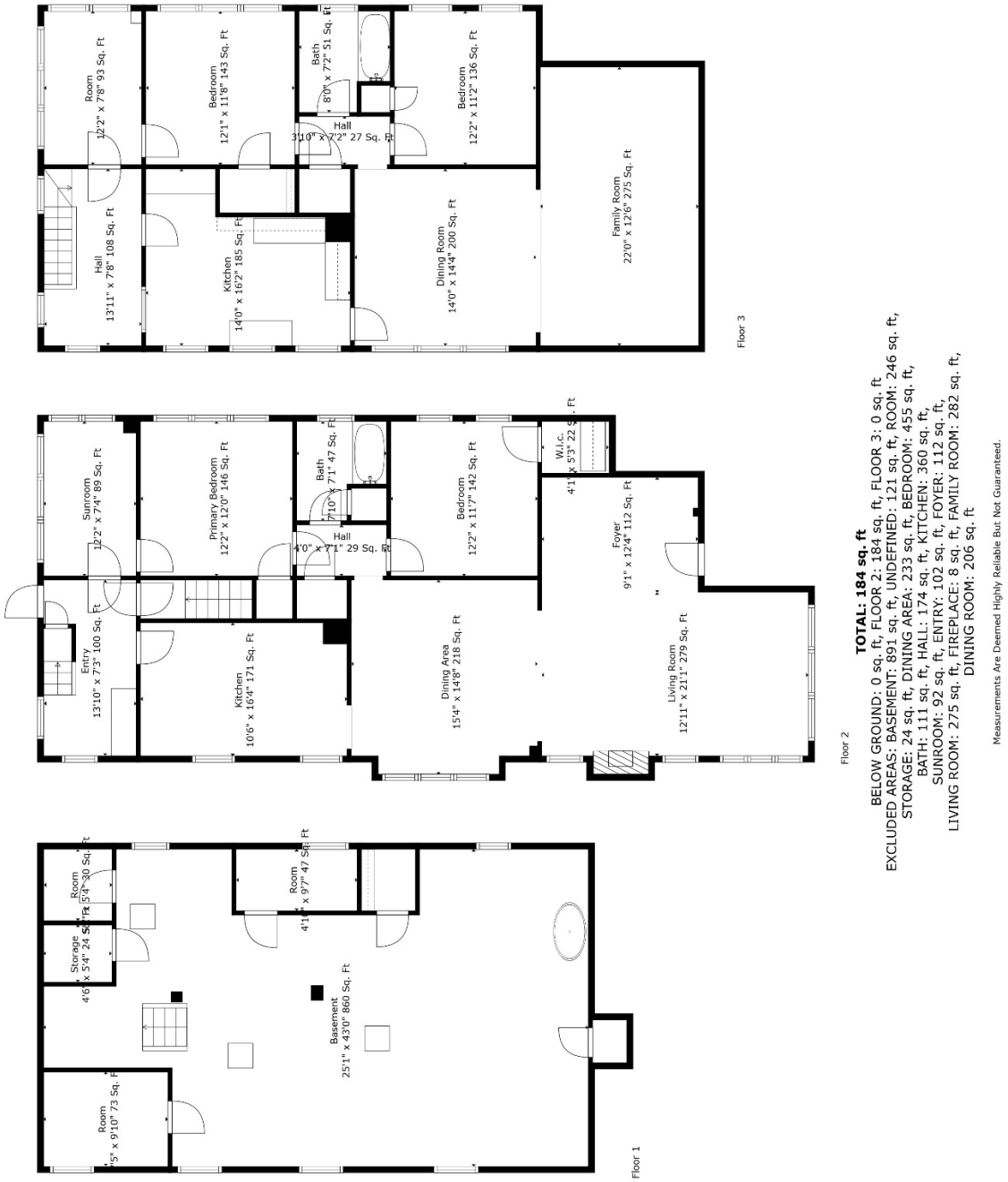
ZONING MAP



LAND USE MAP


Urban Density
Urban Density
Parks/Open Space
BARNETT
Urban Density
Public/Semi-Public
Urban Density
TAUROMEE
Urban Density
Urban Density
Urban Density
N

FLOOR PLAN

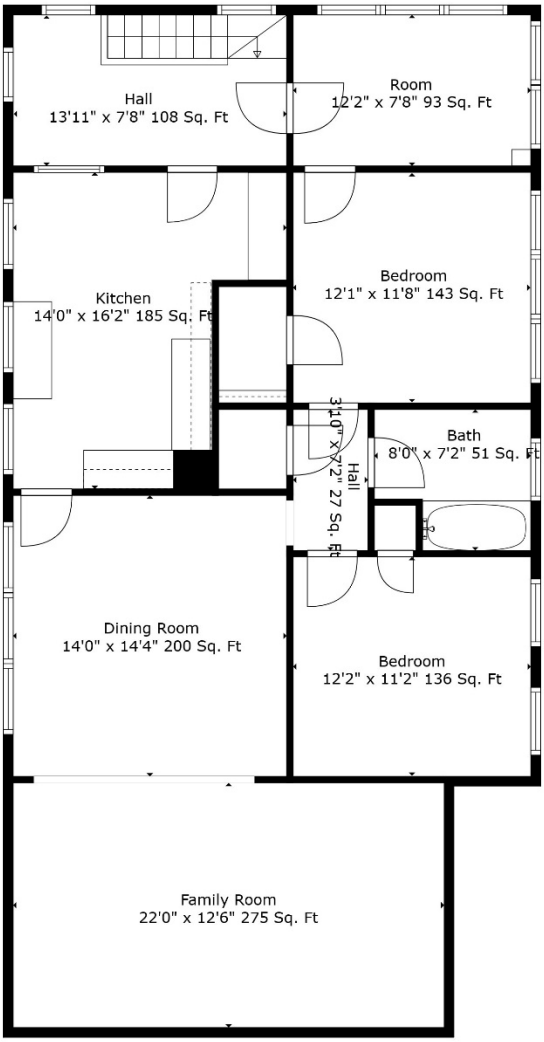


TOTAL: 184 sq. ft

BELOW GROUND: 0 sq. ft, FLOOR 2: 184 sq. ft, FLOOR 3: 0 sq. ft
EXCLUDED AREAS: BASEMENT: 891 sq. ft, UNDEFINED: 121 sq. ft, ROOM: 246 sq. ft,
STORAGE: 24 sq. ft, DINING AREA: 233 sq. ft, BEDROOM: 455 sq. ft,
BATH: 111 sq. ft, HALL: 174 sq. ft, KITCHEN: 360 sq. ft,
SUNROOM: 92 sq. ft, ENTRY: 102 sq. ft, FOYER: 112 sq. ft,
LIVING ROOM: 275 sq. ft, FIREPLACE: 8 sq. ft, FAMILY ROOM: 282 sq. ft,
DINING ROOM: 206 sq. ft

Measurements Are Deemed Highly Reliable But Not Guaranteed.

FLOOR PLAN

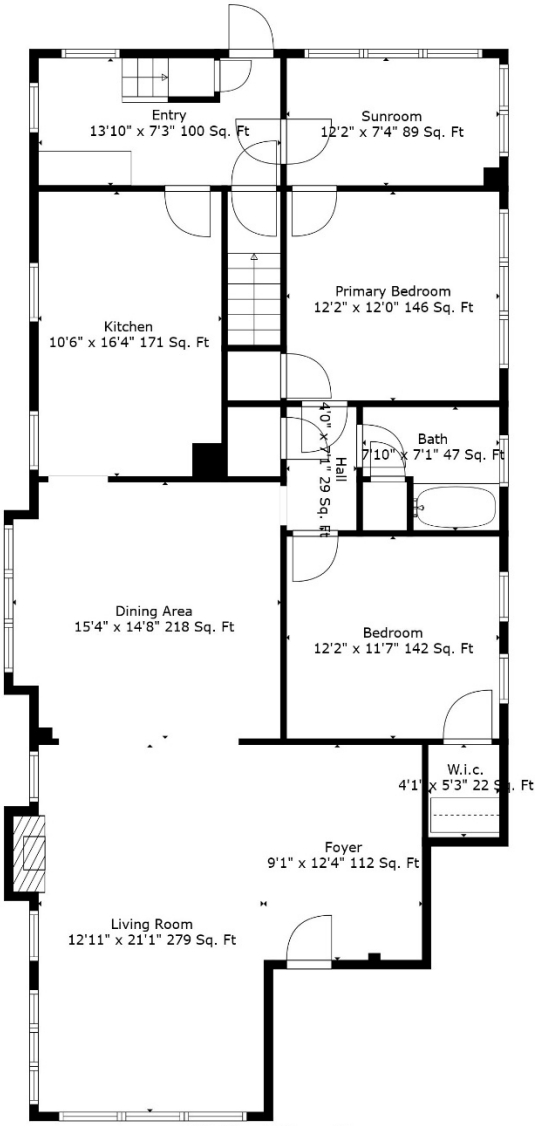


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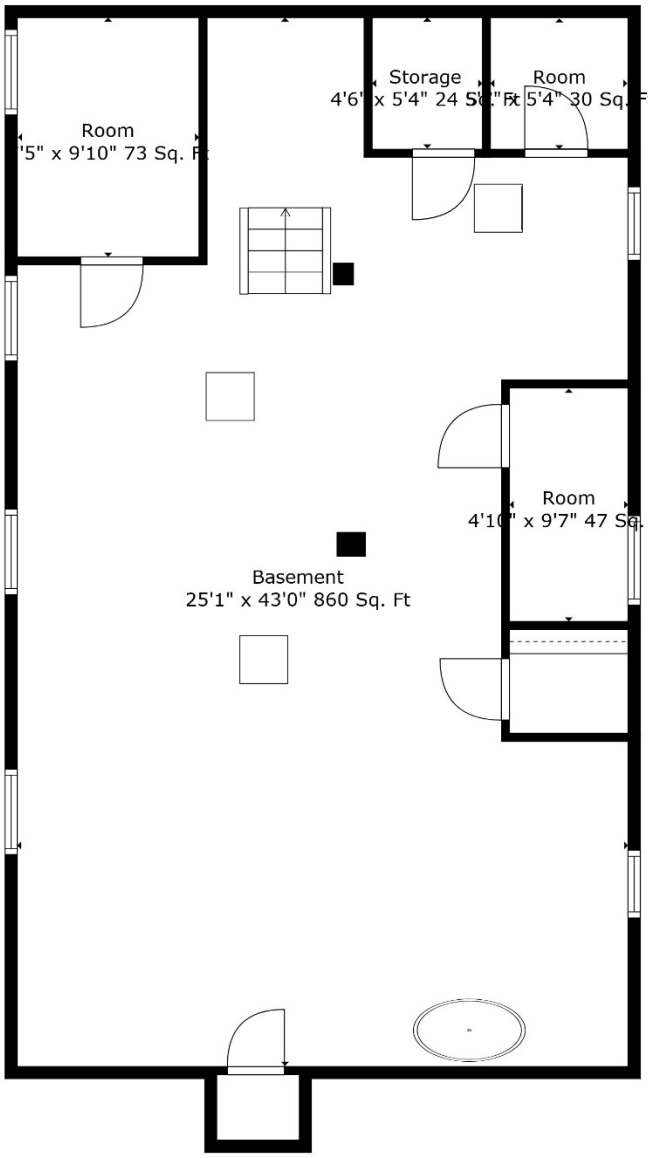


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Measurements Are Deemed Highly Reliable But Not Guaranteed.

SITE PLAN



PHOTO OF THE PROPERTY, SUBMITTED BY THE APPLICANT



November 7, 2024

Donna Agee
621 N 17th Street
Kansas City, KS 66102

SUBJECT: Neighborhood Meeting

I have filed an application with the Planning + Urban Design Department #COZ2024-035. The purpose of this is for a change of zone from R-1(B) Single Family District to R-2(B) Two Family District for a legal non-conforming duplex at the following address: 621 N 17th Street, Kansas City, KS 66102. This property has been used as a duplex since it was built but was not zoned or examined for zoning to receive the proper designation by the county by previous owners. I will have images of the varying entrances and the clear separate entry access points to the property to show on the meeting as well. I am not making any changes to the original structure but merely looking to have it zoned correctly as I am now the owner.

I am having a neighborhood meeting on Microsoft Teams at 6:30p.m. at the following link: https://teams.live.com/meet/9327638608098?p=6tkmwd7rm4op44luf

Donna Agee invited you to a Microsoft Teams Meeting:
621 N 17th St Neighborhood Meeting
Monday, November 25, 2024
6:30 PM - 7:30 PM (CST)

Meeting link: 621 N 17th St Neighborhood Meeting | Microsoft Teams | Meetup-Join

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact me at the phone number/email listed below.

Sincerely,

Donna Agee
dsharkey74@gmail.com
816-878-1373

Application Number COZ 2024-035
Date and Location: Teams Mtg 11-25-24 6:30pm

Meeting called to order at: 6:30pm

Names of people in attendance:

~~D~~

Introductions:

Presentation by applicant and/or team (explain what information was given to those in attendance and a summary of what the speaker said).

Questions and answers (include the following):

- Who asked question or gave comment None
- What was the question or comment None
- Who answered the question/comment None
- What was the answer given None

Meeting adjourned at: 7:00pm

Minutes taken by: Donna Agee

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF ~~Kansas~~ N.M. MO)
) SS:
COUNTY OF ~~Wyandotte~~ N.M. Jackson)

Comes now Donna Agee, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # COZ2024-035
2. That I conducted a neighborhood meeting on 11-25-24.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26th day of Nov., ~~200~~ N.M. 2024

My commission expires 30th of July, 2027 ~~200~~.

Notary Public

NICO MCQUILLAN
Notary Public, Notary Seal
State of Missouri
Jackson County
Commission # 23585959
My Commission Expires 07-30-2027

SITE VISIT PHOTOS, TAKEN BY STAFF – DATED NOVEMBER 15, 2024









Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 9, 2025

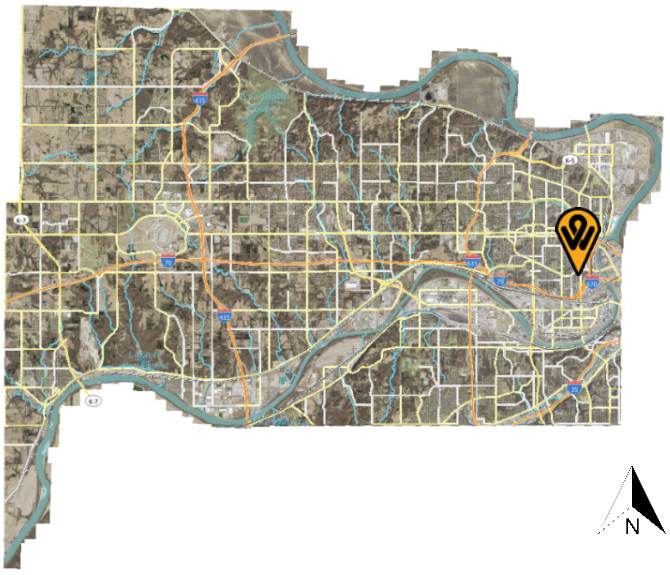
Re: **Special Use Permit Petition SP2024-089**

GENERAL INFORMATION

Applicant Information:
Daniel Parker
Representative
Abogados KC LLC
535 Central Avenue
Kansas City, Kansas 66101

Subject Property:
535 Central Avenue
Kansas City, Kansas 66104

Requested Action and Purpose:
Renewal of a Special Use Permit (expires January 25, 2025) to operate a short-term rental.



Commission Districts:
Commissioner At-Large, District #2:
Tom Burroughs
District #2 Commissioner:
William Burns, Jr.

Existing Zoning District(s):
C-3 Commercial District

Plan Area:
Central Area Plan



	Adjacent Zoning	Adjacent Uses
North	C-3 Commercial District	Mixed-use building
South	R-1(B) Single Family District	Single-family residence
East	R-1(B) Single Family District	Vacant property
West	C-3 Commercial District	Mixed-use building

Total Tract Size: 0.13 Acre

Comprehensive Plan Designation: The Central Area Plan designates the subject property as Community Commercial, which is intended to provide goods and services to adjacent districts and neighborhoods. Uses may include medium-sized box stores with small-scale commercial uses and small-scale commercial centers.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Central Avenue as a Major Collector.

Parking Requirement: Section 27-463(e) states “Uses in this district, except those situated in the area herein described as the central business district, require paved off-street parking at a ratio of not less than four spaces per 1,000 square feet of floor area in the building.

As this is a residence within a mixed-use building, the parking requirement is subject to Section 27-460(d), which states “One (1) and one-half (1.5) parking spaces shall be provided for each dwelling unit that has one bedroom or less. Two (2) parking spaces shall be provided for each dwelling unit that has two bedrooms or more.

The property provides 1,400 square feet in commercial space and two (2) bedrooms in the residential unit, which requires six (6) spaces for the commercial use and two (2) spaces for the residential use. The subject property provides a total of six (6) striped parking spaces.

Landscaping Requirement:	Section 27-467 (g) states “A reasonable amount of landscaping is required on all projects in this district, all to be depicted on a properly prepared plan. Trees are required to be provided at not less than one per 7,000 square feet of site area”. The subject property has 5,937 square feet of site area; therefore, one (1) tree is required. The subject property does not fulfill this requirement as the building and additional parking were built up to the lot lines.
Advertisement:	The Wyandotte Echo – October 17, 2024 Letters to Property Owners – October 18, 2024 and November 15, 2024
Public Hearings:	December 9, 2024 and January 9, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Daniel Parker, is requesting a Special Use Permit to operate a short-term rental at 535 Central Avenue, Kansas City, Kansas 66104. This is not the owner’s primary residence. This is the first and only permitted short-term rental on the 500 block of Central Avenue.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There have been two (2) calls for police service on the subject property.
    a. 2019 – 2019-111544 – Theft
    b. 2017 – 2017-134939 – Theft

Building, Zoning, or Code Enforcement Complaints:

1. 2016 – 16200-02804 – Environment – Grass and weeds.

Outstanding or Related Permit and Cases:

1. There are no additional related permits or cases on the subject property.

Previous Planning Actions:

1. 2024 – SP2023-095 – Special Use Permit for a short-term rental.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Riverview Statistical Neighborhood, the St. Joseph's Watchdogs neighborhood group and the Central Area Better Association (CABA) group. The neighborhood consists of a variety of uses, including single-family residences, duplexes, mixed-use residences, and small-scale commercial uses along Central Avenue, a mixed-use corridor.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.

The zoning and uses are set out above. The subject property is surrounded by the R-1(B) Single Family District and the C-3 Commercial District. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity to the mixed-use corridor. While use as a short-term rental is commercial in nature, the use is occurring in a purpose-built residence, which should not present issues with nearby property. The proposed use is compatible if properly managed.

3. The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions including those for hours of operation (where applicable), detrimentally affect nearby property?

Removal of the restrictions that require a Special Use Permit has the potential to create issues such as parking, excessive noise, illumination, vibration, overcrowding of land and undue concentrations of population. The property could be suitable for use as a short-term rental if the aforementioned issues are properly managed.

4. The length of time the property has remained vacant as zoned.

The property is not vacant. The property is currently occupied by a law firm, and the second story has operated as a short-term rental since 2023.

5. The degree of conformance of the proposed use to the Comprehensive Plan.

Special Use Permits are not addressed in the Central Area Plan. The Central Area Plan designates the subject property as Community Commercial, which is intended to provide goods and services to adjacent districts and neighborhoods.

Uses may include medium-sized box stores with small-scale commercial uses and small-scale commercial centers. The proposed use conforms to the Central Area Plan designation with the continuation of a Special Use Permit.

6. ***Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.***

   The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of Central Avenue, a Major Collector Street, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

7. ***Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.***

   The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, illumination, overcrowding of land, and undue concentrations of population could impact nearby properties negatively. If managed properly, however, the use of the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. ***Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.***

   Noise, vibration and illumination are all potential issues that are related to short-term rentals if it is not managed properly. There have not been any complaints to date with the current applicant. Dust is not typically an issue related to the use of a residential property as a short-term rental and ostensibly not considered to be a problem for nearby properties.

9. ***Whether the proposed use will pollute the air, land or water.***

   The proposed use will not pollute the air, land or water as it is an existing, permitted residence.

10. ***Whether the use would damage or destroy an irreplaceable natural resource.***

    The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence in an existing built-out neighborhood.

11. The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.

The relative gain or loss to public health, safety and welfare is minimal as it only provides the convenience of lodging with some economic benefit. If denied, the landowner could not use the property as a short-term rental but may still use the property as a long-term rental with appropriate permits and licenses, their primary residence, or sell the property.

12. The applicant's ability to maintain the use in an "as proposed" condition.

The applicant has not maintained the proposed use as originally proposed or according to previous conditions of approval as a business license for the short-term rental was not filed.

13. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests at one time is six (6). The maximum number of vehicles off-street is two (2). There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 535 Central Avenue, Kansas City, Kansas 66101 on November 11, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise, Illumination, and Vibration
Home Inspection Report
Parking

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-089**, **for two (2) years**, subject to:

1. **The applicant must maintain liability insurance;**
2. **Maximum number of guests shall be six (6);**
3. **All parking must be off-street, maximum number of vehicles is two (2). No STR renters or guests may park on-street;**
4. **The applicant must keep a current annual Business License/Occupation Tax**

Receipt and Kansas State Lodging Tax;

5. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
6. **Applicant is to maintain liability insurance;**
7. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
8. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
9. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
10. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process**
11. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
16. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle**

storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
18. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
19. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-089** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

December 9, 2024 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Floor Plan
Neighborhood Meeting Materials
Site Visit Photos, Taken by Staff – Dated October 4, 2024

PUBLIC HEARING SCHEDULE

Action(s)	**City Planning Commission**	**Unified Government Board of Commissioners**
Special Use Permit	December 9, 2024 Approval	January 9, 2024

STAFF CONTACT: **Kiley Meierarend**
kmeierarend@wycokck.org
913-573-5750

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-089** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-089,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

December 9, 2024, City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION SP2024-089 – DANIEL PARKER WITH ABOGADOS KC LLC – SYNOPSIS: Renewal of a Special Use Permit (SP2023-095 – expires 1/25/2025) for a Short-Term Rental at 535 Central Avenue. *Detailed Outline of Requested Action:* The applicant, Daniel Parker, is requesting a Special Use Permit to operate a short-term rental at 535 Central Avenue, Kansas City, Kansas 66104. This is not the owner's primary residence. This is the first and only permitted short-term rental on the 500 block of Central Avenue.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? No one responded in the affirmative.

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 9, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publication in The Echo for the Special Use Permits; and,
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone requests that an item be removed from the Consent Agenda.

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda.

Mark Henrichs, 9000 State Line Road, Leawood, KS 66206, requested PR2024-035 to be removed from the Consent Agenda.

On motion by Mrs. Jones, seconded by Mr. Beth, the Planning Commission voted as follows to **APPROVE** the remaining items on the Consent Agenda**:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

Motion to APPROVE Passed: 7 to 0
Subject to:

SP2024-089:

1. **The applicant must maintain liability insurance;**
2. **Maximum number of guests shall be six (6);**
3. **All parking must be off-street, maximum number of vehicles is two (2). No STR renters or guests may park on-street;**
4. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
5. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
6. **Applicant is to maintain liability insurance;**
7. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
8. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
9. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
10. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified**

Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process

11. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
16. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**

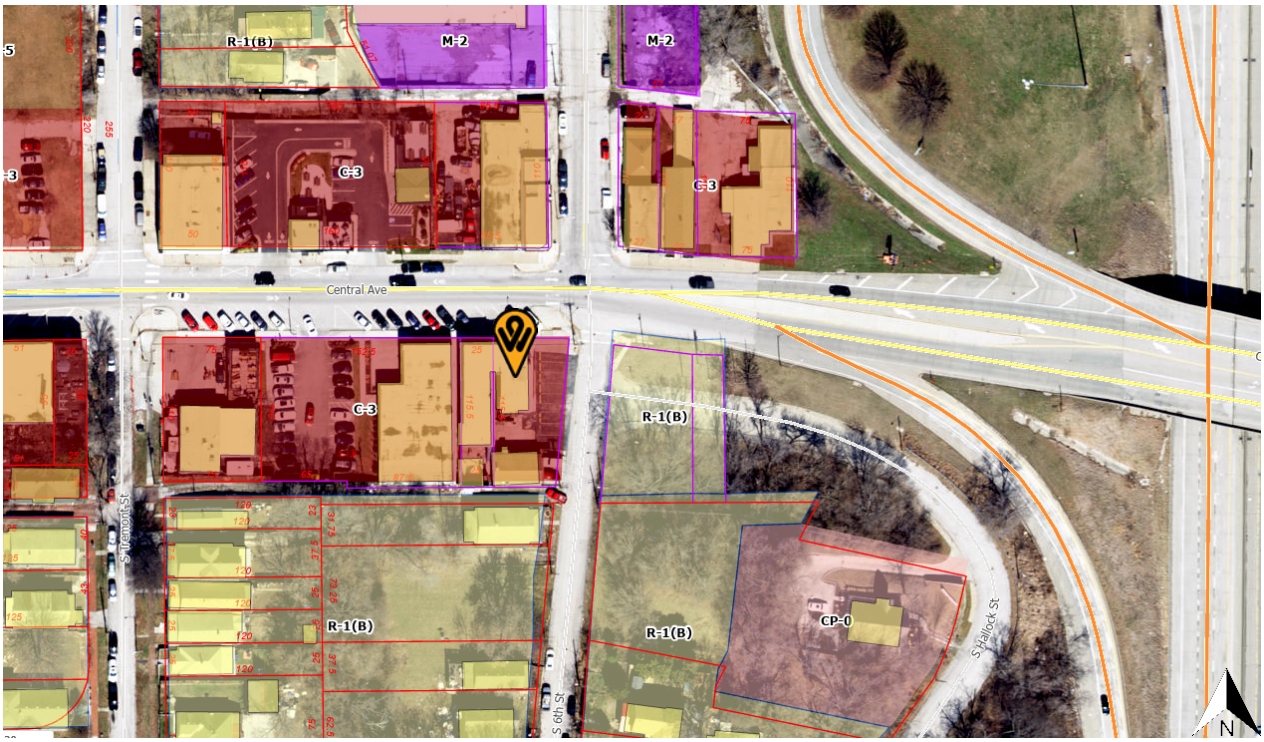
18. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
19. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

ATTACHMENTS

AERIAL IMAGERY



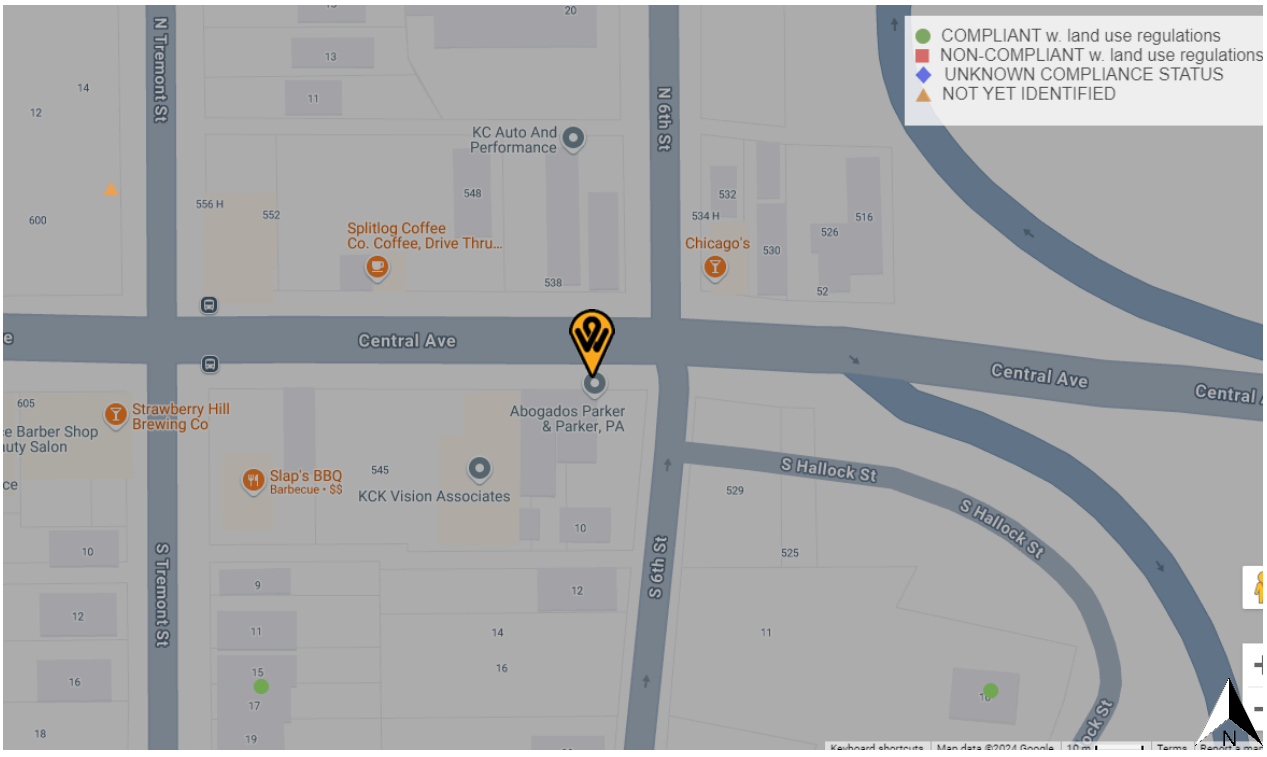
ZONING MAP



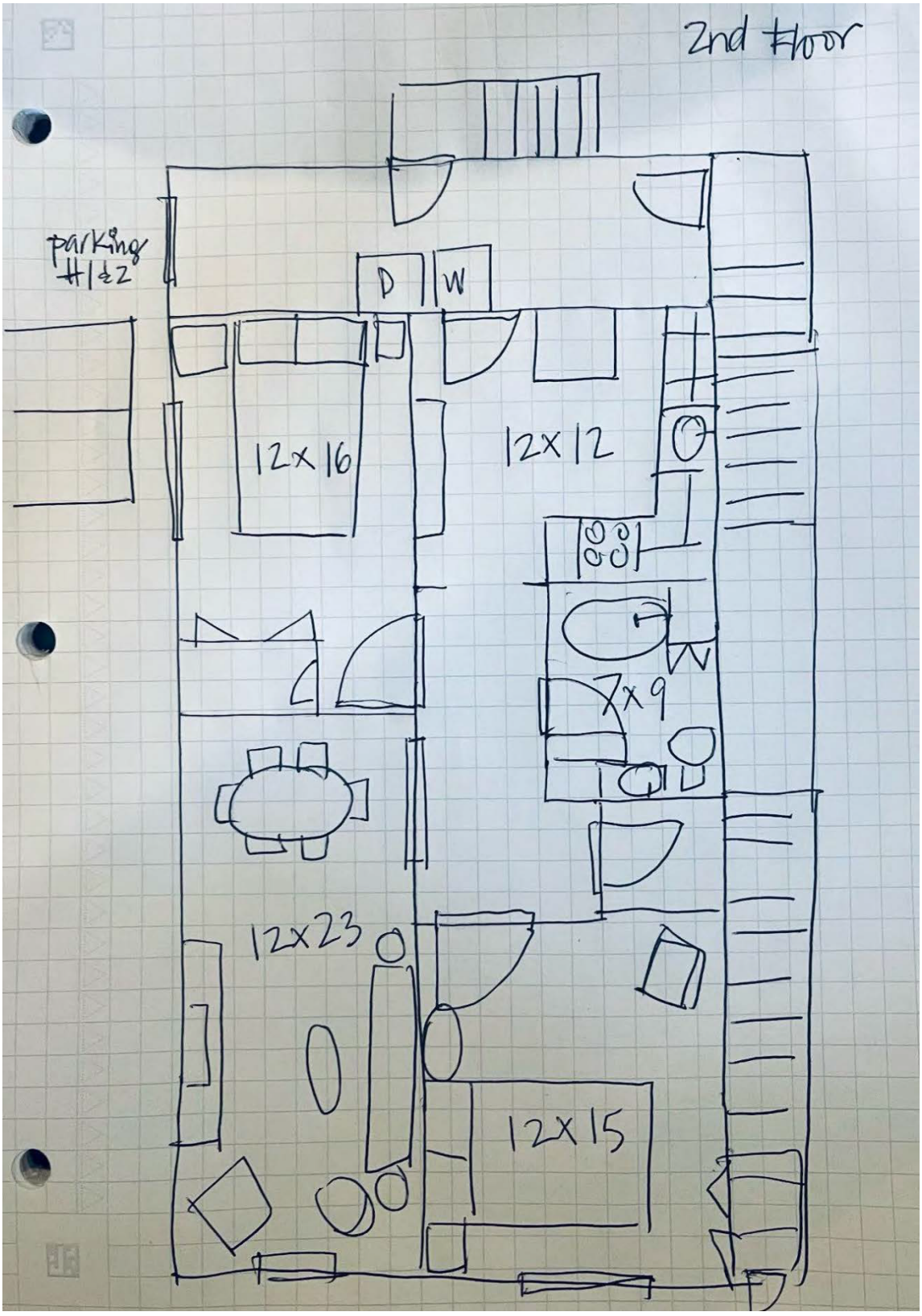
LAND USE MAP



SHORT-TERM RENTAL MAP



FLOOR PLAN


2nd Floor
parking
#1&2
D
W
12x16
12x12
7x9
12x23
12x15

Notes of Contacts and Meeting

There were two people who attended the meeting-Jimmy Calderon and Brian Hill. Neither of them are neighbors but they work with me here at the office. No one else of the mailed neighbors showed up. The renewal was discussed with them. They showed interest in the process.

I received one phone call from the Watchdogs asking about whether the Commission hearing date had moved. I explained that our renewal application was set over to the December date due to my mailing of the letters out earlier than the 14 days prescribed. I invited her to the meeting but no one showed.

There was no commentary in favor or opposed to the renewal.

MINUTES

Application Number: SP2024-089
Date and Location: November 11, 2024 at 535 Central Avenue, Kansas City, KS 66101

Meeting called to order at 5:00 pm.

Names of people in attendance: Brian Hill and Jimmy Calderon (friends). No neighbors attended.

Introductions were made. The renewal process was discussed. All questions were answered regarding what steps were necessary in the renewal process. I answered the questions.

No one was opposed of the renewal.

Meeting was adjourned at 5:30 pm.

Minutes taken by Daniel Parker

Neighborhood Mtg 11/11/24

Sign-In Sheet

1. Jimmy Calderon (913) 961-7074

2. Brian P. Hill (224) 630-7548

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF Wyandotte)

Comes now DANIEL L. PARKER, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition #SP2024-89.
2. That I conducted a neighborhood meeting on 11/11/24.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 14 day of Nov, ~~200~~ 2024.

My commission expires 2 of May, ~~200~~ 2027.

Michelle Barnes
Notary Public
State of Kansas
My Appt. Exp. 5/2/27

Michelle Barnes
Notary Public

SITE VISIT PHOTOS, TAKEN BY STAFF – DATED OCTOBER 4, 2024











Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 9, 2025

Re: **Special Use Permit Petition SP2024-102**

GENERAL INFORMATION

Applicant Information:
Neal Palmer
Owner
Haskell Farms, LLC
2600 North 131st Street
Kansas City, Kansas 66109

Subject Property:
2520 North 131st Street
Kansas City, Kansas 66109

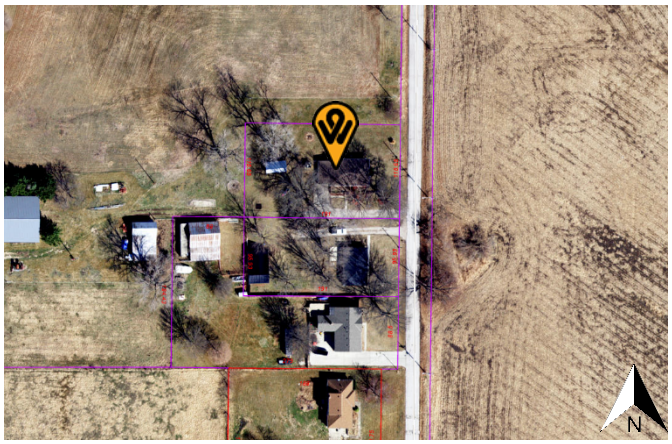
Requested Action and Purpose:
Renewal of a Special Use Permit (expires December 14, 2024) to operate a short-term rental.



Commission Districts:
Commissioner At-Large, District #1:
Melissa Bynum
District #5 Commissioner:
Mike Kane

Existing Zoning District(s):
R-1A (WYCO) Suburban Single-Family District

Plan Area:
Prairie Delaware Piper Area Plan



	Adjacent Zoning	Adjacent Uses
North	AG (WYCO) Agriculture District	Agricultural Land
South	R-1A (WYCO) Suburban Single-Family District	Single-family Residence
East	AG (WYCO) Agriculture District	Agricultural Land
West	AG (WYCO) Agriculture District	Agricultural Land

Total Tract Size: 0.5 Acre

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates the subject property as Planned Mixed-Residential District, which allows patio (zero lot line) homes, townhouses, condominiums, garden apartments, housing for seniors, and other multifamily uses.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 131st Street as a Major Collector Street.

Parking Requirement: Article 5 Section 4 of the Piper Area Annex Zoning Code states “Two (2) spaces per dwelling unit, plus two (2) spaces for any accessory house occupation or principal agriculture use”. The subject property provides two (2) parking spaces.

Landscaping Requirement: Article 5 Section 4 of the Piper Area Annex Zoning Code states “All area not covered by buildings or paved area shall be landscaped, and such landscaping shall be continuously maintained”.

Advertisement: The Wyandotte Echo – November 14, 2024
Letters to Property Owners – November 15, 2024

Public Hearing: December 9, 2024 and January 9, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Neal Palmer, is requesting a renewal of a Special Use Permit (expires December 14, 2024) to operate a short-term rental at 2520 North 131st Street, Kansas City, Kansas 66109. This is not the owner's primary residence. This would be the only permitted short-term rental on the 2500 block of North 131st Street.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. 2020 – 20201-00081 – Structural – House needs painting and siding repair (closed).
2. 2023 – ZONE2023-086 – Zoning Enforcement – Operation of a short-term rental without required permit.

Outstanding or Related Permit and Cases:

1. There are no additional related permits or cases on the subject property.

Previous Planning Actions:

1. 2023 – SP2023-069 – Special Use Permit to operate a short-term rental.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Prairie-Piper Statistical Neighborhood Group. The neighborhood consists primarily of large-lot single-family residences and agricultural uses. The subject property is located to the south of Piper High School. The property is to the north of the Parallel Parkway commercial corridor.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.

The zoning and uses are set out above. The subject property is surrounded by the AG (Wyco) Agriculture District and the R-1A (WyCo) Suburban Single-Family District. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close

proximity in this rural residential neighborhood. While use as a short-term rental is commercial in nature, the use is occurring in a purpose-built residence, which should not present issues with nearby property. The proposed use is compatible if properly managed.

3. ***The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions including those for hours of operation (where applicable), detrimentally affect nearby property?***

   Removal of the restrictions that require a Special Use Permit has the potential to create issues such as parking, excessive noise, illumination, vibration, overcrowding of land and undue concentrations of population. The property could be suitable for use as a short-term rental if the aforementioned issues are properly managed.

4. ***The length of time the property has remained vacant as zoned.***

   The property is not vacant. The property has operated as a short-term rental since 2022 and a single-family residence since 1957.

5. ***The degree of conformance of the proposed use to the Comprehensive Plan.***

   Special Use Permits are not addressed in the Prairie-Delaware-Piper Area Plan. The Prairie-Delaware-Piper Area Plan designates the subject property as Planned Mixed-Residential District, which allows patio (zero lot line) homes, townhouses, condominiums, garden apartments, housing for seniors, and other multifamily uses. The proposed use conforms to the Prairie-Delaware-Piper Area Plan designation with the continuation of a Special Use Permit.

6. ***Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.***

   The proposed use has the potential to increase vehicular traffic but should not exceed the capacity of North 131st Street, a Major Collector, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

7. ***Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.***

   The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, illumination, overcrowding of land, and undue concentrations of population could impact nearby properties negatively. If managed properly, however, the use of

the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. ***Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for nearby property.***

   Noise, vibration and illumination are all potential issues that are related to short-term rentals if it is not managed properly. There have not been any complaints to date with the current applicant. Dust may also be an issue for nearby properties, as the subject property has an unimproved driveway.

9. ***Whether the proposed use will pollute the air, land or water.***

   The proposed use will not pollute the air, land or water as it is an existing, permitted residence.

10. ***Whether the use would damage or destroy an irreplaceable natural resource.***

    The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence in an existing built-out neighborhood.

11. ***The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.***

    The relative gain or loss to public health, safety and welfare is minimal as it only provides the convenience of lodging with some economic benefit. If denied, the landowner could not use the property as a short-term rental but may still use the property as a long-term rental with appropriate permits and licenses, their primary residence, or sell the property.

12. ***The applicant's ability to maintain the use in an "as proposed" condition.***

    The applicant has not maintained the proposed use as originally proposed or according to current conditions of approval as the driveway apron has not been improved to meet UG standards.

13. ***Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.***

    The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests at one time is seven (7). The maximum number of vehicles off-street is three (3). There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 2520 North 131st Street, Kansas City, Kansas 66109 on November 25, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Dust, Noise, Illumination, and Vibration
Unimproved driveway
UG Standard Driveway Apron

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-102**, **for two (2) years**, subject to:

1. **The applicant shall repave the driveway apron and the driveway to UG Standards;**
2. **Maximum number of guests shall be 7;**
3. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
4. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
5. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
6. **Applicant is to maintain liability insurance;**
7. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
8. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
9. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
10. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
11. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780**

or businesslicense@wycokck.org;

12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
16. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
18. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a**

new Special Use Permit is approved;

19. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-102** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

December 9, 2024 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Floor Plan
Site Plan
Planning Engineering Comments
Applicant Response to Planning Engineering Comments
Photos of the Property, Provided by the Applicant
Guest Information
Neighborhood Meeting Materials
Site Visit Photos, Taken by Staff – Dated November 15, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	December 9, 2024 Approval	January 9, 2025

STAFF CONTACT: **Kiley Meierarend**
kmeierarend@wycokck.org
913-573-5750

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-102** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-102,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

December 9, 2024, City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION SP2024-102 – NEAL PALMER – SYNOPSIS: Renewal of a Special Use Permit (SP2023-069, expires 12/14/2024) for a Short-Term Rental at 2620 North 131st Street. *Detailed Outline of Requested Action:* The applicant, Neal Palmer, is requesting a renewal of a Special Use Permit (expires December 14, 2024) to operate a short-term rental at 2520 North 131st Street, Kansas City, Kansas 66109. This is not the owner's primary residence. This would be the only permitted short-term rental on the 2500 block of North 131st Street.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? No one responded in the affirmative.

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 9, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publication in The Echo for the Special Use Permits; and,
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone requests that an item be removed from the Consent Agenda.

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda.

Mark Henrichs, 9000 State Line Road, Leawood, KS 66206, requested PR2024-035 to be removed from the Consent Agenda.

SP2024-102:

1. **The applicant shall repave the driveway apron and the driveway to UG Standards;**
2. **Maximum number of guests shall be 7;**
3. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
4. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
5. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
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and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

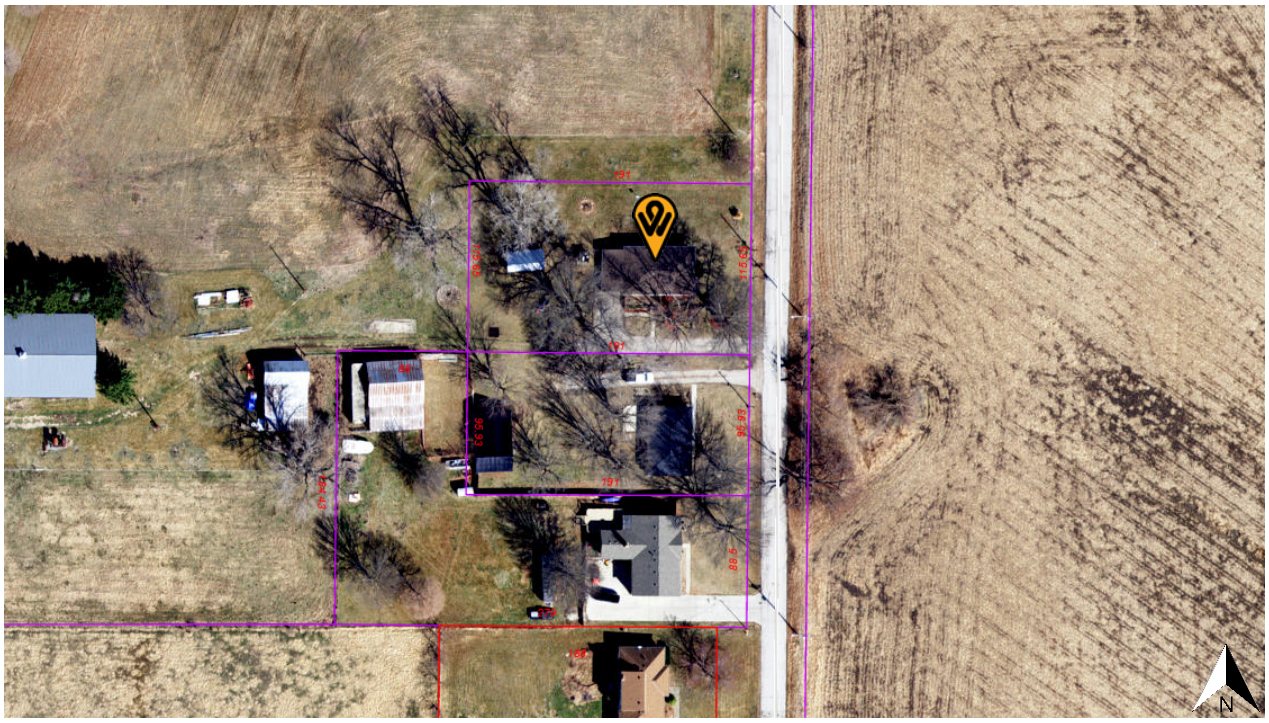
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15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
16. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
18. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for**

renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

19. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

ATTACHMENTS

AERIAL IMAGERY



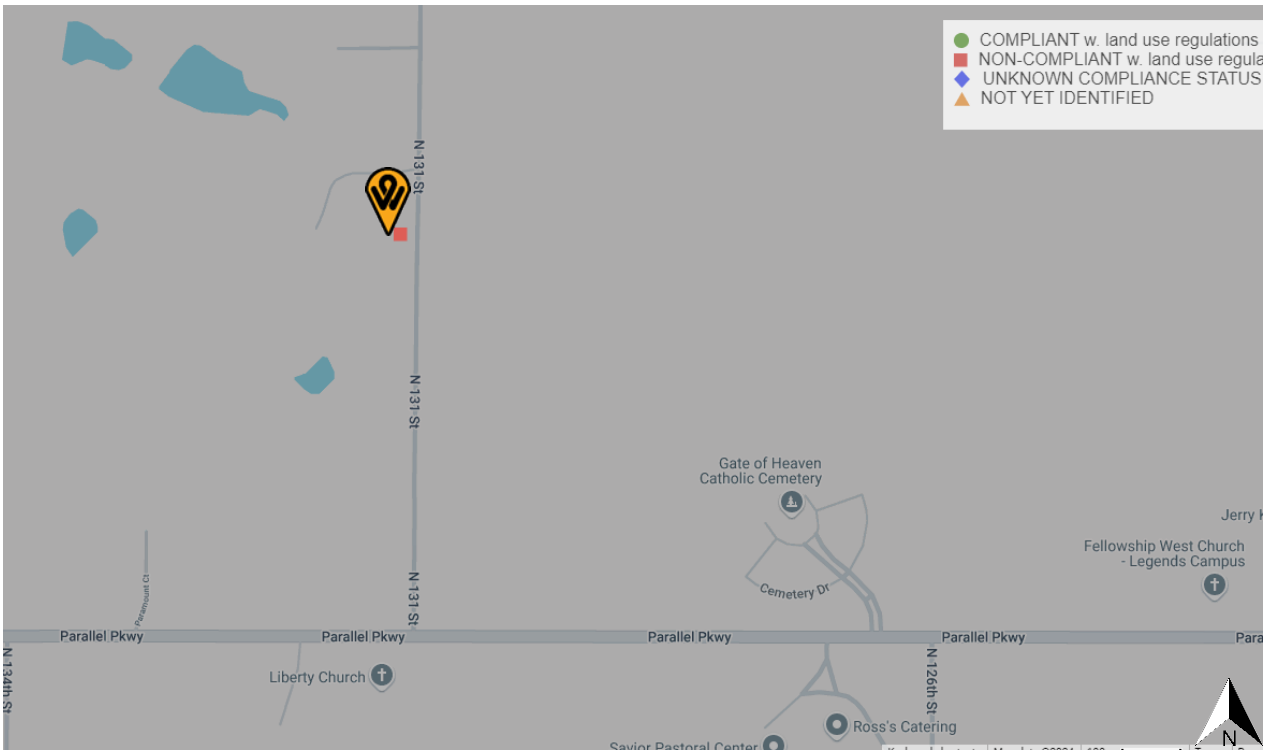
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



FLOOR PLAN

NORTH
28 FT
44 FT
16 FT
STORM SHELTER BELOW
LAUNDRY 10X12
STAIRS
CARPORT
OPEN
LAUNDRY 10X12
W
D
BR 2 10X12
CLOSET
BR 1 10X12
CLOSET
TUB
NOOK
KITCHEN
R
D
OFFICE (OPT BR 3)
CLOSET
LIVING ROOM
STOOP
DECK 12 X 24
EXIT
1/8" = 1'-0"

SITE PLAN



2520 N. 131st

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

Memorandum

TO: Kiley Meierarend
Planner

FROM: Travis Trumble
Project Engineer

DATE: November 13, 2024

SUBJECT: Neal Palmer – (SP2024-102)
2520 N. 131st Street
General Engineering Review No. 1 (of the application received 10/24/2024)

Prior to engineering approval on the above-named project, the construction drawings must be revised to address the following comments from the Engineering Division of the Planning and Urban Design Department. These comments refer to General Engineering design standards and requirements of the Unified Government that were not met in this submittal. Planning comments may require additional resubmittals. **The resubmittal shall include a response letter (PDF) that explains how each of the following comments has been addressed. Attach revision clouded drawings when applicable. Subsequent review of the plans will not proceed until such letter is received by email to EDR@WyCoKCK.org.**

1) Is there a proposed site improvement e.g., maintenance and overlay of the driveway area? If repair work of the drive entrance area is going to be done, the site plan shall illustrate these areas and erosion control plans shall be required.

2) Regarding the above comment, the driveway entrance within right of way of N. 131st Street shall conform to the Unified Government of Wyandotte County and Kansas City, Kansas Technical Provisions specifications. See UG detail i.e., UG 4100-G. Also, if the existing street i.e., on N. 131st Street is damaged during the demolition or construction phase, it shall be restored in accordance with UG standards and criteria.

3) Note that permits shall be obtained prior to starting construction, including but not limited to the Unified Government, Public Works Department, right-of-way, hauling, land disturbance permits, etc., as applicable.

4) Please coordinate with Kiley Meierarend, kmeierarend@wycokck.org, for additional Urban Planning and Zoning requirements and comments.

5) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.

Reviewer: Travis Trumble

Digitally signed by Travis Trumble
DN: cn=Travis Trumble, o=Unified Government of Wyandotte County and KCK, ou=Urban Planning and Land Use, email=ttrumble@wycokck.org, c=US
Date: 2024.11.13 12:06:32 -06'00'

Travis Trumble, Project Engineer

APPLICANT RESPONSE TO PLANNING ENGINEERING COMMENTS

In reply to the GER No. 1 issued yesterday:

1. In the original application last year (2023-069) we asked for the deferral of a concrete apron until such time as 131st Street is widened and re-paved.

See comment #2 on the application, with applicant and staff responses. At the Oct. 9th CPC meeting, we really didn't get much of a chance to discuss this with the commission as I was on by zoom and this case was not heard until almost 2:00 am on the 10th. I think everyone wanted to go home as it was the last item on the agenda. The CPC thus amended the stipulation at that meeting and the ordinance reads:

"2. The driveway apron shall be paved to UG standards by no later than September 1, 2024 and after major construction of the nearby school is nearing completion and major construction traffic is reduced on N. 131st Street."

2. Since the "ands" have yet to be completed, we are still in compliance "as is", in our opinion.
3. While the new high school building was completed, the School District still has significant construction work ongoing to build the field facilities and ancillary buildings on the south half of their site. We still have a lot of daily truck traffic on the south half of N. 131st Street, if not more, as this is the shortest path to that entrance and avoids traffic near the occupied school (same peak hours). This is causing additional deterioration of the road surface (see photos A-F attached). Some areas of the street were only patched with gravel.
4. Public Works now has a Requested Project for the "Reconstruction of N. 131st Street from Parallel Parkway to Piper Entrance", so the need is obvious. (see screen shot)
5. The south property line runs along the south edge of the driveway. See aerial parcel map and attached photos. In order to comply with UG Standards 4100-K and/or 4100-N for setbacks, another variance is probably needed as an apron cannot be constructed per UG standard 4100-G without crossing the property line.
6. The best solution when N. 131st street is improved would likely be to construct a dual drive apron with the adjoining property (2500 N. 131st).
7. In the interim, we have placed compacted river rock (1.5 in +) in the apron area of our drive entrance. This serves to keep any fines and such from tracking onto 131st Street. (see photos). We trust this would satisfy any concerns until the UG addresses the street deterioration.

8. There are no concrete aprons for gravel drives on N. 131st Street other than those built when it was widened along the school frontage just south of Leavenworth Road.

The frequency of use as a short-term rental is actually less than as an occupied residence. We understand the UG's desire to bring existing conditions up to current standards when the opportunity if provided by change of use. However, it really makes no sense to expense construction of a concrete apron at the subject location at this time, only to be ripped out in the hopefully very near future.

We therefore respectfully request the stipulation for paving an apron be held in abeyance until the Third Renewal of this special use permit which will be 24 months from the forthcoming ordinance, if approved. We can collectively address action at that time knowing the outcome of funding for improvements of N. 131st Steet at the subject location. It does not appear the street asphalt will last that long, so something is going to need to be done whether widened or not.

If Staff does not concur with the above, I'm happy to meet with you prior to the CPC meeting on December 9th so we don't have to negotiate an outcome before the commissioners.

I did not "reply all" to allow your discretion in addressing this matter. Mr. Hand, thank you for briefly discussing this at the end of Tuesday night's CPC meeting.

Of further note, we have had excellent reviews from our guests, zero complaints from our neighbors, zero 911 calls and zero violations in the past year.

Feel free to meet me at the site to review this in person, or at the neighborhood meeting on Monday November 25th at 5:00 pm at the location.

Thank you for your consideration of our request.

Respectfully,

Neal Palmer

Agent, Haskell Farms LLC

913-300-0701

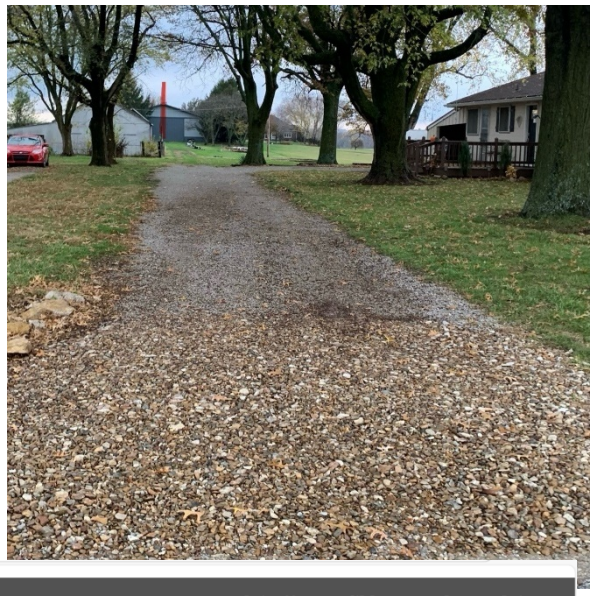
haskellfarms@outlook.com

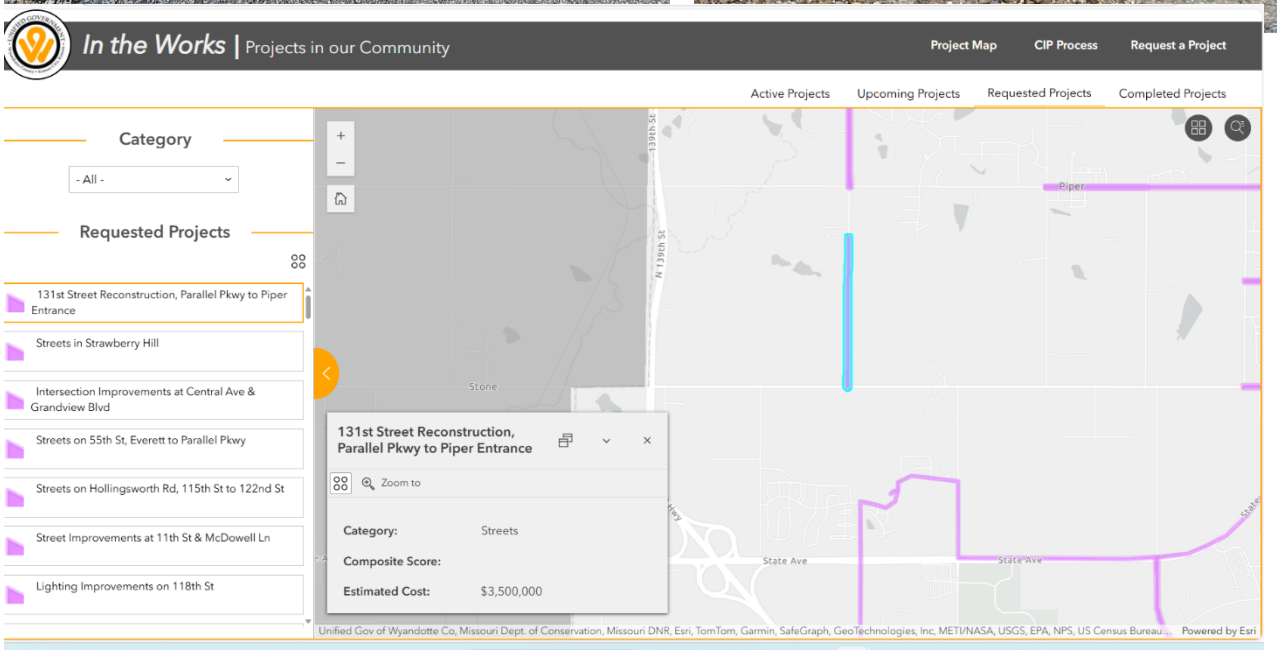
PHOTOS OF THE PROPERTY, PROVIDED BY THE APPLICANT











PHOTOS OF THE PROPERTY, PROVIDED BY THE APPLICANT







PHOTOS OF THE PROPERTY, PROVIDED BY THE APPLICANT



Aunt Bea's Cozy Cottage

Guest Information

Emergency Preparedness and Security

- Emergency Contacts / 9-1-1 Instructions / Address / Egress Plan are posted in the Kitchen along with Owner contact numbers.
- Smoke detectors located per code are tested prior to each occupancy
- Carbon Monoxide detector is installed in bedroom corridor receptacle and tested as well
- A 10 lb. ABC Fire Extinguisher is visibly located in the laundry room
- A 10x12 concrete basement is available for storm shelter, access via carport
- Guest to contact Host in event of utility disruptions
- Entry doors have deadbolts, windows have locks
- Main entry off deck is self-locking keycode
- Keycode is changed for each new occupancy, Owner retains master code

Guest Obligations and Guidelines

- No parties or large social gatherings are allowed by Code. No business or commercial operations are allowed by Code. Guest activities and noise levels must be kept at a level that is in harmony with our neighbors. The Unified Government enforces this policy through Host Compliance by Granicus at 913-246-5133. www.hostcompliance.com/tips.
- No pets are allowed, inside or outside
- No smoking or vaping is allowed inside the premises
- No illegal activities are allowed anywhere on the property. Suspicious activity will be reported to law enforcement.
- Do not flush anything into the toilet other than natural human waste and toilet paper
- Please do not drive or park in any portion of the yard and do not park in the drive lane
- Please do not obstruct or cover the windows or doors other than shades provided.
- Please do not leave windows or doors in an open position during any inclement weather.
- Please deposit all trash, garbage, rubbish or refuse appropriately in the container provided in the carport. Trash pick-up is Monday AM.
- Portable heaters of any kind are prohibited from use
- Guests are advised that Host has no knowledge of lead base paint and/or lead base painting hazards in the dwelling. Host has no reports or records pertaining to lead base paint and/or lead base painting hazards in the house. Housing built prior to 1978 may contain lead base paint. Lead from paint, paint chips, and dust can impose health hazards if ingested or inhaled.
- For Maintenance, or in event of Utility disruptions, call the Host 913-620-4047 or 913-300-0701
- Host reserves right to enter and inspect with reasonable advance notification
- **We welcome you to our cottage. If at any time we can assist you in any way, please call us and we will do our best to make your stay pleasant and relaxing.**

November 11, 2024

Name

Address

KCK ZIP

(List as provided by UG)

SUBJECT: Neighborhood Meeting Invitation

Greetings Neighbor:

We have filed an application with the UG Department of Urban Planning and Land Use No. SP2024-102.

The purpose of this is for RENEWAL of a special use permit previously approved by the UG on November 30, 2023 for short term rentals at this address which we own:

2520 N. 131st St.

You are cordially invited to a neighborhood meeting on:

Monday, November 25, 2024 at 5:00 pm at the above address.

The purpose of this meeting is to explain our Permit Renewal and to answer any questions/concerns you may have. Your attendance is appreciated but not required.

We look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact us at the address or phone number below if needed.

Sincerely,

Neal

Neal and Luann Palmer

2600 N. 131st St.

913-721-5459 (evenings)

1

Special Use Permit Application SP2024-102 (Renewal of SP2023-069)

Neighborhood Meeting **2520 N. 131st St.**

Invitations Issued: 11-Nov-24

Meeting Held: **5:00 PM** **25-Nov-24 at 2520 N. 131st St.**

	INVITEES:			ATTENDEES:	Arrived	Departed
1	Commissioner Melissa Bynum		City Hall	no		
2	Commissioner Mike Kane		City Hall	no		
3	Neal Palmer	Petitioner	2600 N. 131st St.	**Yes**	4:57 PM	5:22 PM
4	Luann Palmer	Petitioner	2600 N. 131st St.	no		
5	Apple Properties	< 200 ft.	9430 Hurrelbrink	no		
6	Emily Harris	< 200 ft.	2440 N. 131st St.	no		
7	Parker Hasenkamp	< 200 ft.	2500 N. 131st St.	no		
8	Haskell Farms LLC	< 200 ft.	2600 N. 131st St.	**Yes (Petitioner)**		
9	Victor Haskin	< 200 ft.	2440 N. 131st St.	no		
10	Kay Meisner Trust	< 200 ft.	2400 N. 131st St.	no		
11	David Wilson	< 200 ft.	2450 N. 131st St.	no		

Meeting Minutes:

The meeting was called to order at 4:58 pm by the Petitioner.

There were no other attendees present.

The meeting adjourned at 5:20 PM

There were no inquires or contacts prior to or after the meeting.

Submitted 11/26/24

Neal H. Palmer
agent for Haskell Farms LLC

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now NEAL H. PALMER, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP2024-102
2. That I conducted a neighborhood meeting on 11-25-2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Neal H Palmer
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25th day of November, ~~200~~ 2024

My commission expires 18th of July, ~~200~~ 2029

John Dewar Granath
Notary Public

John Dewar Granath
Notary Public State of Kansas
My Appt Expires 7/18/2029

SITE VISIT PHOTOS, TAKEN BY STAFF – DATED NOVEMBER 15, 2024











Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 9, 2025

Re: **Special Use Permit Petition SP2024-103**

GENERAL INFORMATION

Applicant Information:
James Sullivan
Representative of the Applicant
Sullivan-Palmer Architects
8621 Johnson Drive
Merriam, Kansas 66202

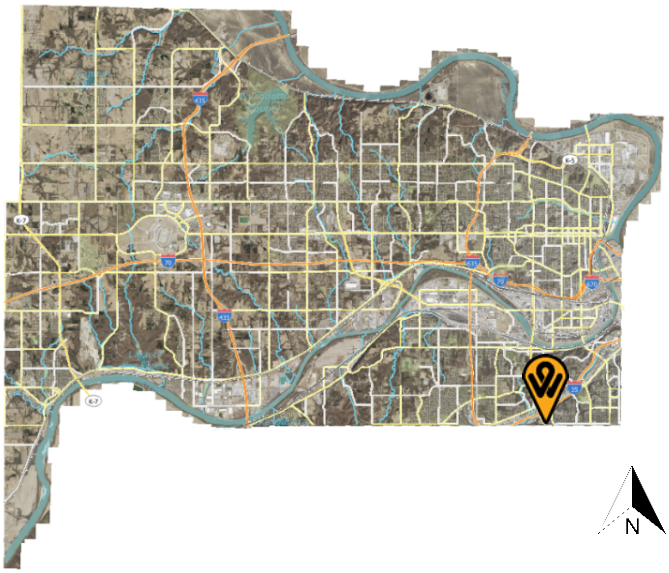
Subject Property:
1401 Merriam Lane
Kansas City, Kansas 66106

Requested Action and Purpose:
Approval of a Special Use Permit to operate a used car dealership.

Commission Districts:
Commissioner At-Large, District #2:
Tom Burroughs
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):
CP-3 Planned Commercial District

Plan Area:
PlanKCK Comprehensive Plan





	Adjacent Zoning	Adjacent Uses
North	C-1 Limited Business District	Liquor Store
South	M-2 General Business District	Industrial Warehouse
East	C-1 Limited Business District	Vacant Commercial Building
West	C-3 Commercial District and M-2 General Industrial District	Vacant Commercial Building

Total Tract Size: 1.90 Acres

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Business Park, which allows for a cohesive district or development that provides a mix of office, research, and light industrial uses. Light industries are small-scale and non-polluting.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates Merriam Lane as a Major Collector.

Parking Requirement: Sec 27-467(e) states "uses in this district require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building."

There is 6,600 square feet of commercial space proposed, requiring 26 spaces to be provided. The plan provides 37 spaces, including two (2) ADA spaces.

Landscaping Requirement: Site landscaping must adhere to the Commercial Design Guidelines, according to the landscape plans submitted under SP2022-072, COZ2022-032, and PR2023-025.

Advertisement: The Wyandotte Echo – November 14, 2024
Letters to Property Owners – November 15, 2024

Public Hearings: December 9, 2024 and January 9, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, James Sullivan, is requesting a renewal of a Special Use Permit (SP2022-072, which expires 1/25/2025) to operate a used car dealership with light repair at 1401 Merriam Lane.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There was only one (1) disturbance complaint, for theft and criminal damage.
    a. January 2021 – 2021-5145 – Criminal Damage and Theft

Building, Zoning, or Code Enforcement Complaints:

1. The property has received Code Enforcement citations under previous ownership for weeds and storage of trash on the property.

Outstanding or Related Permits and Cases:

1. There are no additional outstanding or related permits and cases on the subject property.

Previous Planning Actions:

1. Approval of a Special Use Permit (SP2022-072) for a used automobile dealership for two (2) years in 2022.
2. Approval of a Change of Zone (COZ2022-032) from C-3/M-3 to CP-3 in 2022.
3. Approval of a Final Development Plan (PR2023-025) for a used automobile dealership in 2023.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Shawnee Heights Statistical Neighborhood. The neighborhood includes many diverse uses, including single-family residences, retail centers, drinking-establishments, light-industrial uses and warehouses, as well as Turkey Creek to the rear of the property. In addition to the retail and light industrial along Merriam Lane and South 14th Street, there are large-lot single-family residences to the north.

2. ***The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.***

   The zoning and uses are set out above. The proposed use is expected to be compatible with the surrounding commercial and industrial zoning and uses if managed properly. The use is not compatible with the residential uses to the north of Merriam Lane and may issues if it does not meet ordinance standards, design guidelines, and is not managed properly.

3. ***The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?***

   The removal of the restrictions may detrimentally affect nearby properties if the property is not managed properly, especially if the required site improvements are not made, and the site is not managed properly. Merriam Lane is a mixed-use corridor, and a car dealership is allowed with a Special Use Permit. The proposed use will be required to conform to the Commercial Design Guidelines.

4. ***The length of time the property has remained vacant as zoned.***

   The property is not vacant and has been used as a used automobile sales lot since 2024.

5. ***The degree of conformance of the proposed use to the Comprehensive Plan.***

   Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The Comprehensive Plan designates this property as Business Park, which allows for allows light industrial uses such as warehouse, distribution, office and limited retail and office (compatible with light industrial uses). The proposed use does conform to the Comprehensive Plan with a Special Use Permit.

   Additionally, the property is located along this Merriam Connected Corridor Plan, which aims to reduce the amount of industrial usage and encourage mixed-use development along the Corridor. The goDotte County-Wide Mobility Plan identifies Turkey Creek as a designated trail.

6. ***Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.***

   The proposed use does not have the potential to increase vehicular traffic, but should not exceed the capacity of Merriam Lane, a Major Collector, to accommodate it if managed properly.

7. ***Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.***

   There are several car dealerships and automotive-related businesses in the area. Ab additional automotive business is not particularly necessary for the convenience and welfare of the public. It is not likely to cause substantial injury or harm to nearby properties so long as it is well-maintained and complies with Commercial District Design and Landscape Guidelines. The current applicant, however, has yet to make all of the required improvements as part of the Commercial Design Guidelines.

8. ***Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.***

   Noise, vibration, dust, and illumination are typical issues for this type of use, which could become a nuisance to nearby properties. All service on automobiles must be done inside the building.

9. ***Whether the proposed use will pollute the air, land or water.***

   Environmental concerns include fluid leakage from automotive parts and the repair process, as well as gases from the detailing process. Turkey Creek is located to the south of the property and could be impacted if waste is not properly disposed of, or if dirty runoff is not captured and diverted. If properly managed and maintained, however, the impact should be minimal.

10. ***Whether the use would damage or destroy an irreplaceable natural resource.***

    The proposed use should not result in the damage or destruction of an irreplaceable natural resource as it is located in an existing, built-out urban area along an established commercial corridor. There could be damage to Turkey Creek if waste from auto-repair and detailing is not disposed of properly or if best management practices for erosion control are not implemented.

11. ***The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.***

    The gain to the public health, safety and welfare would be minimal. This use could pose a negative impact to public health if the aforementioned environmental issues are not managed properly, and the property is not properly maintained. A denial of this application would cause the business owner to have to find a new location for their business.

12. The applicant's ability to maintain the use in an "as proposed" condition.

The applicant has not maintained the proposed use as originally proposed or according to all previous conditions of approval. The applicant has yet to make any of the improvements they proposed through previous entitlements, nor has the applicant shown a phasing plan for their required improvements.

13. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

The proposed used is not expected to result in undue concentrations of population as there are daily operating hours and will be required to only service and sale a certain number of vehicles. The proposed use, however, may result in the overcrowding of land, as there might not be enough space for vehicles to park and/or maneuver safely throughout the property. Previously, when the applicant has had vehicles on the property, they have not been in marked spaces and have been double-parked.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting on November 19, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Commercial Design Guidelines
Conditions of Approval Not Met
Floodplain
Operation of the Business

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-103**, **for two (2) years**, subject to:

1. **Phases 1 and 2, and any conditions of approval associated with Phases 1 and 2 must be filed for, if not completed, by the time this Special Use Permit is to be renewed;**
2. **The following previous conditions of approval will continue to be required, including:**
    a. **The business must close by 6:00pm daily.**
    b. **Any chemical spills from vehicles must be cleaned immediately so that it does not cause a pollution problem. Contaminated runoff in rain events can get into drainage ways and cause issues for Turkey Creek.**
    c. **If there is any additional grading to be done, practices must be utilized to protect the stream from sediment and trash.**

d. **Section 27-573 acknowledges the use of the Commercial Design Guidelines and their use in this district as established by Ordinance O-50-06;**
e. **Per Sections 27-667-27-676, every vehicle must be in a designated and striped parking space. Provide a site plan indicating the number of parking stalls, indicating which stalls are dedicated to customers, employees and staff, vehicles for sale, or vehicles for repair. Detailed dimensions of each parking stall are required. Non-ADA parking stalls must be 9' wide from the inside of stripe to inside of stripe and 18' in length;**

3. **The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for the Storage of Materials and Equipment:**
    a. **The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.**
    b. **Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning;**
4. **The applicant was approved for the following deviation from the commercial design guidelines:**
    a. **Sec 27-576(d)(1) A single building development with multiple buildings must maintain a consistent style/architectural theme. Architectural design building materials, colors, forms, roof style and detailing should all work together to express consistent design. This includes all pads within a retail development, as well as gasoline pump canopies or other accessory structures;**
5. **The applicant shall abide by all approved commercial design guideline improvements approved by SP2022-072, COZ2022-032, and PR2023-025, including:**
    a. **Sec 27-575(d)(2): Curb-cuts should be minimized and concentrated at mid-block**
    b. **Sec 27-575(d)(7) There shall be a hierarchy of internal circulation beginning with site access from the public street.**
    c. **Sec. 27-575(d)(8) states that "Internal vehicular, bicycle and pedestrian circulation must connect in a manner obvious to users.**
    d. **Sec. 27-575(d)(9) states that "to the maximum extent possible, there shall be pedestrian circulation from the perimeter of the site to the principal customer entrance to all buildings. Within the site, there shall be pedestrian connections provided to all pedestrian activities, including transit stops, street crossings, open space, building and store entry points, and adjacent pedestrian systems.**
        i. **Access driveways shall feed into driving lanes which shall divide into parking lanes and parking areas**
        ii. **There shall be limited access to driveways, which shall be provided from driving lanes, not parking areas, wherever possible.**

iii. **Circulation Patterns within parking areas shall be defined by curbs and landscaped islands**
iv. **Where possible, groups of buildings should be serviced by dedicated service access lanes.**

e. **Sec 27-575(d)(11) Internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces.**
f. **Sec 27-575(d)(12) Pedestrian connections must be clearly defined in a combination of two or more of the following ways:**
   i. **Six-inch vertical curb;**
   ii. **Trellis;**
   iii. **Special railing;**
   iv. **Bollards;**
   v. **Special paving;**
   vi. **Low seat wall or other architectural features;**
   vii. **Pedestrian scale lighting; or**
   viii. **Traffic calming devices.**
g. **Sec 27-575(e)(2) Pedestrian walkways through the parking area to building entrances should be clearly marked pursuant to this subdivision.**
h. **Sec 27-575(e)(3) Parking located between front of building and street right-of-way must provide an additionally 20 feet of landscaped area in addition to the required setback. This, however, would cause an undue hardship, therefore, the applicant will only be required to provide a six (6) foot landscaped buffer. Please demonstrate this on the site plan.**
i. **Sec 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.**
j. **Sec 27-575(f)(1) There should be a designated walkway or clear pathway to the main entrance of a building so that pedestrians are not required to walk through parking lots.**
k. **Sec 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.**
l. **Sec. 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent developments or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity. The applicant will need to revise the plan to include the screening shrubs.**
m. **Sec. 27-577(d)(1) At least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.**
n. **Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:**

i. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be planted at least six feet tall (when planted) provided for every 30 feet of street easement or frontage.
ii. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

o. Sec 27-577(a)(5) – Landscaping shall exceed the typical code requirements by at least 75 percent.
i. The district requirement is one tree per 7,000 square feet of site area.
ii. The 3.43 acre site is 84,071 Square Feet, which would require 12 trees per the Code of Ordinances.
iii. All deciduous trees shall be at least 2½" caliper when planted. All evergreens must be at least 6' in height when planted. All shrubs must be planted at a minimum of 5 gallons.
iv. Landscaping shall be irrigated;

6. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
7. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
8. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
9. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning

and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

11. **If approved, occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
16. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
18. **The Special Use Permit shall be valid for two (2) years from the publication**

of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

19. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-103** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

December 9, 2024 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Neighborhood Meeting Materials
Site Plan
Phasing Plan
Floor Plan and Elevations
Landscape Plan
Site Photos, Taken by Staff, Dated November 15, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	December 9, 2024 Approval	January 9, 2025

STAFF CONTACT: **James Molloy**
jlmolloy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-103** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-103,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned

December 9, 2024, City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION SP2024-103 – JAMES SULLIVAN – SYNOPSIS: Renewal of a Special Use Permit (SP2022-072 – expires 1/19/2025) for a used automotive dealership at 1401 Merriam Lane. *Detailed Outline of Requested Action:* The applicant, James Sullivan, is requesting a renewal of a Special Use Permit (SP2022-072, which expires 1/25/2025) to operate a used car dealership with light repair at 1401 Merriam Lane.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? No one responded in the affirmative.

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 9, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publication in The Echo for the Special Use Permits; and,
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone requests that an item be removed from the Consent Agenda.

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda.

Mark Henrichs, 9000 State Line Road, Leawood, KS 66206, requested PR2024-035 to be removed from the Consent Agenda.

On motion by Mrs. Jones, seconded by Mr. Beth, the Planning Commission voted as follows to **APPROVE** the remaining items on the Consent Agenda**:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

Motion to APPROVE Passed: 7 to 0
Subject to:

1. **Phases 1 and 2, and any conditions of approval associated with Phases 1 and 2 must be filed for, if not completed, by the time this Special Use Permit is to be renewed;**
2. **The following previous conditions of approval will continue to be required, including:**
    a. **The business must close by 6:00pm daily.**
    b. **Any chemical spills from vehicles must be cleaned immediately so that it does not cause a pollution problem. Contaminated runoff in rain events can get into drainage ways and cause issues for Turkey Creek.**
    c. **If there is any additional grading to be done, practices must be utilized to protect the stream from sediment and trash.**
    d. **Section 27-573 acknowledges the use of the Commercial Design Guidelines and their use in this district as established by Ordinance**

O-50-06;

e. **Per Sections 27-667-27-676, every vehicle must be in a designated and striped parking space. Provide a site plan indicating the number of parking stalls, indicating which stalls are dedicated to customers, employees and staff, vehicles for sale, or vehicles for repair. Detailed dimensions of each parking stall are required. Non-ADA parking stalls must be 9' wide from the inside of stripe to inside of stripe and 18' in length;**

3. **The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for the Storage of Materials and Equipment:**
    c. **The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.**
    d. **Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning;**
4. **The applicant was approved for the following deviation from the commercial design guidelines:**
    a. **Sec 27-576(d)(1) A single building development with multiple buildings must maintain a consistent style/architectural theme. Architectural design building materials, colors, forms, roof style and detailing should all work together to express consistent design. This includes all pads within a retail development, as well as gasoline pump canopies or other accessory structures;**
5. **The applicant shall abide by all approved commercial design guideline improvements approved by SP2022-072, COZ2022-032, and PR2023-025, including:**
    a. **Sec 27-575(d)(2): Curb-cuts should be minimized and concentrated at mid-block**
    b. **Sec 27-575(d)(7) There shall be a hierarchy of internal circulation beginning with site access from the public street.**
    c. **Sec. 27-575(d)(8) states that "Internal vehicular, bicycle and pedestrian circulation must connect in a manner obvious to users.**
    d. **Sec. 27-575(d)(9) states that "to the maximum extent possible, there shall be pedestrian circulation from the perimeter of the site to the principal customer entrance to all buildings. Within the site, there shall be pedestrian connections provided to all pedestrian activities, including transit stops, street crossings, open space, building and store entry points, and adjacent pedestrian systems.**
        i. **Access driveways shall feed into driving lanes which shall divide into parking lanes and parking areas**
        ii. **There shall be limited access to driveways, which shall be provided from driving lanes, not parking areas, wherever possible.**
        iii. **Circulation Patterns within parking areas shall be defined by curbs and landscaped islands**

iv. **Where possible, groups of buildings should be serviced by dedicated service access lanes.**

e. **Sec 27-575(d)(11) Internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces.**
f. **Sec 27-575(d)(12) Pedestrian connections must be clearly defined in a combination of two or more of the following ways:**
    i. **Six-inch vertical curb;**
    ii. **Trellis;**
    iii. **Special railing;**
    iv. **Bollards;**
    v. **Special paving;**
    vi. **Low seat wall or other architectural features;**
    vii. **Pedestrian scale lighting; or**
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g. **Sec 27-575(e)(2) Pedestrian walkways through the parking area to building entrances should be clearly marked pursuant to this subdivision.**
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8. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;

9. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;

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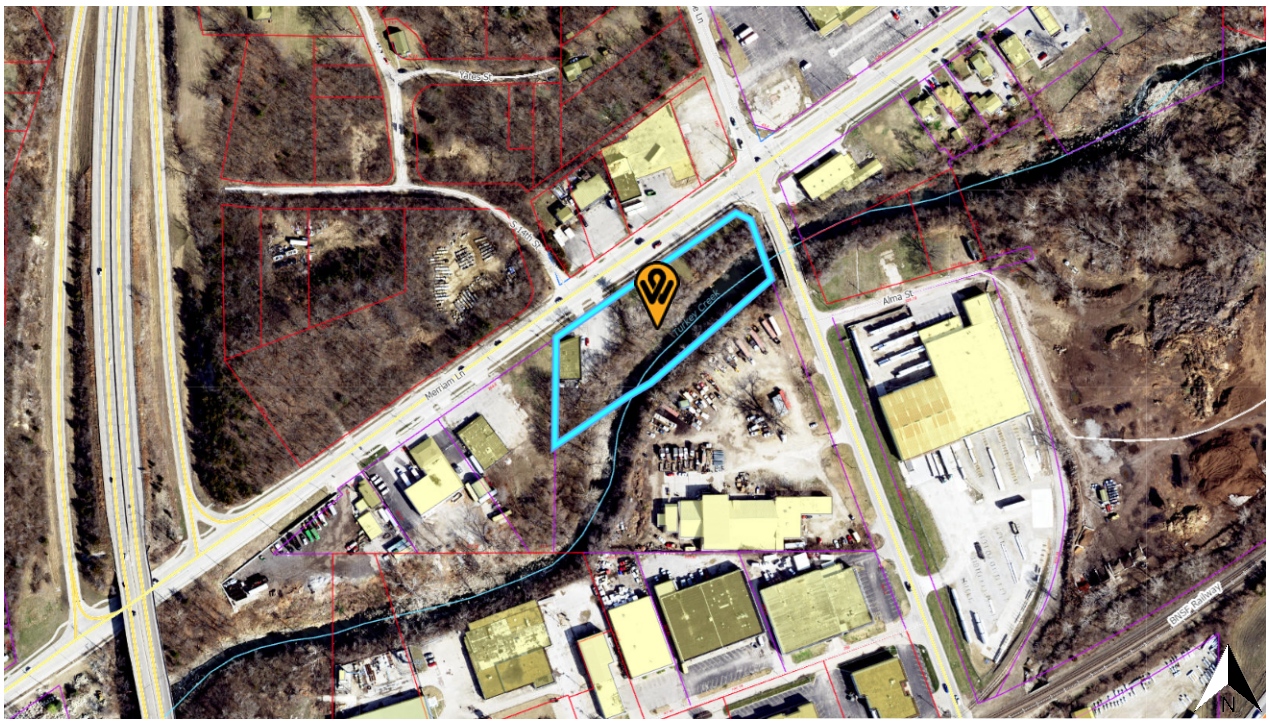
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17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
18. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the**

Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

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ATTACHMENTS

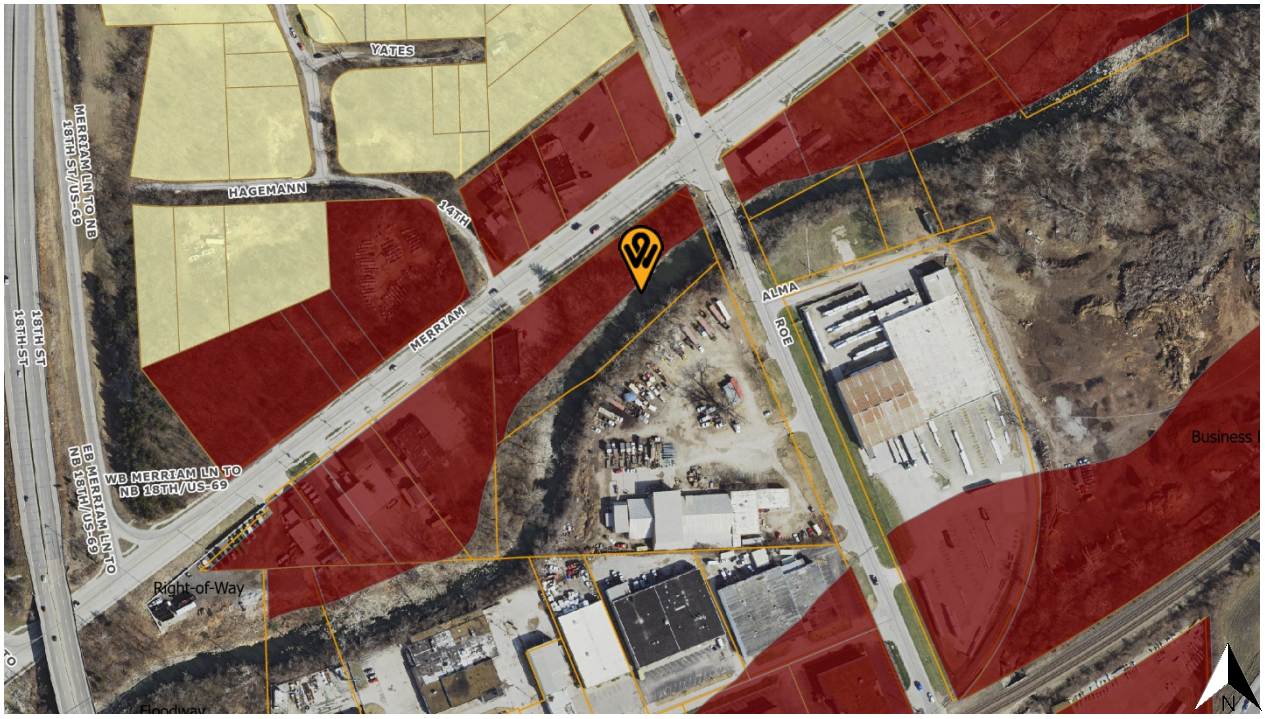
AERIAL IMAGERY



ZONING MAP



LAND USE MAP


YATES
HAGEMANN
14TH
MERRIAM
ALMA
ROE
MERRIAM LN TO NB 18TH ST/US-69
18TH ST
EB MERRIAM LN TO NB 18TH/US-69
WB MERRIAM LN TO NB 18TH/US-69
Right-of-Way
Floodway
N

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF)

Comes now Habib Alani, of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # SP2024-103
2. That I conducted a neighborhood meeting on 11-19-2024
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Alani Habib
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25 day of NOV. 2024
My commission expires 1/27 of _____, 2026

DEIDRA R MYERS
Notary Public - State of Kansas
My Appointment Expires 1/27/2026

Deidra R Myers
Notary Public

MEETING MINUTES:

Application Number__SP 2024-103_____
Date and Location:__11-19-2024_____

Meeting called to order at: _6:00 PM_____

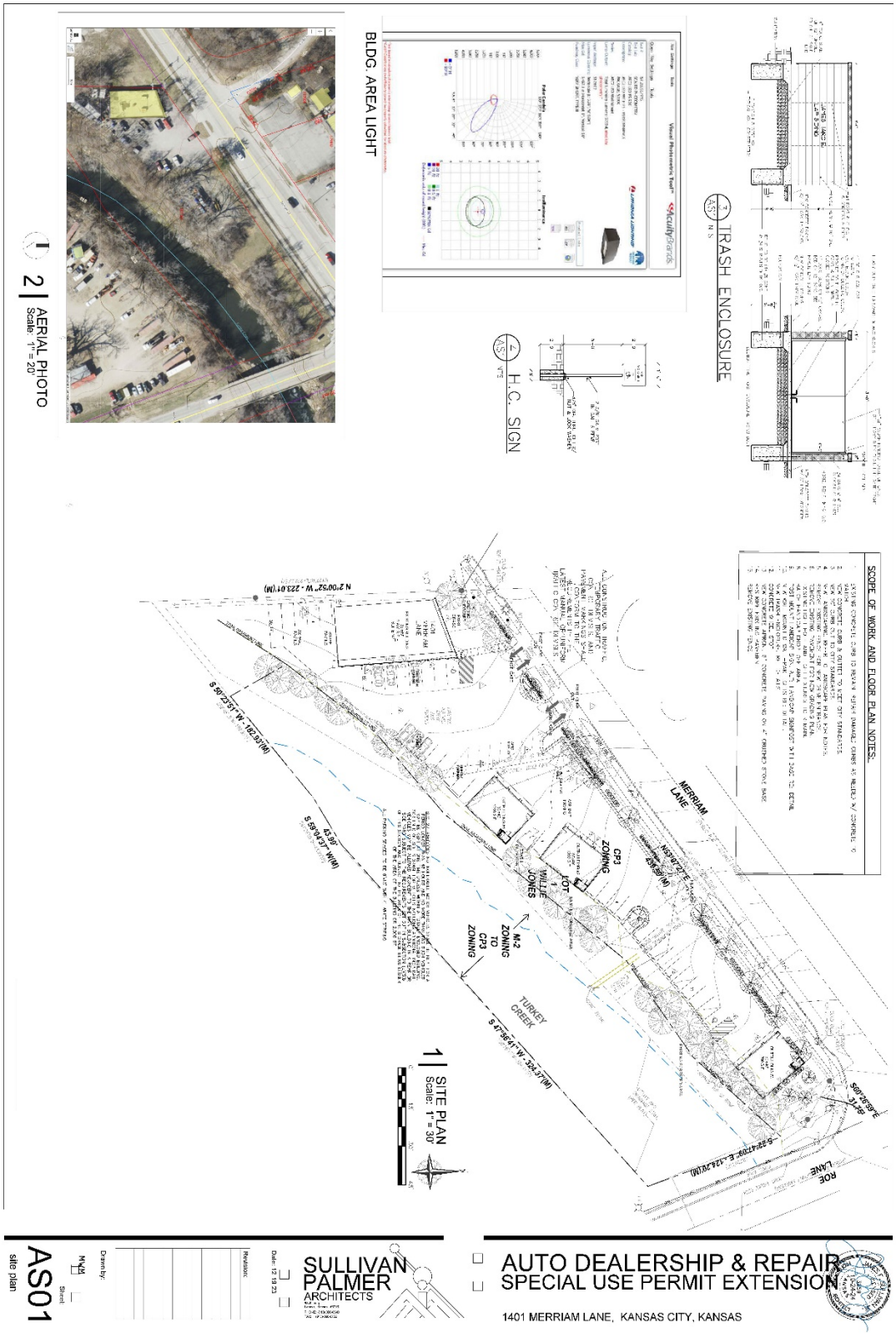
Names of people in attendance:
Baha Hamil
Habib Alani
James Sullivan
Ali Alani

Introductions:

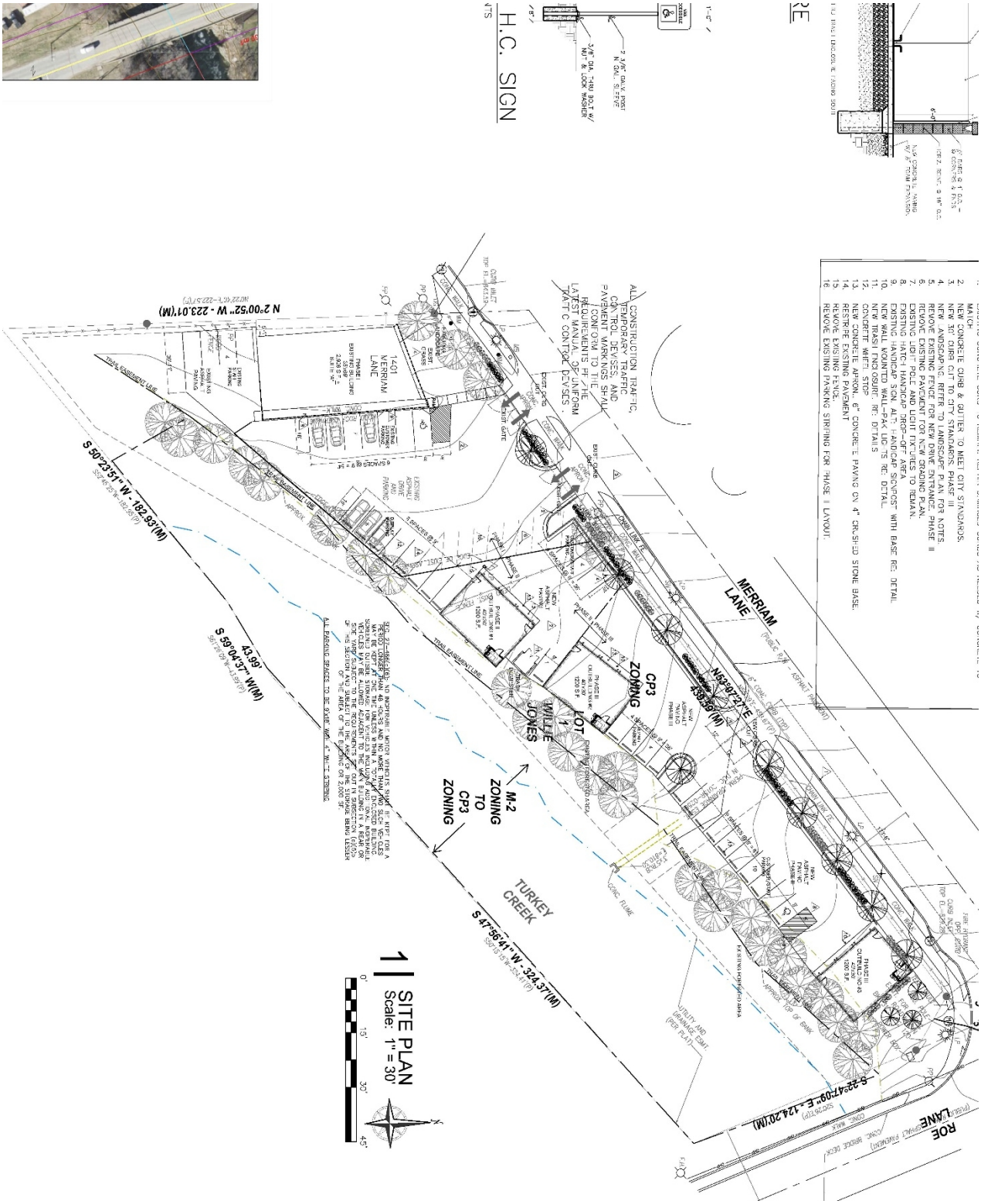
> As no one from the neighborhood was in attendance, the meeting, the meeting started at 6:00 and quickly adjourned without discussion.

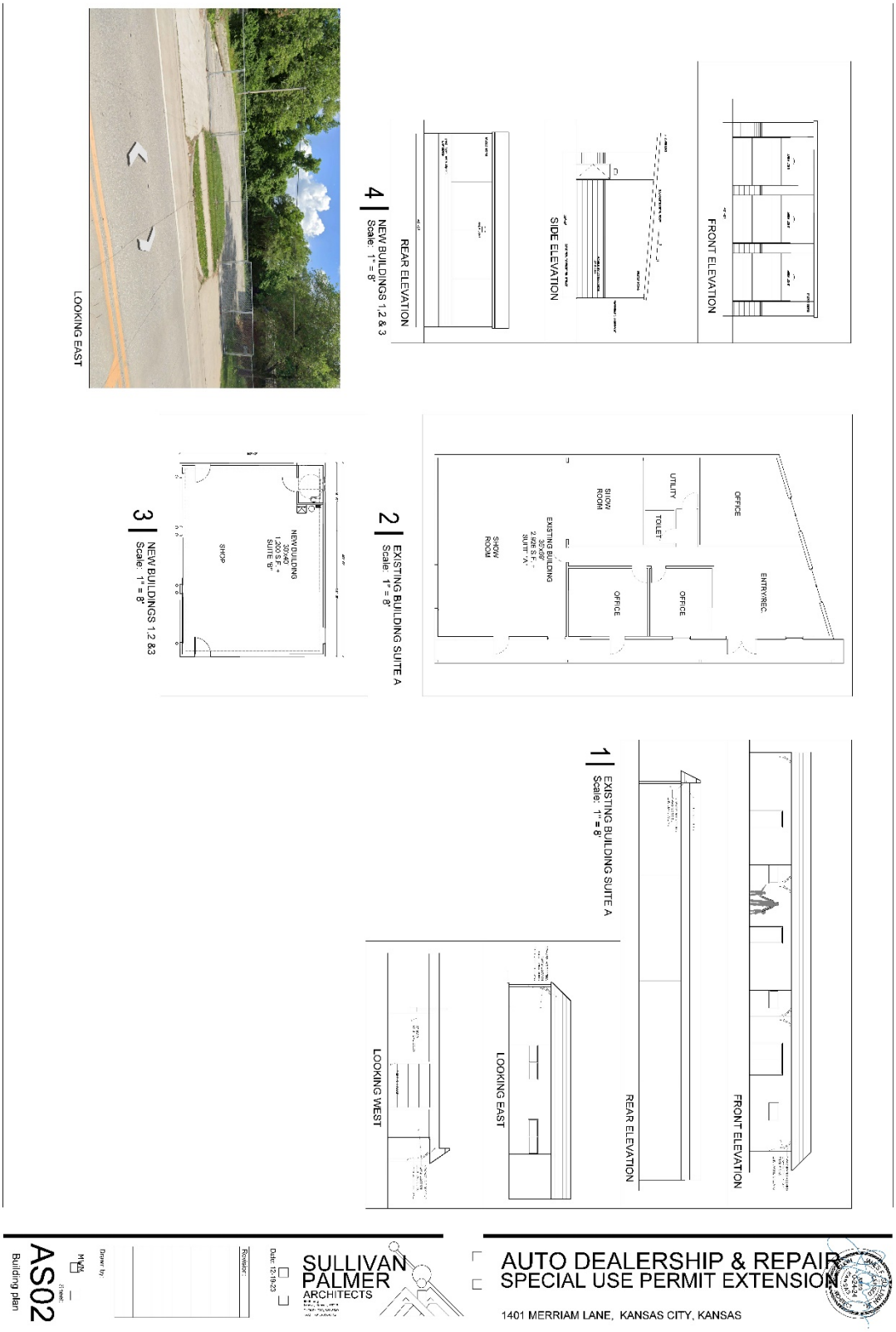
Meeting adjourned at: 6:10

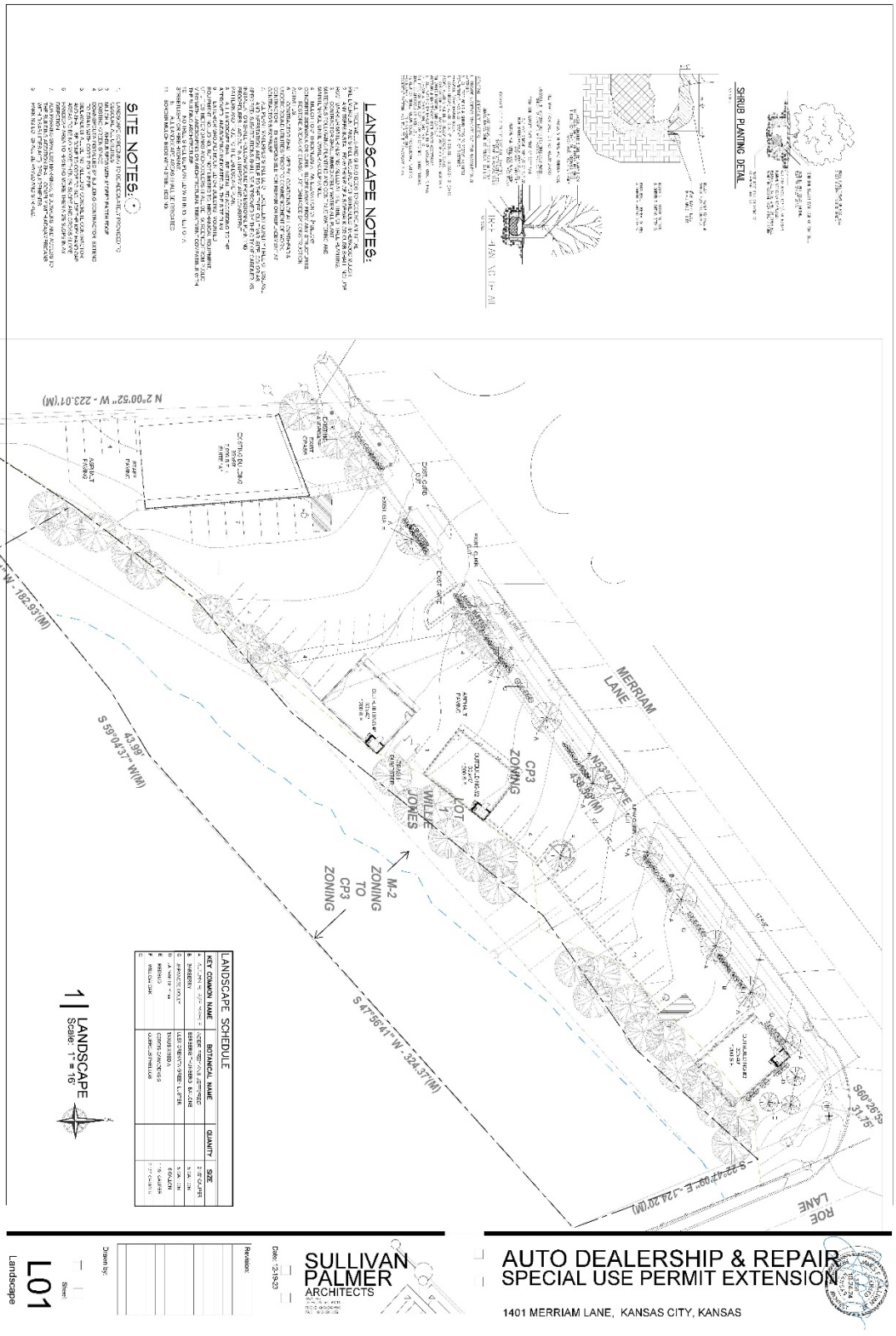
Minutes taken by:____Baha Hamil_____


BLDG. AREA LIGHT
TRASH ENCLOSURE
H.C. SIGN
2 AERIAL PHOTO
Scale: 1" = 20'
1 SITE PLAN
Scale: 1" = 30'
SCOPE OF WORK AND FLOOR PLAN NOTES:
MERRIAM LANE
ROE LANE
TURKEY CREEK
WILLIE JONES
CP3 ZONING
M-2 ZONING
CP3 ZONING
N 2°00'52" W - 223.01'(M)
S 50°21'51" W - 192.93'(M)
S 47°56'41" W - 324.37'(M)
S 22°47'09" E - 124.70'(M)
AS01
site plan
SULLIVAN PALMER ARCHITECTS
AUTO DEALERSHIP & REPAIR
SPECIAL USE PERMIT EXTENSION
1401 MERRIAM LANE, KANSAS CITY, KANSAS

PHASING PLAN




LOOKING EAST
4 | NEW BUILDINGS 1,2 & 3
Scale: 1" = 8'
REAR ELEVATION
SIDE ELEVATION
FRONT ELEVATION
3 | NEW BUILDINGS 1,2 &3
Scale: 1" = 8'
SHOP
NEW BUILDING
1,200 S.F.
SUITE "B"
2 | EXISTING BUILDING SUITE A
Scale: 1" = 8'
SHOW ROOM
UTILITY
TOILET
OFFICE
EXISTING BUILDING
2,926 S.F.
SUITE "A"
SHOW ROOM
OFFICE
OFFICE
ENTRY/REC.
1 | EXISTING BUILDING SUITE A
Scale: 1" = 8'
LOOKING WEST
LOOKING EAST
REAR ELEVATION
FRONT ELEVATION
AS02
Building plan
Drawn by:
MVM
Revision:
Date: 12-19-23
SULLIVAN PALMER ARCHITECTS
AUTO DEALERSHIP & REPAIR
SPECIAL USE PERMIT EXTENSION
1401 MERRIAM LANE, KANSAS CITY, KANSAS


SHRUB PLANTING DETAIL
LANDSCAPE NOTES:
SITE NOTES:
LANDSCAPE SCHEDULE
KEY COMMON NAME BOTANICAL NAME QUANTITY SIZE
MERRIAM LANE
ROE LANE
WILLIE JONES
LOT
CP3 ZONING
M-2 ZONING TO CP3 ZONING
N 2°00'52" W - 223.01'(M)
S 59°04'37" W(M) 43.99'
S 47°56'41" W - 324.37'(M)
S 22°42'09" E - 124.20'(M)
S60°26'52 31.75'
N53°07'21"E 438.89'(M)
1 LANDSCAPE
Scale: 1" = 16'
SULLIVAN PALMER ARCHITECTS
AUTO DEALERSHIP & REPAIR
SPECIAL USE PERMIT EXTENSION
1401 MERRIAM LANE, KANSAS CITY, KANSAS
Date: 12-19-24
Revision:
Drawn by:
Sheet:
L01
Landscape

SITE PHOTOS, TAKEN BY STAFF, DATED NOVEMBER 15, 2024













Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 9, 2025

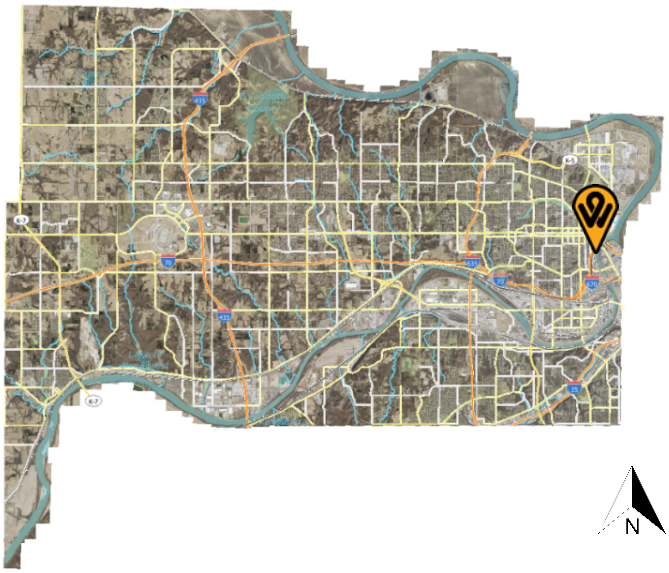
Re: **Special Use Permit Petition SP2024-104**

GENERAL INFORMATION

Applicant Information:
Denise Tomasic
Representative
Purple Properties, LLC
417 North 6th Street
Kansas City, Kansas 66101

Subject Property:
419 North 6th Street
Kansas City, Kansas 66101

Requested Action and Purpose:
Renewal of a Special Use Permit (expires January 25, 2025) to operate a short-term rental.



Commission Districts:
Commissioner At-Large, District #2:
Tom Burroughs
District #2 Commissioner:
William J. Burns, Jr.

Existing Zoning District(s):
TND Traditional Neighborhood Design District

Plan Area:
Central Area Plan



	Adjacent Zoning	Adjacent Uses
North	TND Traditional Neighborhood Design District	Commercial building
South	TND Traditional Neighborhood Design District	Mixed-use building
East	R-1(B) Single Family District	Single-family residence
West	TND Traditional Neighborhood Design District	Single-family residence and Delicatessen

Total Tract Size: 0.07 Acre

Comprehensive Plan Designation: The Central Area Plan designates the subject property as Urban Density, which allows for attached and detached residences; including town homes, duplexes, triplexes, fourplexes.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 6th Street as a Minor Collector.

Parking Requirement: Section 27-471(n)(3a) states that one (1) off-street parking spaces shall be provided per each dwelling unit. The subject property has two (2) dwelling units and four (4) parking spaces in the rear of the property, meeting this requirement.

Landscaping Requirement: Section 27-471 (s)(1)(c)(1) states “Applicable to all building types: Zero landscape plantings required”. And section 27-471 (s)(2) states “Trees are required in the public right-of-way along streets, at a minimum of one shade tree every 40 feet, except where a park exists”. The subject property is not required to have any landscaping; however, it is required to plant one (1) street tree within the right-of-way.

Advertisement: The Wyandotte Echo – November 14, 2024
Letters to Property Owners – November 15, 2024

Public Hearings: December 9, 2024 and January 9, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Denise Tomasic, is requesting a renewal of a Special Use Permit (expires January 25, 2025) to operate a short-term rental at 419 North 6th Street, Kansas City, Kansas 66101. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 400 block of North 6th Street.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. There are no notices of violation on the subject property.

Outstanding or Related Permit and Cases:

1. 2023 – DRC23-0069 – Development Review Committee – Change of Occupancy for first floor office to residential (closed).
2. 2022 – COM22-0141 – Commercial – Interior remodel to AirBnB duplex performed by others (expired).

Previous Planning Actions:

1. 2023 – SP2023-080 – Special Use Permit to operate a short-term rental.
2. 2022 – SP2022-082 – Special Use Permit to operate a short-term rental.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Riverview Statistical Neighborhood, the Strawberry Hill Neighborhood group and the Central Area Betterment Association (CABA) group. The neighborhood consists of mixed-use buildings with a variety of uses, ranging from single-family residences, duplexes, and fourplexes, to small-scale mixed-use buildings as well as institutional uses such as churches or government offices.

2. ***The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.***

   The zoning and uses are set out above. The subject property is surrounded by the R-1(B) Single Family District and the TND Traditional Neighborhood Design District. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity along the urban mixed-use corridor. While use as a short-term rental is commercial in nature, the use is occurring in a converted commercial building, which should not present issues with nearby property. The proposed use is compatible if properly managed.

3. ***The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions including those for hours of operation (where applicable), detrimentally affect nearby property?***

   Removal of the restrictions that require a Special Use Permit has the potential to create issues such as parking, excessive noise, illumination, vibration, overcrowding of land and undue concentrations of population. The property could be suitable for use as a short-term rental if the aforementioned issues are properly managed.

4. ***The length of time the property has remained vacant as zoned.***

   The property is not vacant. The property has operated as a short-term rental since 2022.

5. ***The degree of conformance of the proposed use to the Comprehensive Plan.***

   Special Use Permits are not addressed in the Central Area Plan. The Central Area Plan designates the subject property as Urban Density, which allows for attached and detached residences; including town homes, duplexes, triplexes, fourplexes. The proposed use conforms to the Central Area Plan designation with the continuation of a Special Use Permit.

6. ***Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.***

   The proposed use has the potential to increase vehicular traffic but should not exceed the capacity of North 6th Street, a Minor Collector Street, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

7. ***Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.***

   The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, illumination, overcrowding of land, and undue concentrations of population could impact nearby properties negatively. If managed properly, however, the use of the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. ***Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.***

   Noise, vibration and illumination are all potential issues that are related to short-term rentals if it is not managed properly. There have not been any complaints to date with the current applicant. Dust is not typically an issue related to the use of a residentially converted commercial building as a short-term rental and ostensibly not considered to be a problem for nearby properties.

9. ***Whether the proposed use will pollute the air, land or water.***

   The proposed use will not pollute the air, land or water as it is an existing, permitted residence.

10. ***Whether the use would damage or destroy an irreplaceable natural resource.***

    The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence in an existing, urban built-out neighborhood.

11. ***The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.***

    The relative gain or loss to public health, safety and welfare is minimal as it only provides the convenience of lodging with some economic benefit. If denied, the landowner could not use the property as a short-term rental but may still use the property as a long-term rental with appropriate permits and licenses, their primary residence, or sell the property.

12. ***The applicant's ability to maintain the use in an "as proposed" condition.***

    The applicant has maintained the proposed use according to previous conditions of approval.

13. ***Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.***

    The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests at one time is six (6). The maximum number of vehicles off-street is four (4). There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 419 North 6th Street, Kansas City, Kansas 66101 on November 25, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise, Illumination, and Vibration

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-104**, **for two (2) years**, subject to:

1. **Maximum number of guests shall be six (6) per unit;**
2. **All parking must be off-street, maximum number of vehicles is four (4). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this**

division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

10. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
16. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**

17. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
18. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
19. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**
20.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-104** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

December 9, 2024 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Floor Plan
Site Plan
Photos Submitted by the Applicant
Neighborhood Meeting Materials
Site Visit Photos, Taken by Staff – Dated November 15, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	December 9, 2024 Approval	January 9, 2024

STAFF CONTACT: **Kiley Meierarend**
kmeierarend@wycokck.org
913-573-5750

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-104** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-104,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

December 9, 2024, City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION SP2024-104 – DENISE E. TOMASIC – SYNOPSIS: Renewal of a Special Use Permit (SP2024-080, expires 1/25/2025) for a Short-Term Rental at 419 North 6th Street. *Detailed Outline of Requested Action:* The applicant, Denise Tomasic, is requesting a renewal of a Special Use Permit (expires January 25, 2025) to operate a short-term rental at 419 North 6th Street, Kansas City, Kansas 66101. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 400 block of North 6th Street.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? No one responded in the affirmative.

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 9, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publication in The Echo for the Special Use Permits; and,
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone requests that an item be removed from the Consent Agenda.

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda.

Mark Henrichs, 9000 State Line Road, Leawood, KS 66206, requested PR2024-035 to be removed from the Consent Agenda.

On motion by Mrs. Jones, seconded by Mr. Beth, the Planning Commission voted as follows to **APPROVE** the remaining items on the Consent Agenda**:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

Motion to APPROVE Passed: 7 to 0
Subject to:

1. **Maximum number of guests shall be six (6) per unit;**
2. **All parking must be off-street, maximum number of vehicles is four (4). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests,**

or infestations;

7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure**

to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

16. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
17. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
18. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
19. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

ATTACHMENTS

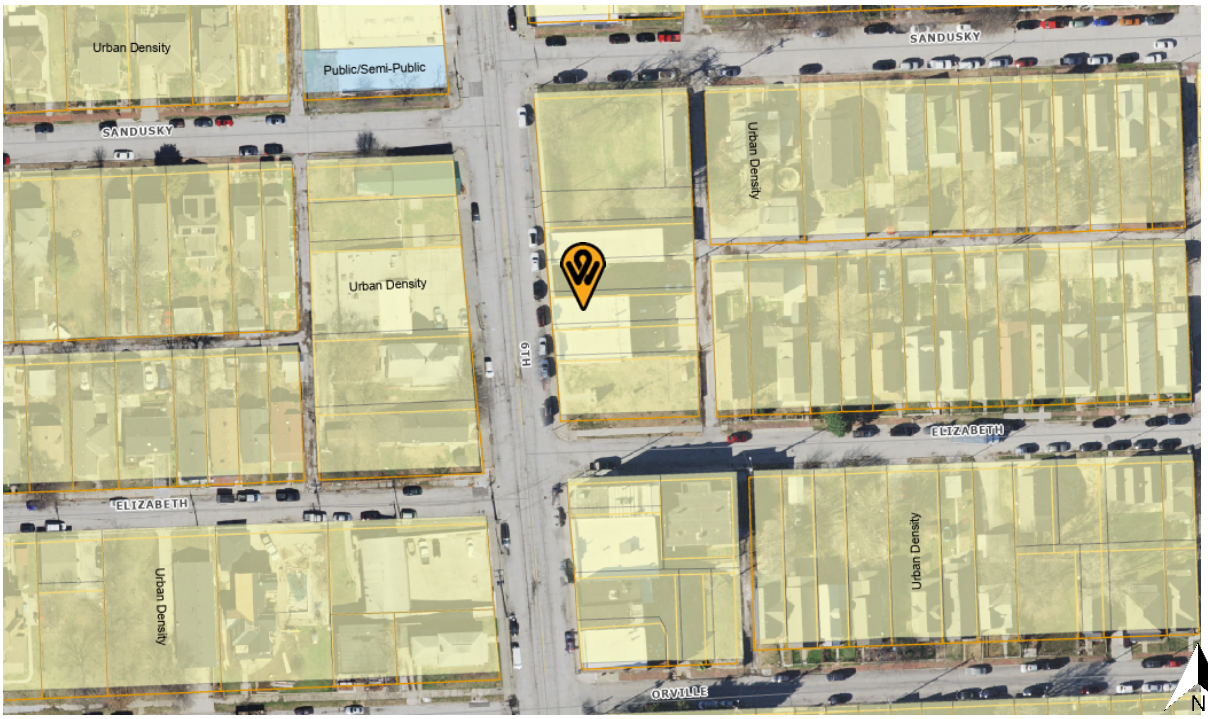
AERIAL IMAGERY



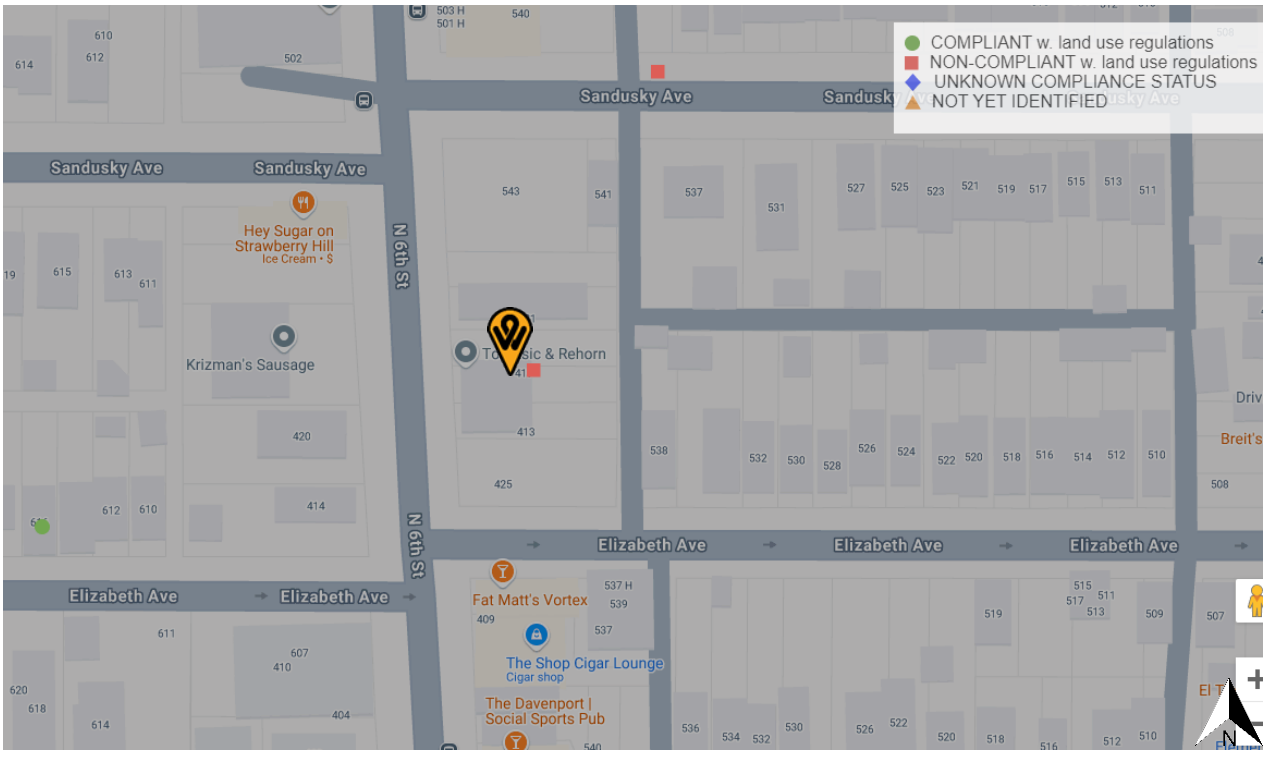
ZONING MAP



LAND USE MAP



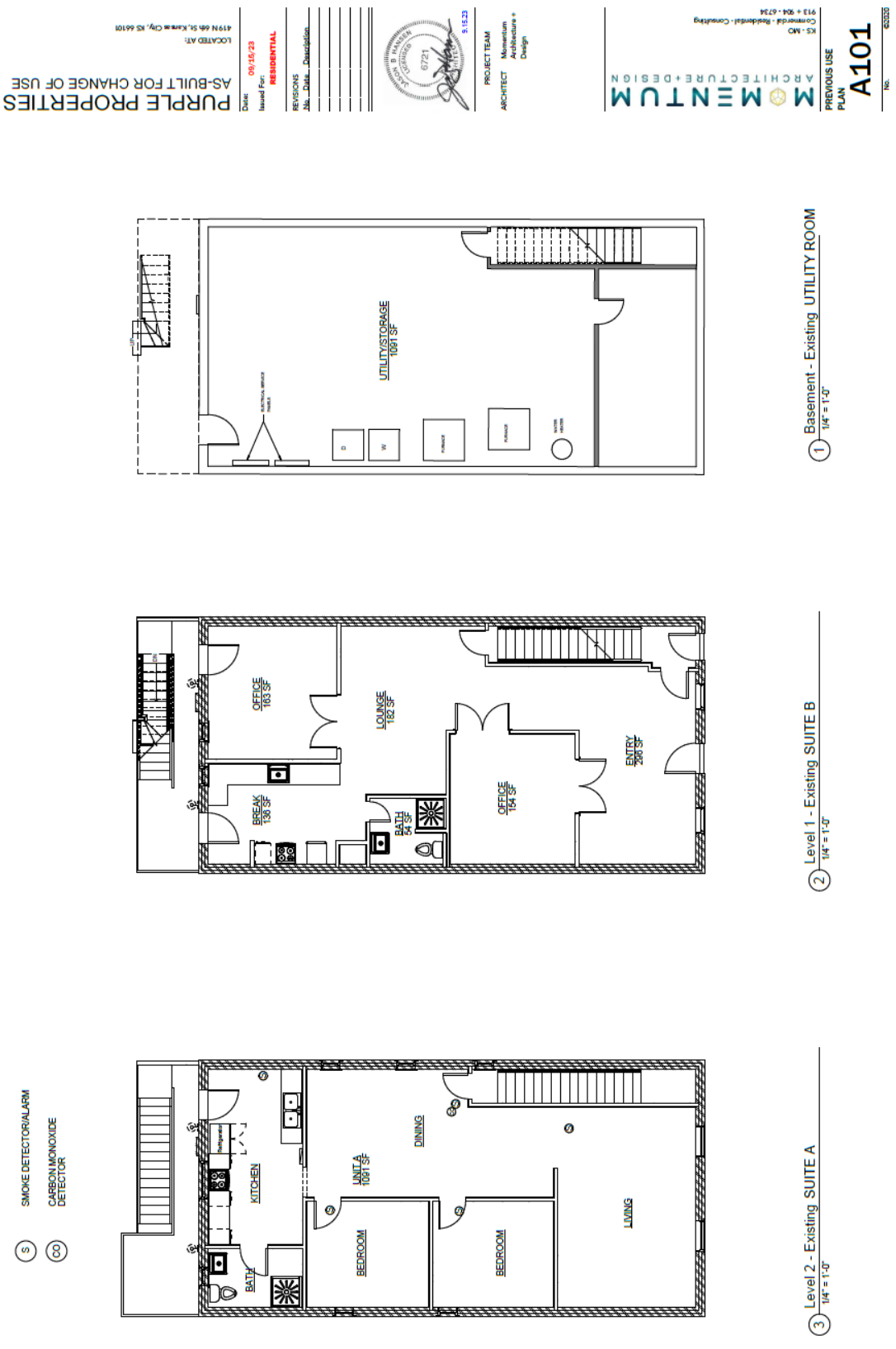
SHORT-TERM RENTAL MAP



FLOOR PLAN

AS-BUILT FOR CHANGE OF USE
PURPLE PROPERTIES
LOCATED AT:
419 N 6th St, Kansas City, KS 66101
Date: 09/15/23
Issued For: RESIDENTIAL
REVISIONS
No. Date Description
PROJECT TEAM
ARCHITECT Momentum Architecture + Design
MOMENTUM
ARCHITECTURE+DESIGN
KS - MO
Commercial - Residential - Consulting
913 • 904 • 6734
RESIDENTIAL USE PLAN
A102
No. ©2023
LIFE/ FIRE SAFETY
EXISTING DWELLING CONTAINS SMOKE ALARMS AS SHOWN IN THE RCP ON THIS SHEET (2A102). ALL UTILITIES LOCATED IN BASEMENT. EXISTING DWELLING CONTAINS CARBON MONOXIDE ALARMS AS SHOWN IN THE RCP ON THIS SHEET (2A102). ALL SLEEPING ROOMS HAVE 2 MEANS OF EGRESS- SEE PLANS BELOW AND A101. NO WINDOWS ARE USED AS A MEANS OF EMERGENCY ESCAPE.
CEILING
EXISTING CEILING APPEARS TO BE MIN. 1/2" GYP. BD. OVER EXISTING WOOD STRUCTURE. BASED ON THE BUILDING AGE OF 100YRS, THE ASSEMBLY IS ASSUMED 1/2" PLYWOOD, MINIMUM 1" THICK SOLID WOOD PLANKS, OVER NOM. 2"x10" WOOD CEILING/FLOOR JOISTS AT 16" OC - MEETING 1-HR RATED CEILING PER IBC (TABLE 721.1(3) I 13-1.4.
STRUCTURE
3806.4 - EXISTING STRUCTURAL LOAD ESTIMATED TO BE THE SAME OR EQUAL TO THE PREVIOUS OCCUPANCY. NO CHANGES REQUIRED. RISK CATEGORY II.
WALLS
EXISTING EXTERIOR WALLS APPEAR TO BE DOUBLE-WYTHE BRICK CONSTRUCTION - CATEGORIZED AS 4-HR RATED WALLS PER CURRENT IBC CODE (TABLE 721.1(2).
DECK
EXISTING WOOD DECK (STRUCTURE) WITH GALVANIZED PIPE RAILS AND WELDED WIRE MESH INFILL (LAYER, RAIL HEIGHT AT 37" AND NO AREA ALLOWING PASSAGE OF 4" DIA. SPHERE. MEETS CURRENT IRC CODE FOR RAILING HEIGHTS AND OPENINGS.
BEDROOM 183 SF
LIVING ROOM 182 SF
KITCHEN 136 SF
BATH 64 SF
DEN 134 SF
ENTRY 296 SF
WALL-MOUNTED EXTERIOR LIGHT, TYP.
HANGING PENDANT-STYLE LIGHT, TYP.
GYP. BD. CEILINGS THROUGHOUT
Level 1 - RCP SUITE B
1/4" = 1'-0"
Level 1 SUITE B
1/4" = 1'-0"
SMOKE DETECTOR/ALARM
CARBON MONOXIDE DETECTOR

FLOOR PLAN


PURPLE PROPERTIES
AS-BUILT FOR CHANGE OF USE
LOCATED AT:
419 N 6th St, Kansas City, KS 66101
Date: 09/15/23
Issued For: RESIDENTIAL
REVISIONS
No. Date Description
PROJECT TEAM
ARCHITECT Momentum Architecture + Design
MOMENTUM
ARCHITECTURE+DESIGN
KS - MO
Commercial - Residential - Consulting
913 + 904 - 6734
PREVIOUS USE PLAN
A101
No. ©2020
SMOKE DETECTOR/ALARM
CARBON MONOXIDE DETECTOR
UTILITY/STORAGE 1091 SF
Basement - Existing UTILITY ROOM
1/4" = 1'-0"
OFFICE 163 SF
LOUNGE 182 SF
ENTRY 298 SF
BREAK 138 SF
BATH 54 SF
OFFICE 154 SF
Level 1 - Existing SUITE B
1/4" = 1'-0"
KITCHEN
UNIT A 1091 SF
DINING
BEDROOM
BEDROOM
LIVING
BATH
Level 2 - Existing SUITE A
1/4" = 1'-0"

PHOTOS SUBMITTED BY THE APPLICANT







Minutes of 11/25/2024 Neighborhood Meeting

Application Number: SP2024-104 - 419 N. 6th Street

Date and Location: 11/25/2024, 4:00 - 5:00 p.m. at the offices of Tomasic & Rehorn, 417 N. 6th Street

Meeting called to order at: 4:00 p.m.

Names of people in attendance:

Denise Tomasic
Joni Bocelewatz
Michael Bocelewatz

Introductions:

No introductions needed. Joni and Michael own and operate a nearby business on 6th Street.

Presentation:

Applicant and attendees discussed the status of the application for a short-term rental and the requirements to obtain approval.

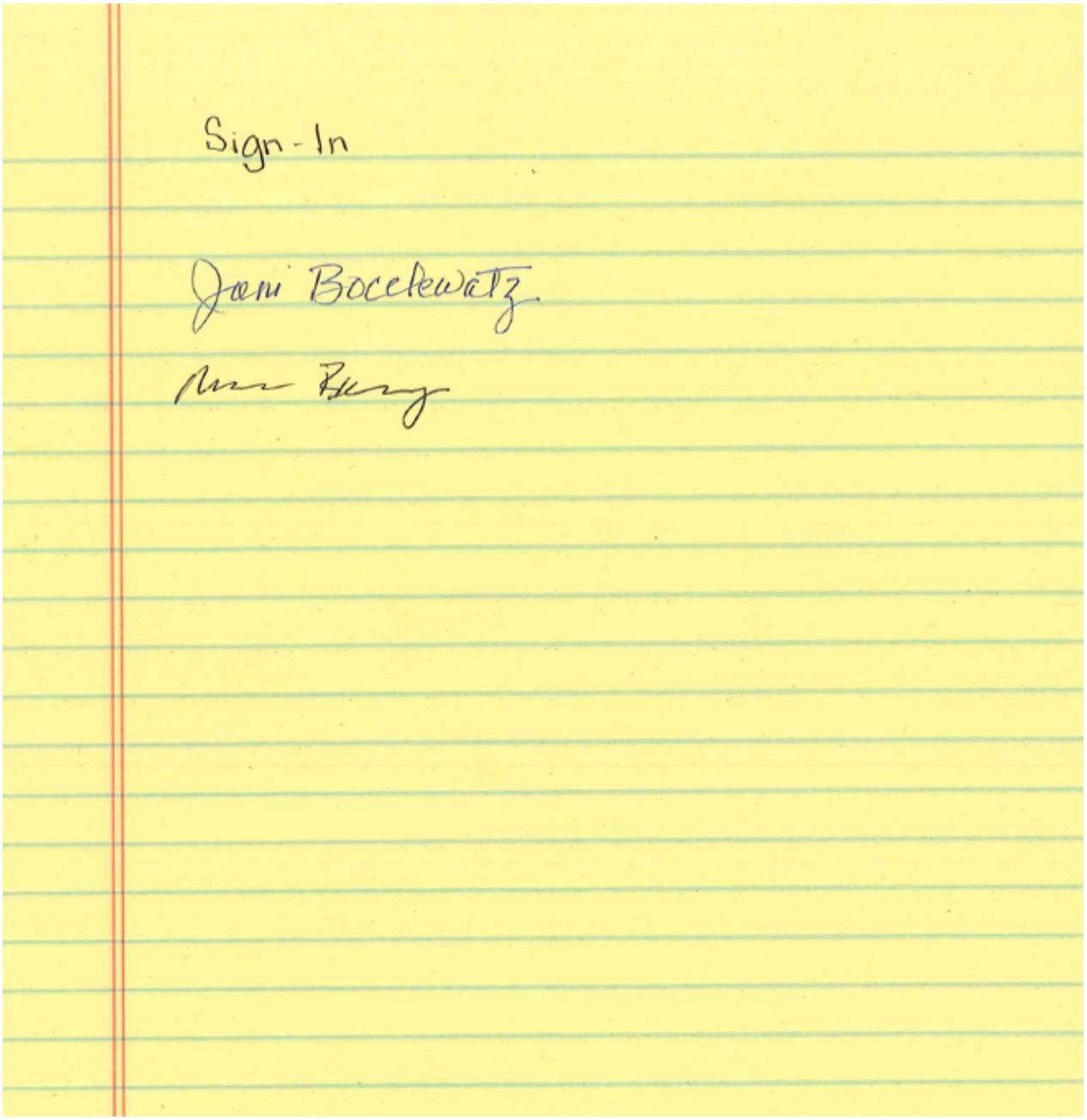
Questions:

What are the positives and negatives of operating an Airbnb in KCK.
Why is there a requirement to plant a tree in front of the building since there is no spot to plant a tree.
Why am I required to plant a tree when no other business owner on 6th Street has a tree.
Why is a tree required at this point in time when no such requirement was previously imposed.

Meeting adjourned at 5:00 p.m. Minutes were taken by Ms. Tomasic.

Denise E. Tomasic — 11/26/2024

Denise E. Tomasic — Date


Sign-In
Joni Bocelewatz

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

Comes now Denise Tomasic, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP2024-104
2. That I conducted a neighborhood meeting on 11/25/2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Denise Tomasic
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 27th day of November, 2024.

My commission expires 8th of December, 2027.

KASANDRA WRIGHT
Notary Public, State of Kansas
My Appointment Expires
12-8-2027

Kasandra Wright
Notary Public

SITE VISIT PHOTOS, TAKEN BY STAFF – DATED NOVEMBER 15, 2024









Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: City Planning Commission

From: Planning and Urban Design Staff

Date: January 9, 2025

Re: **Special Use Permit Petition SP2024-106**

GENERAL INFORMATION

Applicant Information:
Foster Adopt Connect, Inc.
18600 East 39th Terrace
Independence, MO 64057

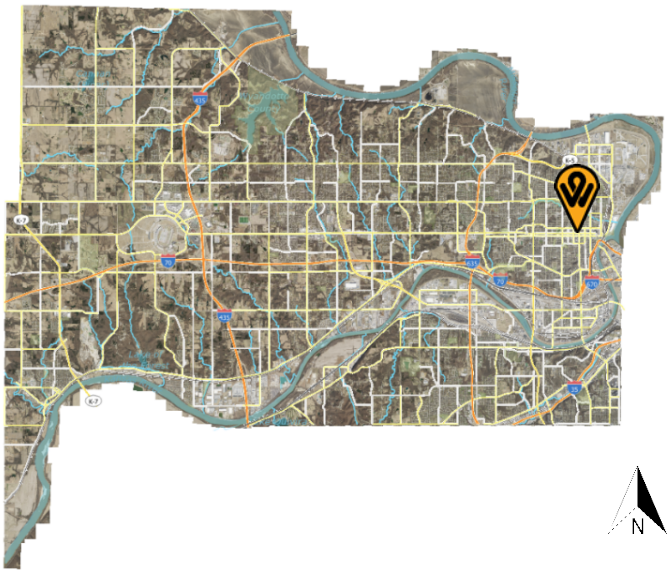
Subject Property:
901 North 8th Street
Kansas City, KS 66101

Requested Action and Purpose:
Approval of a Special Use Permit to operate an emergency group home and event space.

Commission Districts:
Commissioner At-Large, District #2: Tom Burroughs
District #2 Commissioner: William (Bill) Burns

Existing Zoning District(s):
C-D Central Business District

Comprehensive Plan Area:
Downtown Area Plan





	Adjacent Zoning	Adjacent Uses
North	**C-D Central Business District**	**Commercial office and retail business**
South	**C-0 Nonretail Business District**	**Commercial office**
East	**C-D Central Business District**	**Vacant commercial building**
West	**C-D Central Business District**	**Multi-family apartments**

Total Tract Size: 0.33 Acre

Comprehensive Plan Designation: The Downtown Area Plan designates this property as Civic, which allows uses dedicated to public buildings and sties that have local, state and federal government functions or serve a public function.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 8th Street and Armstrong Avenue as Local Streets.

Parking Requirement: Section 27-465(f)(1-2) Uses in this district need not provide off-street parking, except that residential occupancies shall provide not less than one (1) off-street parking space for each dwelling unit, and hotels shall provide one off-street parking space for each room. Such parking spaces shall be paved and shall be on the premises or off the premises within 200 feet of the main entrance to the building served.

The Unified Government may, in the planned zoning procedure, require that reasonable off-street parking be provided within a practical walking distance in order to protect the public safety and convenience.

Two (2) parking spaces are required for the group home. The applicant is providing 10 off-street parking spaces, 8 of which will be for the event space when available and not needed for the restaurant and/or future office.

Landscaping Requirement:	Section 27-465(h) Where setbacks allow, a reasonable amount of landscaping is required on all projects in this district, all to be depicted on a properly prepared landscape plan. Six-foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property.
Advertisement:	The Wyandotte Echo – November 14, 2024 Letters to Property Owners – November 15, 2024
Public Hearings:	December 9, 2024 and January 9, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The representative, Travis Gunter with Veritas Architecture, on behalf of Foster Adopt Connect, Inc., has applied for a Special Use Permit to have an emergency group home in the basement and event/meeting space on the second floor in conjunction with an existing coffee shop and café on the ground floor and offices at 901 North 8th Street.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. There are no building, zoning, or code enforcement complaints on the subject property.

Outstanding or Related Permit and Cases:

1. SITE24-0011 – a patio addition for Foster Adopt Connect Café – October 30, 2024.
2. SIGN2022-012 – projecting sign for Foster Adopt Connect – January 25, 2022

3. Numerous building permits for mechanical, electrical, plumbing, elevator, building permits and occupancy conversions between 2006 – 2022.

Previous Planning Actions:

1. None

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Riverview Statistical Neighborhood and Block Group #0418001. The neighborhood is in the Central Business District, immediately south of Minnesota Avenue and two (2) blocks west of KCKPD Headquarters. There are vacant, mixed-use buildings, office, civic and institutional uses along Armstrong Avenue. Foster Adopt Connect currently resides in formerly the Kansas City Kansan newspaper building, a State and Federally designated historic building, which is also within the local and State Downtown Kansas City, Kansas Historic District.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.

The zoning and uses are set out above. The subject property is surrounded by commercial and civic/institutional uses. The proposed uses are for an emergency group home in the basement and an event space on the second floor. The ground floor currently is Connect Café, a coffee shop and restaurant operated by Foster Adopt Connect.

3. The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?

The proposed use is suitable for the subject property, however, if not managed properly, issues such as noise and illumination may impact Y Lofts, which are apartments across the street on the west side of North 9th Street. The removal of restrictions will not detrimentally affect nearby property as long as all conditions of approval are adhered to.

4. The length of time the property has remained vacant as zoned.

The property is not vacant, as stated previously, Connect Café operates on the ground floor, although the basement and second floor are not occupied by tenants or used for any commercial activity.

5. ***The degree of conformance of the proposed use to the Comprehensive Plan.***

   Special Use Permits are not addressed in the Downtown Area Plan. The Civic designation allows uses dedicated to public buildings and sties that have local, state and federal government functions or serve a public function. While not explicitly stated, an emergency group home does offer a public function for minors to have a safe, secure, temporary place to stay because their primary residence or lack thereof is unsafe.

6. ***Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.***

   The proposed uses, specifically the event space will result in an increase of traffic, as it is utilizing a vacant second floor. This increase, however, should not exceed the capacity of North 9th Street or Armstrong Avenue. There is on-street parking along Armstrong Avenue and Minnesota Avenue that is not utilized in the evening, other than 7th Street Casino patrons and a parking garage at 7th Street and Armstrong Avenue.

7. ***Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.***

   The group home is reasonably necessary for the welfare of the public, and for minors in particular who cannot advocate for themselves. The event space is not reasonably necessary, but does provide an alternate space for corporate meetings and functions. As long as the proposed use abides by the conditions of approval, and takes steps to mitigate the issues, such as noise and illumination, the use is not expected to impact the use, quality, and marketability of nearby property.

8. ***Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.***

   Noise, vibration and illumination are expected to occur in durations as not to create issues with nearby properties, especially in the late evening hours because the majority of businesses in this area are closed after 5:00 PM. Foster Adopt Connect does not want to advertise their emergency group home for the occupant's safety.

9. ***Whether the proposed use will pollute the air, land or water.***

   The proposed use will not pollute the air, land or water as it is an existing, permitted commercial building.

10. ***Whether the use would damage or destroy an irreplaceable natural resource.***

    The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted commercial structure in an existing, built-out downtown urban mixed-use core.

11. ***The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.***

    The relative gain to public health, safety and welfare is moderate. If denied, the property owner may not use the property for an event space and/or temporary group home, however, they can still use the property for a variety of commercial and residential purposes. The building owner could not reapply for the same uses for one (1) year if denied.

12. ***The applicant's ability to maintain the use in an "as proposed" condition.***

    The applicant will be required to maintain the use according to the submitted plans and descriptions of the proposed use. The applicant will also be required to meet all conditions of approval.

13. ***Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.***

    The proposed use could potentially result in both the overcrowding of land and undue concentrations of population for the event space on the second floor. These issues may arise due to the nature of event spaces, which often attract larger groups of individuals and vehicles. If managed properly and if parking does not impact the adjacent residential uses and neighborhood, these items should not be a major concern.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 625 Minnesota Avenue, Kansas City, KS 66101 (KCK Public Library) on November 25, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Parking
Occupancy Limits
Waste Management
Hours of Operation
On-Site Staff for Group Home

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-106**, **for two (2) years**, subject to:

1. **A total of 10 parking spaces are dedicated in the rear of the building for both businesses – two (2) for the emergency shelter and 8 for the event space.**
    a. **On-street parking is available but is metered during the weekday business hours.**
    b. **Lot C parking garage, approximately one-half (½) block east of the subject property has hourly parking – $1.00/hour up to 8 hours that is publicly available. During your events, provide that as an option for off-street parking;**
2. **All events within the event space shall conclude by 11:00 PM because there is a group home in basement;**
3. **Events may occur 7 days a week, although the applicant/operator specified most events will occur Monday through Friday;**
4. **The maximum occupancy in the event space is 220;**
5. **All waste shall be disposed in the existing dumpster;**
6. **No alcohol is to be provided during events;**
7. **No events may occur outside;**
8. **Up to four (4) live entertainment events, annually, are permitted on the premises associated with the event space per the Business Licensing Division. Five (5) or more annual events require an amendment to this Special Use Permit;**
9. **Any changes to the building for either the event space or emergency shelter/group home may require a building permit to obtained, which triggers historic review process;**
10. **The emergency shelter/group home shall be staffed by at least one (1) staff member 24 hours a day;**
11. **No more than 16 guests may stay in the emergency shelter overnight at any one time;**
12. **KCKFD may have additional comments regarding egress of group home in the basement;**
13. **Install wheel stops in the customer parking lot and truck parking lot so vehicles do not roll into the grass or damage the fence;**
14. **If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator;**
15. **Section 27-699(b)(5) states that all outside bins or trash container areas**

must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;

16. **Per Director's Interpretation of Section 27-699(e), the following architectural standards have been identified as being good design practices and should be included in the design plans:**
    a. **Lighting shall be installed to have a 90-degree cutoff fixtures;**
17. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
18. **If approved, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
19. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
20. **The subject property is within the boundaries of a Historic District, Historic District Environs, or is an identified Historic Landmark. A Historic Environs Review/Certificate of Appropriateness is required prior to any demolition, alteration, construction, repair, change of occupancy, or change in use of the subject property. Please contact the Department of Planning and Urban Design at (913) 573-5750 or email planninginfo@wycokck.org to begin that process;**
21. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
22. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
23. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all**

ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

24. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
25. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
26. **Subject to approval, the Special Use Permit shall be valid for (2) year(s) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
27. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
28. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-106** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

December 9, 2024 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Floor Plan
Site Photographs taken by Staff on November 15, 2024.

PUBLIC HEARING SCHEDULE

Action(s)	**City Planning Commission**	**Unified Government Board of Commissioners**
Special Use Permit	December 9, 2024 Approval	January 9, 2025

STAFF CONTACT: **Byron Toy, AICP**
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-106** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-106,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

December 9, 2024, City Planning Commission Minutes:

Hearing starts at 2:30:54:

SPECIAL USE PERMIT APPLICATION SP2024-106 – TRAVIS GUNTER WITH VERITAS ARCHITECTURE – SYNOPSIS: Special Use Permit for an emergency group home and event space for Foster Adopt Connect at 901 North 8th Street. *Detailed Outline of Requested Action:* The representative, Travis Gunter with Veritas Architecture, on behalf of Foster Adopt Connect, Inc., has applied for a Special Use Permit to have an emergency group home in the basement and event/meeting space on the second floor in conjunction with an existing coffee shop and café on the ground floor and offices at 901 North 8th Street.

The following items were included as part of the record for this case:
1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 9, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

Secretary Parker asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Travis Gunter, applicant, Veritas Architecture, 707 North 6th Street, Kansas City, Kansas 66101

The Planning Commission directed questions to the applicant.

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:34:39: Planning Director Hand stated that this is a Special Use Permit for both a group home and an event space for FosterAdopt Connect. It is in the Downtown Area Plan. Staff received no letters in support or in opposition. There are no Notices of Violation on this property. Staff recommends approval for two (2) years, subject to the conditions in the staff report.

Motion starts at 2:35:14:

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application SP2024-106 for two (2) years:**

Carson	**Chairman**
Straws	**Not Present**
Ward	**Aye**
Armstrong	**Not Present**
Beth	**Aye**
Easterwood	**Aye**
Ernst	**Aye**
Jones	**Aye**
Miller	**Aye**
Mohler	**Aye**
Schwartz	**Not Present**

Motion to recommend APPROVAL Passed: 7 to 0
Subject to:

1. **A total of 10 parking spaces are dedicated in the rear of the building for both businesses – two (2) for the emergency shelter and 8 for the event space.**
   a. **On-street parking is available but is metered during the weekday business hours.**
   b. **Lot C parking garage, approximately one-half (½) block east of the subject property has hourly parking – $1.00/hour up to 8 hours that is publicly available. During your events, provide that as an option for off-street parking;**
2. **All events within the event space shall conclude by 11:00 PM because there is a group home in basement;**
3. **Events may occur 7 days a week, although the applicant/operator specified**

most events will occur Monday through Friday;

4. **The maximum occupancy in the event space is 220;**
5. **All waste shall be disposed in the existing dumpster;**
6. **No alcohol is to be provided during events;**
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8. **Up to four (4) live entertainment events, annually, are permitted on the premises associated with the event space per the Business Licensing Division. Five (5) or more annual events require an amendment to this Special Use Permit;**
9. **Any changes to the building for either the event space or emergency shelter/group home may require a building permit to obtained, which triggers historic review process;**
10. **The emergency shelter/group home shall be staffed by at least one (1) staff member 24 hours a day;**
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15. **Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;**
16. **Per Director's Interpretation of Section 27-699(e), the following architectural standards have been identified as being good design practices and should be included in the design plans:**
    a. **Lighting shall be installed to have a 90-degree cutoff fixtures;**
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18. **If approved, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
19. **A building permit is required for the construction of a permanent structure**

greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

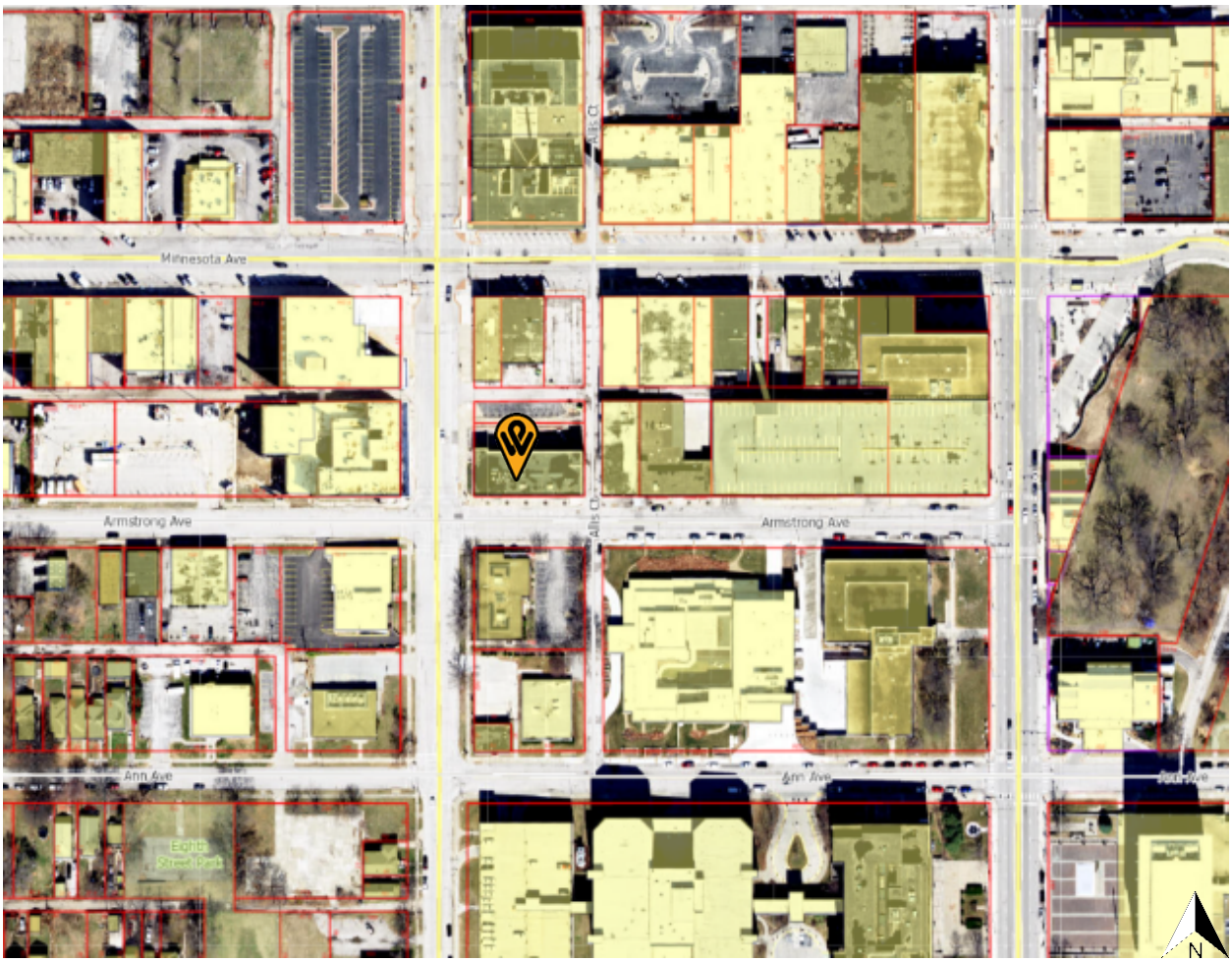
20. **The subject property is within the boundaries of a Historic District, Historic District Environs, or is an identified Historic Landmark. A Historic Environs Review/Certificate of Appropriateness is required prior to any demolition, alteration, construction, repair, change of occupancy, or change in use of the subject property. Please contact the Department of Planning and Urban Design at (913) 573-5750 or email planninginfo@wycokck.org to begin that process;**
21. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
22. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
23. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
24. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
25. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
26. **Subject to approval, the Special Use Permit shall be valid for (2) year(s) from the publication of the associated Ordinance. The Applicant is solely**

responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

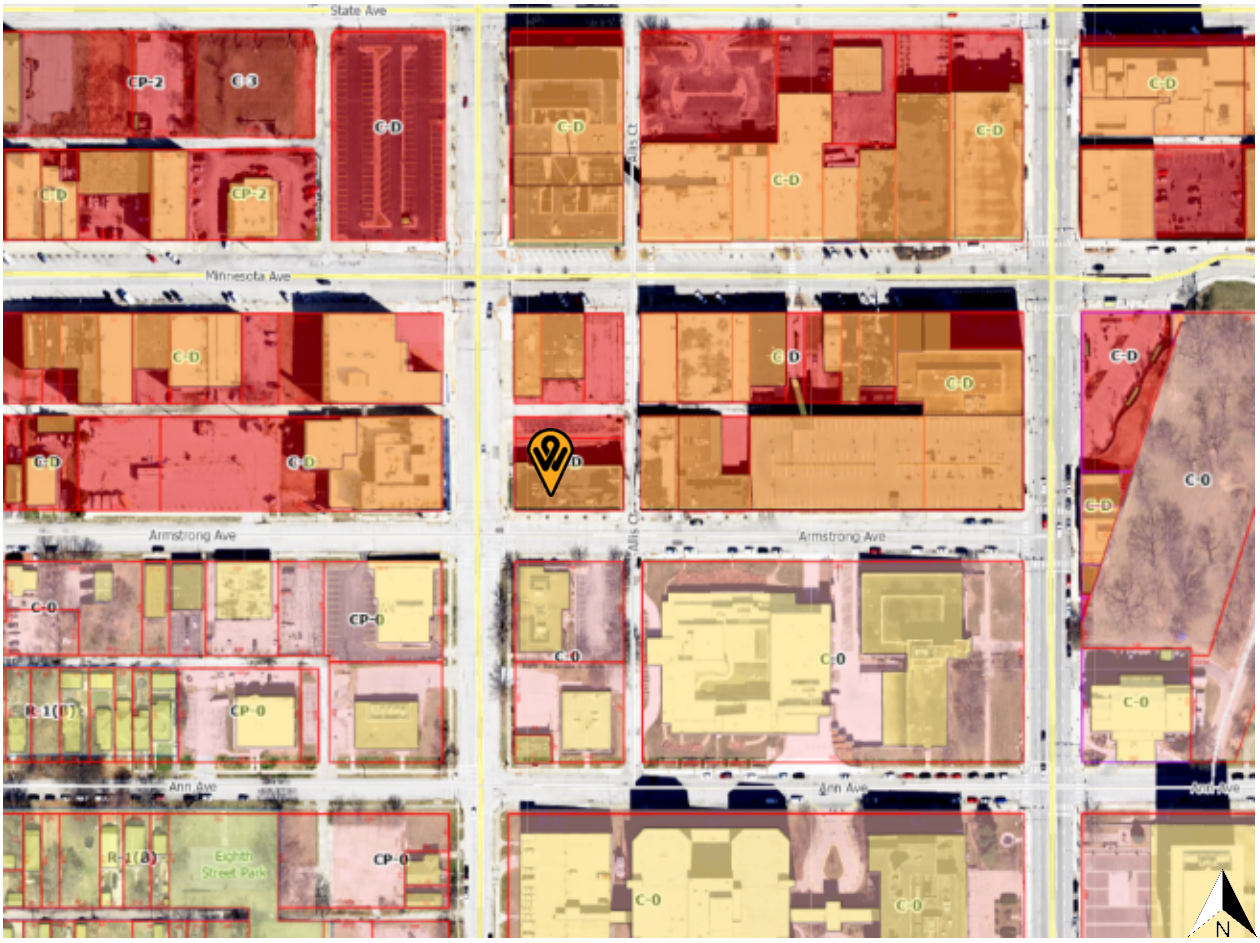
27. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
28. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

ATTACHMENTS

AERIAL MAP



ZONING MAP


State Ave
Minnesota Ave
Armstrong Ave
Armstrong Ave
Ann Ave
Ann Ave
Eighth Street Park
CP-2
C-D
CP-0
C-0
R-1(8)
N

LAND USE MAP


Downtown Mixed-Use
MINNESOTA
Catalyst Block
6TH
ARMSTRONG
ALLIS
15TH ST
Public / Semi-Public
ANN
Planned Open space
N

Planning and Urban Design Comments:

1. Try and obtain a parking agreement to use the Unified Government parking garage "Lot C". Contact Rhonda Green, Manager, Parking Control Division at rgreen@wycokck.org or (913) 573-5322.

Veritas is in discussions with Rhonda Green, Manager, Parking Control Division & John Kelly, Director of Building & Logistics to explore options pending total parking count requirement from planning dept. Currently only per space monthly parking passes are available to secure parking.

2. Provide a narrative of how the event spaces will operate.

The primary use will be a large meeting room sized to accommodate all-staff meetings and presentations. The space will have a full suite of audio-visual equipment to accommodate presentations. It will be equipped with a kitchenette area for preparing snacks that might be offered during meetings (no food will be cooked in this space).

3. What types of events will occur on the property?

Events at this space will consist of FosterAdopt Connect, in-house, occasional gatherings such as training events, conferences, departmental meetings and team building activities.

a. Provide a security plan for the proposed event space, including a security contract with a third-party company to manage any crowds and prevent underage drinking, as well as locations of surveillance cameras or any other security infrastructure.

The space would not be open to the public where liquor was being served and would not have the situation where minors would be able to access alcohol. We do not believe that such meetings would require any security or "crowd management" functions.

4. What are the proposed hours of operation during the weekday and/or weekend?

We expect events to occur during normal daytime business hours, Monday-Friday.

5. What days will the event space be used?

We would expect the events to occur during the work week, Monday-Friday.

6. How do you plan to manage waste on the property?

The current dumpster, located in a service garage bay will be adequate for all waste management on the property.

a. *Install an opaque gate door on the trash enclosure.*
Dumpster in garage bay already has opaque overhead door screening its location, no change will be required to meet standard.

7. What is the maximum allowed number of individuals on-site at a time for the event space?

The current proposed occupancy for the 2nd Floor is 220 pending building plan review during permitting.

8. Will there be outside, or third-party vendors coming on-site to prepare food or serve alcohol?

We do not anticipate third-party vendors preparing food or serving alcohol.

a. *Alcohol can only be provided by licensed vendors.*

Acknowledged, no alcohol service anticipated

9. No events may occur outside.

Acknowledged, no outside events planned

10. Will there be live entertainment during events on site?

It is not anticipated that live entertainment will be provided during events. In the extreme circumstance this might be offered, it would only be 1 to 2 times annually.

11. What changes will be made to the building to accommodate an event space? Any changes may require a building permit to obtained, which triggers historic review process.

Second floor will be remodeled to accommodate new meeting room function. A building permit will be applied for, and preliminary site walk of scope has been performed with Randy Greeves to discuss historic features to be retained.

12. Provide a narrative of how the emergency group home will operate.

Description in Community Meeting Letter: The Youth Connect Center (YCC) is a drop-in center and community space for youth 17-23 years old that is an alternative to being on the streets. The YCC aims to eliminate any obstacles that youth face accessing different community resources by partnering with other service providers in the community and providing a safe space for them to meet with youths and their families. The YCC center aims to provide quality and meaningful opportunities for youth that will give them a sense of pride and accomplishment while honoring their families and caregivers. YCC will also provide emergency overnight accommodation as needed. This will include two separate bedroom suites with restrooms and a flexible dormitory with shared restrooms.

13. How many guests will temporarily stay in the group home/shelter?

Up to 16 guests at max capacity

14. KCKFD may have additional comments regarding egress of group home in the basement.

Acknowledged, Building Permit will be applied for as part of group home scope

Toy, Byron

From: Travis Gunter <travisg@veritas-ad.com>
Sent: Tuesday, December 03, 2024 9:43 PM
To: Toy, Byron
Cc: Parker, Janet
Subject: Re: 2024-106 Meeting Affidavit

Byron,

Per my previous emails we had no community questions or attendance at our meeting, so we do not have minutes or a sign in sheet.

Do you need anything additional to complete the staff report for the upcoming meeting?

Thanks,
T.

Travis Gunter, RA, AIA
project leader
www.veritas-ad.com
o. 913.308.2012
m. 816.786.2913

From: Toy, Byron <btoy@wycokck.org>
Sent: Tuesday, December 3, 2024 9:27:31 PM
To: Travis Gunter <travisg@veritas-ad.com>
Cc: Parker, Janet <jparker@wycokck.org>
Subject: RE: 2024-106 Meeting Affidavit

Travis,

Hello. Thank you for the affidavit. Do you have the sign-in sheet and meeting minutes?

Thank you,

Byron Toy, AICP
Lead Planner
913.573.5757
btoy@wycokck.org
Department of Planning + Urban Design
Unified Government of Wyandotte County • Kansas City, Kansas

NOTE: All Board of Zoning Appeals, City Planning Commission, and Landmarks Commission hearings will be heard virtually with in-person availability in the City Hall lobby (701 North 7th

1

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

NOTARY PUBLIC
STATE OF KANSAS
ANJALI RIVERA
My Appointment Expires: 09-04-28

Comes now Travis Gunter, of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # 2024-106.
2. That I conducted a neighborhood meeting on November 25, 2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

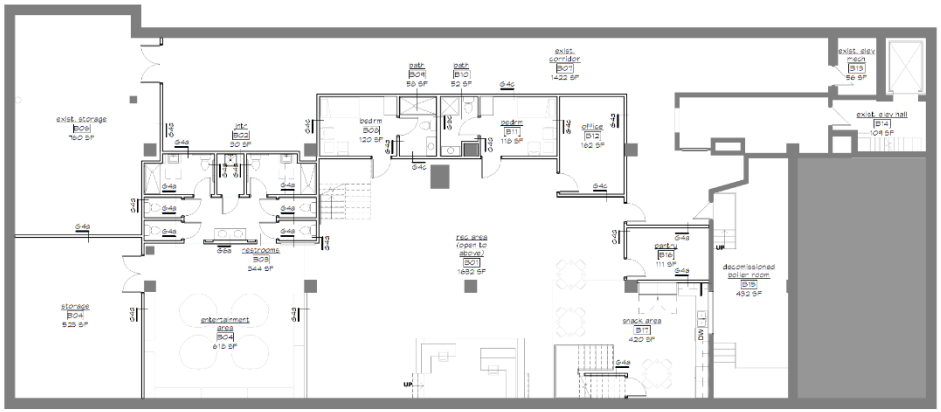
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 2nd day of December 2024.

My commission expires 09 of 04, 2028.

Anjali Rivera
Notary Public

veritas
architecture + design
707 n. 6th street
kansas city, ks 66101
www.veritas-ad.com
913.988.1460
consulting engineer:
CONCEPTUAL DESIGN
FAC RENOVATION
901 N 8TH ST, KANSAS CITY, KS 66101
REVISIONS
No. Description Date
sheet issue date:
2024.10.24
project no:
24.01
sheet content:
SITE PLAN AND DETAILS
sheet no:
A001
NOTE: REFER TO STRUCTURAL DRAWINGS FOR REINF. STEEL IN EXTERIOR WALLS AND CONCRETE NOT SHOWN
NOTE: REFER TO ALL DETAILS DETAILS LOCATED ON THIS SHEET AND PRECEDING SHEETS AND FOLLOWING SHEETS FOR APPLICABLE NOTES NOT SHOWN
NOTE: REFER TO ALL SECTIONS SECTIONS LOCATED ON THIS SHEET, PRECEDING SHEETS AND FOLLOWING SHEETS FOR APPLICABLE NOTES NOT SHOWN
FOSTER ADOPT CONNECT OFFICES
901 N 8TH ST
10 TOTAL PARKING SPACES
ARMSTRONG AVE
N 8TH ST
NORTH
1
architectural site plan
1" = 10'-0"



1 architectural floor plan - basement level
1/8" = 1'-0"

NORTH

architectural plan notes (1)

GENERAL: COORDINATE WITH WORK SHOWN ON STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS. REF. ME SHEET FOR EQUIP. COORDINATION

NUMBER	NOTE TEXT
1	XXX

GYPSUM

G4a	GYPSUM BOARD PARTITION: 3 5/8" METAL STUDS @ 16" O.C. - COVER EACH SIDE WITH 5/8" GYPSUM BOARDS. EXTEND PARTITION TO UNDERSIDE OF DECK AND FILL VOIDS WITH ACOUSTICAL INSULATION.
G4b	GYPSUM BOARD PARTITION: 3 5/8" METAL STUDS @ 16" O.C. - COVER EACH SIDE WITH 5/8" GYPSUM BOARDS. EXTEND PARTITION TO 4" ABOVE CEILING.
G4c	GYPSUM BOARD 1HR RATED PARTITION: 3 5/8" METAL STUDS @ 16" O.C. - COVER EACH SIDE WITH 5/8" GYPSUM BOARDS. EXTEND PARTITION TO UNDERSIDE OF DECK AND SEAL PERIMETER AND PENETRATIONS W/ FIR SEALANT. 1HR RATED UL419 ASSEMBLY
G6a	GYPSUM BOARD PARTITION: 6" METAL STUDS @ 16" O.C. - COVER EACH SIDE WITH 5/8" GYPSUM BOARDS. EXTEND PARTITION TO UNDERSIDE OF DECK AND FILL VOIDS WITH ACOUSTICAL INSULATION.
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kansas city, ks 66101
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913.308.1460
consulting engineer:

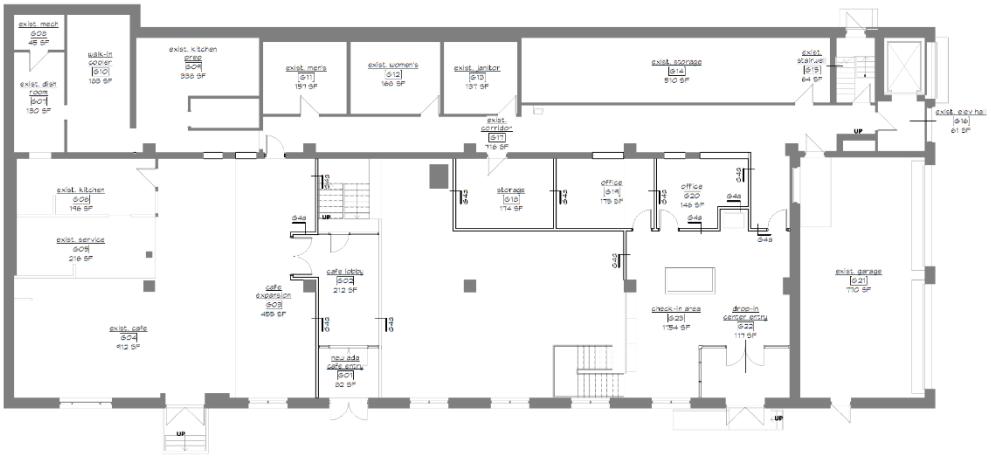
CONCEPTUAL DESIGN

FAC RENOVATION
901 N 8TH ST, KANSAS CITY, KS 66101

REVISIONS

No.	Description	Date

sheet issue date: 2024.10.24
project no.: 24.01
sheet contents: ARCHITECTURAL FLOOR PLAN - BASEMENT LEVEL
sheet no.: A100



1 architectural floor plan - ground level
1/8" = 1'-0"

NORTH

architectural plan notes (1)

GENERAL: COORDINATE WITH WORK SHOWN ON STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS. REFER TO SHEET FOR EQUIP. COORDINATION

NUMBER	NOTE TEXT
1	XXX

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G6a	GYPSUM BOARD PARTITION: 6" METAL STUDS @ 16" O.C. - COVER EACH SIDE WITH 5/8" GYPSUM BOARDS. EXTEND PARTITION TO UNDERSIDE OF DECK AND FILL VOIDS WITH ACOUSTICAL INSULATION.
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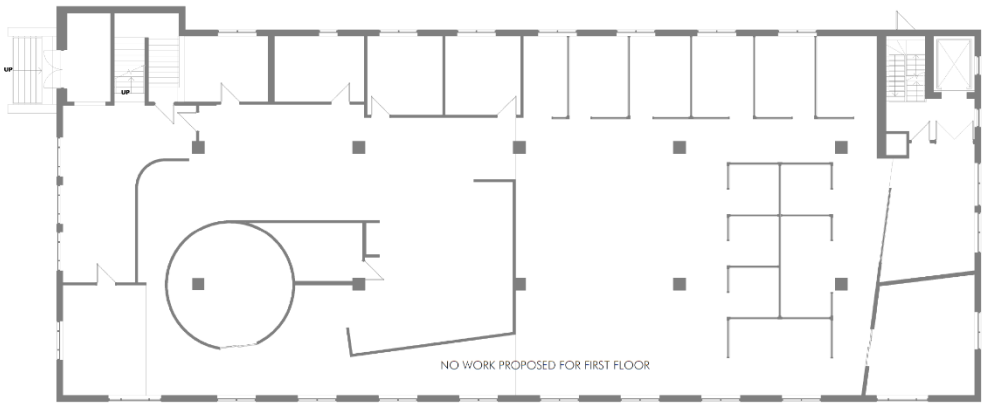
CONCEPTUAL DESIGN

FAC RENOVATION
901 N 8TH ST, KANSAS CITY, KS 66101

REVISIONS

No.	Description	Date

sheet issue date:
2024.10.24
project no.:
24.01
sheet contents:
ARCHITECTURAL FLOOR PLAN - GROUND LEVEL
sheet no.:
A101



1 architectural floor plan - first level
1/8" = 1'-0"

NORTH

architectural plan notes (1)

GENERAL: COORDINATE WITH WORK SHOWN ON STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS. REF. FE SHEET FOR EQUIP. COORDINATION.

NUMBER NOTE TEXT

1 XXX

GYPSUM

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G6a GYPSUM BOARD PARTITION:
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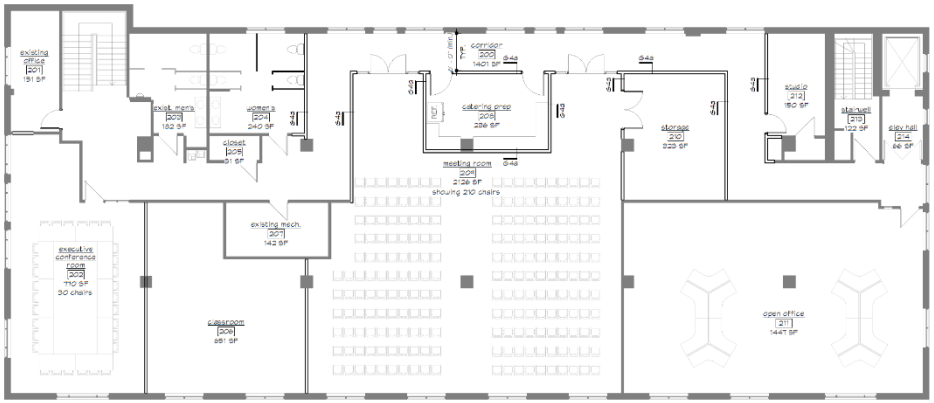
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consulting engineer:

CONCEPTUAL DESIGN

FAC RENOVATION
901 N 8TH ST, KANSAS CITY, KS 66101

REVISIONS
No. Description Date

sheet issue date:
2024.10.24
project no.:
24.01
sheet contents:
ARCHITECTURAL
FLOOR PLAN - FIRST
LEVEL
sheet no.:
A102



1 architecural floor plan - second level
1/8" = 1'-0"

NORTH

architectural plan notes (1)

GENERAL: COORDINATE WITH WORK SHOWN ON STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS. REF. RE SHEET FOR EQUIP. COORDINATION

NUMBER	NOTE TEXT
1	XXX

GYPSUM

- 04a GYPSUM BOARD PARTITION: 3 5/8" METAL STUDS @ 16" O.C. - COVER EACH SIDE WITH 5/8" GYPSUM BOARDS. EXTEND PARTITION TO UNDERSIDE OF DECK AND FILL VOIDS WITH ACOUSTICAL INSULATION.
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- 06a GYPSUM BOARD PARTITION: 6" METAL STUDS @ 16" O.C. - COVER EACH SIDE WITH 5/8" GYPSUM BOARDS. EXTEND PARTITION TO UNDERSIDE OF DECK AND FILL VOIDS WITH ACOUSTICAL INSULATION.
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CONCEPTUAL DESIGN

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REVISIONS

No.	Description	Date

sheet issue date: 2024.10.24
project no.: 24.01
sheet contents: ARCHITECTURAL FLOOR PLAN - SECOND LEVEL
sheet no.: A103


fosteradopt
connect
DON'T
WALK

(First published_____)

COZ2024-014

ORDINANCE NO._____

AN ORDINANCE rezoning property hereinafter described located at approximately 601 Village West Parkway, in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to CP-3 Planned Commercial District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on May 26, 2024, by the owners of property to have the zoning of said property changed from its present zoning of A-G Agriculture District to CP-3 Planned Commercial District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

All that part of Lot 1, KANSAS SPEEDWAY CORPORATION, a subdivision in the City of Kansas City, Wyandotte County, Kansas lying in the N 1/2 of the Southwest 1/4 of Section 11, Township 11, Range 23 and lying North of Interstate 70 Highway as now established, and being a portion of the unrecorded Plat of SUBD OF NORMAN FARM, except that part in 110th Street, and except that part now platted as Kansas Entertainment, LLC-Lot 1, a subdivision in the City of Kansas City, Wyandotte County, Kansas. More particularly described as follows: Commencing at the Northeast Corner of the Southwest 1/4 of Section 11, Township 11, Range 23, Wyandotte County, Kansas; Thence S02°-12'-02"E along the East line of said Southwest 1/4, 379.92 feet to the Southerly Right of Way line of Village West Parkway and the Point of Beginning; Thence continuing S02°-12'-02"E, 447.56 feet to the Northerly Right of Way Line of Interstate 70 Highway: Thence along said Northerly

Right of Way Line the following six courses; Thence S85°-25'-54"W, 288.42 feet; Thence N60°-48'-56"W, 90.12 feet; Thence S85°-25'-40"W, 1523.86 feet; Thence S89°-22'-59"W, 352.53 feet; Thence N01°-59'-49"W, 69.95 feet; Thence S87°-37-'36"W, 310.78 feet to the Easterly Right of Way Line of 110th Street; Thence along said Easterly Right of Way Line the following three courses; Thence N10°-57'-02"W, 213.42 feet; Thence S87°-53'-47"W, 7.54 feet; Thence N02°-42'-35"W, 523.84 feet; Thence departing said Easterly Right of Way Line N65°-49'-33"E, 74.20 feet; Thence along a curve to the right having a chord bearing of N76°-54'-40"E, chord length of 261.49 feet, radius of 680.00 feet and arc length of 263.13 feet; Thence N87°-59'-48"E, 196.16 feet; Thence along a curve to the left having a chord bearing of N70°-48'-46"E, chord length of 27.53 feet, radius of 572.00 feet and arc length of 27.54 feet; Thence N69°-26'-01"E, 79.38 feet; Thence along a curve to the left having a chord bearing of N39°-22'-48"E, chord length of 62.10 feet, radius of 62.00 feet and arc length of 65.04 feet; Thence N87°-59'-48"E, 117.50 feet; Thence S21°-09'-33"E, 50.19 feet; Thence along a curve to the left having a chord bearing of S37°-14'-57"E, chord length of 39.91 feet, radius of 72.00 feet and arc length of 40.44 feet; Thence N87°-59'-48"E, 46.56 feet; Thence along a curve to the right having a chord bearing of S71°-20'-28"E, chord length of 479.89 feet, radius of 680.00 feet and arc length of 490.45 feet; Thence S50°-40'-44"E, 85.62 feet; Thence along a curve to the left having a chord bearing of S68°-53'-20"E, chord length of 325.00 feet, radius of 520.00 feet and arc length of 330.54 feet; Thence S02°-54'-05"W, 160.00 feet to the Southerly Right of Way Line of Village West Parkway as now established ; Thence along said Southerly Right of Way Line on a curve to the left having a chord bearing of N81°-31'-10"E, chord length of 936.15 feet, radius of 2371.83 feet and arc length of 942.34 feet to the Point of Beginning, containing 37.52 acres more or less. Located at approximately 601 Village West Parkway, Kansas City, Kansas,

be changed from its present zoning of A-G Agriculture District to CP-3 Planned Commercial District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-467, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Planning and Urban Design Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for CP-3 Planned Commercial District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of

Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS_____ DAY OF_____, 2025.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY:_____
TYRONE GARNER
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

_____
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(First published_____)

COZ2024-025

ORDINANCE NO._____

AN ORDINANCE rezoning property hereinafter described located at approximately 9711 State Avenue, in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to MP-2 Planned General Industrial District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on July 22, 2024, by the owners of property to have the zoning of said property changed from its present zoning of A-G Agriculture District to MP-2 Planned General Industrial District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

TRACT 1: A tract of land in the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of Section 12, Township 11 South, Range 23 East of the Sixth Principal Meridian in Kansas City, Wyandotte County, Kansas, being more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of said Section 12; thence North 89 degrees, 51 minutes, 29 seconds East 529.89 feet, along the North line of the Northeast Quarter of said Section 12, to a point on the East line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence South 0 degrees, 11 minutes, 01 seconds West 436.70 feet, along said East line to the true point of beginning; thence South 0 degrees, 11 minutes, 01 seconds West 885.00 feet, along said East line to the South line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence North 89 degrees, 57

minutes, 12 seconds West 27.74 feet along said South line; thence North 0 degrees, 11 minutes, 01 seconds East 885.00 feet; thence South 89 degrees, 57 minutes, 12 seconds East 27.74 feet to the true point of beginning of the tract herein described.

TRACT 2: A tract of land in the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of Section 12, Township 11 South, Range 23 East of the Sixth Principal Meridian in Kansas City, Wyandotte County, Kansas, being more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of said Section 12; thence North 89 degrees, 51 minutes, 29 seconds East 264.94 feet, along the North line of the Northeast Quarter of said Section 12, to a point on the West line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence South 0 degrees, 12 minutes, 17 seconds West 820.83 feet, along said West line to the true point of beginning; thence South 89 degrees, 57 minutes, 12 seconds East 237.50 feet; thence South 0 degrees, 11 minutes, 01 seconds West 500.00 feet to a point on the South line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence North 89 degrees, 57 minutes, 12 seconds West 237.69 feet, along said South line, to a point on the West line of the East 1/2 of the West 2/5 of line, to a point on the West line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence North 0 degrees, 12 minutes, 17 seconds East 500.00 feet, along said West line to the true point of beginning of the tract herein described.

TRACT 3: The East 1/3 of the West 3/5 of the Northwest Quarter of the Northeast Quarter of Section 12, Township 11, Range 23, and also the West 1/2 of the East 2/5 of the Northwest Quarter of the Northeast Quarter of Section 12, Township 11, Range 23, Kansas City, Wyandotte County, Kansas, less that part taken or used for road purposes. Less and except the following described tract: A tract of land in the East 1/3 of the West 3/5 of the Northwest Quarter of the Northeast Quarter of Section 12, Township 11 South, Range 23 East of the Sixth Principal Meridian in Kansas City, Wyandotte County, Kansas, being more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of said Section 12; thence North 89 degrees, 51 minutes, 29 seconds East 529.89 feet, along the North line of the Northeast Quarter of said Section 12, to a point on the West line of the East 1/3 of the West 3/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence South 0 degrees, 11 minutes, 01 seconds West 98.50 feet along said West line to a point on the South right of way line of State Avenue (U.S. Highway 24-40-73), said point also being the true point of beginning; thence North 89 degrees, 49 minutes, 24 seconds East 110.00 feet, along the South right of way line; thence South 0 degrees, 11 minutes, 01

seconds West 223.20 feet; thence South 89 degrees, 49 minutes, 24 seconds West 110.00 feet to a point on the West line of the East 1/3 of the West 3/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence North 0 degrees, 11 minutes, 01 seconds East 223.20 feet, along said West line to the true point of beginning of the tract herein described. Less that part taken or used for road purposes, including, but not limited to that taken in Condemnation Case No. 64824-B and evidenced in Book 2533 at Page 621.

TRACT 4: A tract of land in the East 1/3 of the West 3/5 of the Northwest Quarter of the Northeast Quarter of Section 12, Township 11 South, Range 23 East of the Sixth Principal Meridian in Kansas City, Wyandotte County, Kansas, being more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of said Section 12; thence North 89 degrees, 51 minutes, 29 seconds East 529.89 feet, along the North line of the Northeast Quarter of said Section 12, to a point on the West line of the East 1/3 of the West 3/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence South 0 degrees, 11 minutes, 01 seconds West 98.50 feet along said West line to a point on the South right of way line of State Avenue (U.S. Highway 24-40-73), said point also being the true point of beginning; thence North 89 degrees, 49 minutes, 24 seconds East 110.00 feet, along the South right of way line; thence South 0 degrees, 11 minutes, 01 seconds West 223.20 feet; thence South 89 degrees, 49 minutes, 24 seconds West 110.00 feet to a point on the West line of the East 1/3 of the West 3/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence North 0 degrees, 11 minutes, 01 seconds East 223.20 feet, along said West line to the true point of beginning of the tract herein described.

TRACT 5: The East 1/2 of the West 2/5 of the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 11, Range 23, Kansas City, Wyandotte County, Kansas, less that part taken or used for road purposes. Less that part taken or used for road purposes, including, but not limited to that taken in Condemnation Case No. 64824-B and evidenced in Book 2533 at Page 621. Less the following described tract: A tract of land in the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of Section 12, Township 11 South, Range 23 East of the Sixth Principal Meridian in Kansas City, Wyandotte County, Kansas, being more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of said Section 12; thence North 89 degrees, 51 minutes, 29 seconds East 529.89 feet, along the North line of the Northeast Quarter of said Section 12, to a point on the East line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence South 0 degrees, 11 minutes, 01 seconds West 436.70 feet, along said East line to the true

point of beginning; thence South 0 degrees, 11 minutes, 01 seconds West 885.00 feet, along said East line to the South line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence North 89 degrees, 57 minutes, 12 seconds West 27.74 feet along said South line; thence North 0 degrees, 11 minutes, 01 seconds East 885.00 feet; thence South 89 degrees, 57 minutes, 12 seconds East 27.74 feet to the true point of beginning of the tract herein described. Less and except the following described tract: A tract of land in the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of Section 12, Township 11 South, Range 23 East of the Sixth Principal Meridian in Kansas City, Wyandotte County, Kansas, being more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of said Section 12; thence North 89 degrees, 51 minutes, 29 seconds East 264.94 feet, along the North line of the Northeast Quarter of said Section 12, to a point on the West line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence South 0 degrees, 12 minutes, 17 seconds West 820.83 feet, along said West line to the true point of beginning; thence South 89 degrees, 57 minutes, 12 seconds East 237.50 feet; thence South 0 degrees, 11 minutes, 01 seconds West 500.00 feet to a point on the South line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence North 89 degrees, 57 minutes, 12 seconds West 237.69 feet, along said South line, to a point on the West line of the East 1/2 of the West 2/5 of line, to a point on the West line of the East 1/2 of the West 2/5 of the Northwest Quarter of the Northeast Quarter of said Section 12; thence North 0 degrees, 12 minutes,17 seconds East 500.00 feet, along said West line to the true point of beginning of the tract herein described, located at approximately 9711 State Avenue, Kansas City, Kansas,

be changed from its present zoning of A-G Agriculture District to MP-2 Planned General Industrial District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-469, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Planning and Urban Design Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for MP-2 Planned General Industrial District. Said District Map, previously incorporated by reference by Section 27-408 of the Code

of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS_____ DAY OF_____, 2025.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY:_____
TYRONE GARNER
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

_____
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(First published_____)

COZ2024-026

ORDINANCE NO._____

AN ORDINANCE rezoning property hereinafter described located at approximately 313 North 10th Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to RP-5 Planned Apartment District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on July 26, 2024, by the owners of property to have the zoning of said property changed from its present zoning of R-1(B) Single Family District to RP-5 Planned Apartment District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

> ALL OF LOTS 24 THROUGH 30, BLOCK 3, FOREST GROVE AND ADJACENT ALLEY VACATED ADJACENT TO LOT 25, FOREST GROVE, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS, LOCATED AT APPROXIMATELY 313 NORTH 10TH STREET, KANSAS CITY, KANSAS,

be changed from its present zoning of R-1(B) Single Family District to RP-5 Planned Apartment District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-460, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Planning and Urban Design Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for RP-5 Planned Apartment District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS_____ DAY OF_____, 2025.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY:_____
TYRONE GARNER
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

_____
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(First published_____)

COZ2024-030

ORDINANCE NO._____

AN ORDINANCE rezoning property hereinafter described located at approximately 7957 State Avenue, in Kansas City, Kansas, by changing the same from its present zoning of C-1 Limited Business District and R-1 Single Family District to CP-1 Planned Limited Business District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on September 27, 2024, by the owners of property to have the zoning of said property changed from its present zoning of C-1 Limited Business District and R-1 Single Family District to CP-1 Planned Limited Business District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

> Lot 4, Boyd Center, a subdivision in the city of Kansas City, Wyandotte County, Kansas, located at approximately 7957 State Avenue, Kansas City, Kansas,

be changed from its present zoning of C-1 Limited Business District and R-1 Single Family District to CP-1 Planned Limited Business District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-464, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Planning and Urban Design Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for CP-1 Planned Limited Business District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS_____ DAY OF_____, 2025.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY:_____
TYRONE GARNER
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

_____
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-005

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-005, commonly known as 1101 Minnesota Avenue, Kansas City, Kansas, legally described as:

> WYANDOTTE CITY, S4, TI 1, R4, ACRES 0.4, B126 LI TO L6, Located at approximately 1101 Minnesota Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for operation of an automotive repair business.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The business shall close by 8:00 PM daily;**
2. **Sec. 27-467(c)(6) Any outside storage or keeping of parts, equipment, inoperable vehicles or residual materials which is necessary, normally related and accessory to the principal use of the premises shall be screened from view from off the premises. Such outside storage shall be limited to areas directly adjacent to the main building, not including more than 20% of the area of the main building and not in a required yard.**

a. **Operable vehicles that are in a state of disrepair (to be repaired) must be screened from public view by a solid enclosure or may be stored within the**

building;

3. **Stripe the parking lot for customers, employees, and vehicles;**
4. **Install wheel stops in the customer parking lot and truck parking lot so vehicles do not roll into the grass or damage the fence;**
5. **Install an opaque gate door on the trash enclosure;**
6. **The sidewalk along North 11th Street needs to be repaired and restored;**
7. **If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator;**
8. **Section 27-702(1)(a-d) states that shade trees shall be at least two (2) inch caliper when planted as measured 12 inches above the ground. All ornamental deciduous trees shall be at least two (2) inch caliper when planted as measured 12 inches above the ground. All evergreens shall be five (5) to six (6) feet in height when planted as measured 12 inches above the ground. Ornamental deciduous trees shall be six (6) to 8 feet when planted as measured 12 inches above the ground;**
9. **Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;**
10. **Per Director's Interpretation of Section 27-699(e), the following architectural standards have been identified as being good design practices and should be included in the design plans:**

a. **Lighting shall be installed to have a 90-degree cutoff fixtures;**
b. **In addition to wrought iron fencing, masonry columns shall be installed every 32 feet or closer and at each prominent entry or gate;**

11. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
12. **If approved, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
13. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building**

Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

14. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
15. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
16. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
17. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
18. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
19. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
20. **Subject to approval, the Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely**

responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

21. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
22. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-054

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-054, commonly known as 1810 North 1st Street, Kansas City, Kansas, legally described as:

> B9 L1 TO L6 AND VACATED STREET ADJACENT, WYANDOTTE CITY, A SUBDIVISION OF WYANDOTTE COUNTY, KANSAS CITY, KANSAS, LOCATED AT APPROXIMATELY 1810 NORTH 1ST STREET, KANSAS CITY, KANSAS.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of the temporary use of land for a community garden and greenhouse.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **A Wyandotte County Conservation Plan must be provided before the publication of the associated ordinance;**
2. **The applicable landscaping and parking requirements must be met;**
3. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State**

Avenue, Kansas City, Kansas 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;

4. **If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;**
5. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
6. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
7. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
8. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
9. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
10. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
11. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal**

summons, administrative citation, or revocation of the Special Use Permit;

12. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
13. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
14. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
15. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-055

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-055, commonly known as 1900 North 1st Street, Kansas City, Kansas, legally described as:

> The South undeveloped portion of Juniper Gardens Complex, Section 3, Township 11, Range 25, bounded by Richmond Avenue, 3rd Street, Stewart Avenue and area bounded on East by City of Kansas City, Kansas, located at approximately 1900 North 1st Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for storage containers, coolers, farm market training, and a community garden.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The applicable landscaping and parking requirements must be met;**
2. **Should additional storage containers be needed beyond 8 or the addition of any other temporary structures, a modification to the Special Use Permit is required;**
3. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division.**

Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, Kansas 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;

4. **If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;**
5. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
6. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
7. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
8. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
9. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
10. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
11. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure**

to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

12. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
13. **Subject to approval, the Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
14. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
15. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-063

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-063, commonly known as 322 North 6th Street, Kansas City, Kansas, legally described as:

> SEC-10 TWP-11 RNG-25, S10, T11, R25, ACRES 0.070000, 118A2 BEG 27FT N OF NW COR 6TH & SPLITLOG: W 75FT, N 35FT, E 75FT, S 35FT TO POBCONTG 0.06AC M/L, located at approximately 322 North 6th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of live entertainment at a drinking establishment.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **All entertainment must cease by at least 1:00AM;**
2. **Doors and windows must stay closed during any entertainment performance;**
3. **Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:**

o **Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security**

guards may be required depending on the building capacity;

- **o Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;**
- **o An I.D. scanner will be used at all times;**
- **o At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;**

4. **No amplified speakers or entertainment is allowed in outdoor spaces;**
5. **Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;**
6. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
7. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
8. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, Kansas 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
9. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
10. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
11. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
12. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
13. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle**

storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

14. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
15. **The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
16. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
17. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-065

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-065, commonly known as 3424 North 99th Street, Kansas City, Kansas, legally described as:

> Haffs Subdivision Corridor Plat, Section 26, Township 10, Range 23, acres 1.71, part of Lot 1 beginning 7' South of the Northeast Corner, East ½ of the Southeast ¼, Section 26, Township 10, Range 23, West 217.4 feet, South 192 feet, East 417.4 feet, North 192 feet to point of beginning, containing 1.84 acres, less road, located at approximately 3424 North 99th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for a daycare center.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The applicant is required to obtain a Change of Occupancy from the Building Inspection Division;**
2. **The applicant shall perform all required Local and State inspections as required. The applicant also, shall perform any upgrades required from other agencies;**
3. **The hours of operation shall be Monday-Friday 7:00 AM to 5:00 PM;**

4. **There shall be no more than 12 children on site. KCKFD and the Kansas State Fire Marshall will set the occupancy limit for the property, which may reduce the amount allowed;**
5. **The south driveway shall be marked with parking spots;**
6. **The north driveway shall be repaved, rather than having gravel;**
7. **The applicant shall ensure that children and activities occurring on property are setback from neighboring property lines;**
8. **A cross-access agreement must be maintained with the property owner to the south/west, as their driveway crosses onto the subject property;**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
11. **If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;**
12. **If approved, occupying businesses must file and maintain a current business occupation tax application with this office;**
13. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
14. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
15. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
16. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
17. **Any business in Wyandotte County that is required to obtain any Special**

Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

18. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
19. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
20. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
21. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-070

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-070, commonly known as 408 Sandusky Avenue, Kansas City, Kansas, legally described as:

> The East 24 feet of Lot 50 and the4 West 2 feet of lot 51, in Block 156, in WYANDOTTE COUNTY, now a part of Kansas City, Wyandotte County, Kansas, located at approximately 408 Sandusky Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The applicant must plant one (1) shade tree in the front or side yard to comply with Section 27-700 (a);**
2. **Maximum number of guests shall be six (6);**
3. **All parking must be off-street, maximum number of vehicles is two (2). No STR renters or guests may park on-street;**
4. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
5. **Applicant must post a copy of the Ordinance granting permission to**

operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;

6. **Applicant is to maintain liability insurance;**
7. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
8. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
9. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
10. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
11. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, Kansas 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
16. **Any business in Wyandotte County that is required to obtain any Special**

Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
18. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
19. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and**
20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-071

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-071, commonly known as 2706 Espenlaub Lane, Kansas City, Kansas, legally described as:

> All of Tract 4 in Espenlaub Subdivision, Wyandotte County, Kansas, according to the recorded plan thereof, also a Tract of Land described as follows to wit: Beginning on the Southwest corner of the North ½ of the Southeast ¼ of Section 32, Township 11 South, Range 25 East of the 6th P.M., thence East to the Southwesterly line of Albert C. Espenlaub Road as established; thence Northwesterly along the Southwesterly line of said county road as established to the Westerly line of the North ½ of the Southeast ¼ of the Northeast ¼ of Section 32, Township 11 South, Range 25 East to a point due North of the Beginning; thence South to the beginning, Wyandotte County, Kansas, located at approximately 2706 Espenlaub Lane, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. The applicant must maintain liability insurance;

2. **Maximum number of guests shall be 7;**
3. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
4. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
5. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
6. **Applicant is to maintain liability insurance;**
7. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
8. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
9. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
10. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
11. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, Kansas 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively**

responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

16. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
18. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
19. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-072

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-072, commonly known as 4138 Lloyd Street, Kansas City, Kansas, legally described as:

> Lots 40 and 41, Block 1, MONTE CRISTO, a subdivision in Kansas City, Wyandotte County, Kansas, Parcel #133127, Commonly known as 4138 Lloyd Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is two (2). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's**

contact information within the entrance of the area that is rented;

5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips/ (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, Kansas 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and**

be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

16. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
17. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
18. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
19. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-079

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-079, commonly known as 3925 Springfield Street, Kansas City, Kansas, legally described as:

> N.19 ft. Lot 32 All of Lot 33 & 34 Block 8 Rosedale Park, a subdivision of land in Kansas City, Wyandotte County, Kansas, located at approximately 3925 Springfield Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be 7;**
2. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's**

contact information within the entrance of the area that is rented;

5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and**

be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

16. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
17. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
18. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
19. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-080

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-080, commonly known as 4028 Booth Street, Kansas City, Kansas, legally described as:

> Lot 16 Block 1 Cox Add in Kansas City, Wyandotte County, Kansas, located at approximately 4028 Booth Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The applicant shall replace the curbing along West 41st Avenue;**
2. **Maximum number of guests shall be six (6) per unit;**
3. **All parking must be off-street, maximum number of vehicles is three (3) between the two (2) units; No STR renters or guests may park on-street;**
4. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
5. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's**

contact information within the entrance of the area that is rented;

6. **Applicant is to maintain liability insurance;**
7. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
8. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
9. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
10. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
11. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
16. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and**

be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
18. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
19. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-081

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-081, commonly known as 4456 Springfield Street, Kansas City, Kansas, legally described as:

> Lot 25, Faltermeier Place, a subdivision of land in Kansas City, Wyandotte County, Kansas, located at approximately 4456 Springfield Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is three (3); No STR renters or guests may park on-street.**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's**

contact information within the entrance of the area that is rented;

5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and**

be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

16. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
17. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
18. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and**
19. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-085

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-085, commonly known as 49 South 7th Street, Kansas City, Kansas, legally described as:

> Riverview, B2-24 and Tracts 1209 and 1210, Section 10, Township 11, Range 25, 0.13 acres, Block 16, West ½ of Lot 13, less North 10' and East 30' of Lot 14, less North 10 feet, located at approximately 49 South 7th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for used automobile sales.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The parking lot must be resurfaced;**
2. **The parking lot shall be striped and have wheel stops installed;**
3. **The applicant shall plant street trees along Lowell Avenue, as well as install bushes, shrubs, and/or hedges along both Lowell Avenue and South 7th Street;**
4. **The applicant shall remove the weeds and overgrown grass from the Lowell Avenue brick sidewalk. The sidewalk shall be preserved and**

maintained;

5. **The applicant shall revise their sign plan to remove the feather signs and propose signage in accordance with the ordinance. Staff recommends the applicant discuss signage with a licensed sign company;**
6. **The applicant shall install a six (6) foot tall privacy fence along the Eastern property line. This fence shall have masonry columns every 32 feet;**
7. **There shall be no double-stacking or double parking of cars. All cars must be in marked parking spaces, according to the provided plan. Any spaces added outside of the provided plan, or any cars parked outside of the provided plan, will be considered in violation;**
8. **Fencing along 7th Street and Lowell Avenue shall be no taller than six (6) feet, and shall be wrought-iron or faux-wrought iron, with masonry columns every 32 feet;**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
11. **Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;**
12. **Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;**
13. **Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened**

from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;

14. **If approved, occupying businesses must file and maintain a current business occupation tax application with this office;**
15. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
16. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
17. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
18. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
19. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
20. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or**

any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

21. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
22. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
23. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-090

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-090, commonly known as 4110 South Minnie Street, Kansas City, Kansas, legally described as:

> All of the North half of the East half of Lot 2 in Block 10, BRIGHAM AND LLOYD'S ORCHARD HIGHLANDS in a part of Kansas City, Wyandotte County, Kansas, located at approximately 4110 South Minnie Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The following items identified in the Home Inspection Report shall be repaired prior to the publication of the associated ordinance:**
   - **Repair the missing window trim (page 2); and,**
   - **Repair the damaged/loose spindles on the deck (page 2);**
2. **One (1) shade tree must be planted in the front or corner side yard to comply with Section 27-700(a);**
3. **Maximum number of guests shall be six (6);**

4. **All parking must be off-street, maximum number of vehicles is two (2). No STR renters or guests may park on-street.**
5. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
6. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
7. **Applicant is to maintain liability insurance;**
8. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
9. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
10. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
11. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
12. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
13. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
14. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
15. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
16. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all**

ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

17. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
18. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
19. **The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
20. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
21. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-091

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-091, commonly known as 4516 Eaton Street, Kansas City, Kansas, legally described as:

SPRING VALLEY ADD & 0968, S35, T11, R25, ACRES 0.130000, L105, located at approximately 4516 Eaton Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for operation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be 7;**
2. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**

5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips/ (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463**

through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

16. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
17. **The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
18. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
19. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-092

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-092, commonly known as 2918 West 46th Avenue, Kansas City, Kansas, legally described as:

PLAZA ADD, S34, T11, R25, ACRES 0.140000, L5, located at approximately 2918 West 46th Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for operation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The applicant shall repave the driveway and driveway apron to meet UG standards;**
2. **All gravel must be removed from the subject property;**
3. **The items listed in the home inspection report must be repaired prior to the renewal of this Special Use Permit;**
4. **The applicant shall maintain liability insurance;**
5. **Maximum number of guests shall be 7;**
6. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**

7. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
8. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
9. **Applicant is to maintain liability insurance;**
10. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
11. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
12. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
13. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
14. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
15. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
16. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
17. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
18. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The**

property may also be subject to enforcement actions and administrative citations;

19. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
20. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
21. **The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
22. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
23. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-093

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-093, commonly known as 7146 Parallel Parkway, Kansas City, Kansas, legally described as:

> COUNTRY CLUB ESTATES, S33, T10, R24, ACRES 0.400000, L1, located at approximately 7146 Parallel Parkway, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for operation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The applicant must submit proof of purchase of liability insurance before the publication of the associated ordinance;**
2. **Maximum number of guests shall be 7;**
3. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
4. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
5. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit,**

a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;

6. **Applicant is to maintain liability insurance;**
7. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
8. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
9. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
10. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
11. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
16. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle**

storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
18. **The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
19. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

(Published _____)

SP2024-096

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-096, commonly known as 7521 Nebraska Avenue, Kansas City, Kansas, legally described as:

> 9288, S4, T11, R24, ACRES 0.64, BEG 457FT E & 257.13FT N OF SW COR E1/2 SW1/4; N 192.13FT, E 110.67FT, ELY CUR RT-39.78FT, S 181.2FT, W 150FT TO POB CONTG 0.66AC M/L, located at approximately 7521 Nebraska Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for operation of a used automotive sales lot with light repair.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Sec. 27-466(c)(6) No inoperable motor vehicles shall be kept for a period longer than 48 hours and no more than two such vehicles may be kept at one time unless within a totally enclosed building. Screened outside storage for vehicles including additional inoperable vehicles may be allowed adjacent to the main building in a rear or side yard subject to the requirements set out in subsection (c)(5)b of this section and subject to the area of the storage being the lesser of the area of the building or 2,000**

square feet;

2. **The stucco that is proposed on the building shall be true, integrally colored stucco, not E.F.I.S. or field painted after the stucco has been applied;**
3. **Overhead doors shall be closed at all times except when vehicles are being loaded and unloaded into the bay;**
4. **The parking lot shall be restriped and resurfaced, as the paving material has become degraded;**
5. **In order to have legitimate signage, a sign permit must be filed with the Urban Planning and Land Use Department by a licensed and bonded sign company with the Kansas City, Kansas Business Licensing Department;**
6. **No displays on the sidewalk, this includes signs, pennants, attention-attracting devices, etc.;**
7. **The applicant and building owner shall comply with all the stipulations prior to the special use permit becoming valid and the applicant opening their business;**
8. **Construct a five (5) foot sidewalk along the east side of North 75th Drive from Nebraska Avenue to the sidewalk at Aspen Dental, which connects to the State Avenue transit corridor. There are utility poles that may need to be relocated;**
9. **Connect the new sidewalk from Nebraska Avenue to the front door;**
10. **While the property abuts commercial zoning to the north and south, the parking lot is visible from Nebraska Avenue and State Avenue. If there are vehicles that are being repaired, they need to be screened from public view. A fence similar in construction on the east side needs to be constructed on the north and south property line;**
11. **Wrought-iron fence has pointed tips that are not permitted per Section 8-250 in a commercial district. The pointed tips need to be squared off or rounded;**
12. **Section 8-250 Barbed wire fences, electrically charged fences, or fences constructed of any materials which are liable to snag, tear, cut or otherwise injure anyone coming into contact with them shall not be permitted, except as follows: barbed wire fences only to enclose the rear yard and shall not be permitted adjacent to a public street;**
13. **KCKFD may have issues with the drive aisle width and the bollards may need to be removed;**
14. **Section 27-573-578 acknowledges the use of the Commercial Design Guidelines and their use in this district as established by Ordinance O-50-06;**
15. **The PlanKCK Comprehensive Plan establishes the uses of the Commercial Design Guidelines by their inclusion in the current land use design;**
16. **Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;**
17. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in**

this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

18. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
19. **If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;**
20. **If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
21. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
22. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
23. **Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;**
24. **A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
25. **Regarding BPU transformer screening, the following applies:**
    a. **Gate doors are required for all types of screening that are placed in front of the transformers.**
    b. **Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet of clearance from pad when gate doors open.**
    c. **Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.**
    d. **For slats fences, customers shall install a minimum of four (4) inch slats**

and have four (4) inches of space between each slat.

e. Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking into account the growth of saplings).

f. Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open;

26. A Temporary Certificate of Occupancy (TCO) shall not be issued unless all life/safety items have been addressed;

27. All new rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building. Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines;

28. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

29. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

30. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

31. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for

renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

32. Subject to approval, a $125.00 ordinance publication fee per application must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,

33. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

_____
TYRONE GARNER
MAYOR/CEO

Attest:

_____
Unified Government Clerk

APPROVED AS TO FORM:

_____
CHIEF COUNSEL

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT

ONE McDOWELL PLAZA 701 NORTH 7TH STREET, 66101 (913) 573-5400
FAX (913) 573-5435

January 3, 2025

Ms. Monica Sparks
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for **ARMOURDALE BUSINESS PARK**

Dear Ms. Sparks

Please be advised that the Engineering Division has reviewed the attached plat of **ARMOURDALE BUSINESS PARK** located at Osage and Armourdale Parkway, being developed by SLP Properties, LLC.

Currently, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, P.S.
County Surveyor

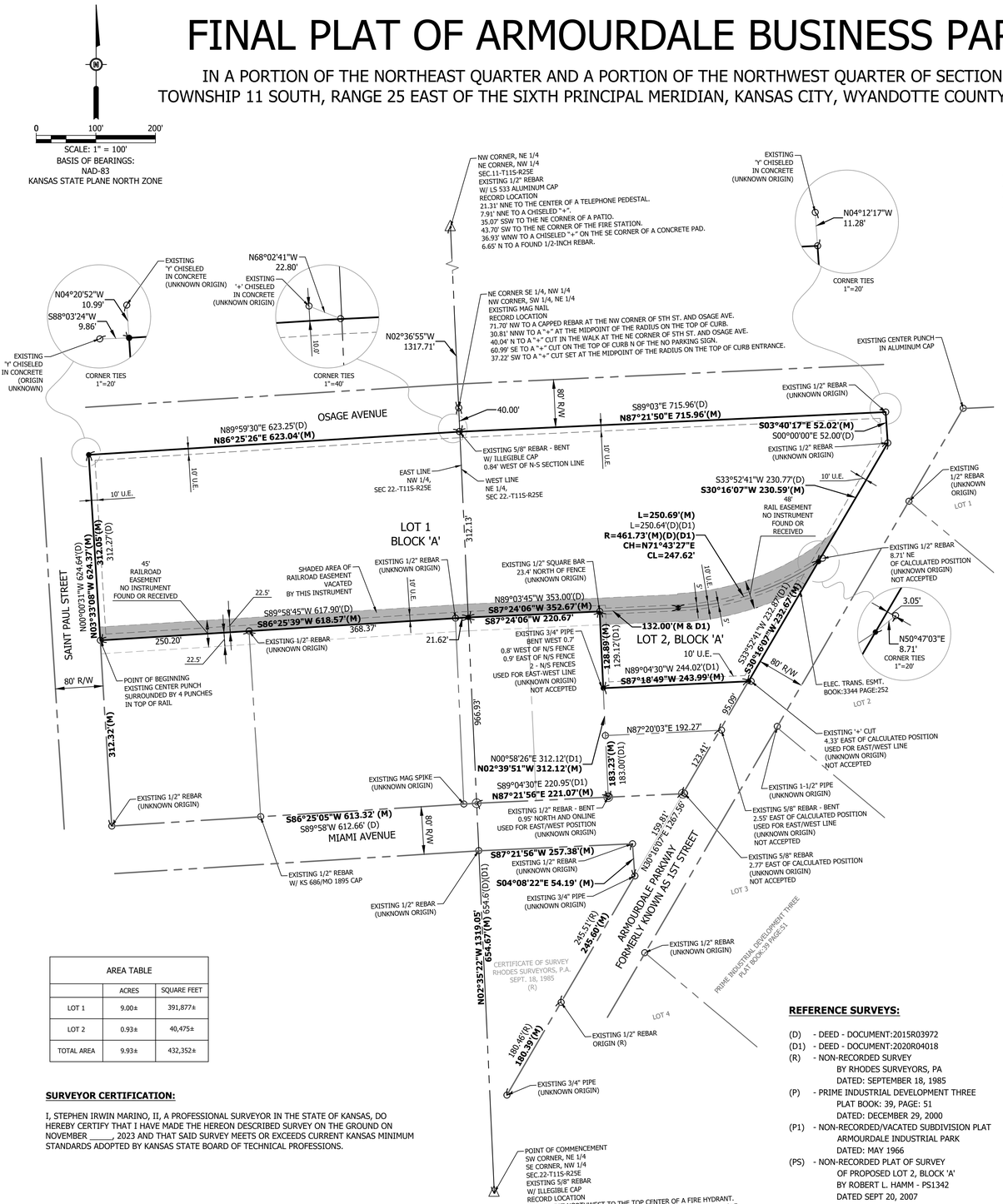
Troy Shaw, P.E.
County Engineer

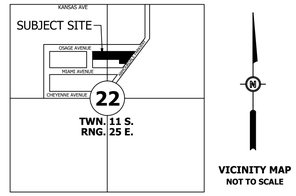
Attachments

BAR IS ONE INCH ON OFFICIAL DRAWINGS. 0 1" IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.

FINAL PLAT OF ARMOURDALE BUSINESS PARK

IN A PORTION OF THE NORTHEAST QUARTER AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE SIXTH PRINCIPAL MERIDIAN, KANSAS CITY, WYANDOTTE COUNTY, KANSAS





VICINITY MAP
NOT TO SCALE

LEGEND

- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- LOT LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- SECTION CORNER (AS NOTED)
- FOUND MONUMENT (AS NOTED)
- SET MONUMENT (5/8" x 24" REBAR W/ CLS 14 CAP OR AS NOTED)
- CALCULATED POINT, (NO MONUMENT SET)
- (M) MEASURED
- (D) DEED
- ESMT. EASEMENT
- R/W RIGHT-OF-WAY

DESCRIPTION:

ALL OF THOSE PROPERTIES DESCRIBED IN DOCUMENT NUMBER:2015R-03972 (DEED), AND IN DOCUMENT NUMBER:2020R-04018 (DEED 1), AS RECORDED IN THE OFFICE OF THE WYANDOTTE COUNTY, KANSAS REGISTER OF DEEDS, IN KANSAS CITY, KANSAS, SITUATED IN THE NORTHEAST QUARTER AND IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED BY STEPHEN I. MARINO, II, PS 1380, ON NOVEMBER 21, 2023, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS,
THENCE, COINCIDENT WITH THE EAST BOUNDARY OF SAID NORTHWEST QUARTER, NORTH 02 DEGREES 35 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 654.67 FEET (MEASURED), 654.6 FEET (DEED AND DEED 1) TO THE NORTH RIGHT-OF-WAY BOUNDARY OF MIAMI AVENUE, AS NOW EXISTS;
THENCE, DEPARTING SAID EAST BOUNDARY AND COINCIDENT WITH SAID NORTH BOUNDARY, SOUTH 86 DEGREES 25 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 613.32 FEET (MEASURED), SOUTH 89 DEGREES 58 MINUTES WEST FOR A DISTANCE OF 612.66 FEET (DEED) TO THE EAST RIGHT-OF-WAY BOUNDARY OF SAINT PAUL STREET, AS NOW EXISTS;
THENCE, DEPARTING SAID NORTH BOUNDARY AND COINCIDENT WITH SAID EAST BOUNDARY, NORTH 03 DEGREES 33 MINUTES 08 SECONDS WEST (MEASURED), NORTH 00 DEGREES 00 MINUTES 31 SECONDS WEST (DEED) FOR A DISTANCE OF 312.32 FEET (MEASURED) TO THE **POINT OF BEGINNING**

THENCE, CONTINUING COINCIDENT WITH SAID EAST BOUNDARY, NORTH 03 DEGREES 33 MINUTES 08 SECONDS WEST (MEASURED), NORTH 00 DEGREES 00 MINUTES 31 SECONDS WEST (DEED) FOR A DISTANCE OF 312.05 FEET (MEASURED) 312.27 FEET (DEED) TO THE SOUTH BOUNDARY OF OSAGE AVENUE, AS NOW EXISTS;
THENCE, DEPARTING SAID EAST BOUNDARY AND COINCIDENT WITH SAID SOUTH BOUNDARY, NORTH 86 DEGREES 25 MINUTES 26 SECONDS EAST (MEASURED), NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST (DEED), FOR A DISTANCE OF 623.04 FEET (MEASURED) 623.25 FEET (DEED);
THENCE, CONTINUING COINCIDENT WITH SAID SOUTH BOUNDARY, NORTH 87 DEGREES 21 MINUTES 50 SECONDS EAST (MEASURED), SOUTH 89 DEGREES 03 SECONDS EAST (DEED) FOR A DISTANCE OF 715.96 FEET (MEASURED AND DEED) TO THE WEST BOUNDARY OF ARMOURDALE PARKWAY, FORMERLY 1ST STREET, AS NOW EXISTS;
THENCE, DEPARTING SAID SOUTH BOUNDARY AND COINCIDENT WITH SAID WEST BOUNDARY, SOUTH 03 DEGREES 40 MINUTES 17 SECONDS EAST (MEASURED), SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST (DEED) FOR A DISTANCE OF 52.02 FEET (MEASURED) 52.00 FEET (DEED);
THENCE, CONTINUING COINCIDENT WITH SAID WEST BOUNDARY, SOUTH 30 DEGREES 16 MINUTES 07 SECONDS WEST (MEASURED), SOUTH 33 DEGREES 52 MINUTES 41 SECONDS WEST (DEED) FOR A DISTANCE OF 230.59 FEET (MEASURED) 230.77 FEET (DEED) TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DOCUMENT NUMBER:2020R-04018 (DEED 1), RECORDED IN THE OFFICE OF THE WYANDOTTE COUNTY REGISTER OF DEEDS, IN KANSAS CITY, KANSAS;
THENCE, CONTINUING COINCIDENT WITH SAID WEST BOUNDARY, SOUTH 30 DEGREES 16 MINUTES 07 SECONDS WEST (MEASURED), SOUTH 33 DEGREES 52 MINUTES 41 SECONDS WEST (DEED 1) FOR A DISTANCE OF 232.67 FEET (MEASURED) 232.87 FEET (DEED 1) TO THE SOUTH BOUNDARY OF SAID PARCEL OF LAND;
THENCE, DEPARTING SAID WEST BOUNDARY AND COINCIDENT WITH SAID SOUTH BOUNDARY, SOUTH 87 DEGREES 18 MINUTES 49 SECONDS WEST (MEASURED), NORTH 89 DEGREES 04 MINUTES 30 SECONDS WEST (DEED 1), FOR A DISTANCE OF 243.99 FEET (MEASURED) 244.02 FEET (DEED 1) TO THE WEST BOUNDARY OF SAID PARCEL OF LAND;
THENCE, DEPARTING SAID SOUTH BOUNDARY AND COINCIDENT WITH SAID WEST BOUNDARY, NORTH 02 DEGREES 39 MINUTES 51 SECONDS WEST (MEASURED), NORTH 00 DEGREES 58 MINUTES 26 SECONDS WEST (DEED 1) FOR A DISTANCE OF 128.89 FEET (MEASURED), 129.12 FEET (DEED 1) TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND AND THE SOUTH BOUNDARY OF A PARCEL OF LAND DESCRIBED IN DOCUMENT NUMBER:2015R-03972 (DEED), RECORDED IN THE OFFICE OF THE WYANDOTTE COUNTY REGISTER OF DEEDS, IN KANSAS CITY, KANSAS;
THENCE, DEPARTING SAID WEST BOUNDARY AND COINCIDENT WITH SAID SOUTH BOUNDARY, SOUTH 87 DEGREES 24 MINUTES 06 SECONDS WEST (MEASURED), NORTH 89 DEGREES 03 MINUTES 45 SECONDS WEST (DEED) FOR A DISTANCE OF 220.67 FEET (MEASURED) TO A POINT ON THE WEST BOUNDARY OF THE NORTHEAST QUARTER OF SAID SECTION 22;
THENCE, CONTINUING COINCIDENT WITH SAID SOUTH BOUNDARY, SOUTH 86 DEGREES 25 MINUTES 39 SECONDS WEST (MEASURED), SOUTH 89 DEGREES 58 MINUTES 45 SECONDS WEST (DEED) FOR A DISTANCE OF 618.57 FEET (MEASURED), 617.90 FEET (DEED)TO THE **POINT OF BEGINNING**.

ALSO REFERRED TO AS PARCELS C-1, S-1, AND S-2C, OF THE NON-RECORDED/VACATED PLAT OF ARMOURDALE INDUSTRIAL PARK.

CONTAINING **9.93** ACRES, **432,352** SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS: ALL BEARINGS SHOWN HEREON ARE BASED ON THE KANSAS STATE PLANE COORDINATE SYSTEM, NAD-83, NORTH ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.

SURVEY NOTES:

1. BOUNDARY CLOSURE CALCULATIONS 1:432,352
2. THIS SURVEY DOES NOT CERTIFY OWNERSHIP.
3. BEARINGS ARE BASED ON NAD-83, KANSAS STATE PLANE, NORTH ZONE.
4. THERE ARE NO FENCES, GAPS, OVERLAPS, OR KNOWN DISCREPANCIES BETWEEN OWNERSHIP OR POSSESSION UNLESS SHOWN.
5. SUBJECT PROPERTY IS LOCATED WITHIN AN AREA DESIGNATED AS "ZONE X", AREAS PROTECTED BY LEVEES FROM 1% ANNUAL FLOOD CHANCE, AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 20209C0180E, WITH AN EFFECTIVE DATE OF FEBRUARY 5, 2014.
6. CURRENT ZONING: M-3 AS SET OUT IN UNIFIED DEVELOPMENT CODE; CHAPTER 27, ARTICLE VIII - ZONING, DIVISION 4 - DISTRICT REGULATIONS, SEC. 27-470 - M-3 HEAVY INDUSTRIAL DISTRICT.
7. PREPARED FOR: SLP PROPERTIES, LLC
   4248 W. 124TH TERRACE
   LEAWOOD, KANSAS, 66209
8. THIS SURVEY WAS DONE WITH THE BENEFIT OF COFFELT LAND TITLE, INC. INFORMATIONAL TITLE REPORTS, CASE NOs. 23066468 AND 23066762, EFFECTIVE DATE OCTOBER 02, 2023, 8:00 AM.

AREA TABLE		
	ACRES	SQUARE FEET
LOT 1	9.00±	391,877±
LOT 2	0.93±	40,475±
TOTAL AREA	9.93±	432,352±

SURVEYOR CERTIFICATION:

I, STEPHEN IRWIN MARINO, II, A PROFESSIONAL SURVEYOR IN THE STATE OF KANSAS, DO HEREBY CERTIFY THAT I HAVE MADE THE HEREON DESCRIBED SURVEY ON THE GROUND ON NOVEMBER ____, 2023 AND THAT SAID SURVEY MEETS OR EXCEEDS CURRENT KANSAS MINIMUM STANDARDS ADOPTED BY KANSAS STATE BOARD OF TECHNICAL PROFESSIONS.

STEPHEN IRWIN MARINO, II, P.S. #1380
BARTLETT & WEST, INC.

REFERENCE SURVEYS:

(D) - DEED - DOCUMENT:2015R03972
(D1) - DEED - DOCUMENT:2020R04018
(R) - NON-RECORDED SURVEY BY RHODES SURVEYORS, PA DATED: SEPTEMBER 18, 1985
(P) - PRIME INDUSTRIAL DEVELOPMENT THREE PLAT BOOK: 39, PAGE: 51 DATED: DECEMBER 29, 2000
(P1) - NON-RECORDED/VACATED SUBDIVISION PLAT ARMOURDALE INDUSTRIAL PARK DATED: MAY 1966
(PS) - NON-RECORDED PLAT OF SURVEY OF PROPOSED LOT 2, BLOCK 'A' BY ROBERT L. HAMM - PS1342 DATED SEPT 20, 2007

DEDICATION:

THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND STATE THAT ALL TAXES HAVE BEEN PAID AND THAT THEY HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT WHICH HEREAFTER SHALL BE KNOWN AS "ARMOURDALE BUSINESS PARK". ALL STREETS, DRIVES, TERRACES AND OTHER WAYS SHOWN HEREON AND NOT HERETOFORE DEDICATED TO THE PUBLIC ARE HEREBY SO DEDICATED. AN EASEMENT IS HEREBY GRANTED ALL PUBLIC UTILITY COMPANIES, THEIR SUCCESSORS OR ASSIGN OR RURAL WATER DISTRICTS DULY INCORPORATED AND AUTHORIZED TO DO BUSINESS IN WYANDOTTE COUNTY, KANSAS, TO ENTER UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OF "U/E" FOR PURPOSES OF UTILITY INSTALLATIONS AND MAINTENANCE THEREOF. THE USE OF SAID EASEMENT BY ANY SUCH ENTITY SHALL OBLIGATE SUCH ENTITY TO RETURN SAID EASEMENT TO ITS CONDITION PRIOR TO ANY INSTALLATION, MAINTENANCE OR REPAIR ON SAID EASEMENT.

IN TESTIMONY WHEREOF,

I, RICHARD E. DONAHUE, II, ADMINISTRATOR, SLP PROPERTIES, LLC, HAVE SET MY HAND THIS _____ DAY OF _____, 20____.

_____
(DATE)

NOTARY CERTIFICATION:

STATE OF _____)
)SS
COUNTY OF _____)

BE IT REMEMBERED THE ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME RICHARD E. DONAHUE, II, ADMINISTRATOR, SLP PROPERTIES, LLC, TO ME PERSONALLY KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FORGOING INSTRUMENT OF WRITING, AND DULY ACKNOWLEDGED THE THE EXECUTION OF THE SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARY SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____ (SEAL)

APPROVALS

THIS PLAT OF "ARMOURDALE BUSINESS PARK" HAS BEEN SUBMITTED AND APPROVED BY THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY. KANSAS.

DATED THIS _____ DAY OF _____, 20____.

KANSAS CITY, KANSAS PLANNING COMMISSION

BY _____, CHAIRMAN
JEFF CARSON

BY _____, SECRETARY
GUNNAR HAND, AICP

COUNTY ENGINEER'S APPROVAL:
RECOMMENDED FOR APPROVAL BY THE COUNTY ENGINEER,

THIS _____ DAY OF _____, 20____.

_____ COUNTY ENGINEER
TROY SHAW, P.E.

COUNTY SURVEYOR APPROVAL:
THIS SURVEY HAS BEEN REVIEWED FOR FILING, PURSUANT TO KSA 58-2003, 58-2005, AND 58-2011, FOR CONTENT ONLY AND IS IN COMPLIANCE WITH PROVISIONS. NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.

REVIEWED BY _____ DATE: _____
BRENT E. THOMPSON, KS P.S. 1277

STATE OF KANSAS)
) SS
COUNTY OF WYANDOTTE)

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE ON THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK AND IS DULY RECORDED.

_____
SUSIE P. NELSON, REGISTER OF DEEDS

_____
MARGARET A. ORENDAC, DEPUTY

THE DEDICATIONS SHOWN HEREON, IF ANY, ARE ACCEPTED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF _____, 20____.

_____, U.G. MAYOR/CEO
TYRONE GARNER

(SEAL) _____, INTERIM U.G. CLERK
MONICA SPARKS

BY | DESCRIPTION | DATE | #

Bartlett&West
1200 SW Executive Drive, Topeka, Kansas 66615
785.272.2252 FAX 785.272.3030
www.bartlettwest.com

FINAL PLAT OF
ARMOURDALE BUSINESS PARK
IN A PORTION OF THE NORTHEAST QUARTER AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 22, T-11S, R-25E OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS

PRELIMINARY

DESIGNED BY:	JCW
DRAWN BY:	JCW
APPROVED BY:	SIM
DESIGN PROJ:	21420.000
CONST PROJ:	
SCALE:	AS NOTED
DATE:	NOVEMBER 2023
DRAWING NO:	P2023-039
SHEET NO:	1 of 1

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Last edit on: 12/14/2023 12:57 PM by: JCW01429 Drawing Name: W:\Proj\21000\21420\21420.000\Survey\Working DWG\21420.000_FinalPlat.dwg Layout Name: Final Plat Plotted By: JCW01429 Plotted on: 12/14/2023 1:00:20 PM

STATE OF KANSAS) **PLANNING & ZONING AND**
WYANDOTTE COUNTY)) SS **REGULAR SESSION**
CITY OF KANSAS CITY, KS) **September 28, 2023**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Regular Session Thursday, September 28, 2023, with eleven members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO, presiding. The following officials were also in attendance: David Johnston, County Administrator; Angela Lawson, Interim Chief Counsel; Jeff Conway, Assistant Counsel; Gunnar Hand, Director of Planning and Urban Design; Janet Parker, Planning and Urban Design Department; Reginald Lindsey, Budget Director; Monica Sparks, Deputy UG Clerk; and Brittnie MacDonald, UG Clerk's Office.

Mayor Garner said we have two parts of the Commission meeting. One is the Planning and Zoning and the other is the full Commission meeting. It is a regular session. Before I call this meeting to order, I want to announce that some commissioners, staff, and the public are attending remotely via Zoom, by phone, or on-site. All participants joining by phone should, please, mute their phones when not speaking to avoid any background noise.

During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows exactly who is speaking. This is critical given the number of remote participants and is current guidance from our Kansas Attorney General's Office. Also, when you speak, please make sure you speak at an audible level so you can be heard and your comments can be captured for record by our Clerk.

Mayor Garner said I'll now call this meeting to order. Clerk, roll call.

Roll call: Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Garner.

Mayor Garner said tonight's invocation is going to be given by Reverend Stella Ruiz of the Oak Grove Christian Church, followed immediately by the Pledge of Allegiance.

Mayor Garner asked, Clerk, are there any revisions to tonight's agenda? **Ms. Sparks** said yes. There was a blue sheet issued adding an item under the Mayor's Agenda, Item No. 9 – A resolution regarding the Community Identification Program.

MAYOR'S AGENDA

Item No. 1 – 212762…VETO: MAYOR'S VETO SEWER SERVICE CHARGES

Synopsis: Veto of Mayor/Chief Executive Officer Tyrone A. Garner to Ordinance O-105-23 relating to sewer service charges, submitted by Tyrone A. Garner, Mayor/CEO.

Mayor Garner said as some of you probably heard, I issued three vetoes. Basically, all revolve around our budget and some of the increases. One of the commitments I made to this community when I became mayor is that I would continue to fight for a streamlined government, for efficiencies, for lower taxes, and to find ways that we can responsibly provide essential services. What I found my first year, I came out with several options and plans to work with this Commission to do just that and it was rejected in my first year, which is fine.

My second year, because the Commission has shown me over and over again as a totality, that they had no interest in any items or recommendations coming from this mayor. So, I worked with a few commissioners, our administration, and our staff to, hopefully, provide leadership, as I'm required to do by ordinance, to give this Commission several options to include the cuts and the options necessary that, hopefully, could give our residents tax relief. It was heartbreaking for me, my first year as mayor, to listen to people literally begging for tax relief. Then going into our second year, hearing a different group of people, again, begging for tax relief and fee relief.

My first year as mayor, all things considered, the increase basically equated to about a 9 mill increase overall from what staff had told me. This year, with what we're looking at, is about a 15 mill increase all things considered. That's compounded on what was last year. To me, that is totally unacceptable in a community where staff tells me, again, all things considered, we're about a billion dollars in debt. I've inherited, all of us, all our residents have inherited us recognizing that we are on a pathway to bankruptcy.

We're working diligently with our community to, hopefully, get this Commission to at least pause and listen to the residents, the majority of them. There's no place I can go in this town where nobody tells me that they want increased taxes.

Looking at our fiscal situation, yes, I have said to the public time and time again that I know you want things but with our budget, us looking at bankruptcy potentially. I know our Administrator has pushed it out from '26 to '28. A lot of our needs that we have as well as our debt, which our Administrator, again, has told us is about 44% of our spending every year that this community had to be prepared to sacrifice with this Commission and to help this Commission get us to the point to decide what the essential services, needs that you wanted, as well as letting them know what was acceptable to you when you talk about necessary cuts.

We're not operating in the black. The cost of living and interest rates have gone up. The quality of life of our residents, especially in one county where we have some of the most distressed zip codes anywhere you'd find, not just in the state of Kansas, but in certain parts of the nation, and people have come time and time again and said they just can't take anymore. Please give us relief. Put a pressure point on taxes. If you can't lower it, consider revenue neutral and operate at the same budget level you had last year; and take the necessary cuts to operate fiscally and a balanced budget to give the taxpayer some relief.

A budget was passed and there was no relief. I know that some had called me. A lot of people that I've gone to since then have reached out to me and have, again, pleaded with me. Mayor, we need you to act. So, I've taken what little leverage I have, as mayor in this weak form of government, and I've chosen to veto these items in hopes that this Commission will, again, take a pause, again, listen to the people, and take whatever time necessary in the short window that we have left, to try and give our residents some relief this year to, hopefully, satisfy and maybe make a difference in the quality of life for our residents, especially our hardworking families and our seniors who are struggling just to make ends meet. You can go back and watch the videos and you can see those stories.

Last year, even one of our ex-councilmen, Chester Owens, came up and said I was sitting where you are and he asked this Commission, don't do that to me. Don't do that to this community.

I watched people come this year, and on top of last year, businesses and saying, we can't take anymore. My fear is that if we don't take the necessary steps to do what is right by our

residents, we're going to tax people out of Wyandotte County and we're going to make it not attractive or affordable for people to want to move here or do business here.

I've said it before, I don't believe that taxing, spending, borrowing, and using our reserve fund and depleting it to balance our budget is fiscally responsible and the best way to do business. I wouldn't operate my personal budget that way. Any successful businesses you find around the country, they don't operate that way.

So, I've challenged our Commission to work with me, but more importantly, you, the residents, to find real solutions to some of these real problems that we know have a profound impact on people's lives.

This isn't political for me. This is about people's lives. That's all it's about. My background of being a public servant, it hurts me to know that I don't have the ability to find solutions to these problems other than sit right here and petition this Commission to take a different course. We have an administrator and we have good staff members here that are saying, you tell us what direction we need to go and we're going to make it work for this Commission. They've told us that and they're going to find a way to do it responsibly.

With that being said, the first item of the veto is relating to sewer charges. As a result of this, and this is one positive that I can say, we found that there was an error to where there was going to be, I believe, a 5% increase when in all actuality, they only needed a 4%. The first item is we did find savings there as a result of this veto. So, that's one good note to start off with.

Commissioner Bynum said I wanted to add this before we address the actual veto item. I have a motion that could alleviate the need for the override.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Kane, to approve an amended ordinance of our previously passed Ordinance O-105-23 relating to sewer service charges, substituting a 4% increase for the originally passed 5%, with all the other provisions remaining the same.**

Administrator Johnston said when the Mayor's concerns came to light, staff really looked at those numbers again and realized that during the budget process, we met an error. In the consent decree we have with the EPA, we said we intended to have a 4% increase and inadvertently talked

about a 5% increase in the budget. In working with a few of the commissioners, we saw that we could maybe avert a long discussion on override by saying, because of our intent and our contractual obligation with the EPA, we want to be as transparent as possible and make sure that we're reflecting that agreement in all the language of this budget. So, instead of a 5%, we want to make sure we're focusing with all our numbers at 4%.

Roll call was taken on the motion and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 2 – 212763…VETO: MAYOR'S VETO BOARD OF PUBLIC UTILITIES REVENUES (PILOT)

Synopsis: Veto of Mayor/Chief Executive Officer Tyrone A. Garner to Resolution R-59-23 setting the percentage of gross revenues to be set over by the Board of Public Utilities for the year 2024, submitted by Tyrone A. Garner, Mayor/CEO.

Mayor Garner said this is a veto I did of the BPU PILOT. There were several fees associated with that, that were, in my opinion, significant. Again, looking at relief and looking at what BPU did by raising their rates, which means the Unified Government is going to bring in more dollars as well, I just thought it appropriate that I veto the BPU PILOT increases as well. So, that's where I'm at.

Before I get started, I'm going to allow public comment.

Cheryl Yates, 4525 North 108th St., said my concern is not only with that, but all of the increases that we're seeing with the BPU. The PILOT will go up, but even though you lowered the one you just voted on by 1% or 1 point or however you determine, our rates are still going to go up. Water rates go up. It's just a no win situation for consumers who can't afford it. While we may be able to afford it, each one of you may be able to afford it, we heard from a lot of people last time who couldn't. I think it's a travesty if you continue to increase all of these fees like you're doing.

Alex Sanchez, 3800 Weaver Ct., said in terms of BPU, specifically, everybody is really hurting with these bills. If you break down the cost for the actual service itself, it's very low. The majority

of that bill are fees and taxes. For people who have all their services cut off and ate nothing, they're still going to get an average of about $150 a month bill just for the privilege of being hooked up to the system. That is ridiculous. We are getting pinched at every corner and it is the responsibility of this body and BPU—this is also why I'm running for—I'm on a slate for BPU District One. That's also why I'm running because I hear too much from my neighbors, a lot of them who are retired who cannot afford to pay their property taxes, their BPU. God forbid they have a car and have to pay car insurance. Things are not as rosy as you think they are.

I had the privilege of getting an email from work last week that starting this week, I am operating under a 20% salary decrease. Now you can't just expect to dip into the well because it is our money. I guarantee you if you started going door to door and asking the residents about whether or not they want their BPU rates increased, 100% are going to say absolutely no. There's a lot of things that can be done internally, structurally, organizationally to streamline, to operate more efficiently. That's what businesses do and that's what government needs to do. This is a no-brainer, but to have to come back here because after hearing all that was spoken at the last meeting, the audacity to go ahead and approve the increase anyways…**Ms. Sparks** said you have one minute remaining.

Mr. Sanchez said …is a slap in the face to Wyandotte County residents. At least two of you had the guts, and Mayor Garner, to stand up for us. We thank you.

It's time to get a backbone and make hard decisions that have to be made. That's why you are here, not to dip in our pockets every time it gets rough.

Ryan Parker, 1040 Edwardsville Dr., said not much to say about the PILOT. I see it as a tax; not called a tax. I believe it's taxation without representation. I'd like to see it sunset. It needs to go away. We need to figure this out better. BPU is pretty shiesty You've got to watch them all the time. I moved into a home with septic and they charged me for sewer until I called them out. Then I found out they do that to everybody on septic, so they're shiesty.

The PILOT needs to go away. It's taxation without representation.

Susan Eubanks, 208 South 110th St., Edwardsville, said I am going to be retiring in three weeks. I'm 69. I worked past when a lot of people do. I have paid my house off with the intention that I could still afford to live there after I retire. For all practical purposes, I still have a house payment

of almost $400. That's just my property tax. I'm going to be tightening my belt a lot. I just don't know what the end game is here, if this is going to happen every year. I've lived there 25 years. I have been a productive, law-abiding citizen. Do you want us to have to leave the community and get somebody else in? I love Edwardsville and I want to live there.

Fannie Hill, 4310 Parallel, said I want to thank the Mayor because he's doing an awesome job and fighting for us. We don't need people who just vote. We need you to fight for us. If the vote isn't in the favor of the people that you represent, we want to know that you're fighting for us. All we see is that you all are fighting for the UG department and yourselves. You're fighting against us.

I want to thank the Mayor because he's out there all weekend long, every weekend. I keep saying, people stop calling on him because he'll be there. He's doing an awesome job and then he comes in here and he has to fight with everybody.

Commissioner Stites, I appreciate you and your honesty because like you said, when they got that $10 million last year, they could have lowered our taxes but they didn't. I thank you for going to them with the idea of asking people if they could cut their budget. I appreciate that. At least you were considering the people because you're the only one that I've heard considering the people.

Ms. Townsend, you said you would go to the state legislator about getting them to lower the mill levy. Why can't you all come together and lower the mill levy? I know you have the power to do it, but you want them to do it. That doesn't make any sense. I wouldn't even go there and embarrass myself with you. They'd probably wonder why are you there and why am I there when you can, you commissioners can lower that mill levy.

I'm just asking you to try to work with the Mayor. Consider the people because people are really hurting in this community. The saddest thing I saw, I apologized to a 28-year-old. She said I live by myself on my own, but I have to have a roommate because I can't afford to pay these BPU bills. She said I have to. I said, I apologize to you. I'm sorry because it's happening to you and it's going to happen to your children, your grandchildren. One day they're going to be in the same situation if you just keep skyrocketing with everything. We understand everything is going up and we understand you need more money…**Ms. Sparks** said one minute remaining.

Ms. Hill said …but you've got to find another way. The taxpayers just don't have it, but yet, you all keep spending money like you got millions. You keep giving all the tax incentives. If you don't have any money, how can you afford to give tax incentives and you keep doing it? You're spending money you don't have. We can't understand how you keep spending money and telling us you don't have any and you need more from us.

Albert Meeks, 64th St., said my street runs directly into the back of the new middle school. What the problem is, there's no sidewalk there. I talked to my commissioner about it. I explained to him I've been there 34 years. There's been four children that's been run over by cars because they walk in the streets because we don't have a sidewalk on either side. I said, well, you can put a sidewalk on either side or speed bumps or something. He gave me a number to call down to the Street Department, which he's the boss over there. He could have just did it himself.

Another thing about this BPU. My daughter stayed with me from January until May and she was just still getting high BPU bills. Nobody in the residence. She lives in the townhouses on 74th St. Everybody over there, that's why they're leaving out of that area because same thing. There's nobody in the residence but yet, still high bills. Not right.

Robert Karl, 3420 North 67th St., said I hate talking. I don't like getting in front of people, but when I hear my friends and family back here saying that they're all struggling, I don't think I'm feeling as much as they are, but I know people that are. I have seen people come onto my property just looking for a place to park, just to stay, because they can't make it. Yeah, they might be drifters in the area and that's what they do, but it also goes to show to a deeper problem that the community has. There's just too much taking. Too much taking from the people. It's not that hard. It's really not that hard. You all found your own budgets. You all see your ins and outs. All we're looking for—y'all are our representatives and you're supposed to act like we do, managing the ins and the outs. Managing and balancing it properly.

The less government we have, the stronger the community we'll have. But I see a burgeoning and a ballooning of government. It just keeps growing.

To the Mayor's point, I don't know you, but I like you. I've liked what several of what y'all have said. Different ways y'all can look at the budget, but then you punt the can. I'm disappointed in some of you. I'm trying to get to know y'all. Why aren't you listening to us?

That's why we put you here. We put you here to listen to us, not to listen to bureaucracy. Bureaucracy is the product of government. It is not the product of the people. I wish y'all would just start listening more. Take it to heart. Take it to heart that people do suffer. **Ms. Sparks** said you have one minute remaining.

Mr. Karl said I just want y'all to know that we're all children of God. We should all see each other that way. We should all be taking care of each other. It's not the government's job to take care of us. It's the government's job to take care of the basics and the community takes care of the rest.

Want to fix that budget? Go back to the basics with government and let the community take care of the rest. Where the chips fall, that's where they fall.

Marie Jordan-Hodge, 2724 South 79th St., said I don't really know what I'm going to say, but I feel like I need to say something. I think it's so unusual for the mayor. He does not want to raise taxes, but we have other commissioners that want to. I think that we all need to make sure that we vote those commissioners out and keep our mayor in.

I'm married, but my husband and I, we've only been married eight years and he's 85 and I'm almost 80. Both of our spouses passed away and we remarried, got married. We met each other in church. It's very hard for me to pay the taxes, the insurance, the BPU, the water, the electric. I just can't imagine. Each one of you all—if you've got a budget, you have to live—I have to live within my budget. I can't go to you and say, I want some money. I have to live within my budget, and I think you guys need to live within the budget also.

Like I said, I didn't know what I was going to say, but I felt like I needed to say something.

Bonnie Smith said my husband, Ricky Smith, is running for a commissioner. BPU is not the only bad problem. It's the property taxes. They're horrible. We got these old houses and you're paying $22 - $23,000 a year for taxes. It doesn't make sense. I've had to go back to work. We retired and I've had to go back to work just to pay BPU in the summertime. I work at Washington High School and I've been cussed out. I've been almost hit daily. The kids are horrible, but I have to put up with it because the bills are so high in the summer until I have to work. It's just not fair that we have to live this way.

Again, about the PILOT. As a guy said, it's not just the PILOT. It is a big problem. The PILOT needs to be dropped and the property taxes need to be dropped on these old houses. Half the houses are not even worth what we're paying for every year.

Just as bad, I hate getting up in the morning to go to that school because the kids don't respect you, they don't respect the teachers, but again, it's what I have to do to pay my bills every month. We need help really bad. I don't know who all on the panel that's not understanding this, but you guys really need to get together and try to help Wyandotte County.

Abraham Orr, 32nd & Parallel, said BPU. My first question is, do you hear the heart cry of the people? Do you see the tears that fall from their eyes because this is truly painful? I just didn't speak for my wife and I. It seems like the bills just keep going up and up. The crazy thing is, we tried to contact them and we can't get a voice. It's like they're running and ducking at the same time. They want your money, but they don't want to have a conversation with you. Their conversation is if you don't pay your bill, your stuff will be cut off.

Once again, do you hear the heart cry of the people? Do you see their tears?

Anthony Andair, 2212 North 5th St., said product of the community, Wyandotte County. Graduated from high school here. Lived here predominately all my life. Lived in ten different states working restaurant, retail business, district manager, general manager. By far, this is the only city that I know—I love it; it's my home—that there's only one utility company. You go to Texas, you go to Arizona, you go to other states, they've got multiple companies that you can choose from where it's not monopolized by just one company. People can make choices on what company they want to go with or the company they don't want to go with. But here in Wyandotte County, BPU. That's all we got and they know that.

So what they do? They take advantage of us. They raise taxes when they want to raise taxes. They put little tidbits in, again, taxation. It's another way around the loophole of it, and they expect for us to just accept it and say okay. That's another BPU charge added. We're just going to roll with it. I don't understand why we don't have a second choice. Why is there not another utility company that we can bring into Wyandotte County to combat the difference? It's called competition. Competition. Competition. Let's get another company in here that's going to come in and take care of the people's needs versus stealing from them, robbing them. It's just

like when we have these freak rainstorms or all of a sudden we have a wind that comes in that's 40 miles an hour, but everybody's utilities off in one area for what, 10, 14 days. Is there a discount on our utilities being off that long?

During the summertime when we have these blackouts, is there a discount on us for our utilities being off 24 hours or 72 hours? **Ms. Sparks** said one minute remaining.

Mr. Andair said no, there isn't. There are other choices out here of utility companies that we can bring in to Wyandotte County that's going to work with the people and help the people versus hurting the people. You guys have that power in your hands to invite other utility companies to come in here and make a difference. It's in your hands. All you guys got to do is vote on it. Rubber stamp. That's it.

Roxie Armstrong, 6541 Donahoo Rd., said that gentleman is kind of right. Y'all do have the power. Is that the problem? Too much power without thought?

Last week I ran into three different friends three different times. There were only three people. Each one, that's the first thing they said, how are you doing, Roxy? You're a widow. How do you get through it? They say, I can't. They're talking of leaving. People are going to leave here, good people. I think it's sad. I kind of feel like some of you guys need to think and be ashamed about what you're doing and think about what you're actually doing to these people. I don't know if you really understand how much depth that is causing. It's causing depression. When you can't pay your bills—I have to say I'm fine. I'm going to be fine. I know I am. But I know too many who are not. I know a lot. I hurt for them.

Mayor, thank you. Thank you for deciding to do this. Mr. Burroughs, Mr. Stites, thank you. I really do feel like you guys are thinking about what you're doing.

There's so many things that need to be paid going back and have other—there's a lot of people that need to pay their past property taxes. What is it? Somebody was saying today, I heard, like 72 pages of unpaid property taxes in this county alone. How in the world can that many people…**Ms. Sparks** said you have one minute remaining.

Ms. Armstrong said …not be paying their taxes and get away with it? What is the deal with that? I don't understand that part.

There are other cuts I know that can be made. I know that you guys can dig down and find those problems. It may take a bit, but I know that y'all can do it. That's your job. That's what

you were voted in to do because somebody had faith in you that you could do this kind of thing. We all have to do hard things in what we do. It's hard, but we have to do something. It can't go on like this. It's awful.

Ms. Smith said you tell us in the kitchen and they did not tell us and it's bad. It's really bad. Teachers are sick. The kids are sick. We found out probably just last week and it's been going on for almost a month. Not that you would care, but I'm from Arkansas and my brother has a mansion, somewhat. He has five bedrooms, five bathrooms, and my brother told me he has never had a $200—he even has two air conditioners—he told me he has never had a $200 light bill. I just want y'all to know that. He's never had a $200 light bill.

Phil Lopez, 5408 Osage Ave., said I feel the pain. I feel the pain for all my neighbors with their BPU bills. Here's the thing. There's too many suck head plays that are being made. Just wrong plays. Our money's just being misused completely. I watched the whole BPU meeting with you guys. I almost wanted to say heil Hitler. It was just we're being held hostage. Are the rates going up because they want to set themselves up for another ridiculous raise? The management, oh my God. I look at their money, their salaries. I look online and having to look at Power & Light or Evergy or whatever. It's wow. Our GM is making a lot more than Evergy's GM. It's interesting. Like a lot. They're a lot bigger than us.

I feel really bad for these elderly people that just can't—they have to go get greeting jobs at Walmart just to pay their BPU bills and their medication. The whole thing is we've got to kind of figure out square one again because this is just like so far out of hand that it's not even funny anymore. I feel sorry for my neighbors. I don't know how many times I'm just like, hey, I'm gonna pay your BPU bill. They don't want me to, but I'm not going to let you suffer especially in this heat.

Are we going to be held hostage just constantly, constantly, constantly? **Ms. Sparks** said one minute remaining.

Shelley McCann, 7933 Roswell Ave., said I think the PILOT fee should be dropped. Could someone explain what the PILOT fee is and why we have it? What's it for and why? I don't know what it is. Do you all know what it is? Do you understand it? Do you all understand it? We don't

know what it is. Why do we have it? Would somebody please explain that to us? Which one of you commissioners can do it? Kane, can you do it? You're my commissioner.

Commissioner Kane said you're up here to talk about this. If staff wants to answer that question, staff will answer the question. I'm not passing…**Mayor Garner** said we're going to have order here. Ma'am, staff or somebody can answer that question or one of us will answer that question after everybody has the opportunity to speak.

Joe Caiharr, 10550 Riverview Ave., said I live in Edwardsville, KS. I wasn't planning on speaking tonight, but one of my neighbors said something about taxation without representation. Edwardsville residents, we pay this PILOT fee. This tax, they say it's a PILOT fee, it's a tax. It goes into the Kansas City, KS General Fund. We cannot vote on any representation from BPU. When I go to the polls, I have no say in this whatever, but every person up here, this body, you can get rid of this for Edwardsville, at least.

You've known about this since last year that this money is going into the KCK budget, but it's not going into Edwardsville. It was not budgeted. It was about a half million dollars in money and we were like well, we didn't account for that in our budget so we'll talk about it next year. Next year came and gone. We had a budget. We're still paying a tax that is going into another city's budget. That makes no sense to me. I don't understand it.

I can't vote for anybody. I can't vote anybody out. I have two people up here that represent me and they're doing a good job. There's nothing I can do to have a say in this. It's really disappointing that this is a body that knows about a tax that is being taxed to another city that's going into their fund. It's inexcusable from the citizens in Edwardsville. Why are we paying somebody else's bills? If this was happening in KCK and you had a say in it, if you were paying a tax that went to Edwardsville and you had a say in it, you would stop it the second you found out about it. I don't know why it's continuing. I hope that it stops.

Several people came up here and said there's a lot of people hurting. That's very evident. I see it every day in my job. There's more than just the BPU PILOT. Maybe there's a way we can think outside the box and come up with some solutions, come up with some cuts. **Ms. Sparks** said you have one minute remaining.

Mr. Caiharr said something that we can do if we can find some inefficiencies, as a body, just some tax relief. A lot of old people. I've been out campaigning. I'm running for the

Community College Board of Trustees. There's 4 spots and 11 people are running. That's how upset this community is. I don't know why somebody wants to run for Board Trustee on Community College. Eleven of us are doing it because we're hurting that bad and we want to represent this community a little bit better.

Please consider lowering this PILOT. Getting rid of the PILOT for Edwardsville. Lowering it. Helping the citizens out where you can. Finding inefficiencies and lowering this mill rate if you can. Come together as a body and find common solutions.

Thank you for what you do. I know it's not easy sitting up there. You have tough decisions. It's not easy making cuts, but when times are tough, we've got to tighten up the belt. We've got to cut spending.

Miles Van Bebber, 2709 South 79th St., said I look at the Board or Commission, whatever you call yourselves up there. Every one of you probably ran on you're going to lower our taxes. How many of you have done that? Anybody? Where did you lower my taxes? I've paid taxes for over 60 some years in this county. Taxes never gone up, Tom; up, not down. Nothing's been reduced. Sales tax, nothing. When are you going to do your jobs?

Jessie Villarreal, 4045 North 67th St., said I wanted to clarify. Are there going to be any open comments for general comments, or is this the time to do it tonight? Mine's gonna maybe sound a little bit out of left field, but…

Mayor Garner said generally, they have to be related to the matter at hand. **Ms. Villarreal** said that's why I'm asking. Typically in these sessions, you have an open comment section. **Mayor Garner** said that's not for this session. **Ms. Villarreal** said not for tonight. **Mayor Garner** said that will be next month.

Ms. Villarreal said I tailored what I wrote down today towards what am I seeing from my taxes. You say you want people to move here. I moved here in April 2022. Since then, I've been pulled into a battle to preserve the character of my neighborhood and keep my property safe. I've been forced into a lawsuit to keep a Johnson County developer from literally tearing up my property. Since then, the Commission's decision last September, I have endured harassment, intimidation, threats to people on my property. While I'm grateful for the thoughtful consideration that the Commission put into denying his rezoning request, it's become obvious that he will still

ultimately accomplish his goals and turn a beautiful piece of land into one of his many rundown properties.

Here have been some of my experiences, as a taxpayer and trying to get my UG employees to service my needs. From day one, the Director of Planning and Urban Design Office has assisted this developer to the detriment of the taxpayers in opposition. Gunnar Hand lied in front of the Commission when he was asked if there were any violations on the property. He also was not required to hold a neighborhood meeting until after this man completely altered his original plans. Mr. Hand, at the request of the neighbors in opposition, also gave us a list of names that we could gather for a protest petition. After getting those signatures, we were told the day of the Commission meeting that the petition was denied due to not having he proper signatures.

At every turn, we've been on the defensive to preserve the character of our neighborhood, despite being as proactive as we can possibly be. I met with my commissioners and to their credit, they listened, but our tax dollars should be supporting a government that can be held to its own codes and ordinances.

We had to do our own homework to find the code that stated if the developer didn't start work within a certain period of time that that variance was null and void. Mr. Hand tried to say that was not the case and even cited an incorrect code to me and my neighbors. But when we quoted the code, the correct code, all of a sudden he changed his mind. This is not speculation. This is from public records we requested. We saw the conversations where he admitted to his co-workers to giving us the wrong information. **Ms. Sparks** said one minute remaining.

Ms. Villarreal said if we didn't spend hours of research educating ourselves, the man who's tax—our tax dollars go to pay his salary, he would have gotten away with it. Maybe the most disturbing part is up until this recent time, he's not even lived in this county. I believe that's a requirement, a BPU requirement, in fact. So now he has a rental property address, I guess, but he also has an address that he's claiming he lives at down the road that's a vacant property. Oh and wait, it's having work performed on it with a permit that expired in 2021.

I'm going to skip through some of this other stuff because I think you get my drift, since I don't have any more time left. What I want is support from a county, but a county that deliberately works to work against us and no matter what happens with our taxes, remember that the needs of the taxpayers are worth something. When we come to you for the needs of our property and our

lives and our safety, that's what we expect. We expect these high taxes to go towards that. **Ms. Sparks** said your time has expired.

Ms. Villarreal asked, are our needs worth anything? Are they worth $460 million because that's what I've experienced over the last 18 months of living in Wyandotte County.

Mayor Garner asked, anyone else? (No one stepped forward.) We're going to close the comment for the room. Clerk, do we have anyone online? **Ms. Sparks** said yes, we do.

Louise Lynch, Kansas City, KS, said first, I want to say to all of my fellow citizens here in Kansas City, KS, what we're talking about here is not new. All of these commissioners have heard these stories over and over. They don't care. They are not going to go along with what's best for the people.

I want to thank Tom Burroughs and Chuck Stites for going against the grain at the last vote, but the rest of these commissioners up there, I want you to take a good look at them. They don't care about you. The only way you're going to change this is to vote them out. We have the ability to change five of these seats. We need to do it.

I have a unity rally at Rosedale Park this Saturday between 2 and 5. There will be burgers and hotdogs served. For those of the candidates that are running for an office, if you have not been personally invited by me—because I am putting this on as a person—you are not welcome to come or we will have you escorted out.

It is time we give the power back to the people. Enough is enough. The rates of BPU, the PILOT, the taxation, the mill levies, all this garbage is garbage. Offering to give us a dime or nothing and vote to raise our taxes, vote to raise the PILOT, vote for all of this garbage is nonsense.

Seeing people in the street doesn't matter to you. Well, guess what? It's time for election and you all need to go. My commissioner, Mr. Ramirez, needs to be gone. All of you that voted against the people, time's up. Meet me at Rosedale Park this Saturday, 2 to 5 PM at the shelter. Come together. Put your partisan disagreements aside, ethnicity aside, whatever other aside. **Ms. Sparks** said one minute remaining.

Ms. Lynch said it is time that we, as the people, take this county back. Give the Mayor what he needs to put this county back in the right direction because these people up here don't care about you.

CeCe Harland, Wyandotte County, said the first thing I want to say is I'm so proud of Wyandotte County residents for showing up and speaking and having a voice. So many times we come and there's not a lot of people there. So I'm glad for the crowd that we had tonight, and the fact that you had enough bravery to get up and address your government.

I want to reiterate that you have the power over both of these boards. You own BPU so assert that authority and that ownership over BPU and that's where you will get your change.

I'm going to reiterate what everybody else said. Vote these people out who are already on the ballot to be voted out. The ones who voted against or voted for raising the taxes, despite what people said, recall these people. Get them off the Board because when you sit on that Board and say you're going to represent the people and then don't, that should be malfeasant if it's not.

Donna Henderson-Hoyt, Cernech Group, said I have been a leader in my community for many years. I have fought and stood up to support my community.

Last year you guys had sent out a budget plan to try to see who could balance your budget and my question to the commissioners and to mayor was, how many people submitted that budget and how many were able to balance that budget? I balanced that budget. It was difficult based on how you manipulated the questions and the answers. When somebody chose to cut some spending or adjust for spending, you manipulated that system by telling people negative impacts on that. But it can be done. We need to be responsible. Like many have said, tighten your belts, make some tough decisions, and stand up and support the community. The services that we should be receiving as taxpayers for that, Wyandotte County, are null and void.

Animal services. Our community has fought. We don't get the support from Animal Services. Cut that or do something about it and enforce the fines, the fees, and start collecting on some of that. That will bring in an extra revenue stream.

Number two. Your codes, fines, and fees. I've got buildings and properties in my community for decades that have gone to pot where we have constantly tried to get help and it's no change. If you would levy these fines and fees that are on the books for these people that don't take care of their property, you would have another revenue stream; but instead, your employees don't do anything. **Ms. Sparks** said one minute remaining.

Ms. Henderson-Hoyt said and then the same with your building inspections and permits. You have inspectors who do not go out and do their job except from their home. You have

contractors who know the rules and the systems and get away with them and avoid them by not paying those permit fees and fines. That is revenue stream that you guys could be pulling in money from instead of taxing our elderly citizens who are losing their homes, losing their family ancestry homes. It's sick, it's sad, and it needs to change.

Yekaterina Makarenko, Kansas City, KS, said I came to this meeting for a different matter, but since I hear what people are talking about, I just want to say that I just moved here to Wyandotte County three years ago. I sold my big house in Olathe and bought a little townhome here just to meet the ends and be able to send my four kids to a private school because I just don't trust the public schools. Now my property taxes and my bills are coming higher and I need to come up with extra $300 a month to pay that even like I'm paying for public schools better than trust them. My kids go to a private school. My husband and I are finding ways to make that extra money.

I have a neighbor. She's a single mom of three. I don't know where she would go for that extra $300 a month. It's huge. If there are families who can find a way to make more money, meet the ends, there are still some who will deteriorate. The parents will spend more time working trying to pay their bills. The kids will go unattended, and the community will just go worse and worse. I can feel it.

I look at my neighbors. The kids are always on the streets playing together because their parents are at work. Those kids, they are neighborhood—what's it called? I forgot it. The windows got broken and stuff get broken because kids are unattended.

Parents need to work. The more taxes, more bills they need to pay, the worse the community is getting. If we need to fight for the community, for our kids getting better future for the neighbors, then there should be something done to help those people with their taxes and bills by lowering them.

Susan Stevens, 4018 Silver Ave., said I want to echo what one of the other residents said. She was talking about how we're on the verge of bankruptcy and how can we be affording to give tax incentives to big businesses here. I've said this before in different ways when we're trying to look at how to make the ends meet. There shouldn't be developers and businesses being able to come in here and not just pay their fair share of taxes. I think that if they were paying and no big

businesses were making huge profits and then getting a free ride here, I honestly think that would help solve a huge amount of our issues.

I really think we need to put people first. If any businesses don't won't to be here or if they can't get a free ride, then let them go and let's invest in our small businesses and family-ran businesses who could maybe do more business here if they weren't pushed out by the big conglomerates.

Stephanie Barton, Wyandotte County, said I have a question for the Board. Is it big business or the community? There will be no community if these oversights by our commissioners are not stopped.

I'd like to thank the Mayor for standing up against these increases that are directly harming our people. More of the same will never fix the problem. Asking the same people who caused these issues to fix these issues will get us nowhere. You violated the public's trust by putting big business before our community. It is now our duty to hold you accountable by putting people in these positions that will work for us and not against our best interests.

I'm praying for a change of heart and some compassion for all those who have spoken tonight and who feel like they haven't been heard all the other times that they've spoken.

Stevie Wakes said after the revenue neutral meeting, I approached the City Manager, who was recently appointed to serve. I understand that he is still learning and going through the budget. Unfortunately, his job is to review and help develop a budget that I personally do not believe that he has had the time to determine what cuts need to be made to balance our budget. Only he can speak to that. However, if a few of our commissioners—I'm talking about a few commissioners and you know who you are—could stop fighting our Mayor and try to work with him and our new City Manager, then I believe that the real work can begin to bring necessary relief to our hurting citizens who need to be heard and need relief from the tax burden and increased rates upon us.

As a citizen here of almost 40 years, who married and raised a family here, I feel the pain. That is one of the reasons why I agreed to run for the First District of the Board of Public Utilities. I pray that we could stop the infighting and that we could understand what our real issues are and try to address them for the sake of our county, for the sake of our government, for the sake of every

citizen who's out there hurting right now. I believe that you can do it. You just need to put forth the effort to do so.

Ms. Sparks said, Mayor, there are no other hands raised at this time.

Mayor Garner asked, is there a motion?

Commissioner Bynum said a couple of items. On the veto of the BPU, and I believe the item speaks to the PILOT, I think you explained that. Just a couple of comments. The increased revenue, at least yesterday when you and I were meeting with some other commissioners and the Administrator about this item, I asked you if you were referencing the PILOT rate. You said yes and that part of the reason was because the BPU rate had increased and, therefore, we were taking in more revenue from the PILOT. The committee that worked with me to bring the PILOT Relief Program had identified that as the way that we were going to fund that program. That PILOT relief ordinance passed at standing committee Monday night and I believe is on the agenda for this evening. So, I just wanted to make that point.

Commissioner Bynum said another point I would like to make is that, I think, there is a number of us willing to work with the Administrator and, I believe, the Administrator is working with the General Manager at the Board of Public Utilities to find ways to at least remove the fees that are charged on the utility bill off of that bill and into some other way. I think a lot of us support that. That came up in the joint meeting that we had held with the BPU Board members and their General Manager. I think there was consensus to work to move those fees off of the bill.

The point is, many of those fees are user fees such as the sewer charge and the trash. We can move them off of the utility bill. I think there's a lot of support for finding a way to do that, especially in light of making sure that non-payment of one of those items doesn't cause a disconnection. The point there is simply that if we do that, we simply must find another way to bill for those fees. This is another area that requires complete transparency on the part of the Unified Government.

For example, you have a monthly trash fee. If you do not pay that on your utility bill, not every community collects their trash fee in that way. There are communities here in the

metropolitan area that, for example, send you your annual trash bill in January and it's due in full. I'm not sure that I would support that because I don't know what our community looks like if the bill comes in January for the entire duration of the year and it's difficult to pay, therefore, now your trash is not getting picked up.

So, we have a lot of work to do to solve these problems, but I think that we have administrators, a mayor, and commissioners willing to look at that. I did want to make that really clear.

Commissioner Bynum said I have one more thing regarding the PILOT. When the committee that I worked with to bring forward the resolution to provide PIOLOT relief for the targeted population of the older adult community within a certain annual income range—we brought forward that presentation in May—I worked with several members of the community. We worked with staff to bring forward the proposition, again, that is on our agenda tonight.

One of the things that came forward, as a result of the study and research that we had done along with staff, is that the PILOT fee is, by state law, a collection of revenue which is a percentage of the BPU's gross operating revenue. That is a state law. There is a portion of our charter ordinance here at the Unified Government that requires the BPU to transfer a percentage of gross operating revenue to the Unified Government. Further study could be done in these two areas such that, as many of you have said and requested, there is no PILOT on your bill because the state statute and the charter ordinance do not direct that. What they say is, revenue on a percentage of the BPU's gross operating revenue, a percentage of the gross operating revenues are to come to the Unified Government. That's what the laws say. I would want to have further study to clarify with Legal whether those laws also say, and those revenues should come from the ratepayers because I'm not sure that those laws say that.

So, that's sort of a big elephant that's been sitting in the room for an extremely long time, but that is what the state law and the charter ordinance say. So, I wanted to take a minute and point that out.

Mayor Garner said to hit on the, I guess, comment you made involving me, yes, I do know that resolution to, hopefully, give some PILOT relief to our residents passed through standing committee. I didn't veto this item because of that. If you watch the BPU presentation that was given by the BPU General Manager, they listed a historical graph, and I encourage everybody to

go back. They really talked about the PILOT and how it started and where it started from. What you've seen is a gradual increase to 11.9%. Really, to answer anybody that's curious about what the PILOT is, it's just a tax. I'm just going to call it like it is. It's a payment in lieu of tax.

The Unified Government owns BPU. They throw that tax on there in simple terms because they know you're going to have to pay for it or you're going to get cut off. That's just a way to collect tax dollars. They can raise it or lower it at their whim.

They've added additional fees on there and that's why I vetoed it because those fees across the board have been added to the BPU that is going to add an additional tax. When the BPU raise their rates as a result of the PILOT, you're going to see an increase. The UG is going to bring in more money as a result of that through the PILOT.

The General Manager mentioned in that meeting that the PILOT was supposed to have come down by past promises from previous Commission's to, I believe, at or below 10%, but we haven't maintained that commitment to the BPU or to this community. We're nowhere near where we started at when the PILOT began. The equivalent of a PILOT is a franchise fee for any other utility. The average franchise fee is 4 to 6%. Ours is 11.9%. You can see where we're at and how we measure up against other utilities of the same.

So, we use that as a way to just bring in more tax dollars. I say, and I join the public here, that enough is absolutely enough.

Commissioner Townsend said just one or two things. For those who don't believe that we don't feel what you're saying, that is not true. Maybe the way that it's being displayed now with the concerns raised by how much are valid, but it's not valid to say we don't feel that. Each one of us has to pay as well.

Commissioner Townsend said for the person who mentioned not necessarily about the PILOT, but a statement I made about taxes and assessments, that was misunderstood. Go back and look at the tape. Look at what our neighbors to the east, Jackson County, has just done. I talked about assessments and I hold to that that we have to investigate how these properties are assessed. This Board votes on the mill levy, but what all of us pay in rates is a factor of that mill levy and what the assessed value of properties are.

I want to know a whole lot more about how properties are assessed and when my tax, your taxes are assessed, what's being compared to that? That's what we need to look at. That's what I said. That's what I hold on to and invite any one of my commissioners—there are several who have expressed a desire to look at that more fully and anyone else. So, just let the record be clear on that.

Mayor Garner said I share in Commissioner Townsend's sentiment that we do need to look at our assessments. We do need to coordinate with the state to see what they can do. But as some of my colleagues know and a lot of you know, the state gave local municipalities an option. It's called revenue neutral. So, until we can get to that point, revenue neutral allowed municipalities to set the mill levy rate that would represent not allowing a property tax increase because your valuations increase. That's what's called revenue neutral.

Now, we know costs go up. Inflation plays into that, but what does that do? Hard times call for hard measures. You tighten your belt. You do what needs to be done to come to a balanced budget. That's what this Commission has not historically done. Their fix is continue to tax, spend, borrow, and deplete our reserve funds to make up the difference. To me, again, that's unacceptable. Enough is enough.

Commissioner Townsend said (inaudible) taught me how to add and subtract and buy. Last budget I voted against the general budget because about six mills were added to reopen a fire station. We were in a lot more red than we are now. While that was painful, there are those of us who do realize you cannot spend more than you're taking in. So, that was painful. One other commissioner joined me in that.

Again, I look forward to looking at assessments and how we can bring down tax rates.

Commissioner Davis said I think I had some communication with some of my constituents on Facebook and email and some of you, call their office. Wanted to try to give you a call before then because this setting, in my opinion, is just not conducive to as much productivity. There's a lot of complexity that comes with this decision. I would hate for one vote, or two or three Commission meetings to then shape how you see myself or anybody else up here.

There are some things that I think kind of have been missed as far as the budget. This is just how I see it. On one hand I have residents that will call me and ask me for relief. We'll say fees are too high. They'll say taxes are too high. They need to lower. Those same residents in the same conversation will ask for new curb, street, sidewalk, all of these things that are currently not in the budget. So, I try to find the middle of what I hear, not just from a particular neighborhood or a particular group, but from all of my constituents and see where is the middle. Overwhelming, and I have all of the calls and the notes to prove it, the middle has been, Commissioner Davis, we want relief and we want improved services. We want relief and we want improved amenities.

Mayor Garner said if we can maintain order. Just allow the commissioner to speak and be respectful; decorum, please.

Commissioner Davis said that is my perspective. Within this budget on the relief side, we have updated our Senior Tax Utility Rebate. We have updated our Utility Tax Rebate. That's more money in the pockets of seniors. We are rolling out a new program, a BPU PILOT Relief Program, that will for seniors that qualify, you won't have to pay the PILOT. That starts in the 2024 budget. That is the relief that we could find within this budget.

But there's the other side. The improved services. We have 13 unions here. We have employees here. Our employees, there's no way any of us can answer your calls or provide service if we don't have adequate staffing, period. We have lost staff, which has had an impact on the level of service and quality of service that we have been able to provide.

Commissioner Davis said there's questions and comments about developers. I ran not on going revenue neutral. I did not run of universally cutting taxes every year. I did not run on that. What I did run on was using my academic acumen and using arithmetic to ensure that decisions are made properly. One of the things I ran on was a community benefit ordinance. This would solve some of the very issues that folks have said which is that we feel like development is coming here and they're not necessarily paying directly into the community. That work is still ongoing. We actually have language and was actually introduced in the Mayor's Economic Development Task Force. I'm also working with Churches United for Justice to bring forth an affordable housing

trust fund because, again, I hear the cries for relief. I hear the cries for relief. We need real legislation to push that forward.

I say all this to say that on the expenditure side, we have Police, we have Public Works, we have Fire Department. We have Parks and Recs that has been underfunded for years. We have the DA's Office, the Sheriff's Office. We have over 30 departments here in the Unified Government because we are consolidated county and city that all provide services, services that you all have asked us to provide. So, that is why I'm not for revenue neutral.

Commissioner Davis said before I stop my comments here, I do have a question for our staff. When do we need to adopt this budget? What is the state statute? What's the deadline? Tomorrow?

Mayor Garner said I believe it's tomorrow. They have to notify the state of the mill levy.

Commissioner Davis said so that's the other side. The deep dive that you all are asking us to do—our County Administrator, who got here six months ago and has done a phenomenal job, including reducing the debt by $3 million in this budget, in just six months, he's been able to do that. We're just getting started with his tenure. We're just getting started. I know that is not the answer that many of you are looking for, but I feel like before voting, you, at the very least, I, at the very least, owe you an explanation. I, at the very least, and I'm ready to talk with you as long as you're respectful, as long as you're not trolling, as long as you're here to have a real conversation, I'm ready. We can disagree all day, but I want to go home just like you want to go home. I have a family just like you have a family. I have family members that are complaining to me about the same issues that you're complaining to me and they're asking both for relief and improved services. We are trying. I am trying. We are trying.

Commissioner Davis said the state of Kansas revenue neutral has not been beneficial for cities. There are other revenues such as the local ad valorem tax, which has not been funded for 20 years. It's a state program that our state has not funded. It's designed to provide tax relief. You're being double taxed by the state.

There's more there. I'll be sharing more of that. The Kansas Association of Counties has that. This is not, ad valorem, this is not an easy decision. At the very least, I wanted you to hear that from me.

Commissioner Markley said thanks to Commissioner Bynum for her explanation of the BPU PILOT. It is complicated. I would urge you to reach out to your elected official if you want to talk more about what that is and how it ends up on your bill because it is complicated. Thanks to Commissioner Davis for his discussion as well. I'm not going to belabor the point. We have to pass the budget by tomorrow. I think the middle that Commissioner Davis addressed for us is the flat rate budget that we have proposed. It's a flat BPU PILOT and it's a flat mill levy. So for purposes of the PILOT, which is the first item on our agenda, I would make a motion to override the Mayor's veto.

Action: Commissioner Markley made a motion, seconded by Commissioner Davis, to override the Mayor's veto.

Commissioner Ramirez said Commissioner Davis alluded to it already. There is another. It is the local ad valorem tax revenue fund. That is the percentage set aside from state sales tax that is collected from throughout the state that the state legislature is supposed to provide to local governments for dollar to dollar tax relief, which they haven't funded since 2003. If the state funded it at $128,000, we would receive $6.8 million, which is equivalent to 3.6 mills we could reduce. If they funded at $150,000, that's $7.5 million which is 4.3 mills. With just $200,000, we would receive $10 million, which would be 5.7 mills. Meaning, we could take that money, do tax relief, and not have to cut anything. The state can do $200,000 because by June 2024, we will have a $3.2 billion surplus in the state budget. So, $200,000 is a drop in the bucket for the state.

We, as a community and as a Commission, need to advocate to our legislature, to our Speaker of the House, our Senate President to fund the local ad valorum so that we can provide tax relief while not having to cut programs and services. There are avenues out there, but we need to have the advocacy to do it. So I ask you, come January when our legislature comes back in session, reach out to your state reps and to your state senators and ask them to advocate to fund the local ad valorem. I'm going to do the same. I'm not going to write a letter. I will go up to the

capital and meet with our legislators and ask, on behalf of my district, to fund that local ad valorem. If we can fund it $200,000, that is $10 million of free money we get from the state and we can lower the mill by 5.7 mills and cut no programs or services. It's a win-win for everybody.

I'm going to continue to advocate for that. I just wanted to make sure that those stats and those numbers were out there so that everyone understands that we do have another avenue to pursue.

Mayor Garner said there's a motion on the floor and a second. Any further discussion? Clerk, roll call.

Roll call was taken and there were eight "Ayes," Davis, Bynum, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley; and two "Nos," Stites, Burroughs. **Commissioner Stites** said, prior to his vote, I just want to make sure that in voting aye or nay what that means. The motion is to override your veto, so a vote for yes would mean that you are voting to override the veto. Is that correct? **Mayor Garner** said yes. That means you're voting against my veto.

Mayor Garner said if we could maintain some decorum. This leads into the next part of—we have an Item No. 3, which is going to be our budget.

Item No. 3 – 212761…VETO: MAYOR'S VETO CITY/COUNTY BUDGETS

Synopsis: Veto of Mayor/Chief Executive Officer Tyrone A. Garner to Resolution R-57-23/Ordinance O-108-23 approving and adopting the Amended 2023 Budget and the 2024 Annual Budget of the City of Kansas City, Kansas, and Wyandotte County, submitted by Tyrone A. Garner, Mayor/CEO.

Mayor Garner said if I can talk a little bit about the budget. I've heard some comments being made that we have to find the middle. Well, I've been working here for over 32 years now and I'm beyond finding the middle. I want to know where the money is. When I look around this town, I don't see—when you look at—and I'm going to go through and walk you through this. This is going back to 2019, the budget increases.

The budget, starting in 2019, was $376 million. It went to $394 million the next year. Then the next year $381 million. $420 million when I became mayor, was approved. The year I was mayor, $432 million, which is the budget we're under now. This budget that we're looking at that this Commission approved that I vetoed is now $466 million. That's on top of almost close to about $90 million worth of ARPA funds that were given for COVID relief. We've had money coming into this town and I keep asking when you talk about good services and resources, where is that money going when there's weeds growing up out of the sidewalk. You call 311 and nobody picks up the phone.

You've heard the complaints from developers trying to get something done from this government. The auditor said it, this isn't me. What we've experienced with this is decades of questionable management. So, when you talk about where's the money or where's the middle, I say I'll take it a step further. Where's the money.

I hear things like oh, well, next year or let's look at the state. I've heard a commissioner talk about let's advocate the state. Well, this isn't the state's problem, number one. If you're telling these people to go do the same thing to the state that they're doing with you, good luck. You're asking them to do what they're doing to you, which is to advocate for relief and it ain't happening. I don't think anybody would go to the state and follow anybody up there when we're not even listening to the people.

Mayor Garner said all I can say is that we have a budget and I went over that with you. I vetoed this budget and that's the next item on this veto is the actual budget itself, which I talked about, $466 million. Again, what we've seen are increases across the board with absolutely no relief.

I know we talked about the PILOT. There was an increase to pay for that PILOT relief. So no matter what, it's an increase across the board. These are what the people of Wyandotte County have been telling me, as mayor, everywhere I go in all four corners and everything in between, Mayor, we can't do anything. We need relief. All demographics, all backgrounds, all age groups. BPU PILOT to the budget. People are saying we can't afford to live here. Businesses are telling me, and I'm trying to attract business, we've done the market study. That's not an attractive place to do business unless you give us huge incentives, which give us the farm, to come here. Then when we do, most of the employees don't even want to live here themselves. So, we've got huge issues.

Mayor Garner said, again, I'll open public comment. I did veto the budget. This is an opportunity for the public to come forward and talk about the budget, which basically is property taxes.

Again, no, this Commission did not raise property taxes. They did not raise the mill levy. That is the truth. That's where revenue neutral comes in because it equates to when your valuation goes up, it equates to a mill levy increase and that mill levy increase brings in more tax dollars through property taxes. This Commission, just like every other municipality, has the ability to put a pressure point on that and say we are not going to take that additional revenue from increased mill levy rates. We're going to put a pressure point on and give you some relief. Even if we don't want to do it all, last year they decreased two mills on the increase, so it wasn't the whole nine mills. It was equated to about seven mills. Still an increase.

This year they've done nothing. For me, as a mayor, that was unacceptable especially when I've heard people in this room and across this county say, Mayor, I'm going to lose my home. Then we sic codes on people because they can't fix their properties. Well, okay. They've got to make a choice. Do I put a new roof on and paint my house or do I pay my BPU, my light bill, and my property taxes? Do I put food on the table? We listened to a young lady the other day talking about how she was living off of less than a thousand dollars and she didn't know what she was going to do, a single mother of one. Broke my heart saying, don't do this to me.

This Commission has the ability to cut, streamline. I've done it. I've been an executive. I've done it. You say, where do you cut? This Commission—and I didn't even get involved in it because I wanted to see if this Commission was going to do the things that need to be done if they were really listening to the people—were given options and opportunities to do just that. They didn't take those opportunities. That's why we see increases across the board.

I know in my line of work when I was an executive, I've been given a task. Tyrone, you cut 10% out of your budget and I need it within 30 days. I did it. Tyrone, here's your budget. Don't spend a dime over it. Don't borrow any money and don't overcharge anything. You operate in this budget. I did it. I've had to lay people off, not that I'm advocating for that. I've had to not fill positions. I've had to not buy certain things that were wants and not needs. When you're struggling financially, those are the hard decisions and choices you have to make. It's called shared sacrifice and it's called leadership and that's what we are.

The community voted us to lead. I know these are hard decisions but if we're going to get out of this mess—when you're looking at going into the red all the way up until 2028, and I don't

even know what it looks like after that, I don't see any blue sky with all the debt we have and we keep operating as though everything is great. Let's keep spending. Let's keep building things that we don't need and buying things we don't need. Let's keep borrowing.

I haven't heard one in this budget cycle, one thing that was cut to streamline and bring in more efficient, more effective, more customer service-friendly government that brought about a balanced budget, not in 2028, but could bring about a balanced budget this year or next year. I can tell you, big companies, that's how they operate and they're successful. I don't know what's wrong with the Unified Government.

So, if anyone would like to come forward and talk about the budget, property taxes, this is your opportunity.

Ryan Parker, 1040 Edwardsville, said I like how you pass the buck to the state. That's great. I would think if you had shown us in that ARPA money that you really were engaged in tax relief, you would have shown us rather than tell us to go storm the gates of the state. You've never shown us that you want to do this in the past, so I don't know what would make me think you want to do it tomorrow. Tomorrow is a funny word from the last Commission meeting. Commissioner Bynum wants to look at things tomorrow after the pass today. I found that highly offensive as a Wyandotte County taxpayer.

As far as the middle, being a Wyandotte County taxpayer who moved out of KCK to try to help himself, I now live in a city that pays you but you don't really do anything for me. So, I just want you to cut it. I don't want you to give me nothing. How about that? Just cut the taxes. I just want the relief. You don't do nothing for me now but take from me. So, how about you just stop taking from me. Quit robbing from me. I feel like you've got a gun to my back. You don't give me nothing, you just take from me. That's all. That's all you do, Unified Government, the un-Unified Government of Wyandotte County.

I don't know why I'm even talking to you guys. Obviously, I already know how this vote's going to go. Two against everybody, right? Why are we even—it's a moot point. But, hey, I'll say my peace anyway. I'll sleep at night knowing that, obviously, you, at the end of the day, your words are only words. Your actions speak much louder. Your past actions mean nothing to your words tonight.

Fannie Hill, 4310 Parallel, said I have a copy of the budget. I took a look at the budget and I could balance the budget from what I saw. Nowhere in history is there a fire department that gets more money than the police department. That budget could be cut. Then the $10 million revenue that came in last year that our tax could have been lowered that didn't take place. Then the ARPA fund money that came in, the $85 million, somebody came to one of my monthly meetings and I said who are you guys? Where you come from? They were shocked. They looked like Muslims. He said well, we're looking for the ARPA fund money. I said well, it's not here. You all say it's not here either. So, it's somewhere.

There's a lot of money in the budget that I looked at that could be cut. We talked about the pizza party money. That's about $400,000, $100,000. It's a lot of money. I think I'm like we don't need a pizza party. I'd rather have my taxes cut. I can pour my own pizza so put that money in the General Fund.

Then I talked to Ms. Bynum and commissioner about the casino money. That's a lot of money that the casino gives that's given to the budget. I've been looking at that. Do any of you look at that? I saw a skate, a bike ride, a scooter thing. What I saw on there I thought this is ridiculous and we need tax dollars. When I saw—what I said, so I could just come up with a name and say I'm going to have a skating thing in the community for the community then I could get a grant. I thought, really. Have any of you all checked into any of those things and see if they really exist or people just—I just couldn't believe it. I couldn't believe what I saw. It's a lot of wasted spending.

There is no budget. Nobody goes millions over a budget. When you get close to your budget being over, you stop there. I think now really and truly, you could, I may be wrong, but I think you guys just want to keep spending the way you've been spending. **Ms. Sparks** said one minute remaining.

Ms. Hill said I talked to them about taking the tax off the tables with the developer. We need tax dollars. How can we keep giving away tax dollars and we need it? Be negotiators. Negotiate with these guys. Tell them hey, we're hurting, people. We'll give you a year's taxes until you get up and running, but you're getting rich off of this business so why aren't you paying taxes. After two years, your business ought to be rolling and you ought to be paying taxes. Why are we giving 5 or 10 years? It's just no negotiation going on. No budgeting going on. It's just spend, spend, spend, spend. You know why? It's simple. Just ask the taxpayers. They have to

pay it. It's like you've got us over a barrel. You've got a chokehold on this. That's what you've got.

I talked to commissioner a long time ago. I said, Commissioner, you're drowning us in Wyandotte. I said, Commissioner Davis, people's heads are under water. My chin is on the water and you're pushing me. You think I'm not going to fight. If I have to be here by myself, I'll be here. I'm not going to let you drown me, not without a fight.

Jessie Villarreal, 4045 North 67th St., said I didn't plan to get back up here, but I've got to finish what I was going to say. I heard somebody mention the fact that permits aren't even required for people that work for the Unified Government. Also, developers that come in from Johnson County and need to pull permits but don't pull permits. Even today, I was told by the permits department that they didn't have enough evidence despite the pictures and the drone footage that I sent them of over an acre of treed land that was cleared, with no permits pulled, where this developer is going to put people on my property line to hunt. They, after much back and forth, said sorry. We just don't have enough evidence. So, if you actually got them out of their offices to come and see for themselves on my street, which they could see from the road but they don't leave their offices, would that be considered a revenue stream for everyone?

I have dogs dumped on a regular basis at the end of my dead end road, but we have nonexistent animal services in this county. I can't get my trash picked up in this county either.

Lastly, it's offensive to me that people up there can't even look us in the eye when we're up here speaking. You're up here laughing at whatever text message conversation you're having. It's a good thing I don't think you're running again. It's a good thing there's somebody running against you because it's shameful. You should look all of us in the eyes when you're going to put these people in this position.

Alex Sanchez said, Mayor, thank you so much for your stance and sticking up for us and representing us; Commissioner Burroughs and Commissioner Stites. The rest of you are an embarrassment. You have no ears to hear what the people who put you in your position are telling you. UG is not working. How about we disband UG and go back to the way it was because of the inefficiencies? How about we get rid of the duplicated departments and agencies between the BPU and the UG? How about we let the service providers come to the Commission to provide bids on

behalf of trash and all the other services to deal with us directly instead of having a bloated operation that is failing everybody?

I heard today that there's an excess of what, 40,000 pieces of property in the Land Bank. Turn that around. Focus on that. Focus on what you have and make it work. Instead, all you know how to do—and, Commissioner Bynum, I just love that little shell game that you played as if you're actually doing something. Absolutely shameful. Absolutely shameful. My house, seven years ago, was $75,000. I look on Zillow, now it's $257,000. My ad valorem from last year was $130,000. This year, it was $171,000. I think the actual figure was it went up $38,500. That is an absolute pitiful joke.

Balance the budget. Look at the duplication of services within the administrations. If you cannot do that, do the county a favor and resign. **Ms. Sparks** said you have one minute remaining.

Mr. Sanchez said we'll get people in here that are going to do the job. I just took a 20% pay cut at work. I can't go to them and say well, that's not good enough. I need more. There's more stuff I want to buy. Not cutting it. How about I come to you and have you vote on a salary increase for me to make up what I lost at my job. Is that going to happen? No.

Thank you, Mayor. Thank you Commissioner Burroughs and thank you Commissioner Stites. The rest of you, unbelievable. No matter what the people here tell you, you have no ears to hear. I can get—I'm not going to, but people here have had it. If you don't get your act together, you are going to force this county to go into receivership. Do you understand that? Do you want that because then you have no say. It's all the state.

Yes, they're sitting on an incredible surplus at the state level. **Ms. Sparks** said your time has expired.

Jerry Vest said I've been a businessman most of my life at 13th & State. This is very much upsetting to me because my taxes are to the point I can't afford employees anymore. I've had to get rid of my employees. You can't hardly get taxes in Wyandotte County. I tried to get taxes right up the street at Farmer's and it's so expensive. When I told them Wyandotte County, they said, oh, you can't do that because of the tax we have here.

I've called a lot of people. Universal Construction Company's been around here for over 50 years. They're planning on moving. Look up and down Minnesota Avenue, State Avenue, all

over the city. How many vacant buildings do we have, businesses that used to be thriving that are now empty?

Years ago we had a commissioner that I was complaining about my taxes, which aren't near as high now or higher now, and he said we had ten businesses. We had four businesses close so we have to raise the taxes on these six businesses to make up for the four that we lost there. I said, really? What you need to do is you need to take a cut in salary, the whole UG Government, not just you guys, until you can figure out a way to get the money back in. He said well, that's not going to happen. I said, what do you think you've done to us? You've cut our salaries when you raised our taxes. I can't afford an employee.

There, again, there is Unified Government employees that need to be fired. I know lots of people. I go to a lot of meetings, believe me. Everybody knows that. I go to them. They don't want to see me because we've had people complain about the Unified Government. When you try to call somebody, you can't answer the phone. I've had this problem for years, many years ago, the Unified Government.

I think you have to be paid off to get something done in our city. I really do. I had a man that I kept calling him and he would never be there so I went to the fifth floor and I called him. They said well, he's not here right now. Open the door and he was sitting there with his feet on the desk. Now that man needs to be fired.

Years ago I got a bill that I thought I had already paid. **Ms. Sparks** said one minute remaining.

Mr. Vest said when I bought the building, I thought I paid it. The following year I didn't get any bills for two more years. All at once, I had $7,000 in penalties and interest. I said, why didn't they send me the bill for two years? I'm willing to pay it. Nobody could tell me anything. Now that's Unified Government that screwed me over. I lost over $7,000. Is that fair? Tell me.

Anyhow, more vacant buildings. Go around and look at how many vacant houses there are. They're everywhere and you're the reason why.

Cheryl Yates, 4525 North 108th St., said I heard it said once that sometimes governments, politicians, you name it, those in charge of mandating what we are expected to do, sometimes they create problems. It's obvious from the sentiments in this room and what I've seen here in this

county all of the time that I've lived here—some of you continue not to look us in the eye—but I've seen the decisions that you've all made, now and in the past, have created problems.

I called our commissioner yesterday or maybe it was Tuesday, I guess, and he called me back. We had a nice little chat. I expressed my concern that he not vote against the mayor's veto. His response to me was well, I'm going to. You just don't know the whole story. I'm going to. There were eight of us, or whatever the number was. We all voted. We all agreed. I said, sometimes you have to stand up and be counted and not vote the way the others are voting. You need to listen to people and you need to take a different approach.

Today, I called the office and asked that the same message—oh, and he told me he was the only one that ever responded—asked that the same message be delivered to all of the commissioners. I got a call from Chuck Stites right off the get-go. I got a call, a message, from Andrew. Andrew's response to me was well, I'd like to talk to you about the relief programs that we're going to have too. This is the concept. The problems are created by the bureaucracy and then the bureaucracy runs in with relief programs which ends up costing the city, the governments, way more. **Ms. Sparks** said you have one minute left.

Ms. Yates said it does not work. You can't create the problems and then act like you're moving the shells around to give us relief. You're creating relief programs. It does not work. We're not blind to it. I would say probably everyone in this room has figured you out. We're asking you to change the way you're doing business.

Marie Jordan-Hodge, 2724 South 79th St., said I'd like to say, Mr. Mayor, I appreciate you. Tom Burroughs, I appreciate you. Mr. Stites, I appreciate you. I don't know how the three of you come to work every day and work with these other folks. I just can't imagine it myself. The one lady there, Melissa, you amaze me and so do you, and so do you, and so do you. I just hope that we all have the guts to vote you out the next election time.

Also, I was wondering about we were talking about vacant buildings. I don't know if you can answer this right now, but I wonder about the Cerner building. What a waste. Is that costing us? It has to. What are we doing with the Cerner building? No answer? That's a multimillion-dollar building. It seems like we could do something beneficial with that building.

Mr. Burroughs, I really appreciate you. He's a very nice man. I know him a little bit.

Phil Lopez, 5408 Osage Ave., said I just want to go over a couple of things. This kind of makes sense in a way when you look at the numbers why we need higher taxes, I guess. I don't know. Maybe because we blew all of our money.

How much money did it cost us to get rid of Doug Bach? And then this other county administrator we hired and then she didn't show up. She goes back and she works for KCMO.

I have a tree service so I do a lot of work for big outfits. Me and Steve Dunn are pretty tight. I met him a few years ago. I like him. He has no filter. He cracks me up. But anyway, he owns this blue hat. He text me or called me the other day and he's like, you know, it's funny—he's mad at me right now because I didn't take him hog hunting—but he said it's kind of funny that they sent a lady over to 8300 or the annex building to do their tags. She's got a check for $700,000 to give to Wyandotte County. She's batted away because they only do two or three tags. You're going to turn a $700,000 check away? I just don't get it.

I do a lot of work for Johnson County Waste and Kansas City, KS. You guys buy the same equipment I buy. Johnson County Waste buys the same equipment I buy. You guys have the same salesman. Johnson County Waste has the same salesman. I have the same salesman. Skid Steer's what I buy. I buy big equipment. Skid Steer is probably about $120, $150,000. Johnson County Waste went to my salesman, which is your salesman, and said hey, this is what we're going to do. We're going to buy this $120, $130,000 Bobcat from you but we're only going to give you $20,000 because next year, we're going to trade in for a brand new one with low hours. Then Bobcat can take it and sell it for a brand new price. Why can't we do that? Why are we spending…**Ms. Sparks** said one minute remaining.

Mr. Lopez said …$120, $130,000 on the same equipment Johnson County Waste is buying for $20,000. I want to start my own municipality and do the same thing, but I can't. Why can't we go to our salesman, to Murphy Tractor, to wherever? You guys have the same equipment I have. Same salesman. Anyway, that's just my taking. There's ways. We've just got to put our heads together a little bit better.

Joe Caiharr, 10550 Riverview Ave., said this community is a great community. We all love it here. We don't love the taxes, but we're very diverse. We've very resilient. You have great department heads. I know several of you. Worked with several of you. We have good people all throughout this community. I believe if you, as a body, were to cut this budget by 5% across the

board, or even a little more, that the people in this community could find a way, the people in the UG could find a way to make it work. Yes, some services might be reduced a little bit, but we're going to find ways to get a little bit more efficient, be a little more effective, save that money like Mr. Lopez was talking about, find ways to be more efficient. Demand this of your employees and see what they come up with. You have good people here.

I agree with Mr. Davis. This is not a great environment. It's us versus them. It's you versus them. This isn't great. We are all one. We all live here. This is very divisive, but we can do better. We can work together. Community and the body can work together and that's what we're asking for, some relief. Show us, give us some hope. Please don't take it all. Just because our property valuation went up doesn't mean you deserve it. Please don't take it all. Show us, give us something. Give us some hope. I know you're going to take a deep dive, but do something now. You have the opportunity to do something right now.

The Mayor's given us one last glimpse. Please, give us something. It doesn't have to be all of it. I really doubt we're going to go revenue neutral. I don't see that happening. We have costs. There's things that are expensive, but rely on the people, the staff, to make the cuts. Trust them to do the right thing. Make them dive deep like you're talking about doing next year. Force it to happen. Make the tough decisions. **Ms. Sparks** said one minute remaining.

Mr. Caiharr said I don't know what that looks like. I don't know if it's a one mill, two mill. I don't know what that is. That's for you to discuss. But this is very divisive and we're coming saying, please work with us. Show us something. We can do this. This isn't us versus them. It's not I don't like the mayor. I'm not going to work with him. If that's the case, please set that aside and represent the people who elected you. Please do that for us.

Reece Tower, 709 North 6th St., said I'm with this young lady right here. We need to, if it's possible, we get the developers department audit. If you're going to do anything with our tax paying dollars, can you please get the Unified Government audit from the beginning to the end so that we can actually see where our tax dollars are going to.

I've also had friends that are developers that have dealt with Mr. Gunnar Hand and he has not been fair to them. They have been blocked. They have been stopped. They're willing to come in to use their own money to build. They're not asking for the Unified Government money.

They're not asking for tax breaks. They are from Wyandotte County and want to give back to Wyandotte County, and they have been blocked on every, every area.

Gunnar Hand needs to be held accountable because he's part of the reason why we have nothing in Wyandotte County because he shows favoritism to certain developers. Half of these people that come in, they don't even live here. They make decisions by, they make decisions—let me say it again—by him, as a developer, but in reality, they don't live here. You've got everybody making decisions for Wyandotte County that don't live here. We need people here that have the best interest in Wyandotte County that knows what we need. He needs to be stopped. He needs to be blocked. If he does not live here, he needs to go.

We are suffering. We're all suffering from the same thing: high taxes, high utilities. There's no development being done.

They don't want to work with the mayor. You have three people that only come together for the community. That is sad. Bynum needs to go. She's walking around the answer, talking around the answer, but she is not for the people. Ramirez needs to go. There's too many issues. We all have the same concerns and they're not being addressed. It's time that we start addressing, as taxpayers, the decisions that are being made. We need to start addressing those problems, and we need to get rid of people that are not in the best interest of our community. That starts with the developer's department. **Ms. Sparks** said one minute remaining.

Ms. Tower said that starts with the commissioners. That starts with—even if the mayor doesn't go with us, he needs to go, but he goes with us. So, at the end of today, I am asking that you please bring back the audits because those were shut down. Bring back the audits, the Unified Government, from the beginning to the end. If you don't do nothing else with our money, we need to see what the developers are doing, how our tax dollars are being used, what kind of tax breaks are being given.

We need BPU's audit because obviously there's a lot of issues with BPU. The PILOT, where is our money going to? It needs to be audited. Why does the general manager make over $300,000 a year? That's a problem. You talk about you don't know where the money is. The salaries are ridiculous in this county. You have more than one person in the same position. We've got about four or five assistant county administrators. We don't need that many county administrators for one small town. You need one administrator and you need one assistant. That's it. **Ms. Sparks** said your time has expired.

Ms. Tower said you got too many people getting paid way too much money off the taxpayers. Then I don't believe anybody out here that's over the age of 65 should not be paying taxes. They should not be losing their homes. They are on fixed incomes. That's a problem.

Then let's talk about the Cerner building because somebody came in and tried to do some things with the Cerner building and that got shut down. Mr. Block had an idea for the Cerner building that was going to bring in revenue. That idea got shut down by our Commission. Now you may not think that we're not paying attention to what's going on, but we absolutely are paying attention.

We are going to start holding you all accountable with our tax paying dollars. We are your boss. You don't tell us what to do, we tell you what to do. If you cannot, if you refuse to do what we ask you to do, then you've got to go. Bynum's seat is up this year. She needs to go. If you live in her district, vote her out. Ramirez's seat is up. He needs to go. If you live in his district, vote him out. The power is in your hands, not theirs.

Bette Mc Gill, 2762 Espenlaub Ln., said I usually don't do this. I am 70 years old. I'm still working every day. I'm working every day because I can't afford my bills. I just sold a building because I couldn't afford $6,000 a year because I sit on a corner. I sold the building. My daughter was in there doing t-shirts. I moved her in with us. We're crowded; we're making it.

When I shut that building down, I called BPU and I said I want to shut the utilities off in this building, but I want to keep them at 3410. This is on Gibbs Road. They said well, there isn't any utilities in that building. I said well, I'm standing in the building and they're on. I thought to myself then oh, hell. We're in trouble. I said shut them off then.

The guy who bought the building is going to call you. Keep them on at 3410. They said there's no water on at 3410. I said yeah. I flush the toilet and wash my hands several times a day. There's water on in this building. The next thing I know I got a bill and they took 30% off of my BPU bill for me. Now, I've been paying a bill every month. I even got my deposit back so I even would had money to the plus. I got a $13,000 BPU bill and I'm paying $388 every month on top of my regular bills for the next three years, so I guess I'm not going to retire anytime soon.

I never thought that I would run for office, but I'm after that office right there, Christian Ramirez, because I've had enough is enough. Enough is enough. I listened to what you said. You

tax us and you tax us and you tax us, but then people want something. **Ms. Sparks** said you have one minute remaining.

Ms. Mc Gill said yeah, we do want something. I've lived on my street 40 years. It's never been paved. It was never in that budget. Forty years my street getting paved was never in the budget. Just curious.

Thank you, Mayor, Burroughs, and Stites.

Bonnie Smith said this is my first time being here, but I will be back. I've got to leave because I have to get up at 5:00 to go to work to pay my BPU bill. My BPU bill this month is $509 just in case you all want to know. That's all I've got to say. I'll see y'all at the next meeting.

Robert Karl, 3420 North 67th St., said I don't know if y'all noticed that the atmosphere has kind of changed around here. Went from one of people sadly pleading to then hearing y'all's response and to now people angry. I'm not coming here in the spirit of anger. I get the frustration. Totally understand it.

I think there's been a misunderstanding what government's purpose actually is when it comes to the budget. There is a very basic purpose for government. We're too big. Most governments are too big. The misunderstanding, and forgive me, but Andrew Davis, you spoke right to it. There's people that are asking for tax relief and then there's people asking for more service. It's not your job, as government, to provide those services. It's not. You're providing too much. If you think you're not providing enough then you're staying in office to pat yourselves on the back because you provided a measly little give back in a relief. Oh, wow! It's like I'm going to go to Walmart because they got a 30% off. I'm still spending money. I didn't save anything. I spent money to get a 30% off. That's not how budgets are supposed to work either.

Government's purpose is to provide the basics. We hear about the roads, right? Y'all can't handle a pothole. Stop trying to do what churches used to do in the past. Stop trying to do all the things that we, the people, can do for ourselves. That includes things like take care of the homeless, take care of the poor and the needy. It is a directive given to us by God to take care of our fellow brothers and sisters. It is not the government's job because the government doesn't do it right. They are a belief system unto themselves, a power unto themselves, and a god unto themselves…**Ms. Sparks** said one minute remaining.

Mr. Karl said …to presuppose that they have power over those to which have willfully chosen to be within their boundaries. Government exists for the people. The people are not slaves to the government. What I see here and what I hear from your understanding of government and services provided, you got it wrong. I'm sorry. You're a great guy. You're awesome. I like you, but there's a misunderstanding. I think we're from the same generation. We've been taught through school that there's a certain way government is. We got the ICC for codes. We've got so many international committees, so many regional committees telling us what to do. Stop listening to them. They don't pay the taxes; people do and the people want basic services and the community will provide for the rest.

Mayor Garner asked, is there anyone else who'd like to speak. This is your last opportunity for this budget. If not, I'll close the public comment in this building and we'll go online.

Andrea said I am the person, to be specific, I make $900 a month. You guys want me to paint my house now. My question is, what would each of you do, $914 a month? The only reason why I'm not physically there tonight is because I have to save the gasoline to go pick up my child from his job because he's trying to actually help and benefit my household to be able to make those bills. You guys want, want, want. What you're gonna have is have all of these vacant properties. I want to know what are you going to do with all of the vacant properties when we, the disabled, the seniors, the persons who can't make the ends meet. A lot of people have house insurance. Is that even an affordable thing?

I mean, really guys, as far as Cerner. Cerner, good job. Last week when it rained, y'all had the sprinklers on. You know who foots that bill, community? We do. Good job, I guess, on turning some of those lights off but it's still adding up. We're still paying those bills. Just like the T-Bones when they left. Who foot that bill? We did as the community.

All I want to know is how are we to make it. You guys tell us. Now we're trying to tell you that the budget's got to be cut. You guys want to take from our pockets, we want you to come out of your pockets and cut it down. We can't afford it. We cannot continue going on like this. For each and every one of you who think that we can, you're absolutely ludicrous. This is like beating my head against a freaking wall. It's sad. It's ridiculous. I hate to see my community, the community I've raised my child in his entire lifetime of his to just watch it all crumble.

My father didn't raise me to go out like this. He didn't raise me to be a quitter and you know what, I'm not about to give up my family home for this because this government, these commissioners can't understand that people are just trying to barely get by. Can we do that? Not at this rate. It's sad. It's very, very sad. We expect better. We voted you in these positions to do better for us as the people of this community. If we don't want a community…**Ms. Sparks** said one minute remaining.

Andrea said …community would like to stay, just that, a community. We want to be amiable. We want to be able to come to our commissioners when there's real issues. This is a real issue. Are we being heard? How many times do we have to be the mouse on the wheel that keeps going around and around and around just spinning the wheel? It's not working what you guys are doing.

I appreciate Mayor Garner actually trying for our community. I appreciate my commissioner, Commissioner Stites. I appreciate Commissioner Burroughs. Even though you're not my commissioner, I do appreciate you. I want you to know that I greatly, greatly am thankful and appreciative that you guys hear us. Now if only all of your other persons there on those positions, seats would actually hear us because if so, (inaudible) let's not be smart about it. Please. **Ms. Sparks** said your time has expired.

Louise Lynch, Kansas City, KS, said, again, I want to reiterate to my community to take a good look at these people. Ramirez, who's playing on his phone right now, not paying attention to what you all are saying. That's how much he takes us seriously. They don't care. He needs to go. Melissa Bynum did not vote for us. She needs to go and the rest of them, as soon as we're able to recall them, they need to go.

There's a song I think about from Harold Melvin & the Blue Notes that says, "Wake up everybody, no more sleeping in bed. No more backward thinking, time for thinking ahead." We have to think ahead. They've got to go. They must be replaced now with people who will listen and act on our behalf. There is so much hatred and warn poverty as in that song. It's right here in Wyandotte.

Thank you, Mayor Garner, for trying once again. They talk about money and the ARPA funds and everything. Think back a year ago this year when in the middle of the night of the budget hearing Commissioner Davis pulled out of his hat a slush fund and divided up $10,000 to

each of these commissioners with no oversight; $10,000. That could have gone toward the budget. That could have been used for the people.

A couple of Commission meetings ago I asked each one of them to give us an accounting of what they did with the money. I can tell you that Commissioner Stites and Burroughs did not use it. The two that are for the people did not use the money. The rest of them, they gave nothing to be accounted for. They don't care. Enough is enough. We must change the players. I urge you to meet us this Saturday at Rosedale Park under the shelter…**Ms. Sparks** said one minute remaining.

Ms. Lynch said …from 2 to 5 PM. You can contact me personally at 913-605-5570. We can take the power back together. Put our private, petty biases aside and get rid of these people who are not caring about you, giving you excuses. Ask them, where is the money they took. What did they do with it? They didn't even want to help the people with the tax sale. What did they do? They don't care about you. It's time we wake up. We must act now. Take them out of office now.

Helen Hokanson, 6453 Cernech Rd., said I also own a home at 419 South 81st St., where my son lives. I moved to Cernech Road in January 2022. After a year, I, like many experienced crippling tax increases, I thought I was moving to an affordable neighborhood. The thought of experiencing that kind of increase again is terrifying.

Commissioner Davis, I love you but you twisted my words. I'm not asking for sidewalks. I'm saying that if I'm going to be taxed out of my home, I may as well go back to where there are things like sidewalks and museums and public libraries that don't have four buses sitting unused in the parking lot. Those are our tax dollars. If you're not using it, you're wasting it. Let's repurpose those for something useful.

I have not seen a return on my investment from the tax increases that I saw this year. I would like to suggest that we allow Mr. Johnston, the new City Manager, to have an opportunity to figure out how to use the money that's being taken in from the tax increases that we just saw. He's only been here for six months.

I have a master's degree. I'm working in the profession I'm educated for and I can't afford to live here if you increase my taxes to the degree that you did last year. Who are you trying to attract to Wyandotte County? I don't want to live. I don't want to move. I love my home. I love

KCK. I'm a transplant. I love it here. I am terrified that I won't be able to stay here. **Ms. Sparks** said one minute remaining.

Ms. Hokanson said I'm finished. Thank you for listening.

Yekaterina Makarenko, Kansas City, KS, said talking about BPU. I have a small business on Leavenworth Road. Last year, the city was doing a great project on Leavenworth Road. It looks much nicer. BPU is doing some work as well to prepare the road for the roadwork. On my property, I have a paved parking lot. BPU had to dig a hole and do their work underground. Then they just patched it with concrete. I contacted them millions of times, left voicemails, and no one got a single call back. The engineers told me that BPU is responsible for paving that back to make it look like it was before, but they never did that. I'm doing it at my own expense to make it look nice while I'm paying my tax money for them to do their work.

The other thing, the Mayor was right telling that it's hard to have business here in Wyandotte County. I bought my business in 2010. At that time, I was seeing $6,000 taxes for my building that is 50 plus years old. This year, I'm paying $12,000 a year in taxes so it's like twice as much. I didn't make twice as much money in ten years. I'm still making about the same amount of money, but I'm paying double in my taxes.

Third, I have many friends who work as realtors. They say that people when they're looking for houses, they try to stay away from Wyandotte County because of the bills and taxes. If it's more affordable to live in Johnson County, they will overpay for their properties, but they will save on taxes and utility bills overtime. They prefer to stay away from this county.

If people are moving out, people are not wanting to live here, then whoever is left, we will end up paying more and more because the budget needs money. People don't want to live here and who will pay for it? The taxpayers will pay more and more.

It would be nice to have our city and our country attractive for people…**Ms. Sparks** said one minute remaining.

Ms. Makarenko said …here.

Ms. Sparks said, Mayor, there are no more hands raised online.

Mayor Garner said there is the item. I vetoed the budget.

Action: Commissioner Markley made a motion, seconded by Commissioner Davis, to override the Mayor's veto.

Commissioner Burroughs said I want to thank you all that are here this evening to once again express your views. I want to start by expressing my appreciation to both Commissioners Bynum and Stites, to you, Mayor, Administrator Johnston, and Budget staff for the willingness to meet and have discussions regarding the budget. Seek collaboration is healthy and it's necessary.

It is quite clear that many throughout our community, taxes are too burdensome. Many have appeared before this body emotionally pleading for relief. What I find troubling is this déjà vu again. Yet here we are this evening once again most likely advancing a budget that ignores their pleas and adds to an already heavily taxed community. Collectively, this body substantially increases property taxes, raises multiple fees, increases the BPU PILOT, payment to the Unified Government, and, again, utilizes our reserves to balance the budget. This is not sustainable. Not my words; the auditors that audited our process.

The public's request, I'm disappointed that we, as a body, dismiss so easily. The relief that relieves the fear of people losing their home is fleeting. Heaven forbid that you go without food, without water, without power, without medicine or healthcare. Heaven forbid you should lose your home.

Mayor, colleagues, I have stated all along, we can do better. My years of experience I bring back home and offer those experiences to not only you, colleagues, but to the community. I want to do my part. I want to see us be effective. It's not insurmountable. It's possible. The people in this room deserve it. It's the very least we can do. Let's get our feet off of their necks.

Mayor Garner said there is a motion. Before we go there, I'll just close with the Commission. Just know there's a motion, but just think about things. People are hurting. I've heard it. We've heard it. You've heard me talk and advocate time and time again. They don't expect us in this community to solve all their problems, but they know what a slight change in what we do, that this Commission can do better and we can give them the relief that they've been asking for. It doesn't take a lot. I've done it in my personal finance and my professional finance. It can be done, and it can be done responsibly.

To the community, I just want to let you know there's a motion and a second to override my veto, and they'll probably override it. That's probably what we expect. As your mayor, I made a commitment and I'm not done. Stay tuned. I'm going to work to put the power of this community and this Unified Government back in your hands. It's not over. I know some people think it's over, but it's not. Stay tuned. You'll hear from me again within the next week. There's other options.

Roll call was taken on the motion to override the Mayor's veto and there were eight "Ayes," Davis, Bynum, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley; and two "Nos," Stites, Burroughs.

Mayor Garner said before we move forward, we do need to take a vote to correct the oversight from the 4% to the 5%. Do you want to describe that, Counsel?

Angela Lawson, Interim Chief Counsel, said it is simply correcting the sewer service charge to 4% in the budget as it was adopted earlier. It should have been brought forth in that amount. So, it's just correcting that error.

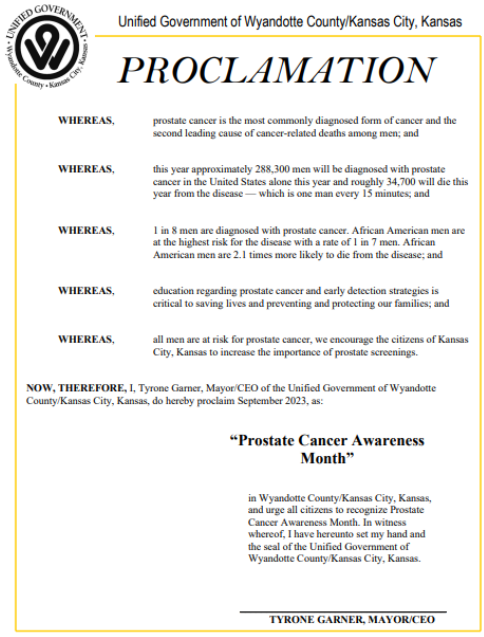
Mayor Garner said the Chief Counsel brought some clarity. Is there a motion to correct the I'm going to call it a mistake that was brought forward with the sewer rate?

Action: **Commissioner Bynum made a motion, seconded by Commissioner Davis, to correct the mistake and approve Ordinance O-109-23, substituting a 4% increase for the originally passed 5%, with all the other provisions remaining the same.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Mayor Garner said the next items on the Mayor's Agenda are proclamations. Clerk, if you can just read those in distinct, that would be great.

Item No. 4 – 212754…PROCLAMATION: PROSTATE CANCER AWARENESS MONTH
Synopsis: Proclamation proclaiming the month of September 2023, as Prostate Cancer Awareness Month, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, prostate cancer is the most commonly diagnosed form of cancer and the second leading cause of cancer-related deaths among men; and

WHEREAS, this year approximately 288,300 men will be diagnosed with prostate cancer in the United States alone this year and roughly 34,700 will die this year from the disease — which is one man every 15 minutes; and

WHEREAS, 1 in 8 men are diagnosed with prostate cancer. African American men are at the highest risk for the disease with a rate of 1 in 7 men. African American men are 2.1 times more likely to die from the disease; and

WHEREAS, education regarding prostate cancer and early detection strategies is critical to saving lives and preventing and protecting our families; and

WHEREAS, all men are at risk for prostate cancer, we encourage the citizens of Kansas City, Kansas to increase the importance of prostate screenings.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim September 2023, as:

"Prostate Cancer Awareness Month"

in Wyandotte County/Kansas City, Kansas, and urge all citizens to recognize Prostate Cancer Awareness Month. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

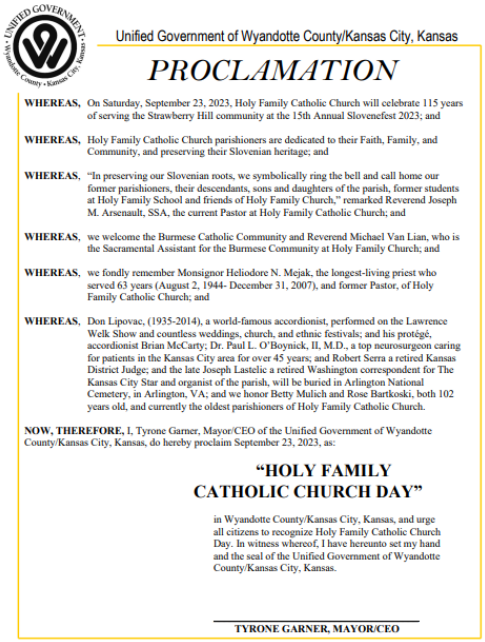
TYRONE GARNER, MAYOR/CEO

Action: The proclamation was read.

Item No. 5 – 212755…PROCLAMATION: HOLY FAMILY CATHOLIC CHURCH DAY

Synopsis: Proclamation proclaiming September 23, 2023, as Holy Family Catholic Church Day, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, On Saturday, September 23, 2023, Holy Family Catholic Church will celebrate 115 years of serving the Strawberry Hill community at the 15th Annual Slovenefest 2023; and

WHEREAS, Holy Family Catholic Church parishioners are dedicated to their Faith, Family, and Community, and preserving their Slovenian heritage; and

WHEREAS, "In preserving our Slovenian roots, we symbolically ring the bell and call home our former parishioners, their descendants, sons and daughters of the parish, former students at Holy Family School and friends of Holy Family Church," remarked Reverend Joseph M. Arsenault, SSA, the current Pastor at Holy Family Catholic Church; and

WHEREAS, we welcome the Burmese Catholic Community and Reverend Michael Van Lian, who is the Sacramental Assistant for the Burmese Community at Holy Family Church; and

WHEREAS, we fondly remember Monsignor Heliodore N. Mejak, the longest-living priest who served 63 years (August 2, 1944- December 31, 2007), and former Pastor, of Holy Family Catholic Church; and

WHEREAS, Don Lipovac, (1935-2014), a world-famous accordionist, performed on the Lawrence Welk Show and countless weddings, church, and ethnic festivals; and his protégé, accordionist Brian McCarty; Dr. Paul L. O'Boynick, II, M.D., a top neurosurgeon caring for patients in the Kansas City area for over 45 years; and Robert Serra a retired Kansas District Judge; and the late Joseph Lastelic a retired Washington correspondent for The Kansas City Star and organist of the parish, will be buried in Arlington National Cemetery, in Arlington, VA; and we honor Betty Mulich and Rose Bartkoski, both 102 years old, and currently the oldest parishioners of Holy Family Catholic Church.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim September 23, 2023, as:

"HOLY FAMILY CATHOLIC CHURCH DAY"

in Wyandotte County/Kansas City, Kansas, and urge all citizens to recognize Holy Family Catholic Church Day. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

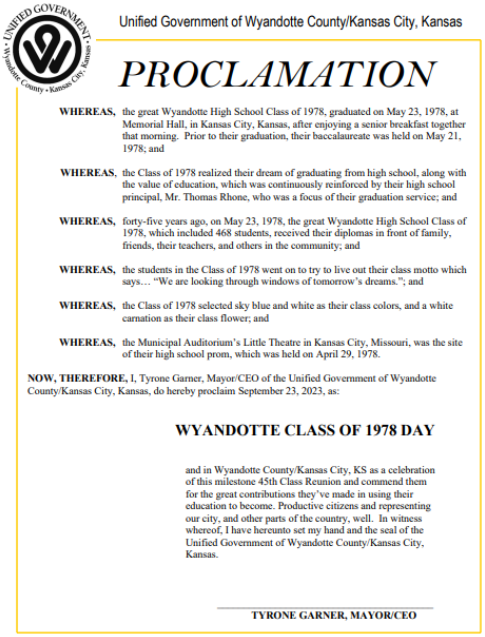
TYRONE GARNER, MAYOR/CEO

Action: The proclamation was read.

Item No. 6 – 212756…PROCLAMATION: WYANDOTTE CLASS OF 1978 DAY

Synopsis: Proclamation proclaiming September 23, 2023, as Wyandotte Class of 1978 Day, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, the great Wyandotte High School Class of 1978, graduated on May 23, 1978, at Memorial Hall, in Kansas City, Kansas, after enjoying a senior breakfast together that morning. Prior to their graduation, their baccalaureate was held on May 21, 1978; and

WHEREAS, the Class of 1978 realized their dream of graduating from high school, along with the value of education, which was continuously reinforced by their high school principal, Mr. Thomas Rhone, who was a focus of their graduation service; and

WHEREAS, forty-five years ago, on May 23, 1978, the great Wyandotte High School Class of 1978, which included 468 students, received their diplomas in front of family, friends, their teachers, and others in the community; and

WHEREAS, the students in the Class of 1978 went on to try to live out their class motto which says… "We are looking through windows of tomorrow's dreams."; and

WHEREAS, the Class of 1978 selected sky blue and white as their class colors, and a white carnation as their class flower; and

WHEREAS, the Municipal Auditorium's Little Theatre in Kansas City, Missouri, was the site of their high school prom, which was held on April 29, 1978.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim September 23, 2023, as:

WYANDOTTE CLASS OF 1978 DAY

and in Wyandotte County/Kansas City, KS as a celebration of this milestone 45th Class Reunion and commend them for the great contributions they've made in using their education to become. Productive citizens and representing our city, and other parts of the country, well. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

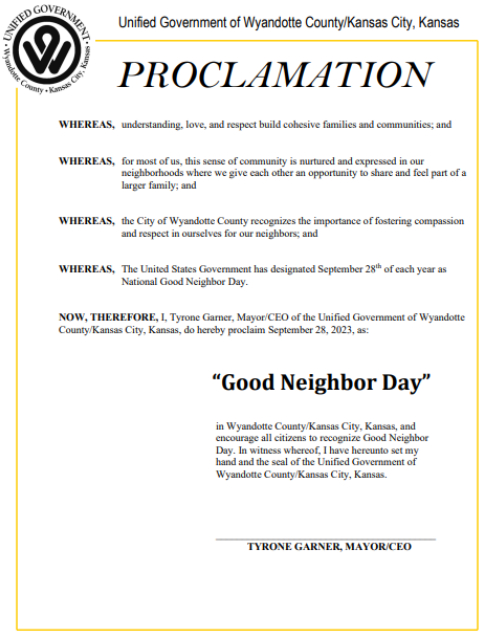
TYRONE GARNER, MAYOR/CEO

Action: **The proclamation was read.**

Item No. 7 – 212757…PROCLAMATION: GOOD NEIGHBOR DAY

Synopsis: Proclamation proclaiming September 28, 2023, as Good Neighbor Day, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, understanding, love, and respect build cohesive families and communities; and

WHEREAS, for most of us, this sense of community is nurtured and expressed in our neighborhoods where we give each other an opportunity to share and feel part of a larger family; and

WHEREAS, the City of Wyandotte County recognizes the importance of fostering compassion and respect in ourselves for our neighbors; and

WHEREAS, The United States Government has designated September 28th of each year as National Good Neighbor Day.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim September 28, 2023, as:

"Good Neighbor Day"

in Wyandotte County/Kansas City, Kansas, and encourage all citizens to recognize Good Neighbor Day. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

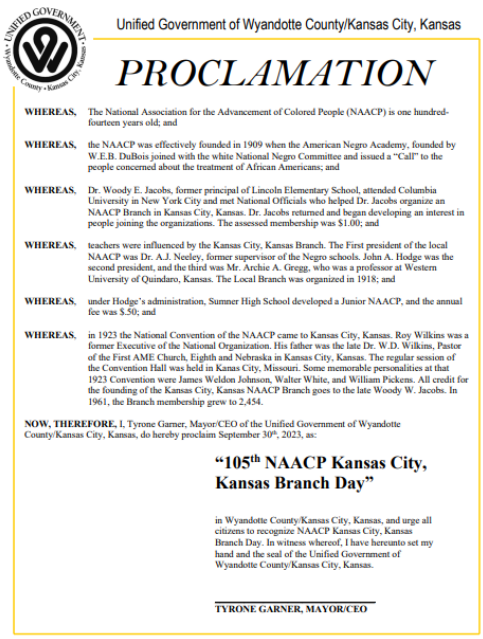
TYRONE GARNER, MAYOR/CEO

Action: **The proclamation was read.**

Item No. 8 – 212758…PROCLAMATION: 105TH NAACP KANSAS CITY, KANSAS BRANCH DAY

Synopsis: Proclamation proclaiming September 30, 2023, as 105th NAACP Kansas City, Kansas Branch Day, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, The National Association for the Advancement of Colored People (NAACP) is one hundred-fourteen years old; and

WHEREAS, the NAACP was effectively founded in 1909 when the American Negro Academy, founded by W.E.B. DuBois joined with the white National Negro Committee and issued a "Call" to the people concerned about the treatment of African Americans; and

WHEREAS, Dr. Woody E. Jacobs, former principal of Lincoln Elementary School, attended Columbia University in New York City and met National Officials who helped Dr. Jacobs organize an NAACP Branch in Kansas City, Kansas. Dr. Jacobs returned and began developing an interest in people joining the organizations. The assessed membership was $1.00; and

WHEREAS, teachers were influenced by the Kansas City, Kansas Branch. The First president of the local NAACP was Dr. A.J. Neeley, former supervisor of the Negro schools. John A. Hodge was the second president, and the third was Mr. Archie A. Gregg, who was a professor at Western University of Quindaro, Kansas. The Local Branch was organized in 1918; and

WHEREAS, under Hodge's administration, Sumner High School developed a Junior NAACP, and the annual fee was $.50; and

WHEREAS, in 1923 the National Convention of the NAACP came to Kansas City, Kansas. Roy Wilkins was a former Executive of the National Organization. His father was the late Dr. W.D. Wilkins, Pastor of the First AME Church, Eighth and Nebraska in Kansas City, Kansas. The regular session of the Convention Hall was held in Kanas City, Missouri. Some memorable personalities at that 1923 Convention were James Weldon Johnson, Walter White, and William Pickens. All credit for the founding of the Kansas City, Kansas NAACP Branch goes to the late Woody W. Jacobs. In 1961, the Branch membership grew to 2,454.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim September 30th, 2023, as:

"105th NAACP Kansas City, Kansas Branch Day"

in Wyandotte County/Kansas City, Kansas, and urge all citizens to recognize NAACP Kansas City, Kansas Branch Day. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO

Action: The proclamation was read.

Item No. 9 – 212770…RESOLUTION: COMMUNITY IDENTIFICATION PROGRAM (ADDED PER BLUE SHEET)

Synopsis: A resolution to temporarily suspend applications of the community identification until such time as the issues have been resolved or the statute amended, submitted by Angela Lawson, Interim Chief Counsel.

Angela Lawson, Interim Chief Counsel, said the Mayor asked me to look at the issue of our community ID because he had concerns. As you know, the Commission passed the Safe and Welcoming Act. Then we had to pull some of that back because of state action, but we still have the community identification card.

The ordinance references putting out an RFP to select a nonprofit vendor to administer the ID card. Since then, the Kansas Legislature adopted House Bill 2350 concerning human trafficking. While there are various interpretations of the statute, and I acknowledge the differing opinions, this law does create concern. It also creates a lot of vagueness and worry. There's concern that a nonprofit vendor or a friend of someone who drives someone to the application center could become caught up in this law. Therefore, I'm asking for a temporary stay on issuing

the RFP in hopes that this law is revised and clarified. So, the RFP just says that there will be a stay until such time as the issues involving this state statute have been settled.

Commissioner Ramirez said this 2350, correct? **Ms. Lawson** said correct. **Commissioner Ramirez** said 2350 is not the ordinance that negated safe and welcoming in the beginning, correct? **Ms. Lawson** said correct. **Commissioner Ramirez** asked, this is an entirely different law? **Ms. Lawson** said correct. It was put forth to address human trafficking, however, it is so broad that any action that is taken to help someone who you should know is not documented and you help them to conceal them, that can now be considered a crime.

Commissioner Ramirez said that just goes, again, to show the state taking away our authority as a local board to do local control and be able to do our own affairs. Unfortunately, I'm upset that we have to because this was something that I, Commissioner Bynum, Commissioner Johnson worked on with Community Partners to bring forward. They brought forward safe and welcoming. They created a law for us to have to repeal it. Now it seems that they created another law so that we couldn't do our community ID. That was something that the three of us, the whole Commission, the Mayor, everyone supported. All of our hard work is now being taken away.

Commissioner Markley said I just want to make sure I'm thinking about the right program because we had two programs come down at the same time. When I saw this community identification, I was thinking this was the program the Police Department was doing, but they don't put out an RFP. They do it themselves, right?

Ms. Lawson said that's correct. This is not the…**Commissioner Markley** said it's not the Police Department. Okay. Thinking of the wrong one.

Ms. Lawson said, again, I understand there are different interpretations of this bill, however, the consequences for our vendor, we are trying to protect our future vendor here.

Commissioner Davis said I echo what Commissioner Ramirez is saying. This is super unfortunate. I would hope that we would continue to work and find something that is within current state statutes to help, I mean, vulnerable communities. We have a very, very diverse population that have mixed status families, mixed status communities. I hope we're able to do

something. I know our staff and, Mayor—I know you brought it forward—I know we're all committed to it. This is super unfortunate. Thank you, Legal, for this information.

Commissioner Ramirez said I apologize. I didn't think of it until Commissioner Markley brought this forward. Does this law also affect PD's ID Program?

Ms. Lawson said that is a very good question. We have started with this one because the requirements are a little bit different, but we will certainly look at that one and advise the Police Department.

Commissioner Ramirez said because if I remember correctly, my memory can speak, if my memory is correct, the PD's ID is for those who have already had an ID in the past and have lost it in some way, shape, or form through life, whatever has ever happened in life. I'm hoping that stipulation holds and that program still can continue.

Ms. Lawson said yes, and it is with the end goal of helping someone to obtain a state ID. I do think it is a—they have different requirements and it's probably looked at through a different lens because the goal there is to get a state ID.

Commissioner Bynum said I'm just asking for clarification. We are not taking applications for this program at this time that I know of. **Ms. Lawon** said that's correct. **Commissioner Bynum** said the action that we're being asked to take on here is temporarily suspend applications, but we aren't taking applications. Just help me out.

Ms. Lawson said it may be worded incorrectly on the agenda. Section 2 states that the RFP process will commence at such time that the language of the House bill is resolved to the satisfaction of the chief counsel. So, it's placing a hold on contracting with the program administrator until such time. The description may be misleading, but it is not to hold off on the applications. It's to hold off on the administration. **Commissioner Bynum** said okay. I see that.

Mayor Garner said I do concur with my colleagues here that, hopefully, there can be a resolution, that we can get something in place that can be of value to all our residents that would have benefited from this ID program. I think what was brought to me by, in conversation with our Legal Department, is this new law is a severity level 5 felony that has severe penalties if it's violated. It is vague enough that would allow for an interpretation that could come from various individuals,

from our state government, to interpret in a way that may not be of benefit to those that were deemed to be in violation. So, the recommendation from Legal was to take some caution and to let them do a deeper dive. While they're doing that deeper dive, I guess there's been talk at the state level to bring a little more clarity to the purpose and intent of that law.

Commissioner Davis said just a question. If we haven't released the RFP, which is just administrative, why is it necessary that we pass a resolution? Couldn't we just indefinitely withhold the RFP until we figure out something else?

Ms. Lawson said we could, but the Commission, in the original ordinance, establishes that RFP will be issued. Now, fair enough, the Commission did not establish a timeframe for that, but I think there's some caution on staff's part to just pull back a delay when the Commission has ordered an action to be taken. **Commissioner Davis** said gotcha. That was kind of my worry with this.

Mayor Garner said to answer your question, hopefully, or that it's clear, Commissioner Davis, Legal wanted to be cautious that this Commission had given clear direction on what needed to be done and gave staff, through that resolution or ordinance, to proceed forward. They wanted to make sure that there was no conflict with the direction given legally from this Commission to staff with the question being raised that they are not following through and carrying out the legal obligation they had from this Commission.

Commissioner Davis said one more question. Are we at all, right now, if we were to administratively just say we're not going to do anything until we find out what the state does, are we currently legally liable for anything? Could the state sue us for passing the ordinance as is?

Ms. Lawson said no, I don't believe that would establish a factual scenario under the criminal statute because no action has been taken to assist any particular person who might be undocumented. I don't believe the mere existence of the ordinance creates a crime.

Commissioner Stites said I make a motion to accept Resolution No. 9, the Community Identification Program.

Action: **RESOLUTION NO. R-60-23, "A resolution placing a hold on the RFP process to select a Program Administrator for the Community ID Card Program of the Safe and Welcoming City Act." Commissioner Stites made a motion, seconded by Commissioner Ramirez, to adopt the resolution.** Roll call was taken and there were nine "Ayes," Stites, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley; and one "No," Davis. (Commissioner Davis's vote was, "symbolically no.")

Mayor Garner recessed the meeting at 10:03 P.M and to return exactly at 10:10 on the dot.

Mayor Garner reconvened the meeting at 10:16 P.M.

PLANNING AND ZONING AGENDA

Mayor Garner asked, Clerk, could you read the statement?

Monica Sparks, Deputy UG Clerk, read the statement, required by state law.

PLANNING AND ZONING CONSENT AGENDA

Monica Sparks, Deputy UG Clerk, asked, does any member of the Commission wish to disclose any contact with proponents or opponents on any item on the agenda? **Commissioner Bynum** said I've had contact with opponents of Non-Consent Item A1, SP2023-042. **Commissioner Markley** said I do not have any disclosures, but I think Commissioner McKiernan is on Zoom and needs to be let in just in case he has any. **Commissioner McKiernan** said I didn't actually need to say anything, just to be let in as a panelist. **Commissioner Townsend** said I've had contact with opponents of Item A, SP2023-042 on the Non-Consent Agenda, Matt Thomas, the Firm Foundations Ministries. **Commissioner Kane** said I've had contact with A, Non-Consent PR2023-014.

Commissioner Ramirez said it's a question of an application that Director Hand may be able to answer. I did receive a, in my email and through Facebook, personal message of the application of Carina West. Is that application on this week? **Gunnar Hand, Director of Planning and**

Urban Design, said no. It will be at the City Planning Commission next month. **Commissioner Ramirez** said I was told differently.

Ms. Sparks read the items on the Planning and Zoning Consent Agenda.

Mayor Garner asked, do any members of the Commission, the County Administrator, or the public wish to set aside any item on the Planning and Zoning Consent Agenda? If an item is not set aside, all items on the Planning and Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission.

I'll ask if anyone in attendance would like to set aside an item?

Jerry Vest said my business is at 1313 State Avenue. This has been going on for a number of years. You're supposed to be, according to the law, from my understanding, you're supposed to have so many parking spots per square foot of your building. I do, and I pay taxes for it very dearly.

Well, 1315 and all of the businesses—Luke Kush bought this property years ago. It's designed for two businesses. There's like seven or eight businesses in that area. It's cost me thousands of dollars in damage to my property.

The car stereo shop that you're wanting to allow at 1315, a number of years ago when I wanted to put a fence around my property to protect it—by the way, I was burglarized last week and lost $20,000 again. Three times this year I've been burglarized in my parking lot. I had to come here to get a permit to put my fence up; three times to put a fence up because you couldn't see, supposedly, around the corner for traffic at a stoplight.

Now, 1315 has trees planted there and I have literally been hit numerous times. There's been police officers that even complained about the trees because you have to drive out into the street to see if you can get out. That's dangerous. Somebody's going to get hurt. This has been going on for many years.

Ms. Sparks asked, do you wish to pull this item off the Consent Agenda? We'll go ahead and pull it and then you'll have a chance. That was Item SP2023-044.

Mayor Garner asked, is anyone else in attendance that would like to have an item set aside? Seeing none, Clerk, is anyone joining us virtually who would like to have an item set aside? **Ms. Sparks** said no hands are raised.

Mayor Garner said, Clerk, we do have one set aside it appears. Let's vote on the Consent Agenda minus that set aside.

Commissioner Ramirez said I know in the miscellaneous ordinances, there's a lot of STRs. I just want to clarify, is this due to the blitz that Planning did to bring those non-compliant STRs into compliance?

Gunnar Hand, Director of Planning and Urban Design, said partially, yes. I think some of them are in response to the new ordinance in general, so people have been coming around to legalize their uses. But yes, we've had a consistent string and surge in SUP applications for short-term rentals. The ones on the Non-Consent Agenda obviously were not unanimous by the Planning Commission.

Commissioner Ramirez said I'm happy that the efforts of your department are working and we have those non-compliant STRs coming into compliance. I appreciate it.

Commissioner Kane said the folks at home can't hear us at all; audio. **Mayor Garner** said we'll take a short break and we can test that.

Mayor Garner said we'll continue. We're back.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve all remaining items on the Planning and Zoning Consent Agenda, (minus set aside item SP2023-044).** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

CHANGE OF ZONE APPLICATIONS

Item No. 1 – 212732…CHANGE OF ZONE APPLICATION COZ2023-019 - YEKATERINA MAKARENKO

Synopsis: Change of Zone from CP-2 Planned General Business District and R-1 Single Family District to CP-3 Planned Commercial District to continue to operate an auto repair shop as well as open a garage door installation shop at 7511 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant, Yekaterina Makarenko, is requesting a Change of Zone from CP-2 Planned General Business District and R-1 Single Family District to CP-3 Planned Commercial District to operate an auto repair shop and a garage door repair shop at 7511 Leavenworth Road. The auto repair shop is a continuation of the use of the property as an auto repair shop, dating back to 1968. The Planning Commission voted 7 to 0 to recommend approval of Change of Zone Application COZ2023-019, subject to:

1. The applicant shall plant trees in the islands along Leavenworth Road as well as expand landscaping in the rear;
2. Remove all of the gravel parking in the rear of the property;
3. Install a six (6) foot tall opaque fence with masonry columns every 32 feet along the property line that abuts residential properties;
4. Install a fence that separates the residentially zoned portion of the property from the commercially zoned portion of the property;
5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
6. Any automotive-related business in Wyandotte County shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
7. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;

8. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
9. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
10. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
11. The applicant has filed and maintained a current business occupation tax application;
12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
13. Any business in Wyandotte County that is required to obtain a permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission.
14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this permit, or any portion thereof, does not violate the

applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

15. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
16. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve Change of Zone Application COZ2023-019, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 2 – 212733…CHANGE OF ZONE APPLICATION COZ2023-022 - ALEX ELLIOTT WITH ATLAS LAND CONSULTING

Synopsis: Change of Zone from CP-O Planned Non-Retail Business District to CP-1 Planned Limited Business District to operate a retail candy store at 2324 Grandview Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

And

Item No. 1 – 212734…MASTER PLAN AMENDMENT APPLICATION MPL2023-011 - ALEX ELLIOTT WITH ATLAS LAND CONSULTING

Synopsis: Master Plan Amendment from Residential (Central Area Plan) to Community Commercial (Central Area Plan) at 2324 Grandview Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant, Alex Elliott, is requesting a Change of Zone from CP-0 Non-Retail Business District to CP-1 Planned Limited Business District and a Master Plan Amendment from Urban Density (Central Area Plan) to Neighborhood Commercial (Central Area Plan) to operate a retail shop at 2324 Grandview Boulevard. The Planning Commission voted 7 to 0 to recommend approval of Change of Zone Application COZ2023-022 and Master Plan Amendment MPL2023-011, subject to:

1. Plant two (2) street trees along Grandview Boulevard and one (1) additional tree in the rear yard;
2. Install a bike rack on the property;

3. Install handrails for all steps on the property;
4. This City Planning Commission case is being heard in conjunction with BOZA2023-036. Any approval by the Board of Zoning Appeals of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of BOZA2023-036 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;
5. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
6. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
7. If approved, the applicant must file and maintain a current business occupation tax application with this office;
8. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
9. All existing and future driveways must feature curb cuts that are constructed to UG standards;
10. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
11. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;
12. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
13. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve Change of Zone Application COZ2023-022 and Master Plan Amendment Application MPL2023-011, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 3 – 212735…CHANGE OF ZONE APPLICATION COZ2023-023 - ALEX ELLIOTT WITH ATLAS LAND CONSULTING

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural uses, including the keeping of cattle at 3308 North 75th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant, Alex Elliott with Atlas Land Consultants, is requesting a change of zone from R-1 Single Family District to A-G Agriculture District to utilize the property for agricultural uses, including keeping five (5) cattle, at 3308 North 75th Street. The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application COZ2023-023, subject to:

1. Continue to work with the Wyandotte County Conservation District to develop a conservation plan for the property. The conservation district can be contacted at wyco.conservation@gmail.com or (913) 334-6329;
2. Per comments from the Wyandotte County Conservation District, winter disposal of waste needs to be done on the flatter area of the pasture. Soil samples of the pasture need to be taken at least once every two years to ensure the balance of all nutrients;
3. All tress on the property shall be maintained. Any trees that are removed shall be replaced;
4. No vehicles or trailers shall be parked on an unimproved surface. All parking must be on a paved surface;
5. The applicant must strictly adhere to the submitted waste disposal plan, unless directed otherwise by the Conservation District;
6. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;
7. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to

confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

8. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinance. This shall include all ordinance sections that relate to the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
10. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
11. Lighting shall be installed to have a 90-degree cutoff;
12. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
13. All existing and future driveways must feature curb cuts that are constructed to UG standards;
14. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
15. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive

operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and

17. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve Change of Zone Application COZ2023-023, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

SPECIAL USE PERMIT APPLICATIONS

Item No. 1 – 212736…SPECIAL USE PERMIT APPLICATION SP2023-017 - WILLIAM WALKER, JR. WITH WALKER REAL ESTATE

Synopsis: Special Use Permit for a Short-Term Rental in one (1) of four-plex units at 15 South 17th Street #2, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant, William Walker, Jr., is requesting a Special Use Permit to operate a short-term rental out of one (1) unit (Unit #2) of a multi-Family residence with four (4) units at 15 South 17th Street. This is not the owner's primary residence. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2023-017, for one (1) year, subject to:

1. Any additional repairs not addressed prior to approval of SP2023-017 outlined within the provided home inspection report shall be performed prior to renewal of this Special Use Permit;
2. Only one (1) unit of this fourplex may be used as a short-term rental.
3. Maximum number of guests shall be five (5);
4. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
5. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
6. Applicant is to maintain liability insurance;
7. The property must remain in proper maintenance and free of hazards, pests, or infestations;
8. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
9. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include

the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);

10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
11. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
12. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
13. All existing and future driveways must feature curb cuts that are constructed to UG standards;
14. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
15. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
16. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
17. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
18. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the

associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

19. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
20. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve Special Use Permit Application SP2023-017 for one year, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 2 – 212737…SPECIAL USE PERMIT APPLICATION SP2023-040 - KRISTI PRIDDY

Synopsis: Special Use Permit to keep livestock at 3425 North 87th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicants, Larry and Kristi Priddy, are requesting a Special Use Permit to keep chickens, ducks, goats, and a miniature pony on the property at 3425 North 87th Street. The applicants previously had a Special Use Permit (SP-2020-25) for the same use, however, that previous Special Use Permit expired in April 2022, over a year prior to their re-application. The applicants are experienced with caring for animals. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2023-040, for two (2) years, subject to:

1. Work with the Wyandotte County Conservation District to develop a conservation plan for the property. The conservation district can be contacted at wyco.conservation@gmail.com or (913) 334-6329;
2. All miscellaneous debris shall be cleaned off of the property and stored properly;
3. The applicant shall pave the driveway apron and any parking areas;
4. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the structure. Standard

concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;

5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
6. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinance. This shall include all ordinance sections that relate to the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
8. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
9. Lighting shall be installed to have a 90-degree cutoff;
10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
11. All existing and future driveways must feature curb cuts that are constructed to UG standards;
12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
13. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building

Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;

14. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
15. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
16. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
17. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve Special Use Permit Application SP2023-040 for two years, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 3 – 212739…SPECIAL USE PERMIT APPLICATION SP2023-044 - UBLESTER GONZALEZ

Synopsis: Renewal of a Special Use Permit (SP2020-100 expired 5/6/2023) to operate a car audio installation business at 1315 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant, Ublester Gonzalez, is requesting a Special Use Permit for the purpose of operating a car audio installation business at 1315 State Avenue. The applicant previously had a Special Use Permit (SP2020-100), however, that permit expired on March 11,

2023. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application SP2023-044, for five (5) years, subject to:

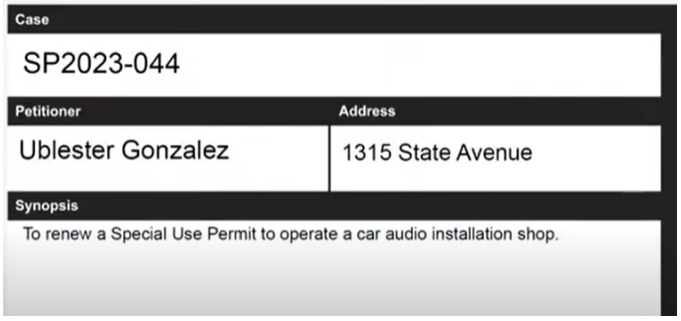
1. Vehicles shall not be parked on the right of way of State Avenue in front of the property. Vehicles shall not park on State Avenue at any time;
2. In order to comply with the district's performance standards, auto installation or servicing is not allowed outside or in public view. All work shall be performed totally within an enclosed building;
3. Compliance with the following Commercial Design Guidelines Standards:
   a. The site must have street trees. These either need to be planted on the property by cutting the existing asphalt, or in the planting them in the sidewalk right-of-way with tree wells/grates. This would require a Right-of-Way Agreement from the Public Works Department.
   b. Main entrance shall be enhanced by architectural details. Such details may include recessed or slightly protruding entrances, building material variations, color variations, or artistic elements and other special treatments.
   c. Awnings or canopies are encouraged on facades to provide weather protection and shade to pedestrians, and to add visual appeal;
4. Construct an enclosure for the dumpster that is six (6) feet tall with masonry columns;
5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
6. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
7. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
8. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be

stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;

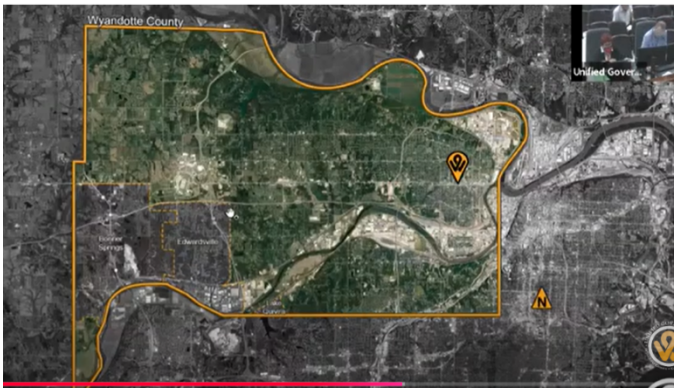
9. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
10. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
11. The applicant has filed and maintained a current business occupation tax application;
12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
13. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
14. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
15. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions

(CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

16. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
17. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
18. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.



Gunnar Hand, Director of Planning and Urban Design, said, again, this is a special use permit renewal for an audio installation business on State Avenue.



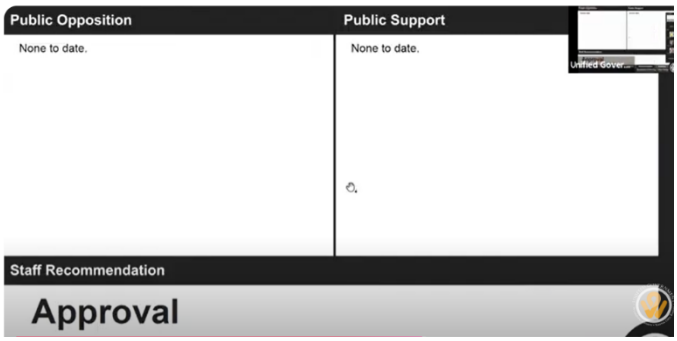
This is in the Downtown Area Plan.



Staff received no letters of support; no letters in opposition. There are multiple notices of violations and active cases on this property. When staff reviewed all of those violations, none of them were reflective of the many businesses on the parcel. So, this business has no established notices of violation. Staff recommends approval with conditions for five years.







Mayor Garner said I'll ask the applicant or the representative of this item if you'd like to present. Clerk, is he online? **Ms. Sparks** said I don't find them online.

Mayor Garner said I will now open the public hearing. Clerk, have you received any direct notifications from the public who wish to express their comments in favor of this item? **Ms. Sparks** said no comments have been received. **Mayor Garner** asked, is there anyone present here today who would like to speak in favor of this item? (No one appeared.) Is there anyone joining us virtually who would like to speak in favor of this item? It doesn't appear so.

Mayor Garner asked, Clerk, have you received any notification who would like to express their comments in opposition? **Ms. Sparks** said no comments have been received. **Mayor Garner** asked, is there anyone present who would like to speak in opposition?

Jerry Vest said my shop is at 1313 State. I have a costume shop. I've been very active in our city for years. By the way, I'm the elf every year. Anyhow, I've done a lot of things for our city. I've had to call the police numerous times since he's opened up this so-called stereo shop. I have a gate on my property so they can't use my property. They have broken my locks so many times and these locks cost me like $11 apiece. I have bought ten of them, at least, since they've moved in. Not only did they quit breaking them, cutting them, now they have busted the gate. They drove a car through it. They use my property because they don't have any parking and the variant of the alley, they park on the alley so they have to use my property.

There's numerous times I've tried to back out and they've had a car—I've almost hit one of their cars. I've actually tried to come onto my property and they're sitting there talking on the phone. If they've got a business, they need to have their own entrance and exit.

The Police Department has been there so many times over it. They've hit it—you wouldn't believe it. There, again, that's not fair to me.

Also, these trees that I was telling you about. There's going to be a serious accident one of these days. I hope it's not me. The police have even complained about it. Caiharr was there before. He complained about it and Evans has complained about it. Nothing can be done.

I don't have a problem if it's a legitimate car stereo shop, but I've seen activity there that I've got on my phone if you want to see it. I've showed it to the cops and they go, ah-ha. How much are we supposed to put up with?

It's cost me. I've had to replace so many times because the variance of the alley. Why did they make a variance of the alley? When Luke Kush put a fence on my property it cost me—I had to come here—it cost me $30,000 in attorney bills. I won, but I had to pay $30,000. Whatever. It's not fair.

Mayor Garner asked, is there anyone else who would like to speak in opposition of this item? (There were none.) Clerk, is there anyone joining us virtually who'd like to speak in opposition of this item? **Ms. Sparks** said no hands are raised.

Mayor Garner said I'll now close the public hearing. Clerk, is the petitioner available for closing comments? **Ms. Sparks** said no.



Commissioner Bynum said I have a couple of questions. I'm looking at this online. I'm looking at the picture of the shop online, not the map, but the photograph of Google. The top photo. I'm seeing fencing but it appears to stop at the building. Is that yours?

Mr. Vest said I put up that fence because they kept—years ago, there was another shop. It was a car stereo shop. They would park there to buy drugs. They would go in there and I couldn't even get on my own property. There was so much drug activity from that car stereo shop that they literally parked in the street. I was getting tired of it because I'd tell them to move and they'd start threatening me. So, I'm the one that put up that fence.

The trees that they got, if you pull up that photograph, you cannot drive off my property without getting your cars out there and somebody's going to be hurt.

Commissioner Bynum said the trees are causing a site issue for exiting back out onto State Avenue. **Mr. Vest** said the police have talked about. If you go back to that, you'll see that property is mine. Well, you can't really see it. I've got a fence up there. You can't see it. **Commissioner Bynum** said I can see it better actually on what I'm looking at. **Mr. Vest** said they have cut my lock on my gate and now they've actually drove through it and broke my gate.

Commissioner Bynum said you referenced police calls to this address. **Mr. Vest** said I've called them so many times it's unreal. **Commissioner Bynum** asked, do you think others have called the police? **Mr. Vest** said it's not their property. It's not their fence. **Commissioner Bynum** said what I'm curious about that we may not know tonight is calls for service to the Police Department for 1315 State.

Mr. Hand said the staff report and staff was able to determine that there were police calls. We were actually, before this evening, unable to determine if it was for this business or other businesses. I would accept the gentleman's statement of fact.

Commissioner Davis said, Mr. Hand, just a quick question for you. Earlier in your statement about this application, I don't know if I caught it, your statement regarding criminal activity. You had kind of differentiated who the calls were for and then you said that they weren't serious or staff didn't believe that the applicant was responsible. Can you provide clarity on who the police calls were for and then why staff believed that those calls did not meet a standard of denying this application.

Mr. Hand said what I said earlier was that there were multiple notices of violation on the property. We have some active open notices of violation that we are still pursuing with the property owner, of which there are multiple businesses. The parcel is a commercial parcel and includes this whole building to the south, as well as this building to the north off State as well as this area. So there's been multiple cases on this property specific to vacation of the right-of-way as well as earlier a change of zone and all of the variants to vacate this alley a few years ago, which the constituent noted. All of them relate to kind of sort of the management of the business in the rear yard. None of that has been in compliant with any previous conditions of approval or the Code of Ordinances, so we have a lot of outstanding issues.

When we looked at the calls of service, they looked related to those car-oriented businesses, but not necessarily car audio installation. So, again, I think we accept the member of the public's statement as fact and would recognize that surely some of those police calls obviously now were for this building.

Mr. Vest said (inaudible). **Mayor Garner** said, Mr. Vest, the commissioner would have to call you for further questions.

Mr. Hand said if I may, just related to the landscaping. That landscaping is all on private property. Again, there was a vacation so it's just not reflecting in this map right now of that public right-of-way that pulls it up to Mr. Vest's property line. The previous conditions of approval ask this

business to follow the commercial design guidelines including the landscaping requirement, and that's what they did.

Commissioner Stites said, Gunnar, if you would. The building in question, 1315 is owned by the same person that we have all the issues with? **Mr. Hand** said correct. **Commissioner Stites** said so, he wants to continue to rent that out, I'm sure. **Mr. Hand** said correct. **Commissioner Stites** asked, so then why are we not holding him accountable? Hold this SUP up until he corrects all his other issues? I don't think we reward the guy with allowing him a SUP for five years and he continues to have issues that he's not addressing. That's where I'm at with it.

Secondly, as far as calls for service to the Police Department, I happen to know a little bit about that, but when you get a call for service, there's a record of it and it shows what address is in question or where the call for service is at. I think that it's going to say it's at the car shop or it's at the flower shop or it's at the doughnut shop. In my opinion, it shouldn't be hard to differentiate the calls for service for this particular business.

Now, they may just be given that general area on some calls, that's going to happen, but I'm sure, because Mr. Vest said that he was the complainant on many, many calls, according to him. I think that we deny it. Make the guy address all the other issues and find out the calls for service. I'll make that a motion.

Action: Commissioner Stites made a motion to deny Special Use Permit Application SP2023-044.

Mayor Garner said we've closed the public comments, Mr. Vest. I apologize.

Action: Commissioner Bynum seconded the motion to deny.

Commissioner Townsend said just clarify the motion is to what?

Commissioner Ramirez asked, for what reasons? When we have a denial, we have to have reasons for denial for the record. **Commissioner Stites** said for calls and violations.

Roll call was taken on the denial for reasons stated above and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley. (Prior to voting, Commissioner Johnson said I was going to send this back but I'm going to go forward with the denial.)

Item No. 4 – 212742…SPECIAL USE PERMIT APPLICATION SP2023-059 - JORGE RAMIREZ

Synopsis: Special Use Permit for a drinking establishment with live entertainment at 4960 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant, Jorge Ramirez, DBA Café Tikal is requesting a Special Use Permit for live entertainment at an existing restaurant at 4960 State Avenue. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2023-059, for two (2) years, subject to:

1. The applicant must work with Property Maintenance Compliance (Code Enforcement) and Building Inspections to address all active violations on the property;
2. The applicant shall plant six (6) new trees on the property along State Avenue;
3. The gas line/electrical box on the east side of the building is exposed. A bollard will need to be installed to prevent the gas line from being struck. The applicant will also need to provide screening, such as scrubs to conceal the gas line from sight;
4. The applicant shall install a walkway that leads from State Avenue to the restaurant, as well as crosswalk markings in the parking lot that connect the walkway to the front door;
5. All entertainment must cease by at least 1:00 AM;
6. Doors and windows must stay closed during any entertainment performance;
7. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
   a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
   b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
   c. An I.D. scanner will be used at all times;
   d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
8. No amplified speakers or entertainment is allowed in outdoor spaces; and,
9. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the

Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

11. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
12. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
13. If approved, the applicant must file and maintain a current business occupation tax application with this office;
14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
15. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
16. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;
17. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
18. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
19. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

20. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
21. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
22. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve Special Use Permit Application SP2023-059 for two years, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 5 – 212743…SPECIAL USE PERMIT APPLICATION SP2023-060 - GUNNAR HAND, AICP - UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

Synopsis: Special Use Permit for an event space at Legends Field at 1800 Village West Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant and property owner, Unified Government of Wyandotte County/Kansas City, Kansas, seeks approval of a Special Use Permit to operate an event space and host live entertainment at Legends Field at 1800 Village West Parkway. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application SP2023-060, subject to:

1. Public rights-of-way may not be blocked by trash enclosures or receptacles;
2. Sidewalks shall remain clean and clear of trash and debris;
3. Alcohol can only be provided by licensed vendors;
4. The Unified Government will seek a Master Plan Amendment for the property on behalf of the Monarchs;

5. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
   a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
   b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
   c. An I.D. scanner will be used at all times;
   d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
6. Vendors are required to obtain a liquor license and they must be maintained with the State Department of Revenue Alcoholic Beverage Control;
7. The applicant must keep a current business occupation tax application and entertainment license with the Business Licensing Division located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
8. All existing and future driveways must feature curb cuts that are constructed to UG standards;
9. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking on another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
11. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
12. The Special Use Permit shall be valid indefinitely from the publication of the associated Ordinance;
13. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
14. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of

approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve Special Use Permit Application SP2023-060 indefinitely, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

MASTER PLAN AMENDMENT APPLICATION

Item No. 1 – 212734…MASTER PLAN AMENDMENT APPLICATION MPL2023-011 - ALEX ELLIOTT WITH ATLAS LAND CONSULTING

Synopsis: Master Plan Amendment from Residential (Central Area Plan) to Community Commercial (Central Area Plan) at 2324 Grandview Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **This item was previously heard in conjunction with Change of Zone Application COZ2023-022.**

PLAN REVIEW APPLICATION

Item No. 1 – 212745…PLAN REVIEW APPLICATION PR2023-019 - ANDREA RAND WITH ISG

Synopsis: Preliminary and Final Plan Review for a self-storage facility at 5200 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant, Stuart M. Shoen with 22 SAC, LLC, is requesting a Preliminary and Final Plan Review for a self-storage building. The new development will be constructed on the site of an existing truck rental business; the new development will be constructed on a portion of the existing parking lot. A variance from the parking and landscaping requirements, BOZA2023-023, has been filed in conjunction with PR2023-019. The Planning Commission voted 7 to 0 to recommend approval of Plan Review Application PR2023-019, subject to:

1. The following requirements of Commercial Development Guidelines Overlay District have not been met. The applicant is requesting a deviation:

a. Per Section 27-575(d)(11), internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces.
b. Per Section 27-575(d)(12), pedestrian connections must be clearly defined in a combination of two or more of the following ways: six-inch (6") vertical curb, trellis, special railing, bollards, special paving, low seat wall or other architectural features, pedestrian scale lighting, and traffic-calming devices.
c. Per Section 27-575(g)(2), service areas and docking facilities should be located to the side or rear of the building away from public streets and main circulation and drives when possible.
d. Per Section 27-576(c)(1), Commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of a building.
e. Per Section 27-576(c)(2), in order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of at least three of the following techniques: divisions or breaks in materials; building offsets (projections, recesses, niches); window bays; separate entrances and entry treatment; or variation in rooflines.
f. Per Section 27-576(e)(4), all building facades shall be at least 50 percent masonry. Cementious siding may be used to meet 50 percent of the total masonry requirement.
g. Per Section 27-576(h)(1), for new construction, windows, windows with awnings, and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots. Windows should be for display purposes or to allow viewing both into and out of the interior.
h. Per Section 27-577(d)(3), landscaping should breakdown in scale and increase in detail, color, and variety to mark entryways into developments.
i. Per Section 27-577(e)(3), groups of parking of between 40 and 50 spaces must be separated by a ten-foot-wide landscaped median or berm, or pedestrian walkway within a landscaped median.

2. All signs in the public right-of-way must be removed before a building permit can be issued.
3. If there is a change of use to the proposed building to where customers are regularly accessing the building, the applicant shall file for a revised Final Development Plan and make site adjustments to accommodate for pedestrian circulation to and from the building both on and off-site.
4. Signage shall be installed on the proposed building to indicate that it is not a publicly accessible building for customers or any other pedestrians.
5. Per Section 27-467(g), trees are required at not less than one (1) per 7,000 square feet of site area. The subject property has 327,408 square feet, requiring 47 trees be provided on the site plan. Applicant is requesting a variance from this requirement through BOZA2023-023, a simultaneous application.
6. Per Section 27-699(a), the following landscaping requirements must be met:
   a. The area between the curb of a public street and the property line shall be brought to finish grade and planted in grass. In no case may this area be paved or covered with materials other than grass or an appropriate ground cover, except at approved driveways that shall be paved. Approved street trees may also be planted.

b. All areas not covered by buildings, paved area, or other acceptably improved areas shall be landscaped with such landscaping continuously maintained.
c. No landscaping in street rights-of-way or in the required sight distance triangles on corner lots, as provided in Section 27-637, shall be allowed to exceed 24 inches in height, except for approved street trees.
d. At least one-half of the trees planted to fulfill the tree planting requirements shall be shade trees.

7. Per Section 27-699(b), the following screening requirements must be met:
   a. Screening shall not extend into the sight distance triangle or beyond the required parking or paving setback where side or rear lot lines approach a street right-of-way.
   b. Where the required screening is made ineffective by topographic or other uncontrollable conditions or where the screening would tend to obscure another commercial or industrial use, buffer plantings and/or shade trees may be substituted.
   c. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials.
   d. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one foot candle as measured from said property line.
8. The applicant shall install additional landscaping to screen the loading and service area from State Avenue
9. The applicant shall add a crosswalk from the existing (western) building into the parking lot.
10. Per Sections 27-699(b)(3), -699(b)(4), and -703, all landscaping must be completed in satisfaction of all landscaping requirements as part of the proposed site development, no landscaping may be delayed due to the zoning district or vacancy status of adjacent properties, and additional landscaping must be installed if current landscaping dies or adjacent development requires the subject property to add additional landscaping or screening.
11. Per Section 27-702(1)(a-d), all shade trees shall be at least two (2) inch caliper when planted as measured 12 inches above the ground.
12. Per Section 27-467(g), a six (6)-foot high architectural screening is to be provided along the rear property line shared with the adjacent residentially zoned property. Additional screening or buffering may be required to soften the visual impact of parking or unsightly areas. Per Section 27-577(c)(4), this screening must be 100% sight-obscuring year-round buffer using plant material or a combination of fence, berm and plant material.
13. Per Section 27-577(f)(1), plants that die must be replaced no longer than four (4) months from the date of its death.
14. All signs in the public right-of-way must be removed;
15. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to

confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

16. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
17. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
18. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
19. This Board of Zoning Appeals case is being heard in conjunction with PR2023-019. Any approval by the Board of Zoning Appeals of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of Petition PR2023-019 by the Unified PR2023-019 September 28, 2023 10 Government Board of Commissioners and upon any ordinance publications required by law;
20. This City Planning Commission case is being heard in conjunction with BOZA2023-023. Any approval by the City Planning Commission of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of Petition BOZA2023-023 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;
21. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
22. All existing and future driveways must feature curb cuts that are constructed to UG standards;
23. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
24. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;

25. A Right-of-Way Permit may be required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
26. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) Permit. Any improvements to, construction or alteration of sanitary systems, stormwater systems, public or private streets, sidewalks, or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;
27. BPU ground mounted transformers shall be screened on all four (4) sides from public view. Architectural screening walls are the preferred method, but landscape screening is an allowable alternative. Screening shall be designed to be solid to the view, and any designs incorporating air circulation shall not be visible. Screening height must be the greater of either six (6) feet tall or the height of the utility being screened. Designs shall show two (2) possible site orientations. Designs will also incorporate all BPU Engineering specifications and largest of all the required dimensions. Refer to attached BPU Engineering documents for details;
28. Section 27-467(g) requires that a six foot (6')-high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property. Additional screening or buffering may be required to soften the visual impact of parking or unsightly areas;
29. The Department of Planning + Urban Design shall not give approval for any temporary certificate of occupancy (TCO) or final certificate of occupancy (CO) before the completion of all required work. For any project that requires a certificate of occupancy, prior to requesting for any certificate, the applicant, permit holder, and/or property owner shall complete all items required by: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. Planning Department standards require that all required work be complete prior to requesting a TCO. The only item that is allowed to be incomplete is landscaping, which shall be complete before requesting a CO. A bonded CO may be allowed in case of adverse weather conditions; however, all requirements must be completed for all items not secured by the bond;
30. Plants that die must be replaced no longer than four (4) months from the date of its death;
31. All new rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building. Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines; and,
32. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. All conditions of approval herein must be constructed, executed, implemented, or otherwise completed within 18 months of approval unless otherwise determined by the Director of Planning or their designee.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve Plan Review Application PR2023-019, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

MISCELLANEOUS - ORDINANCES (The following ordinances formalize previous Commission approval.)

Item No. 1 – 212716…AN ORDINANCE rezoning property at 3000 South 74th Street (COZ2023-014) from R-1 Single Family District to A-G Agriculture District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-110-23, "An ordinance rezoning property hereinafter described located at approximately 3000 South 74th Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 2 – 212717…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-020) at 2737 South 53rd Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-111-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 2737 South 53rd Terrace, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 3 – 212718…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-026) at 31 South Tremont Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-112-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 31 South Tremont, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 4 – 212719…AN ORDINANCE authorizing a Special Use Permit for a day care center (SP2023-043) at 2605 West 39th Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-113-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for an existing day care center at 2605 West 39th Avenue, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 5 – 212720…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-046) at 4138 Lloyd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-114-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 4138 Lloyd Street, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 6 – 212721…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-048) at 3925 Springfield Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-115-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 3925 Springfield Street, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 7 – 212722…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-049) at 4028 Booth Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-116-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 4028 Booth Street, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by**

Commissioner Stites, to approve the ordinance. Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 8 – 212723…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-050) at 4456 Springfield Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-117-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for non-owner-occupied Short-Term Rental at 4456 Springfield Street, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 9 – 212724…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-052) at 2504 West 47th Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-118-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 2504 West 47th Avenue, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 10 – 212725…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-053) at 2822 West 43rd Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-119-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 2822 West 43rd Avenue, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 11 – 212726…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-054) at 719 Lyon Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-120-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 719 Lyon Avenue, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 12 – 212727…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-056) at 4206 Mission Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-121-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 4206 Mission Road, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 13 – 212728…AN ORDINANCE authorizing a Special Use Permit for a Short-Term Rental (SP2023-051) at 2924 Eaton Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-122-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a Short-Term Rental at 2924 Eaton Street, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 14 – 212729…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-033) at 4016 Springfield Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-123-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 4016 Springfield Street, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there

were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 15 – 212730…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-030) at 2602 Essex, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-124-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 2602 Essex, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 16 – 212731…AN ORDINANCE authorizing a Special Use Permit for a non-owner-occupied Short-Term Rental (SP2023-031) at 2602 North 107th Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-125-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, for a non-owner-occupied Short-Term Rental at 2602 North 107th Terrace, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 17 – 212746…AN ORDINANCE authorizing a Special Use Permit (SP2023-034) to keep 20 chickens at 9350 Nelson Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-126-23, "An ordinance authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, to keep 20 chickens at 9350 Nelson Lane, Kansas City, Kansas." Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

PLANNING AND ZONING NON-CONSENT AGENDA

SPECIAL USE PERMIT APPLICATIONS

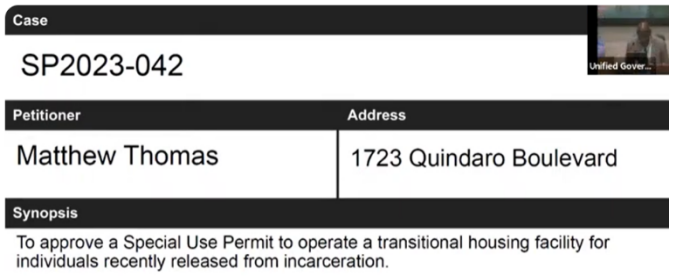
Item No. 1 – 212738…SPECIAL USE PERMIT APPLICATION SP2023-042 - MATT THOMAS WITH FIRM FOUNDATIONS MINISTRIES, INC.

Synopsis: Special Use Permit to operate a group dwelling unit at 1723 Quindaro Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant, Matt Thomas with Firm Foundations Ministries, is requesting a Special Use Permit to operate a group dwelling to provide transitional housing facility for individuals recently released from incarceration at 1723 Quindaro Boulevard. This Special Use Permit is retroactive as the dwelling is currently operating without a Special Use Permit. The Planning Commission voted 6 to 2 to recommend approval of Special Use Permit Application SP2023-042, for two (2) years, subject to:

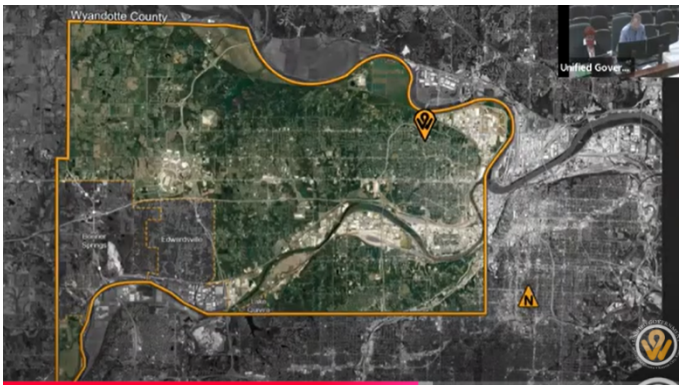
1. The property owner shall plant two (2) street trees along North 17th Street;
2. There shall be no more than seven (7) guests on site at a time;
3. There shall be one (1) staff member on-site at all times;
4. The following repairs identified in the inspection report shall be performed prior to operation:
   a. Downspouts shall be installed to direct water away from the basement and foundation.
   b. The basement egress door shall be unblocked, and the locked gate removed.
   c. Handrails shall be installed where identified or repaired where identified.
   d. Outdoor outlets shall be replaced with GFCI outlets.
   e. Any loose or exposed wiring shall be repaired by a qualified electrician;

5. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
6. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
7. If approved, the applicant must file and maintain a current business occupation tax application with this office;
8. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;
9. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. No flood lights are allowed;
10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so must take it upon themselves to initiate the building permit process accordingly;
11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
13. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

14. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
15. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
16. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.



Gunnar Hand, Director of Planning and Urban Design, said, again, it's a special use permit for a group home. This location was approved for a special use permit for a transitional housing or a group home and a parking variance in 2011. I say that to just note that this has been previously approved and has been established previously as a use at this location.



This is in the Northeast Area Plan.



Staff did receive support at the City Planning Commission. There was opposition at the neighborhood meeting that the applicant hosted regarding this use.



We found out after the City Planning Commission hearing that some members of the public in opposition had trouble getting into the Zoom meeting at the City Planning Commission, so we did receive some letters in opposition sort of after staff had received packets. Those were submitted to the City Clerk.



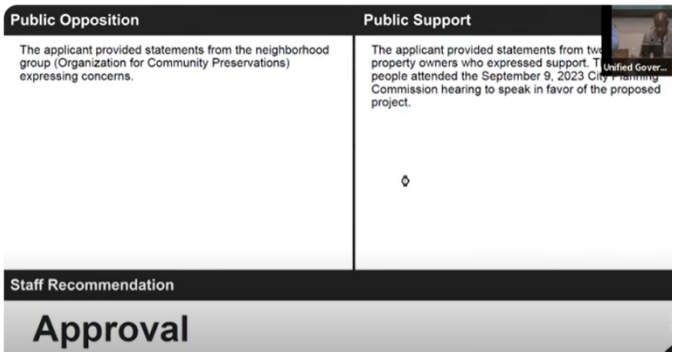
So there is opposition. There was support at the City Planning Commission. They are currently addressing, through this application, an existing notice of violation for operating without a special use permit.

This applicant also runs another group home in the Northeast area. Once we had a zoning case against that group home, they then realized that this use requires a special use permit. So, at

the time, we were looking at both and they are currently applying for both, the other group home. Just as a side note, hasn't made it through the Planning Commission quite yet.



Staff agrees with Planning Commission's recommendation for approval for two years with conditions.



Mayor Garner said I'll ask the applicant or representative to present the application.

Matt Thomas, Shawnee, KS, said I'm the Executive Director of Firm Foundations Ministries. I am one of the pastors of Freedom Initiative Church. We, at Firm Foundations, we empower men and women to move from being imprisoned to empowered and we do that through the transitional housing program that we have. We do leadership development both inside of incarceration and outside of incarceration. So we teach leadership actually down at 1723 Quindaro Blvd.

We have been in business for 10 years through the state. We have transitional housing in Wichita, Topeka, and Kansas City. I apologize for not getting a special use permit but as soon as we found out we had to get one, it was like okay. We need to do both.

Since we've started, we've served more than 550 men and women through our housing program and throughout Kansas. We've been able to help a lot of men reunite with their families, become dads, and become productive in the community, and be able to repair relationships with their family.

We run a 6 to 12-month faith-based program. We work very closely with the Department of Corrections and even the federal probation system, regular probation, and local entities to be able to help these men succeed in life. We had one women's house down in Wichita, but our overflow was so big with men that didn't have a place to live that we kind of turned it back into a men's house down in Wichita.

We help support guys as they get full-time employment. We help provide them with re-entry support by partnering with Brothers in Blue Re-entry and some other local entities to be able to help them be successful. We work with them on weekly planning; weekly classes about things like building healthy relationships, how to handle conflict, dealing with trauma, and being able to become emotionally healthy not only in regular everyday relationships, but at work and other places.

We have recovery support through random UAs, breathalyzers. We have accountability. We have clinical therapeutic group meetings for these men twice a month to be able to help them have an outlet to be able to talk about some of the things that got them in trouble in the first place. Really, our goal is to help these men become stable and secure and successful in life.

What's different about the Quindaro building is we have a leadership development path that goes from inside of incarceration to outside. So, we actually work with men inside Lansing Correctional Facility to help them be successful and be leaders. These are men that have wanted to either step into ministry or other leadership situations. We run these men through a two-year process to help them become successful.

We had the opportunity—I knew Pastor Bailey and Mrs. Bailey that actually ran Love Outreach and the church over there. It was an amazing opportunity where it came up for sale and we were able to buy it. Really, the beautiful thing is we rebuilt the whole and really redid the

whole inside of the building. Now we have leadership development that lives upstairs and we have a church that we planted downstairs. One of my pastors and his wife, Abraham, are here.

The goal is to help these men not only reintegrate back into the community, but to help them be able to be mentors to other kids who just honestly, like my story and like Abe's, have picked up pistols and drugs and are on the way to prison. We want to try to help them not go to prison by having other people speak into their lives. That's what's really special about the Quindaro building that we have. We're really seeking the permit because we believe that we can be a positive presence in the community and really have an opportunity to do something good.

Mayor Garner said I'll now open the public hearing and ask the Clerk if there are any notifications from the public who wish to express their comments in favor? **Ms. Sparks** said no comments have been received. **Mayor Garner** asked, is there anyone present who would like to speak in favor of this item?

Abraham said I'm actually the pastor of Safe Haven that's in question. When it comes to upstairs, the men in the ministry upstairs, as Matt expressed, it's a process for even men to even get up there even before they get out of prison, like a two-year process they actually go through whether it be Brothers in Blue inside the prison, just really have an external process.

The other side of that, when they do come out, we realize, I realize that men do have a calling upon their lives. They do have a purpose They do have a meaning. They do want to make a difference. A lot of times men spend a lot of time taking from the community. Now they want to give back to the community. This is the platform that we use for our ministry, for my ministry, that I'm really active and really involved with.

The men that are upstairs, that live upstairs, just for the short amount of time they've been up there, we do a food pantry twice a month, the first and third Monday of each month at our location. I also drive for different locations probably about five, six times a week. Our location, we feed anywhere from 65 to 80 people out of our food bus. What happens is that men, women, and children come up on our bus, they get food for their household. They will take it home to their household. These men upstairs are a very part of that, especially when it comes to that. Not just that, but we also teamed up with Judge Courtney McKenzie. At one particular point in time, she

was doing a CARE Act when it comes to just getting information about…**Ms. Sparks** said one minute remaining.

Abraham said …when it comes to affordable living, bills, all the things we discussed tonight. We need people out there to help to get this information out so these guys can come to that. This is way lot more than what's beyond. This is really needful for us, for our community, for our church, to keep it thriving, keep it going. I hope it gets your yays.

Crystal Orr said I'm co-pastor with Abraham at Safe Haven. The parts that were kind of left out or he didn't have time to say is that if we don't have this area for these men that have come out of the system and moved into the rooms upstairs, they would be homeless. They won't have anywhere to go. They won't have anywhere to live. I really believe that this is an opportunity to give them to be able to establish themselves within the community and then be successful after leaving this area and getting out more into the community and being able to help.

Several of the men that are upstairs, they not only help with the food pantry, they also have become really great leaders within our ministry, our ministerial team. We would be losing a lot of beneficial people to our church and to our community if we do not allow it to continue on. I just wanted to ask that you guys vote to keep it going.

Mayor Garner asked, Clerk, is there anyone joining us virtually who'd like to speak in favor of this item? **Ms. Sparks** said no hands are raised.

Mayor Garner asked, Clerk, have you received any notifications from the public who wish to express their comments in opposition? **Ms. Sparks** said no comments have been received. **Mayor Garner** asked, is there anyone present who would like to speak in opposition of this item? (No one appeared.) Clerk, is there anyone joining us virtually who'd like to speak in opposition of this item? **Ms. Sparks** said we had a hand raised.

Candie Leonard-Caldwell said I'm President of Organization for Community Preservation. First, I would like to correct the special use hearing meeting. It was scheduled for September 11th. When I went on to get information about the meeting, there was a notice posted saying the meeting had been cancelled. Members of the Neighborhood for Community Preservation, since September 5th, tried to turn in letters of opposition to the transitional living house.

As President of Neighborhood for Community Preservation, OCP, if I got a traffic ticket, I couldn't apologize for not paying that traffic ticket. As President of Organization for Community Preservation, I believe that the special use permit should have been followed upfront.

As President of Organization for Community Preservation and a resident of this community, letters of opposition clearly state safety issues. We don't know what type of offenders are going to be in the transitional living house and who governs the transitional living house. Are they members of the Kansas Homeless Coalition?

That's all I have to say at this time. But, again, we are clearly in opposition of the transitional house. Steps were not followed upfront for the transitional house. I believe in everyone having a second chance in life, but let's follow the correct steps to do that.

Again, even though it's on a boulevard…**Ms. Sparks** said one minute remaining.

Ms. Leonard-Caldwell said you're still in a residential area where children are there. You're not directly in 100 feet of proximity of schools, but yet, children walk that area. There are three schools within the community.

A developer, you think an amenity, we could say we have a transitional living house in our area, would that be an amenity? Would that attract developers? Could we sell our home if someone would Google and say we're in the proximity of a transitional living home?

Mayor Garner asked, Clerk, anyone else? **Ms. Sparks** said no other hands are raised.

Mayor Garner said I'll close the public hearing. Petitioner, would you like to make some closing comments?

Pastor Thomas said I totally respect the neighborhood that we have these houses, and we try our best to be as neighborly as possible and to not have police involved with anything. I think we've had two calls where we had one guy, and not at Quindaro, that we had to bring the police in because one of our no-go rules is violence of anything. Even getting into a shouting match is grounds for this is not the right place for you. Then the only other time we had police involvement was when somebody broke into a string of cars down the street and when there was an actual shootout over at the 5th Street house where two cars were shooting at each other.

Besides that, we work really closely not only with the Department of Corrections, but we have a structure and rules. We have a 12-page application that these men fill out. We have release of information to where we work with their parole officer even ahead of the time they are released from incarceration. We work with the re-entry team so it's not like willy-nilly. We just let whoever in that wants to come in. We are trying to help these men be successful. That's not only providing them a safe environment in the house, but that's putting them in an area and teaching them how to be successful. We are very cautious with what we do. I respect what she's trying to say and I understand where she's coming from, but we are very careful with how we do things.

Commissioner Townsend said, Mr. Thomas, if you don't mind, I'd like to ask you some questions. First of all, I applaud your intentions. I guess the concern I have was the method. Is this property at 1723 your first ever property to encourage men who are coming from…**Pastor Thomas** said no, ma'am. We've been doing this for 10 years. We have six houses through the state of Kansas. We have literally worked with over 550 individuals coming out of incarceration to help them be successful. This is not the first time doing it at all.

Commissioner Townsend said so that being said, I am concerned. How long were you operating there at 1723 with no special use permit? Having been doing this you said for 10 years, it seemed like you would know that you would need some or at least inquire…**Pastor Thomas** said we never had to file for a special use permit in any of the areas that we have houses in. This is literally the first time that we've had to do this. We've only been doing this for a year with 1723 Quindaro. **Commissioner Townsend** said that gives me concern that in 10 years of this, there was not even an inquiry made about it.

Commissioner Townsend said the other thing that you said that I would have to ask you about, did you do any investigation of services like yours that are already there in the area?

Pastor Thomas said yes. There's the Village Initiative, which is up the street on 27th & Quindaro. I'm very good friends with Elder George and Chanel. Chanel's a great friend of mine. We actually work really closely together with our housing program, our leadership development, and their food pantry. Even one of our employees that lives in 1723 Quindaro, goes and volunteers and does administrative work for them up there. So we partner very closely with different

organizations in the community, but yet we do it a little bit different because we are more on the faith-based side, the leadership development side, so we work well in conjunction.

Commissioner Townsend said that sounds very much like what Village Initiative does. For those of you who may not know, Village Initiative has been at the corner of near 27th & Quindaro for at least as long as I've been here, which has been 2013. They have come to this Commission before and the neighborhood. What I would say, the way that a project like this is supposed to, in terms of coming for the SUP—and recently, I would say within the last month, they've broken ground on two transitional homes. They have come to the neighborhood, to Economic Development the right way, so it gives me pause that you have not, and you have two homes in the Northeast end.

Commissioner Townsend said let me ask, what determination is made or are there any limitations made on who comes into that house at 1723 with regard to their past histories? Do you have persons who may have sexual predator or any type of sexual conviction?

Pastor Thomas said we do not house sexual predators. We do house men that have to register as a sexual offender whether it's a solicitation charge or whatever that may be. But that being said, these are not men that are just randomly; we just pick them up. We go through a process. They have completed SOP inside of prison. They work real closely with their parole officers outside. So these men are vetted. They've been through the process. Honestly, the majority of the men that we work with are coming to Wyandotte County. We provide them supervision and a good place to be to where they get a good chance of starting a real life.

Commissioner Townsend said let me go back, and thank you for using a broader term which is what I really want to get at. Do you have persons there—do you allow persons at 1723 who have a past criminal history of any type of sexual offense? **Pastor Thomas** said yes.

Commissioner Townsend asked, what about the 5th Street house? **Pastor Thomas** said yes. We do that with all of our programs. We try to help everybody involved to say that you guys—here's a good example. With Village Initiative, they do not house anybody that has an arson charge or any type of sexual offense. What that does is that leaves a gaping hole in Wyandotte County, and any other county, to give somebody a safe, supervised place to live to

where they're not just wandering in the streets or where they end up in a homeless shelter or they are unsupervised through the community.

We have literally found a way to build from the ground up a place for them to be successful to where even these men that have a sexual charge at some point in life have gotten married, have had children, and are doing wonderfully. The difference is, we're not talking—we don't work with men or women who are predatory in nature. They usually find their way to Larned Mental Health Correctional mental health facility because they have become civil committed. We work with men who have, hey, I had an underaged girlfriend. Hey, I shouldn't have done this. Hey, I caused an offense because I was abused as a child and now I've worked through counseling to help me get to a place to where I'm healthy. That's the men that we work with.

Commissioner Townsend said thank you for your honesty. I have a concern about that because your location is, according to Google, one mile from Quindaro Elementary School. Village Initiative was very receptive to EcoDevo requirements, the neighborhood's requirements that they not have anybody with a past history of any type of sexual offense. So, I have a real concern about who you may be allowing to inhabit 1723 no matter how good the intentions. With an elementary school that close and Village Initiative, literally within walking distance of it, I find this to be an oversaturation in that one area of what's going on.

Commissioner Townsend said it's also, 1723 is also in the heart of one of the districts that the Unified Government has identified for development with requests for qualifications. I'd hope we would hear something about that soon, and we may. I do not see 1723, by this operation, being a business that would likely promote or encourage development that OCP and the neighbors want there and the constituents want there so badly. I don't see that promotes that here, and I think we have an oversaturation here. It's unfortunate that the 5th Street house project was moved back, and I think that's part of the confusion that OCP had and not appearing at the Planning and Zoning Commission.

Pastor Thomas said with all due respect, September 11th, the lady in question was on our call and she was part of that conversation. **Commissioner Townsend** said no. I'm talking about the actual Planning and Zoning. **Pastor Thomas** said okay. **Commissioner Townsend** said I saw the notes. **Pastor Thomas** said I apologize for that.

Pastor Thomas said what I would say is, what do you consider an oversaturation? **Commissioner Townsend** said well. **Pastor Thomas** asked, do you know how many people are actually releasing to Wyandotte County like each month? **Commissioner Townsend** said that's not the issue.

Commissioner Townsend said we're looking at who's inhabiting 1723. This says there's seven people in there. **Pastor Thomas** said yes. **Commissioner Townsend** asked, how often are these people turned over? How long are they allowed to stay? What are they doing during the day?

Pastor Thomas said they go to work. Our program is 6 to 12 months long. Some stay for two years. Some stay for the six months. We help them get a job. We help them go to church and get involved in the community, which provides oversight. They are not only being supervised by us, but we also have a live-in manager who oversees everything. Not only do we have that, we have a city lead and then we have a regional director that provides oversight to him. They go to work. They go to church. They attend pro-social things like classes. We have Wednesday night curriculum. So, they are accounted for all week. We have a curfew that's 10:00 during the week. Friday and Saturday it's midnight so they can actually go do something. That's what we do.

Commissioner Townsend asked, this has been inhabited for how long? **Pastor Thomas** said one year.

Commissioner Townsend said for the reasons stated, I have a real concern with this because it's not what OCP and rest of the neighborhood looks like, I mean, is in favor of it. It is not conducive to economic development. Yes, there are people that come in that need places to start over, but I still maintain that Village Initiative, which is in walking distance from your facility, has done a great job of handling that, at least since 2013. I would not be in favor of this special use permit because of the oversaturation or to say that the services that you seek to provide are already there.

Pastor Thomas said but they're not. They are different. **Commissioner Townsend** said we'll disagree on that. We'll disagree on that. **Pastor Thomas** said I appreciate that.

Commissioner Townsend said you're bringing in or servicing people who are coming out of an incarceration situation. That is exactly what Village Initiative does.

Pastor Thomas said so with all due respect, Village Initiative will call us when they need beds because we have this relationship. Pastor Bernard and his wife Trina own a barber shop and

the house that is directly next, almost connected to the building. They are all about what we're trying to do. Mr. Wilson, that runs the pizza place a block down, is all about what we're doing and what we're trying to do. I hear you, I respect you, and I understand what you're saying, but I don't think that accounts for everybody that's around that area.

Commissioner Townsend said no, you're right. It wouldn't be everybody, but I do know Pastor Bernard, but he does not run Village Initiative. Mr. Wilson has some of the best pizza in the United States. That's not really the issue. **Pastor Thomas** said but he's part of the community. **Commissioner Townsend** said well, I don't doubt that either. I'm just sharing what my view is. Been in this business 10 years. It did not come to your organization to inquire if even a special use permit was needed. We have two operations within District One of this kind of thing.

I applaud the minister and his wife. Appreciate that, but I think it's just too much the same thing in one area. I move to deny the special use permit.

Action: Commissioner Townsend made a motion, seconded by Commissioner Kane, to deny Special Use Permit Application SP2023-042.

Commissioner Johnson said first of all, I do understand the comments of my colleague with regard to the fact that this is something that if you all have been doing this for a while, that it was something that you say has never been required. I do pause with having said that. I also knew the predecessor that occupied that building, the Bailey's, very well. It seems to me that the type of operation that you're running is almost similar to what they were running. Can you let me know if there are—what are the differences between what you're doing and what Pastor Bailey and his organization was doing before they decided to retire?

Pastor Thomas said Pastor Bailey ran more of an emergency type shelter situation upstairs. They had people that were in horrible situations that needed a spot to sleep off the street. So they would pull them in. They would bunk them in these rooms and he just loved on them. He fed them and he made sure they were taken care of. It was more of a transient type of environment.

We run a long-term program where we work with these men to get them stable and then work with their parole officers to help them transition into life, to their own space, with their own car, their own everything to where they are actually in the community being productive.

The other part that's different is downstairs with the church. Our goal is for the leaders upstairs to focus in the church, to get trained, continue the training that they started incarcerated, and then we send them out into the communities to do the same thing. To plant more churches, to develop more ministry, and to provide hope. So, those are the differences.

Commissioner Johnson said a much more long-term process than the Bailey's. **Pastor Thomas** said yes. **Commissioner Johnson** said I know that there are more opportunities. I know that there are more persons that are in need of services than what our friends at Village Initiative can service so I can understand why my colleague, Commissioner Townsend, suggested that there's oversaturation. I think the need is there. That's going to be there regardless. With the increase of the unhoused in our community, this is something that is simply not going to go away.

There's been a motion and a second. I'll vote accordingly as it comes to my turn.

Commissioner Bynum said I just had some questions. The building, as it's currently zoned, without an SUP, what could be done there? You could answer if you want to, but I think maybe Mr. Hand might need to tell us like what could happen there without an SUP because you already own the building.

Pastor Thomas said yes. We own the building. It's zoned residential upstairs and commercial for the church. **Commissioner Bynum** said so you could continue your church. **Pastor Thomas** said but it kind of cuts off part of the reason why we do it.

Mr. Hand said the zoning for this property is C-3. Mixed use is allowed. C-3 districts, as noted by the applicant. Other C-3 uses are everything that's allowed in C-2, C-1, which is basically retail and a little bit more intensive uses. For instance, in C-3, you could have a contractor's yard.

Commissioner Bynum said if you don't have the SUP, the upstairs can still be residential but just not in this fashion. It could be rented as an apartment, for example. Would that be true? **Mr. Hand** said correct, yes.

Mayor Garner said we're going to just take a quick recess (11:22 PM). Give us about five.

Mayor Garner said we are now going to proceed back into discussion (11:45 PM).

(Commissioner Markley left the meeting.)

Commissioner Townsend said we had to take a little break and our thoughts and prayers go out to Commissioner Markley She served this Commission and the city for a long time very admirably, so our thoughts and prayers go out to the family.

Commissioner Townsend said the comment I wanted to make was spurred on by what Commissioner Johnson said. I knew Reverend Bailey. I supported his mission there, but there's a big difference between services and who's coming there now compared to when Reverend Bailey was there. They were not coming from correctional institutions, specifically, they were on a hard time. But this is a different situation here, so I don't want that to befall on anyone.

Mr. Hand said just a point of clarification. In our Code of Ordinances, a group home is any six or more unrelated people living in a building. So, five or less could happen. We've used those initiatives quite a bit so I felt compelled to just say this. Either Village Initiative has five or fewer people in their facilities, or they do not operate with an SUP either.

Commissioner Stites said so, a little bit discombobulated here a little from what happened, but over your 10 years that you've operated at other locations, I guess you were saying that no need for a special use permit at your other locations, right? **Pastor Thomas** said yes. **Commissioner Stites** said so you came in here thinking you didn't need one, right? **Pastor Thomas** said no, and that was the deal. We came in and we were like, hey, here's a house. We can fix it up. This is a good spot. It's on the bus line. Like everything was fine.

What had happened was somebody made a code violation complaint that we had weights in the backyard. This is literally how it started and I was like okay. We'll take care of the weights. We moved the weights and then somebody said hey, you've got a couch on your front porch. You're not supposed to have that. So I was like okay. We'll take care of that too. Then we got a sticker on the window that says hey, you're running an apartment complex and not paying renters tax, or something like that. I was like, but we're not doing any of that. We run a faith-based transitional program.

Commissioner Stites asked, how come—and this is probably for Gunnar, but you can hold out if you'd like to—how come both SUPs aren't being ran at the same time so we can address 5th Street and Quindaro?

Mr. Hand said SUP follows the property and the owner, so they needed a separate SUP for the two different locations. They needed an SUP for each location, sorry.

Commissioner Stites asked, any calls for service as far as police? **Pastor Thomas** said we've had zero at Quindaro. There's never been anything, like no problems, no nothing at all.

Commissioner Stites said I would say with the continuing increase with homelessness and the burden that the homeless population puts on our services: police, fire, ambulance that you know, getting these folks that you've said are going to ultimately be back out on the street and looking for something to eat and looking for a place to sleep and rest and you're offering services for people to not just be turned out and good luck, but here's how we help you get better.

Pastor Thomas said to be brutally honest, like that's my story. I went to prison in 2006. I got out in 2009 in Arizona. I literally had to go through a transitional house. Then I moved to Wichita from Arizona. Then I got married. I have some beautiful kids and I raised my daughters that actually got removed out of my custody when I was incarcerated. For me, I just want to see that. We've really seen that. I have people that are doing this rather than just like here, let me give you some food. I wish you the best. I'm probably going to see you again in 90 days.

Commissioner Stites asked, what's the process on somebody that is not willing to either participate or they're not abiding by the rules or get out of hand? What do you do?

Pastor Thomas said when it comes to drugs, we have a two-step process. If we UA somebody and they're dirty, we say hey, here's the deal. You have to hit—you're on restriction. You have to hit two NAA meetings a week. You also have to do some extra service around the house. If it happens a second time—and mind you, we talk to the parole officer through this so it's not just like here you go—if it happens a second time, then it's a hey, we need to find you another place to go because this is not the right environment for you. So, we have a really wonderful relationship with Shelter KC. We have relationships with other places to where we don't just like, you're out on the street. You're on your own. We help them go different places.

Now, here's the deal. Some of them, you know what I mean, some of them don't take that help and they go their own way. For our side, for the most part, we want them to be successful even if that's taking a 30-day break or a 60-day break so they can get their head right and then give them a shot again.

Commissioner Johnson said I still stick by my comments that considering the unhoused population that is increasing, there's going to be more need than capacity. Through my church I've ministered for over 30 years at Lansing Correctional Facility, so I'm quite familiar with that environment. I have a few testimonies of those persons that were successful in terms of their re-entry that I have personal attachment to. It's a hard, long, tedious process. The losses are sometimes greater than the gain sometimes, but I think it's the kind of work that we, as a community, are going to be faced with.

I like the story of what I'm hearing. I'm glad to see that building is being reused for similar purposes. Maybe not the same in terms of length of time of stay. I certainly can appreciate the comments of the neighborhood association as well, but it just strikes me as a problem that we are going to have to continue to deal with, as a community, particularly as an urban community.

With that, again, I'll wait till the time for the vote, and I'll give my vote according to how I feel.

Commissioner Townsend said last comments. This is not, in my opinion, a way to deal with the homeless population, per se. We have a very specific set of facts here. In my time on Commission, this is at least the second time that people see it fit to in District One want to do something like this. One time it was in Fairfax. As I said, while I appreciate what you're trying to do, the character of the neighborhood does not support this. We already have this type of service. Village Initiative is building transitional houses in that neighborhood. I, again, have a very serious concern with having sexual people who have had any kind of sexual offense within one mile or less of an elementary school.

I thank you for what you're trying to do, but in this situation, I am not supportive of that.

Commissioner Bynum asked, Mayor, have we had a motion and a second on the item? **Mayor Garner** said yes. **Commissioner Bynum** said okay.

Commissioner Bynum said just following up on some of what we were talking about before we had to stop. We were talking about uses for the building and that the church was in compliance and that the upstairs could potentially be rented for some other use other than what you're doing.

Commissioner Bynum said prior to COVID, I had been working with the neighborhood association that's present tonight; along with Groundworks; the Neighborhood Business Revitalization Group, Project Rally, which is a non-profit; as well as the YouthBuild Program. All of those groups had come together to try to accomplish something in this exact area that was quite different, moving definitely in a much different direction than what's being proposed tonight.

COVID, when we talk about the ways that COVID impacted our neighborhoods, communities, and the world, this is one of those components because COVID forever altered that plan, it seems to me. It was really something that Organization for Community Preservation had really bought into because we were talking about a model block program and it was coming off the heels of, if you will, an excitement for the Northeast Area Master Plan that had been adopted in the year prior to bringing those groups together. Something much different was being envisioned for this area. It's part of what gives me pause for the work, the project that you're doing. At the same time, it's really difficult because I really appreciate what you are trying to do and what you are doing in other areas. It is noble, and it is needed.

I understand, I think, that you're indicating that the folks coming out of incarceration and potentially into this place are our Wyandotte County. **Pastor Thomas** said yeah, they're Wyandotte County. **Commissioner Bynum** said they're our people. **Pastor Thomas** said yes. **Commissioner Bynum** said that makes it really hard to decide. But, again, prior to COVID, we were definitely moving with—

Mayor Garner said I hate to interrupt. We are hitting that 12:00 midnight. We have to have a motion to suspend the rules to take us out of this part of our meeting and allow for us to go past 12:00 to continue.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Townsend, to suspend the rules and to continue past 12:00.** Roll call was taken and there

were eight "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, Ramirez, Johnson, Kane. (Prior to Commission Johnson's vote, he said reluctantly, aye.) (Commissioner McKiernan was no longer online.)

Commissioner Bynum said I will wrap up my comments. It is difficult to ponder this use when, again, before COVID we had four groups coming together to envision a future for this area, this exact area along Quindaro Blvd., that was an outgrowth of the community's enthusiasm for the Northeast Area Master Plan process. They had just wholeheartedly participated in. So that is really all I wanted to say with much gratitude for the work you are doing.

Mayor Garner said there's a motion and a second. Is there any further discussion? (There was none.) Clerk, can you repeat that motion for us.

Ms. Sparks said the motion is to deny the application.

Commissioner Townsend said one last thing pertinent to what Commissioner Bynum said. Before COVID, that was the thought. It still continues to be the thought. As I just said or earlier, this section, including that address, is one of three that this administration had identified and requested requests for qualifications to develop that area. So the hope remains alive. I appreciate what you're trying to do, but this is not something that I would see compatible with that or something that would really make developers want to come into that area.

Mr. Hand said, sorry. Commissioner Townsend, just a point of clarification. The RFQ did not pre-qualify any lead developers for the 18th & Quindaro site, so we're currently not pursuing.

Commissioner Stites said Commissioner McKiernan needs to be let back in. He just text me.

Angela Lawson, Interim Chief Counsel, said I am going to jump in and remind everyone it does take eight votes to override the veto.

Roll call was taken on the motion for denial and there were five "Ayes," Davis, Bynum, Townsend, McKiernan, Kane; and four "Nos," Stites, Burroughs, Ramirez, Johnson. (Motion failed.)

Mayor Garner said in the interest of time, I'm going to suspend the majority of the Commission's request to suspend the rest of the Planning and Zoning materials. Clerk, when is the next meeting for Planning and Zoning? **Ms. Sparks** said October 26th. **Mayor Garner** said for those watching—okay, you've been there patiently. What's your item? (inaudible)

Commissioner Bynum said I understand that the motion to deny the last item has failed. Does that mean that the item, as presented in the packet, passes, or is there some other vote needed? I do not understand the next step.

Mr. Hand said it's my understanding that you need to make another motion. **Commissioner Bynum** said in order to uphold the Planning Commission's work, right? **Mr. Hand** said or hold over or send it back to Planning Commission. **Ms. Lawson** said you can also vote to send it back.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Burroughs to send Special Use Permit Application SP2023-043 back to the Planning Commission.**

Mayor Garner said I've lost track. Just give me a quick second. **Commissioner Bynum** said I was asking. The last item, the motion to deny failed which means we have to have some other action now to finalize the work of the Planning and Zoning Commission. One suggestion was that it could go back to Planning, so a motion and second to that effect was made. **Ms. Sparks** said we do have a motion from Commissioner Johnson to send the matter back.

Commissioner Townsend asked, what would be the purpose of sending it back? **Commissioner Bynum** said if I were going to agree to that, my purpose would be such that we continue a dialogue with not only the neighborhood group but any and all other interested parties in the area to see if we can come to some mutual understanding about being able to have the SUP in place for the work they're trying to do. If it were me, that's what I would do.

Commissioner Burroughs said in light of what's happened here this evening, sending it back is doing respect to the individuals here this evening; but if I understood Gunnar correctly, they could go ahead and operate as long as they didn't exceed the limit of five. At this time, I would assume—I don't know what the population is at the residence now, but if it's five, there's really no action necessary. They could go back and appear before the Planning and Zoning to see if they could get the special use permit to expand the realm of the business. Is that what I'm to understand, Gunnar?

Mr. Hand said the special use permit for group homes is for non-related individuals in a single dwelling for six or more people.

Commissioner Burroughs said for six or more. Thank you for that clarification. So I think by sending it back, if there's a special use permit to exceed the number of six, it would allow time for you to, again, appear before the Planning and Zoning and have the meetings with the neighborhood group; but if you have six or less, I believe you could still, under the guidelines, operate. I don't think it's doing the harm that we might think it is by sending it back.

Commissioner Johnson said my reason for sending it back also was the fact that I was, at first, having pause because of the same reasons that Commissioner Townsend had. After we had further discussion, they were unaware that they had broken any code or anything at that particular time is the reason why I'd like to send it back and get some of those things addressed properly. That's my reason for it as well. There's two or three reasons right there.

Roll call was taken on the motion to refer the item back to the Planning Commission for reasons stated above and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Mayor Garner said we're going to allow one more. I know it's out of order, but I'm going to do this. We've had a lady waiting here all night, and it is past 12 midnight. That is Item A3, SP2023-057, Betsy Maxfield, for a special use permit to operate a short-term rental at 4436 Cambridge St.

What I will do is I'm going to suspend everything else on Planning and Zoning, as I noted. Clerk, what was that date that we were going to come back, for those that may be watching? **Ms. Sparks** said October 26th. **Mayor Garner** said so plan on the rest of what we did not cover tonight on Planning and Zoning to come back on October 26th. We will allow this last item.

Item No. 2 – 212740…SPECIAL USE PERMIT APPLICATION SP2023-047 - LANCE PIERCE WITH KARAT VACATION RENTAL MANAGEMENT

Synopsis: Special Use Permit to operate a Short-Term Rental at 3917 Fisher Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design

Action: Item suspended and rescheduled to the next Planning & Zoning and Full Commission meeting on October 26th, per Mayor Garner.

Item No. 3 – 212741…SPECIAL USE PERMIT APPLICATION SP2023-057 - BETSY MAXFIELD

Synopsis: Special Use Permit to operate a Short-Term Rental at 4436 Cambridge Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The Applicants, Betsy and Ryan Maxfield, DBA as Hermosa 711 LLC, are requesting a Special Use Permit to operate a short-term rental at 4436 Cambridge Street. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 4400 block of Cambridge Street. There is one (1) other unpermitted short-term rental on the block. The Planning Commission voted 7 to 1 to recommend approval of Special Use Permit Application SP2023-057, for one (1) year, subject to:

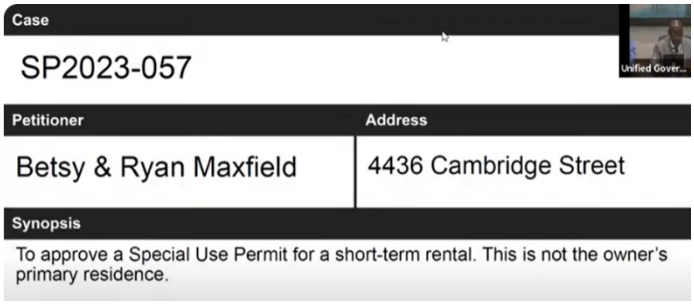
1. Maximum number of guests shall be six (6);
2. All parking must be off-street, maximum number of vehicles is two (2). No STR renters or guests may park on-street;
3. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
5. Applicant is to maintain liability insurance;
6. The property must remain in proper maintenance and free of hazards, pests, or infestations;
7. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
8. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);
9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of

Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

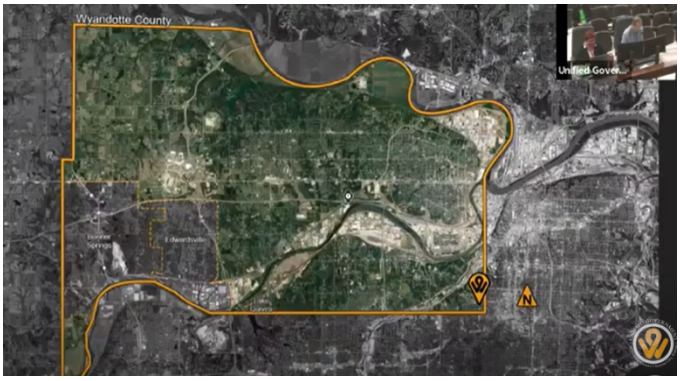
10. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
11. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
12. All existing and future driveways must feature curb cuts that are constructed to UG standards;
13. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
15. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
17. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
18. Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not

submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,

19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.



Gunnar Hand, Director of Planning and Urban Design, said this is a special use permit for a short-term rental. It is non-owner occupied. There is one non-permitted short-term rental also on this block. If this special use permit was to be approved this evening, staff would follow up with enforcement actions accordingly.



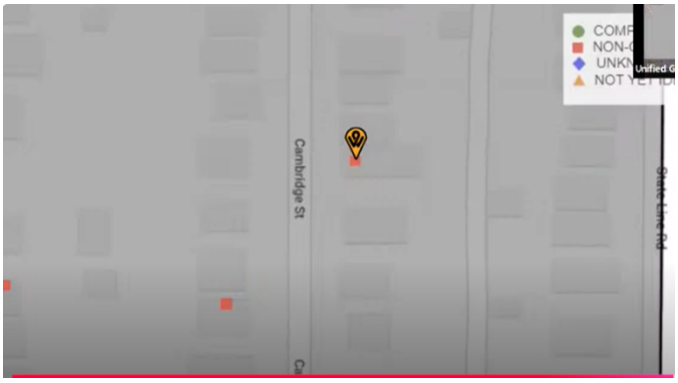
This is in the Rosedale Area Plan.



Staff received both support and opposition for this case.



There are no notices of violation related to the property.



Staff agrees with Planning Commission and recommends approval for one year with conditions maximum six people on site and two cars off street.



Mayor Garner said I'll ask the petitioner to come forward and present your application.

Betsy Maxfield, 10001 West 70th St., KCMO, said this house is owned. This is our only short-term rental. It's owned, and operated, and managed by my husband and I, so our family. We live about 7 to 10 minutes away, right down the road. We do all the managing, like I said, ourselves. We get along with our neighbors quite well. They all have our phone numbers. We haven't had any complaints. I'm just here to follow the proper rules and get the short-term permit.

Mayor Garner said I'll now open the public hearing. Clerk, are there any notifications that you received from the public who wish to express their comments in favor of this item? **Ms. Sparks** said no comments have been received. **Mayor Garner** asked, is anyone present who'd like to speak in favor of this item? (No one appeared.) Clerk, is there anyone joining us virtually who'd like to speak in favor of this item? **Ms. Sparks** said we do have a hand raised from Jake Hodson.

Jacob Hodson, 4448 Francis St., said I am the President of the Spring Valley Neighborhood Association. I notified the Planning Commission that the applicant for Special Use Permit 2023-057 at 4436 Cambridge St. failed to meet the obligation to notify the neighborhood association during their neighborhood meeting. That's in violation of…

Mayor Garner said I'm gonna have to stop you just for a second. It sounds like, so correct me if I'm wrong, that you're in opposition, correct? **Mr. Hodson** said I am. **Mayor Garner** said all right. We'll get you in a minute.

Mayor Garner asked, Clerk, is there anyone joining us virtually who'd like to speak in favor of the item? **Ms. Sparks** said no hands are raised.

Mayor Garner asked, Clerk, have any notifications been received from the public who wish to express opposition to this item? **Ms. Sparks** said no comments received. **Mayor Garner** asked, is there anyone present that would like to speak in opposition to this item? (No one appeared.) Clerk, you can resume with the gentleman in opposition.

Jake Hodson, 4448 Francis St., said I am the President of the Spring Valley Neighborhood Association. I apologize for not being there tonight to you and my constituents. The meeting was running very long and I have family matters.

I did notify the Planning Commission that the applicant is in violation of Section 27-199 of the Development Code as they did not notify the neighborhood association during their neighborhood meeting. I request that you remand this case back to Planning Commission so the applicant may have a meeting with the neighborhood that includes the neighborhood association. I will work with Director Hand and his staff to ensure that this meeting happens very quickly. Please remand Special Use Permit 2023-057 back to Planning Commission as they did not follow the code as laid out in the Development Code statutes.

Mayor Garner asked, Clerk, is there anyone else? **Ms. Sparks** said no other hands are raised.

Mayor Garner said I'll now close the public hearing. You can make some closing comments, petitioner.

Ms. Hodson said I worked with Janet Parker to set up the meeting. I sent her my letter I sent out to every address that was given to me. I also sent the minutes of the meeting to the council and to Janet as well, and it was notarized. I did hold the meeting, and I sent it to every address that was given to me by Janet. I followed every piece of the rules.

Commissioner Stites asked, can we confirm that? **Mr. Hand** said the code requires, as the member in opposition noted, does require to reach out to neighborhoods. We did send it to the Rosedale Development Association, but it looks like we did not send it to this specific neighborhood group. That is correct. That would be staff's error, not the applicant's fault.

Commissioner Stites said it puts the applicant in an awkward spot, for sure, thinking that they carried out everything properly, doing what they were supposed to do, and now to be penalized. I don't think it's fair, but I do think that the neighborhood group should have a voice in this, so I'm kind of torn here. I don't know. I'm not sure.

Ms. Hodson said I have talked to the Rosedale community. I believe that's what I was saying.

Mr. Hand said Mr. Hodson was present at the City Planning Commission, but he is correct. If you did want to remand it back to City Planning Commission, it's a 10-day notice to resend a neighborhood meeting and we could not get that accomplished, I don't think, by October 9th. I would recommend that we send it to the November agenda.

Ms. Hodson said then that other person can come in and get (inaudible).

Commissioner Stites said this question is for the applicant. What does that do to you by putting this off now? It would be two months. When you've clearly done it, met everything that you were told that you were supposed to do.

Ms. Hodson said right. Well, the rule is there can only be one short-term rental per block.
Commissioner Stites said okay. That's good enough for me. I appreciate it.

Action: **Commissioner Stites made a motion to approve Special Use Permit Application SP2023-057, as submitted.**

Commissioner McKiernan said, Mr. Hand, you know the questions I'm going to ask you, and I'll just ask them so we can just get it out on the record. This was operating as an unpermitted short-term rental. Is that correct? **Mr. Hand** said yes.

Commissioner McKiernan asked, during the time that it was operating as an unpermitted rental, were there any neighborhood complaints related to this? **Mr. Hand** said no.

Commissioner McKiernan asked, were there any police calls for service at this address? **Mr. Hand** said no.

Commissioner McKiernan asked, were there any code violations at this address? **Mr. Hand** said no.

Commissioner McKiernan asked, other than the one person who has spoken in opposition tonight, at City Planning Commission, were there any other people speaking in opposition? **Mr. Hand** said yes. **Commissioner McKiernan** asked, how many? **Mr. Hand** said we had three members in attendance at the September 11th City Planning Commission in opposition, including Mr. Hodson.

Commissioner McKiernan asked, was there anyone who attended the City Planning Commission in favor? **Mr. Hand** said we did receive a letter of support from a member of the public, but not at the City Planning Commission hearing.

Commissioner McKiernan said thank you, Mr. Hand. That's all I need.

Commissioner Ramirez said this is my district. There is another non-compliant STR on the block, correct? **Mr. Hand** said correct. **Commissioner Ramirez** said it's kind of races who gets there first. **Mr. Hand** said as Ms. Maxfield has the application in currently, even if you were to remand it, she would still be front in line. **Commissioner Ramirez** said she'd still be front in line.

Commissioner Ramirez asked, what happens to the other STR that's on the block? **Mr. Hand** said we're a bit in new territory on the ordinance, but we would probably wait until a decision was made on this case to follow up with any other enforcement. **Commissioner Ramirez** asked, what would…

Mr. Hand said notice of violation for operating. The other property has a notice of violation for operating without a short-term rental. We were basically holding on moving forward with the administrative citation process till we heard what was going on here. Depending on what

happens tonight or in the future, as soon as, hypothetically, this were to get approved, we would go back to that notice of violation, ask them to stop. If they don't stop, then we would pursue the administrative citation process.

Commissioner Ramirez said that's all we can do. By statute and ordinance, that's all we can do. I was curious on what our enforcement actions were. I didn't know if we were allowed to tell them to closeup shop, but it seems that the only way we have is citation side.

Mr. Hand said most people, during the blitz, have voluntarily just pulled off of whatever platform they were on and stopped in good faith. We have a couple that we're following up on, of course, but I would say the majority have been understood and stopped service.

Commissioner Bynum said I apologize for not understanding this. Within this process, we have applicants send the letter out to the certain number of parcels around them, by law; but we've added, or in addition to that, we also have a requirement that if there's a registered neighborhood group within the environs, that that's also a meeting required? I'm confused.

Mr. Hand said it's not a meeting required. They're just part of the notice list. So it's everyone within 200 feet, and then some, including neighborhood groups. Staff just left out one of the neighborhood groups because, again, there's…

Commissioner Bynum said it's not required to go to a neighborhood group meeting, but the neighborhood group leader, I'm assuming, is also informed by letter like the folks within the 200 foot perimeter.

Mr. Hand said that is correct. They are one of the additional notices for the neighborhood meeting that the applicant is required to host.

Commissioner Bynum said and she had the meeting. **Mr. Hand** said she did. **Commissioner Bynum** said so there is no violation of that particular part of this process. **Mr. Hand** said I suppose it depends on how you interpret it, but I think Mr. Hodson's not incorrect. We should have noticed him and we did not. He was aware of the application, however. He showed up at Planning Commission.

Commissioner Bynum said not to belabor it, what you're saying is, that neighborhood group should have been on that list we provided and wasn't. **Mr. Hand** said correct. **Commissioner Bynum** said okay. Got it. **Mr. Hand** said sorry for the confusion. I apologize for the error.

Action: **Commissioner McKiernan seconded Commissioner Stites motion to approve as submitted.**

Commissioner Kane said we're going to switch gears here a second. Got a text message from Angela. She's doing fine. Sitting here in the waiting room for the doctor to do an EKG. Thank God for that.

Roll call was taken on the motion to approve and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Mayor Garner said as I stated earlier, I'm going to end this portion of the Planning and Zoning agenda. Any items that remain, they will be put on at a later date.

Item No. 4 – 212744…SPECIAL USE PERMIT APPLICATION SP2023-061 - TATUM PHILLIP

Synopsis: Special Use Permit to operate a Short-Term Rental at 809 Central Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **Item suspended and rescheduled to the next Planning & Zoning and Full Commission meeting on October 26th, per Mayor Garner.**

PLAN REVIEW APPLICATION

Item No. 1 – 212666…PLAN REVIEW APPLICATION PR2023-014 - CODY BUSICK WITH VINEYARD CHURCH OF PIPER

Synopsis: Preliminary Development Plan to expand an existing church at 10601 Hutton Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **Item suspended and rescheduled to the next Planning & Zoning and Full Commission meeting on October 26th, per Mayor Garner.**

MISCELLANEOUS

Item No. 1 – 212753…PRESENTATION: PLAN KCK STRATEGIES

Synopsis: Update regarding Plan KCK strategies provided by Gunner H. Hand, AICP, Director of Planning and Urban Design.

Action: **Item suspended and rescheduled to the next Planning & Zoning and Full Commission meeting on October 26th, per Mayor Garner.**

REGULAR CONSENT AGENDA

Mayor Garner asked, do any members of the Commission or County Administrator wish to set aside any item on the Regular Consent Agenda? If an item is not set aside, all items on the Regular Consent Agenda will be voted on by one vote.

Action: **Commissioner Davis made a motion, seconded by Commissioner Ramirez, to approve.** Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 1 – 212747…PLAT: LOZANO ADDITION

Synopsis: Plat of Lozano Addition, located at 8505 Kansas Avenue, and being developed by Yakeline A. Delgado-Lozano, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: **Commissioner Davis made a motion, seconded by Commissioner Ramirez, to approve and authorize the Mayor to sign said plat.** Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 2 – 212748…PLAT: HOLLINGSWORTH AND HUTTON ESTATE

Synopsis: Plat of Hollingsworth and Hutton Estate, located at 10551 Hollingsworth Road, and being developed by Matthew Francis, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: **Commissioner Davis made a motion, seconded by Commissioner Ramirez, to approve and authorize the Mayor to sign said plat.** Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 3 – 212749…PLAT: 57/70 DEVELOPMENT

Synopsis: Plat of 57/70 Development, located at 11 South 59th Lane, and being developed by Reclaimed Materials Yard LLC, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: **Commissioner Davis made a motion, seconded by Commissioner Ramirez, to approve and authorize the Mayor to sign said plat.** Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 4 – MINUTES

Synopsis: Minutes from the Regular Session meeting on December 1, 2022, and the Special Session meetings on August 17 and 24, 2023.

Action: **Commissioner Davis made a motion, seconded by Commissioner Ramirez, to approve.** Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 5 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business materials dated August 31, September 7 and 14, 2023.

Action: **Commissioner Davis made a motion, seconded by Commissioner Ramirez, to receive and file.** Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES' AGENDA

Item No. 1 – 212708…ORDINANCE: BPU PILOT RELIEF

Synopsis: Approving adoption of ordinances and Charter ordinances to allow for PILOT relief for older adults and individuals with disabilities and allowing different percentages for residential and commercial rates, submitted by Jeff Conway, Assistant Counsel. On September 25, 2023, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Commissioner Bynum said we do have Jeff Conway here with Legal. This ordinance changes the culmination of the work that the committee and I worked on. I want to thank BPU Board Member Rose Mulvany-Henry and I want to thank Thomas Gordon. I want to thank Dr. Evelyn Hill and all of the staff that spent so much time helping us understand what our options are and bring us to this conclusion. It was the result of the Mayor requesting if I would take on this specific task of trying to find BPU PILOT relief, amazingly, and we do consider our work to not be done.

We did bring a presentation to you all and the public on May 18th. That did also include some provisions for beginning to step down the PILOT rate percentage. It also included this which is a combination of changes to the charter to allow for a different rate to be set for commercial and residential. Then, also, this program that allows for those who are 65 or over, making $37,750 or under, or disabled, to apply for and receive relief from paying the PILOT on their BPU bill.

Action: Commissioner Davis made a motion to approve the ordinance.

Mayor Garner said I'd just like to thank you, our commissioners, our staff, and the folks at BPU that helped. This was one of those items that I can say that I had made a request early on when I became mayor, separating the BPU rates as well as looking at PILOT relief. As a result of this collaborative effort, something has been realized. So, I just want to say thank you for taking on that, and thank you to everybody that was involved.

Commissioner Stites said I'll be quick. How does this apply to Bonner Springs and Edwardsville? I'm sure I've been told.

Commissioner Bynum said I can take a stab, but we do have Legal. If someone who lives in Bonner or Edwardsville is a BPU ratepayer and qualifies per the parameters that we've laid out, then they certainly could make application for the relief.

Commissioner Stites said so it's countywide. They meet the same criteria as anyone else. **Commissioner Bynum** said yes, because it goes to the PILOT.

Jeff Conway, Assistant Counsel, said I'd point out the language. It says, any bonified residents of the city and nonresidents of the city who are Board of Public Utilities account holders and who occupy the residence.

Commissioner Stites asked, wouldn't the language have been easier to just have said, any Wyandotte County resident? **Mr. Conway** said I think it is possible to be a resident and not be a ratepayer. We wanted to pick up the people that you had identified as being not KCK residents but BPU ratepayers, so that phrase picks up those folks. **Commissioner Stites** said sounds good. Thank you.

Commissioner Burroughs asked, Jeff, following that, does BPU provide service outside of Wyandotte County on a contracted basis? Those residents could also apply as long as they're a BPU customer, if they're an account holder?

Angela Lawson, Interim Chief Counsel, said most of those are borderline customers so they would be billed through their sort of home service. It's where the service has requested that BPU serve them because they may be in a one off location that's closer to BPU facilities.

Commissioner Burroughs said I live in one of those areas.

Ms. Lawson asked, were you asking about Wyandotte County or the city? **Commissioner Burroughs** said if I understood correctly, this is Wyandotte County/KCK residents only because I thought I heard nonresident. If it's nonresident and you're an account holder with the BPU and you meet one of the criteria for qualification, would you be able to qualify? That's my question. (**Ms. Lawson** shook her head in an affirmative manner.) Okay.

Mayor Garner asked, is there any way that can be further clarified? There was a motion made to further clarify to distinctly make that difference that was about the concern that the two commissioners had.

Mr. Conway asked, is the request to be residents of the county as opposed to residents of the city? **Commissioner Stites** said any BPU account holder or ratepayer that resides in the boundaries of Wyandotte County.

Mr. Conway said the reason we wrote that that way is because the general rule is if it's a KCK resident, then that automatically is a BPU person; but then there are some folks that are outside the city that would be BPU ratepayers so we want to pick them up too. That's why we use the phrase nonresidents of the city who are ratepayers.

Commissioner Stites asked, but when you say outside of the city, are you saying outside of the city and outside of the county?

Mr. Conway said I think the intent was just outside of KCK.

Commissioner Stites said right, and I think that's where it's getting lost here. If we just say Wyandotte County, a BPU ratepayer that resides in the boundaries of Wyandotte County, that cleans it up.

Mr. Conway said I'm not even sure if there are a few of those, a handful of people that were outside of the county.

Ms. Lawson said with that clarification, we may want to take it back and bring it back to you since we're doing this on the fly and it's late, and we need to reconcile that with the other rebate program. That would be a suggestion. Obviously, you can pass it tonight with the amendment if you'd like.

Commissioner Stites said I'm just not sure why we would open this program to somebody that's not a Wyandotte County resident.

Commissioner Bynum said I don't think I ever knew that there was someone who potentially lived in Leavenworth or Johnson County that had BPU electric or water. But you are saying it is a fact.

Ms. Lawson said there's a very small amount. Most of those, but not all, I believe, are borderline customers that are served through a borderline agreement with their utility; however, there may be several outside of the county that take service directly.

Commissioner Bynum asked, as in they get a bill from the BPU and it contains all of the fees that are levied on our ratepaying customers? **Ms. Lawson** said if it was outside of the county, it would not include stormwater. If it were outside of the city, it would not include stormwater, trash, wastewater, those items, city items.

Commissioner Bynum said I don't want to delay this because staff needs time to put in place the processes and procedures they are going to need to do in order to implement this. Because of that, I would be willing to accept the language change to what Commissioner Stites is saying, a resident of Wyandotte County that is a BPU ratepayer. That would be okay with me. Administrator, I feel like you had some thought as to why we had that language that way.

Administrator Johnston said to answer Commissioner Bynum's question, we are under the assumption that anybody that—and this is my question to our legal counsel who also serves BPU is. Do non-Wyandotte County residents that have BPU service pay the BPU PILOT? **Ms. Lawson** said if they are billed directly, they would, yes.

Administrator Johnston said in the same vein, as it's written, if they pay the PILOT and they're a BPU customer, they would, in my interpretation, would be eligible to participate in our county program. That's the crux of the question on the table.

Mr. Conway said the other intent was to try to tie this eligibility, going forward, tie it back to the rebate program over here so that the typical citizen wouldn't be confused. They'd say, well, I was able to get eligibility here so I should get it over here. Then also tie it so it's more aligned with the Homestead exemption program on the state side. So we've got some definitions that we're trying to mesh together better.

Commissioner Bynum said if we could bring it back by the 12th, then that's just a couple of weeks. But, again, I just reiterate that staff really is going to be under the gun to put something together that's workable. Monica, would you say that's true? **Ms. Sparks** said yes, Commissioner. I would agree.

Action: **Commissioner Davis withdrew his previous motion to approve.**

Action: **Commissioner Davis made a motion, seconded by Commissioner Ramirez, to set the item over to the October 12, 2023 full commission meeting.** Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

ADMINISTRATOR'S AGENDA

Item No. 1 – 212751…NOMINATIONS: DELEGATES LEAGUE OF KANSAS MUNICIPALITIES

Synopsis: Approval of delegates to the League of Kansas Municipalities conference, submitted by Alan Howze, Assistant County Administrator.

Mayor Garner said the proposed delegates are Administrator Johnston, Alan Howze, and an Assistant County Administrator to be determined.

Administrator Johnston said for the annual meeting of the League of Kansas Municipalities, they require from member communities, approval from the elected body to have folks serve as the official voting delegates on any policy matters coming out of the Board of Directors before all its membership. So, they're just asking for formal approval for the delegates to this conference.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Davis, to approve.**

Mayor Garner said as a note, I'm also, I believe, a permanent member. **Administrator Johnston** said you're permanent. **Mayor Garner** said with the League as well.

Roll call was taken on the motion and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 2 – 212750…RESOLUTION: WYANDOTTE COUNTY LIBRARY

Synopsis: A resolution expressing the property taxation policy of the Unified Government of Wyandotte County/Kansas City, Kansas, with respect to financing the 2024 annual budget for the Wyandotte County Library, and approving, adopting, and appropriating the budget of the Wyandotte County Library Board and levying a tax for the year beginning January 1, 2024.

Administrator Johnston said the final taxing district within the county completed their public hearing requirements and voted on an annual budget. I believe that they passed a budget for revenue neutral. As required, because this goes into our portfolio of information to be submitted to the state, we will include that information in our documents along with all the other taxing districts and ours. Reggie is here for any questions if any of you have them.

Commissioner Bynum said I see the resolution and I see the vote. The question I have is, Reggie, the vote to be revenue neutral for the Piper, Edwardsville, Turner library mill levy rate takes it from what to what?

Reginald Lindsey, Budget Director, said it takes it from 6.129 to 5.449. **Commissioner Bynum** said thank you. That's all I wanted to know.

Commissioner Townsend said another question I had is, this Commission doesn't have, or do they have, any real choice in the matter in terms of what that Board has already done.

Angela Lawson, Interim Chief Counsel, said there is an Attorney General opinion that says that you do not.

Administrator Johnston said you can't make any changes to it, but they force you to, as part of the whole county package of taxing districts.

Action: **RESOLUTION NO. R-61-23,** "A resolution expressing the property taxation policy of the Unified Government of Wyandotte County/Kansas City, Kansas, with respect to financing the 2024 Annual Budget for the Wyandotte County Library and approving, adopting, and appropriating the budget of the Wyandotte County Library Board and levying a tax for the year beginning January 1, 2024."

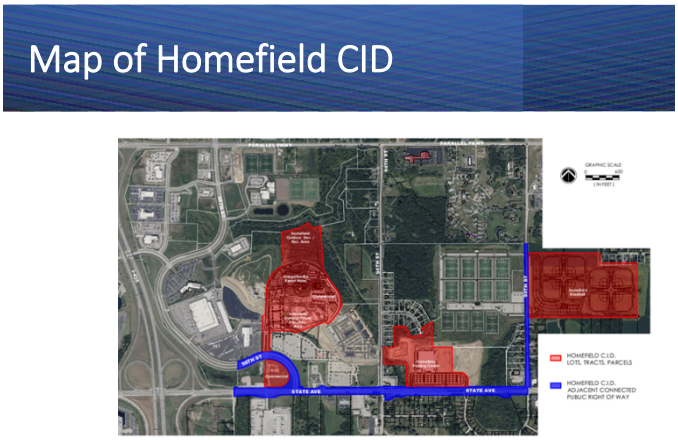
Commissioner Townsend made a motion, seconded by Commissioner Stites, to adopt the resolution. Roll call was taken and there were eight "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson.; and one "No," Kane.

Item No. 3 – 212752…ORDINANCE: HOMEFIELD CID ASSESSMENTS

Synopsis: An ordinance levying the maximum CID assessments for the Homefield Project, submitted by Jeff Conway, Legal Department.

Mayor Garner said this is approval for levying the maximum CID assessment for Homefield projects.

Kevin Wempe, Gilmore & Bell, said we represent the Unified Government as bond council. I do have a couple of slides, hopefully, queued up on this item.

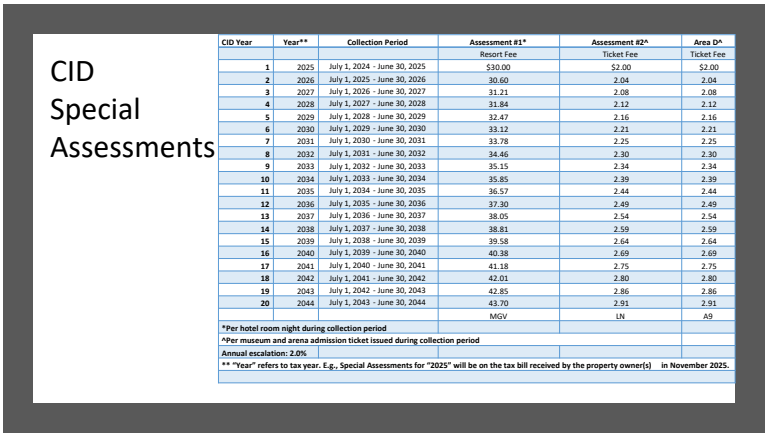


To summarize real quickly, and I'll be brief, this really finalizes the community improvement district procedure that's been in place or contemplated for several months now going back to the amended development agreement with the Homefield developer and several of the proceedings you've seen in the last month or two, and provides the opportunity to seek a bond deal that's secured by the revenues you're putting in place via the CID.

Here on the first slide, just to orient ourselves, again, very familiar map by now, I'm sure. This highlights the areas that comprise the CID. Again, the CID was formed officially two weeks ago by ordinance, passed by this group. It also levied the 2% CID sales tax on these parcels.

Again, just really brief history. The amended development agreement came before you earlier this year. That contemplated this in exchange—lots of matters taken care of in that amendment. The key thing is introducing new project components you see highlighted here including Atlas 9, and Live Nation, and several other items there.

Going back to a couple of months ago, the CID petition was submitted by the developer. A public hearing was called by resolution and held two weeks ago. Again, that ordinance was passed two weeks ago. Just by means of the CID statute requiring this procedure, now that the CID has been formed, you can proceed with levying special assessments that were contemplated by the petition. That's the reason for the two-step approach on that matter.



CID Year	Year**	Collection Period	Assessment #1*	Assessment #2^	Area D^
			Resort Fee	Ticket Fee	Ticket Fee
1	2025	July 1, 2024 - June 30, 2025	$30.00	$2.00	$2.00
2	2026	July 1, 2025 - June 30, 2026	30.60	2.04	2.04
3	2027	July 1, 2026 - June 30, 2027	31.21	2.08	2.08
4	2028	July 1, 2027 - June 30, 2028	31.84	2.12	2.12
5	2029	July 1, 2028 - June 30, 2029	32.47	2.16	2.16
6	2030	July 1, 2029 - June 30, 2030	33.12	2.21	2.21
7	2031	July 1, 2030 - June 30, 2031	33.78	2.25	2.25
8	2032	July 1, 2031 - June 30, 2032	34.46	2.30	2.30
9	2033	July 1, 2032 - June 30, 2033	35.15	2.34	2.34
10	2034	July 1, 2033 - June 30, 2034	35.85	2.39	2.39
11	2035	July 1, 2034 - June 30, 2035	36.57	2.44	2.44
12	2036	July 1, 2035 - June 30, 2036	37.30	2.49	2.49
13	2037	July 1, 2036 - June 30, 2037	38.05	2.54	2.54
14	2038	July 1, 2037 - June 30, 2038	38.81	2.59	2.59
15	2039	July 1, 2038 - June 30, 2039	39.58	2.64	2.64
16	2040	July 1, 2039 - June 30, 2040	40.38	2.69	2.69
17	2041	July 1, 2040 - June 30, 2041	41.18	2.75	2.75
18	2042	July 1, 2041 - June 30, 2042	42.01	2.80	2.80
19	2043	July 1, 2042 - June 30, 2043	42.85	2.86	2.86
20	2044	July 1, 2043 - June 30, 2044	43.70	2.91	2.91
			MGV	LN	A9
*Per hotel room night during collection period					
^Per museum and arena admission ticket issued during collection period					
Annual escalation: 2.0%					
** "Year" refers to tax year. E.g., Special Assessments for "2025" will be on the tax bill received by the property owner(s) in November 2025.					

The last slide here for me, I know it's small print, but I figured we would post the special assessments here because it is a unique approach with the special assessments. Again, the special assessments are based on room nights at the Margaritaville Hotel of $30 a night, and $2 per ticket sold at the arena and also at the Atlas 9 Museum. You see in the top row those figures are there. There's an inflator of 2% annually for the 20-year term expected for the special assessments. Again, this is just reprinting what's been in the petition and CID proceedings to this point.

To wrap up this, again, just finalizes the CID procedure, provides the opportunity to seek a bond deal; and with your approval tonight, we continue working with the underwriter, municipal advisor, and the whole finance team to proceed down that path. Of course, no bonds would be issued. We would have to come back to this Commission to seek approval to actually issue bonds.

Action: **ORDINANCE NO. O-127-23,** "An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to levy special

assessments on certain property to pay the costs of community improvement district improvements and providing for the collection of such special assessments for the Homefield Community Improvement District lying north of State Avenue, south of Parallel Parkway, west of N 86th Street, and east of Interstate 435 in Kansas City, Wyandotte County, Kansas." **Commissioner Stites made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Mayor Garner said let's just keep Commissioner Markley and her family in our prayers.

COMMISSIONERS' AGENDA

No items

PUBLIC ANNOUNCEMENTS

No items

ADJOURN

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Ramirez, to adjourn.** Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

MAYOR GARNER

ADJOURNED THE MEETING AT 12:53 A.M.

September 29, 2023

_____

Monica L. Sparks
Deputy Unified Government Clerk

cg

CONSENT ITEM NO. _____

Unified Government Clerk's Office

Monica L. Sparks
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
http://www.wycokck.org

Memorandum

To: David Johnston
County Administrator

From: Monica L. Sparks
UG Clerk

Date: December 12, 2024

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

BM

Weekly Business Material for December 6, 2024 – December 12, 2024

1. **PUBLIC NOTICE:**
   - Alandon Tow Service, 6224 Kansas Ave., Kansas City, KS 66111, held a public auto auction on December 3, 2024, at Alandon Tow Service.

   Action: Received and filed.

2. **BIDS:**
   - Monica Sparks, UG Clerk, listing bids received on November 27, 2024, for project #PO80/ARPA 1080 – Wyandotte Hight/Lombardy Drive Green Infrastructure for the Public Works Dept.

   Action: Received and filed. Copy previously forwarded to County Administrator, Public Works, and Legislative Auditor.

3. **CLAIM FOR DAMAGES:**
   - Erica Marriott, Kansas City MO, alleging damage to vehicle on 12/5/2024.
   - Leah Williams, Kansas City, KS, alleging personal injury on 9/28/2024.

   Action: Received and filed. Copies previously forwarded to Legal.

4. **PRIVATE SECURITY BUSINESS:**
   - Weiser Security Services, Inc., d/b/a Weiser Security Services Inc., 3939 Tulane Ave., Ste. 300, New Orleans, LA 70119.

   Action: Referred to License.

CONSENT ITEM NO. _____

Unified Government Clerk's Office

Monica L. Sparks
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
http://www.wycokck.org

Memorandum

To: David Johnston
County Administrator

From: Monica L. Sparks
UG Clerk

Date: December 26, 2024

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

BM

Weekly Business Material for December 20, 2024 – December 26, 2024

1. **CLAIM FOR DAMAGES:**
   - Lynette Ball, Raymore, MO, alleging personal injury on 12/13/2024.

   Action: Received and filed. Copies previously forwarded to Legal.

2. **NOTICE OF CLAIM:**
   - Yoiber Nieves, by and through his attorney Richard S. Fisk, Beam-Ward, Kruse, Wilson & Fletes LLC, Attorneys at Law.

   Action: Received and filed. Copies previously forwarded to Legal.

3. **SUMMONS:**
   - Barbara Lee, vs. The Unified Government of Wyandotte County/ Kansas City, KS., Case No. WY2024-CV-000860.
   - Barbara Lee, vs. Kansas City Board of Public Utilities. Case No. WY2024-CV-000860.

   Action: Referred to Legal. Copy previously forwarded to Legal.

Tracking ID: 21308

Report to

MEETING DATE	PRESENTER	DEPARTMENT
	David Johnston, County Administrator Jeffrey Conway, Assistant Counsel djohnston@wycokck.org, jconway@wycokck.org x5027, x5075	Administrator's Office

AGENDA ITEM #

RESOLUTION: WAIVING OF CERTAIN APPLICATION AND PERMIT FEES RELATED TO DEVELOPMENT EAST OF 55TH STREET IN KANSAS CITY, KANSAS

BACKGROUND

Approval of a resolution to waive certain application and permit fees for a period of five years for residences or development projects located east of 55th Street in Kansas City, Kansas, and requiring the tracking of key performance indicators.

RECOMMENDATION

Approve

To adopt the resolution.

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

n/a

IT/POLICY CONSIDERATIONS

n/a

PROCUREMENT CONSIDERATIONS

n/a

LEGAL CONSIDERATIONS

To adopt the resolution.

ATTACHMENTS

Resolution Approving Waiving of Fees

Approved by Mayor and/or Chair and Administrator to add to agenda. 1/22/2024

RESOLUTION NO. R-_____

A RESOLUTION APPROVING THE WAIVING OF CERTAIN APPLICATION AND PERMIT FEES RELATED TO RESIDENTIAL DEVELOPMENT EAST OF 55TH STREET IN KANSAS CITY, KANSAS, AND REPEALING A PREVIOUS RESOLUTION

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas ("Unified Government") believes that it is essential to stimulate development for the benefit of the community and to expand the tax base; and

WHEREAS, in order to promote new development in Kansas City, Kansas east of 55th Street, the Unified Government believes that it is necessary and desirable to waive certain permits and fees related to that development; and

WHEREAS, the Unified Government recently provided for a waiver of certain fees through the passing of Resolution No. R-27-24, related to infill housing east of 78th Street.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS:

Section 1. The County Administrator shall waive the following application and permit fees for new homes and residential development projects to be built on and after the effective date of this resolution and to be located east of 55th Street in Kansas City, Kansas, for a period of five (5) years after the effective date of this Resolution:

a. Building Permit Fee
b. Electrical Permit Fee
c. Mechanical Permit Fee
d. Plumbing Permit Fee
e. Driveway Permit Fee
f. Sewer Connection Fee
g. Lateral Sewer Connection Fee
h. Sanitary permit
i. Land disturbance permit
j. Right-of-way permit
k. Change of zone application
l. Plan review fee
m. Ordinance publication fee
n. Pole, pylon and monument signs
o. Wall signs

Section 2. That the provisions of this Resolution shall not apply to new subdivisions and other areas of the City where existing sewer connections have not already been built.

Section 3. That Unified Government staff is directed to track key performance indicators to measure the success of the fee waivers, including: (1) the number of homes built; (2) population count; (3) the number of new commercial developments in the area, and (4) crime rate statistics.

Section 4. That the County Administrator and all other employees and agents of the Unified Government are authorized to take all actions and to approve all instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 5. That Resolution R-27-24 be and the same is hereby repealed.

Section 6. This Resolution will take effect and be in full force from and after its passage by the Board of Commissioners.

ADOPTED BY THE BOARD OF COMMISSIONERS OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____ 202_.

_____

Tyrone A. Garner, Mayor/CEO

Attest:

_____

Unified Government Clerk

Approved as to Form:

_____

Unified Government Acting Chief Counsel

RESOLUTION NO. R-21-24

A RESOLUTION APPROVING THE WAIVING OF CERTAIN FEES RELATED TO INFILL HOUSING EAST OF 78TH STREET IN KANSAS CITY, KANSAS

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas ("Unified Government") believes that it is essential to stimulate the development of residential housing for the benefit of the community and to raise the tax base; and

WHEREAS, the Unified Government believes that it is especially important to stimulate the development of new infill residential housing on vacant lots in the urban areas of Kansas City, Kansas; and

WHEREAS, in order to promote the construction of new infill housing on vacant lots east of 78th Street, the Unified Government believes that it is necessary and desirable to waive certain fees related to new construction; and

WHEREAS, the Unified Government previously provided for a waiver of said fees through the passing of Resolution No. R-76-21, which allowed certain fees related to new construction to be waived for a period of two years; however, said waiver has since lapsed.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS:

Section 1. That the following fees (as they may be amended from time to time) are waived for a period of five (5) years from the date of this Resolution for any new residential (single-family and duplexes) infill housing east of 78th Street in Kansas City, Kansas where existing sewer systems are already in place:

a. Building Permit Fee - $400 for homes 3,000 sf or less and $450 for homes over 3,000 sf
b. Electrical Permit Fee - $70 (average)
c. Mechanical Permit Fee - $70 (average)
d. Plumbing Permit fee - $70 (average)
e. Driveway Permit fee - $55
f. Sewer Connection Fee - $960
g. Lateral Sewer Connection Fee - $500

Section 2. That the provisions of this Resolution shall not apply to new subdivisions and other areas of the City where existing sewer connections have not already been built.

Section 3. That Unified Government staff is directed to track key performance indicators to measure the success of the fee waivers, including: (1) the number of homes built; (2) population count; (3) the number of new commercial developments in the area, and (4) crime rate statistics.

Section 4. That the County Administrator, Director of Planning and Urban Design, Director of the Neighborhood Resource Center, the Director of Public Works and all other employees and agents of the Unified Government are authorized to take all actions and to approve all instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 5. This Resolution will take effect and be in full force from and after its passage by the Board of Commissioners.

ADOPTED BY THE BOARD OF COMMISSIONERS OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS 6th DAY OF JUNE 2024.

Attest:

Unified Government Clerk (Interim)

Tracking ID: 21135

Report to
Neighborhood & Community Development

MEETING DATE	PRESENTER	DEPARTMENT
JUN 0 3 2024	Wendy Green, Assistant Counsel wmgreen@wycokck.org x5679	Legal

AGENDA ITEM #IV.3.

RESOLUTION: WAIVING INFILL HOUSING FEES

BACKGROUND

Approval of a resolution waiving certain fees related to new construction of infill residential housing East of 78th Street for a period of either 2, 5 or 10 years, submitted by Wendy Green, Deputy Chief Counsel.

RECOMMENDATION

Approve

To adopt the Resolution.

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

n/a

IT/POLICY CONSIDERATIONS

n/a

PROCUREMENT CONSIDERATIONS

n/a

LEGAL CONSIDERATIONS

To adopt the resolution.

ATTACHMENTS

Resolution Approving Waiving of Infill Housing Fees

Approved by Mayor and/or Chair and Administrator to add to agenda. 5/24/2024

Approved - Mayor Tyrone Garner

RESOLUTION NO. R-_____

A RESOLUTION APPROVING THE WAIVING OF CERTAIN FEES RELATED TO INFILL HOUSING EAST OF 78TH STREET IN KANSAS CITY, KANSAS

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas ("Unified Government") believes that it is essential to stimulate the development of residential housing for the benefit of the community and to raise the tax base; and

WHEREAS, the Unified Government believes that it is especially important to stimulate the development of new infill residential housing on vacant lots in the urban areas of Kansas City, Kansas; and

WHEREAS, in order to promote the construction of new infill housing on vacant lots east of 78th Street, the Unified Government believes that it is necessary and desirable to waive certain fees related to new construction; and

WHEREAS, the Unified Government previously provided for a waiver of said fees through the passing of Resolution No. R-76-21, which allowed certain fees related to new construction to be waived for a period of two years; however, said waiver has since lapsed.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS:

Section 1. That the following fees (as they may be amended from time to time) are waived for a period of five (5) years from the date of this Resolution for any new residential (single-family and duplexes) infill housing east of 78th Street in Kansas City, Kansas where existing sewer systems are already in place:

a. Building Permit Fee - $400 for homes 3,000 sf or less and $450 for homes over 3,000 sf
b. Electrical Permit Fee - $70 (average)
c. Mechanical Permit Fee - $70 (average)
d. Plumbing Permit fee - $70 (average)
e. Driveway Permit fee - $55
f. Sewer Connection Fee - $960
g. Lateral Sewer Connection Fee - $500

Section 2. That the provisions of this Resolution shall not apply to new subdivisions and other areas of the City where existing sewer connections have not already been built.

Section 3. That Unified Government staff is directed to track key performance indicators to measure the success of the fee waivers, including: (1) the number of homes built; (2) population count; (3) the number of new commercial developments in the area, and (4) crime rate statistics.

Section 4. That the County Administrator, Director of Planning and Urban Design, Director of the Neighborhood Resource Center, the Director of Public Works and all other employees and agents of the Unified Government are authorized to take all actions and to approve all instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 5. This Resolution will take effect and be in full force from and after its passage by the Board of Commissioners.

ADOPTED BY THE BOARD OF COMMISSIONERS OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF JUNE 2024.

Attest:

_____

Unified Government Clerk

Fee Waivers for Infill Housing

N/CD Standing Committee

6/3/24





- Adopted 10/28/21.
- Waived certain fees for any new residential (single-family and duplexes) infill housing where existing sewer systems were already in place.
- Lasted for a period of 2 years from date of adoption.
- Permit fees: building, electrical, mechanical, plumbing, driveway, sewer connection, and lateral sewer connection.

- **UG staff was directed to track the following key performance indicators to measure the success of the fee waivers:**
  1. The number of homes built;
  2. Population count;
  3. The number of new commercial developments in the area; and
  4. Crime rate statistics.



- Single Family Permits Issued
  - 2021 = 4
  - 2022 = 36
  - 2023 = 43
- Estimated Building Permit Fees Waived
  - 2021 ≈ $1,420
  - 2022 ≈ $16,111
  - 2023 ≈ $21,486



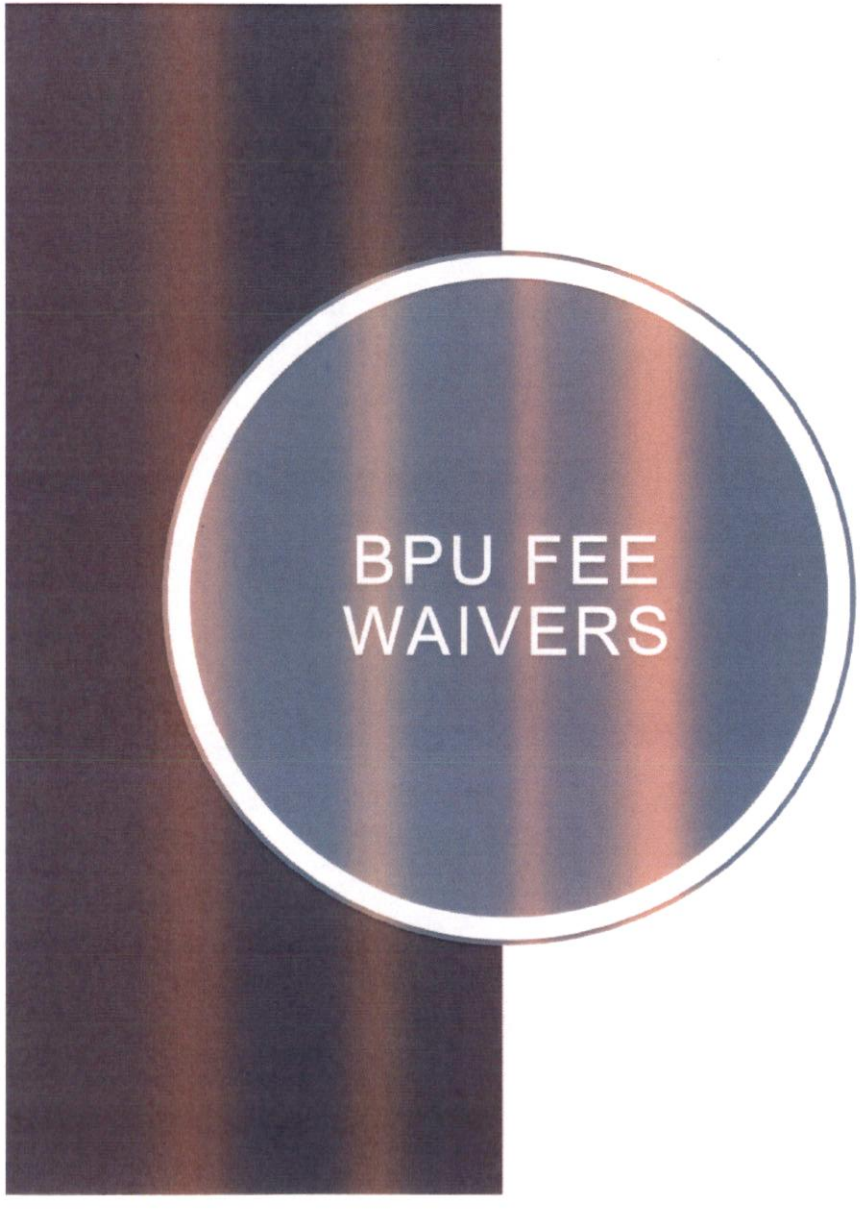
- Public Works/Sewer Connection Estimated Fees Waived
  - 2021 (unavailable)
  - 2022 ≈ $12,232
  - 2023 ≈ $25,576
- Number of New Commercial Developments
  - 49 (Based off number of new builds or substantial capital improvements)



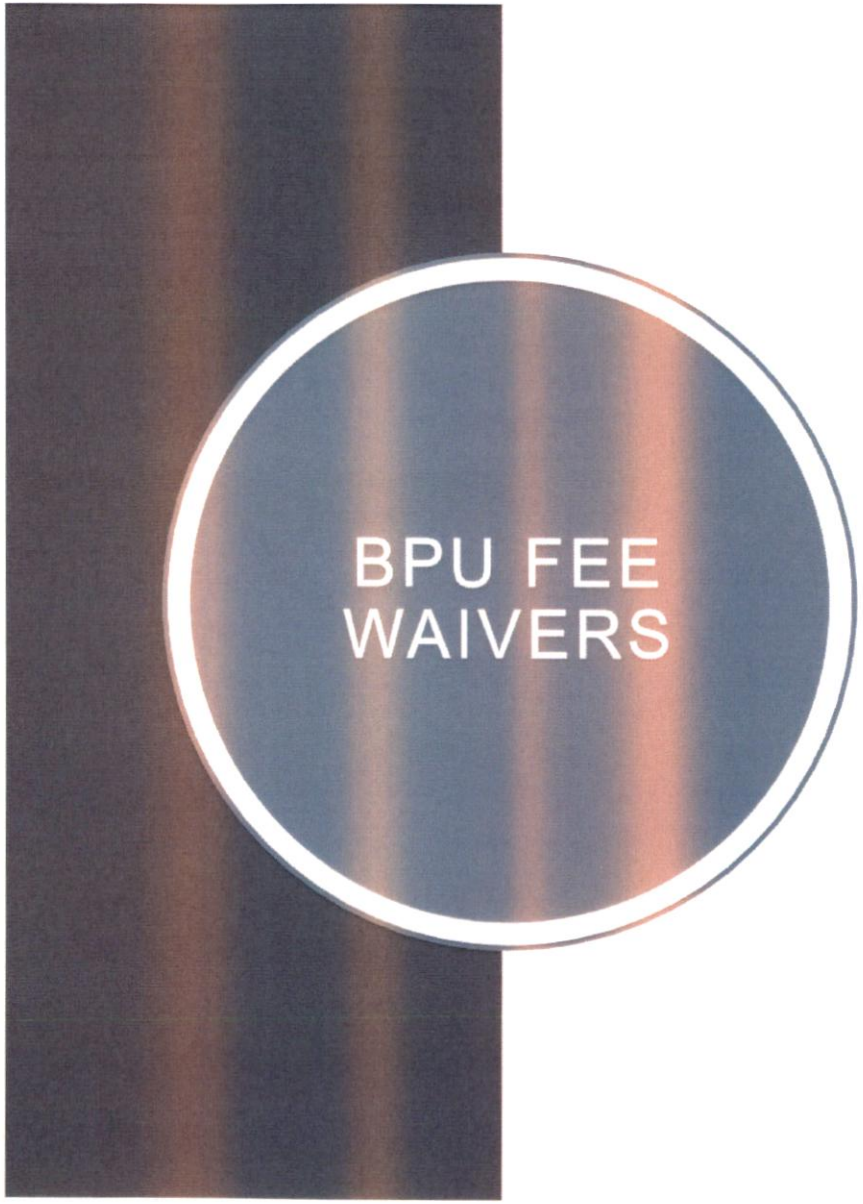
Population

	2021 Pop	2022 Pop
66101	12355	12,410
66102	30237	30,874
66103	13035	13,471
66104	27663	26,638
66105	2227	2,283
66106	22729	23,817
Total pop of selected ZIP Codes	108246	109493





- **Resolution No. 5297 – 4/17/24**
  - Authorizes the General Manager to waive certain electric and water fees for infill housing.
  - Targeted for East of I-635 but also available for some areas between 78th Street and I-635.
  - Also allows waiver of permit and connection fees for certain Land Bank lots East of 78th Street used for residential construction of single-family homes or duplexes.
  - Example of fees: temporary electric service fee, overhead electric service drop allowance, residential water tap fee, water system development.
  - Considered and granted on an individual basis.
  - **Effective until December 31, 2025.**



- **Resolution No. 5298 – 4/17/24**
  - Authorizes the General Manager to waive system development and tap fees for new single-family residential construction East of I-635.
  - Property must have previously had a BPU water service line in place.
  - Must require a new 5/8" meter and be owned by an individual.
  - Existing water line must be of adequate size to provide domestic service and fire protection and front the property.
  - **Effective until December 31, 2025.**

PROPOSED RESOLUTION

- Same waiver of fees for residential infill housing (single-family and duplexes) East of 78th Street.
- Permit fees: building, electrical, mechanical, plumbing, driveway, sewer connection, and lateral sewer connection.
- Fees waived for the following periods:

A. 2 years

B. 5 years

C. 10 years

QUESTIONS?



DATE: November 25, 2024

TO: Mayor Garner and Members of the Board of Commissioners

FROM: Dr. Shelley Kneuvean, Chief Financial Officer

SUBJECT: Fiscal Impact Regarding Resolution to Waiver of Certain Building Permits Fees

At the request of the Mayor's Office, the Legal Department drafted a resolution to waive certain application and permit fees related to new development east of 55th Street to the city limits in Kansas City, Kansas. A previous resolution was adopted to waive certain fees related to infill housing east of 78th Street in Kanas City, Kansas (Resolution 76-21) adopted in October 2021.

The primary difference between the two resolutions is:

1. Geographical boundary – The geographic boundary outlined in Resolution 76-21 is 78th Street east to city limits; and the new resolution is 55th Street east to city limits; and,

2. List of permits or fees to be waived:

Resolution 76-21	New Resolution
Building Permit Fee	Building Permit Fee
Electrical Permit Fee	Electrical Permit Fee
Mechanical Permit Fee	Mechanical Permit Fee
Plumbing Permit Fee	Plumbing Permit Fee
Driveway Permit Fee	Driveway Permit Fee
Sewer Connection Fee	Sewer Connection Fee
Lateral Sewer Connection Fee	Lateral Sewer Connection Fee
	Sanitary Sewer Main Utilization Fee
	Land Disturbance Permit
	Right of Way Permit
	Change of Zone Application
	Plan Review Fee
	Ordinance Publication Fee

Prior to moving forward with the new resolution, the Economic Development & Finance Committee requested staff prepare a fiscal impact of the new proposed resolution, which has been completed. This has been revised based on further discussion with the Mayor's Office.

As noted on **Exhibit A,** over a three-year period (2022-2024), there were 285 residential permits issued citywide (single family and duplex). Of the total, 148 were east of 55th Street or 52% of the total citywide residential permits. Of the 148 issued east of 55th Street, a total of 79 were land bank lots or 53%. The great majority of the infill housing has been occurring east of 55th Street.

For reference purposes, there were a total of 5 residential building permits issued between 55th Street and 78th Street over the same three- year period in 2022-2024. Furthermore, there are minimal land bank lots between 55th and 78th streets as illustrated on **Exhibit B.** While the resolution is not restricted to land bank lots, developing infill housing on land bank lots is a focus of this initiative.

As demonstrated on the attached map as **Exhibit C,** the residential units that have been built over the past three years east of 55th Street are disbursed throughout the community and do not appear to be concentrated in any one area.

Proposed Action

At this time, the Mayor's Office has requested Resolution 76-21 be rescinded and replaced with a new resolution waiving residential building permits east of 55th Street to focus the economic incentive to the areas most affected by vacant lots and infill housing opportunities.

I hope this is helpful and if you have any questions, please let me know.

`

EXHIBIT A: RESIDENTIAL DEVELOPMENT EAST OF 55TH SUMMARY

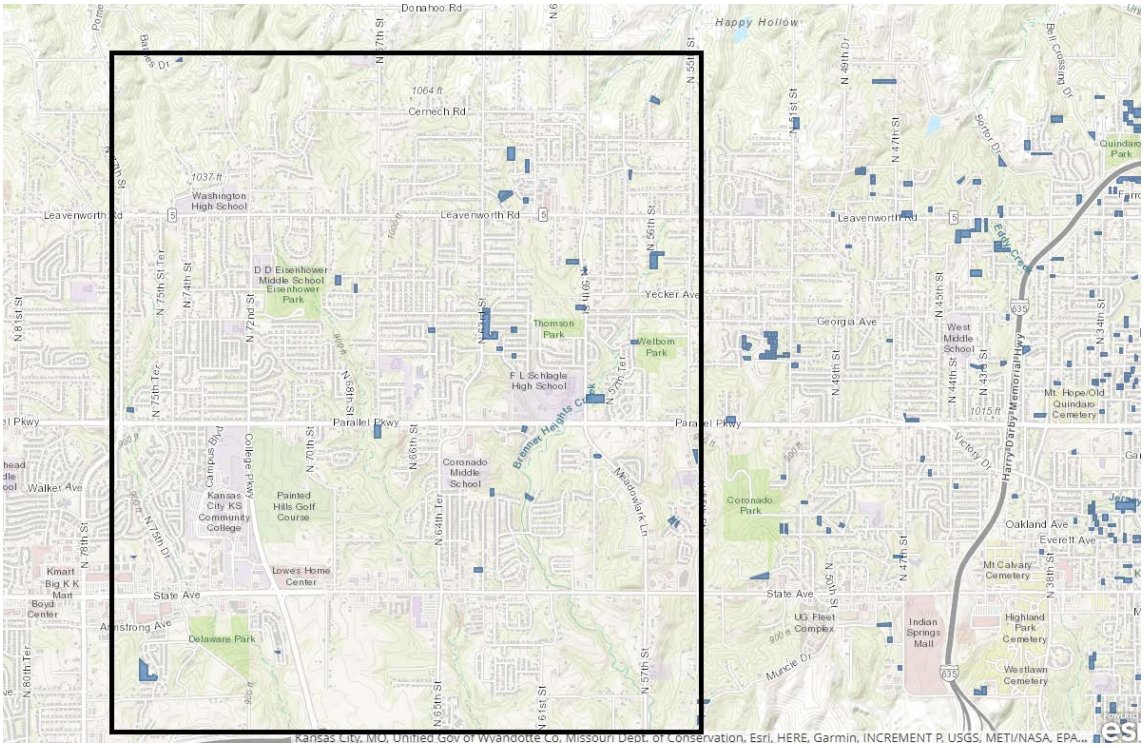
Residential Fee Revenue- Single Family and Duplexes
January 1, 2022- September 11, 2024-East of 55th Street

	Year	2022	2023	2024 YTD	Three Year Total
	Citywide	**131**	**85**	**69**	**285**
	East of 55th	**59**	**56**	**33**	**148**
	% of Total	**45%**	**66%**	**48%**	**52%**
	Land Bank	**38**	**19**	**22**	**79**
	% of Total East of 55th	**64%**	**34%**	**67%**	**53%**
	Duplex	**0**	**0**	**2**	**2**
INDIVIDUAL FEES	Fee Value				
Building Permit Fees	$400	$23,600	$22,400	$13,200	$59,200
Duplex Permit Fees	$1,000	$0	$0	$2,000	$2,000
Elect.Plumb.Mech Permits(3 x$70-Est)	$210	$12,390	$11,760	$6,930	$31,080
Driveway Permits ($55)	$55	$3,245	$3,080	$1,815	$8,140
Sewer Connection ($1112)	$1,112	$65,608	$62,272	$36,696	$85,692
Lateral Connection ($579)	$579	$34,161	$32,424	$19,107	$85,692
Sanitary Tap ($135)	$135	$7,965	$7,560	$4,455	$19,980
	GRAND TOTALS	**$146,969**	**$139,496**	**$84,203**	**$370,668**

* The above permit fees were in place at the time of permit issuance and could change over time.

EXHIBIT B: LAND BANK LOTS

LAND BANK LOTS BETWEEN 55TH STREET AND 78TH STREET



CITYWIDE LAND BANK LOTS

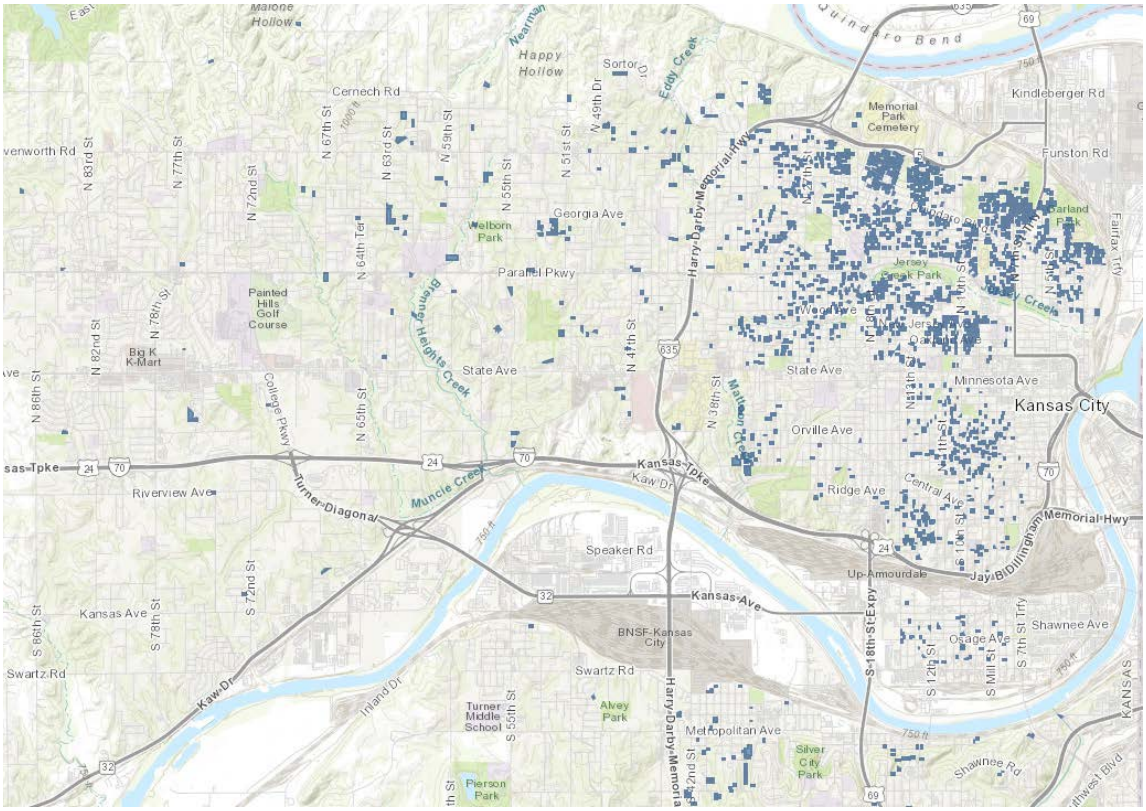
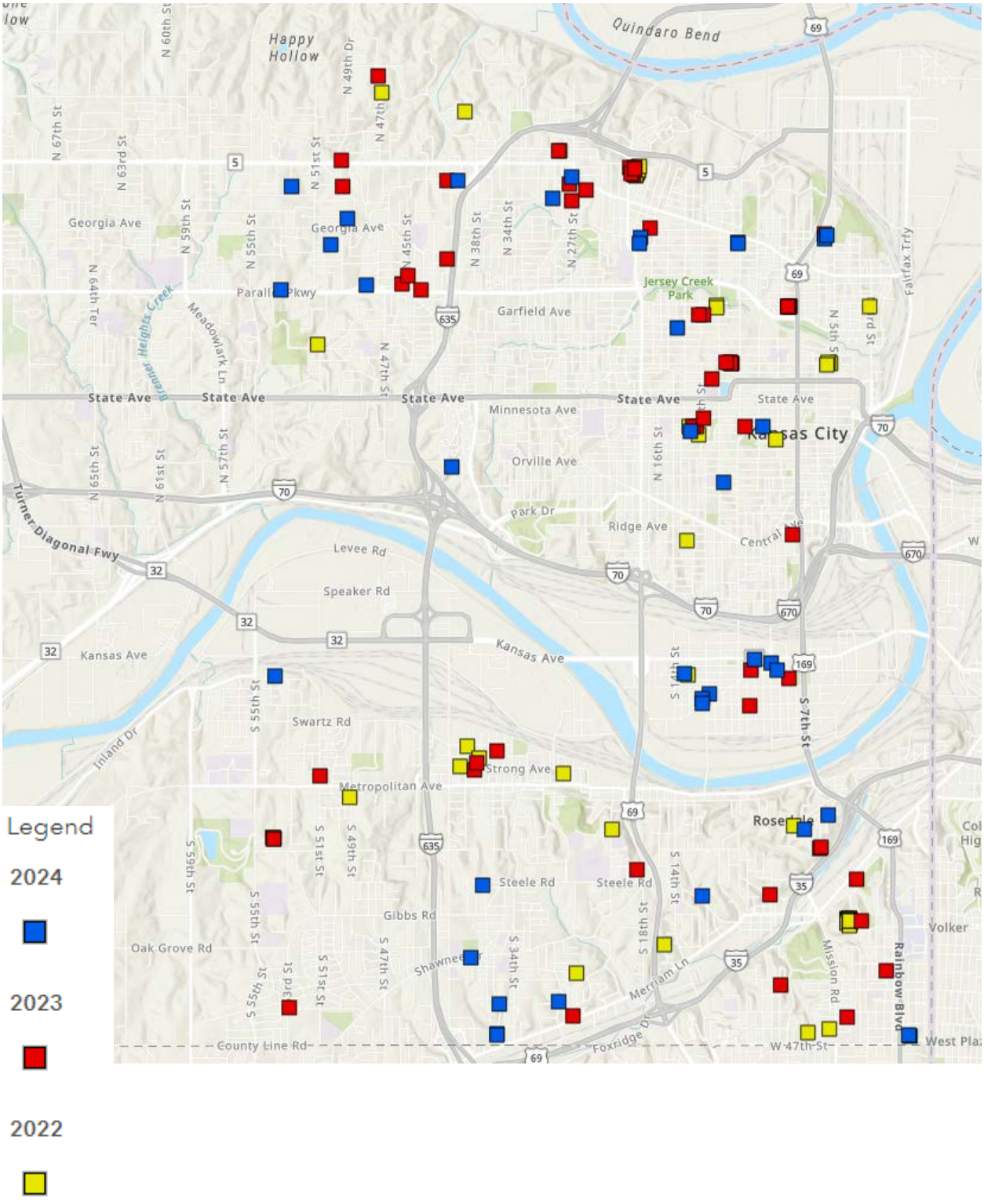


EXHIBIT B: MAP OF RESIDENTIAL DEVELOPMENT (SINGLE FAMILY & DUPLEX)



Tracking ID: 21406

Report to

MEETING DATE	PRESENTER	DEPARTMENT
	Jeffrey Conway, Assistant Counsel jconway@wycokck.org x5075	Administrator's Office

AGENDA ITEM #
RESOLUTION: AUTHORIZE THE COUNTY ADMINISTRATOR TO CALCULATE CERTAIN NEW GROWTH REVENUES AND TO RECOMMEND MILL LEVY REDUCTIONS
BACKGROUND
A resolution to authorize the County Administrator, for a period of 10 years, to calculate 25% of new growth revenues and to recommend to the UG Board of Commissioners corresponding reductions in the mill levy. New growth revenues are derived from the expiration of property tax abatements, sales taxes, or transient guest taxes that are not otherwise pledged to repay outstanding bonds.
RECOMMENDATION
Approve
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS
IT/POLICY CONSIDERATIONS
PROCUREMENT CONSIDERATIONS
LEGAL CONSIDERATIONS
ATTACHMENTS
Resolution for 25% to property tax reduction (3)

Approved by Mayor and/or Chair and Administrator to add to agenda.

11/19/2024

Published in the *Wyandotte Echo* _____

RESOLUTION NO. R-_____

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO CALCULATE CERTAIN NEW GROWTH REVENUES FOR THE PURPOSES OF RECOMMENDING BUDGETARY OPTIONS TO THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS

WHEREAS, the taxpayers of Wyandotte County have supported numerous economic development projects over the years through the grant of incentives that have pledged sales and use taxes or property tax dollars toward the repayment of bonds or other related developer project costs, or provided property tax abatements on certain properties;

WHEREAS, the additional economic development generates new property taxes or increased sales tax revenues countywide as a result of new growth from these developments;

WHEREAS, as responsible stewards of public resources, the Board of Commissioners recognizes and acknowledges the need to alleviate the tax burden felt by taxpayers in the city and county; and

WHEREAS, it is the desire of the Board of Commissioners to empower the County Administrator to identify any new general fund revenues attributable to expiring economic development incentive projects in the city and county and to recommend corresponding budgetary options for the use of the increased revenue to the city and county general funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS AS FOLLOWS:

Section 1. (a) On and after the effective date of this resolution and for a period of ten years thereafter, and to the extent permitted by law, the County Administrator shall be authorized to calculate an amount that is equal to twenty-five percent of any new growth revenues received in the city and county general funds, respectively, upon the expiration of the economic incentives in the prior budget year. The County Administrator shall also be authorized for such period to recommend to the Board of Commissioners any corresponding budgetary options to assist in retiring existing debt or to assist in reducing the mill levy for the city or county respectively as part of the annual budget adoption process.

(b) For purposes of this resolution, "new growth revenues" means certain general fund revenues gained from the expiration of incentivized economic development projects receiving general sales and use taxes and redirection or property tax abatement in the city and county, authorized by the Board of Commissioners. "New growth revenues" will be calculated upon the

expiration of the economic incentive and based upon the final budget year of the incentive. "New growth revenues" includes the property tax revenues paid and received upon the expiration of a property tax abatement that remain after subtracting: (i) any payment in lieu of taxes paid by the developer or the redirection of these funds to project costs or bonds; or (ii) the local sales and use taxes no longer paid to the economic development project fund. "New growth revenues" shall not include: (i) any special assessments or special sales taxes for Community Improvement Districts or Transportation Development Districts approved by the Board of Commissioners or the proceeds from such district which remain in effect only during the term of the economic incentive; (ii) any abatement offered through the Neighborhood Revitalization Act; or (iii) a construction sales tax exemption offered as a result of the issuance of Industrial Revenue Bonds; as those assessments, taxes, abatements, or exemptions are authorized respectively pursuant to state law.

Section 2. Effective Date. This resolution shall take effect and be in full force from and after its passage and approval, and publication in the official newspaper.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____ 202_.

_____

Tyrone A. Garner, Mayor/CEO

Attest:

_____

Unified Government Interim Clerk

Approved as to Form:

_____

Unified Government Chief Counsel

DATE: November 21, 2024

TO: Mayor and Members of the Commission

David Johnston, County Administrator

FROM: Dr. Shelley Kneuvean, Chief Financial Officer

SUBJECT: Resolution Regarding New Revenue Growth Related to Economic Incentive Projects

As requested by the Mayor and County Administrator, a resolution is being proposed involving the net new revenue gained for the City and County General Funds as a result of the expiration of certain economic incentives involving property abatement or redirection, or ongoing general sales and use tax.

The proposed resolution would require an annual calculation of the difference in net new revenue from property tax and sales/use taxes for the County and City General Funds resulting from the expiration of the economic incentives. As economic incentives expire, these revenues are no longer directed to the project specifically and are paid to the respective funds.

The resolution requires a calculation of the paid and received property and general sales/use taxes no longer captured for the project and based on that calculation, an equivalent amount of 25% be considered to be used to pay towards debt retirement and/or to offset and reduce the overall property tax mill for the City and County General Funds respectively. The decision would remain part of the annual budget process to be considered by the Mayor and Commission.

This does not include any special assessments or add-on sales taxes such as Community Improvement Districts or Transportation Development Districts proceeds which remain in effect only during the term of the economic incentive, any abatement offered through the Neighborhood Revitalization Act, or one time construction sales tax exemptions offered through Industrial Revenue Bonds.

Financial Impact

As detailed on the summaries below, there are five TIFs and seven IRBs that are ending in 2025. Based on the revenue received from the TIF, IRBs, and Incremental Sales/Use Tax now paid to the general funds, the equivalent mill rate reduction is estimated for the City and County General Funds. This would be the amount of the mill levy reduction to be considered to be built into the next year budget proposal.

Data for 2026 – 2029 is provided for illustrative purposes only as the actual amounts will be based on the prior year when the incentive expires and may vary from current estimates. During this time

period, there will be one TIF district with incremental sales tax pledged set to expire in 2027 (Plaza at the Speedway, property tax abatement ended after 10 years and are being paid currently), two additional TIF districts in 2026 & 2028, and fifteen IRBs expiring at various times.

I hope this is helpful and if you have any questions, please let me know.

City General Fund Calculation – 2025 - 2029

Total New Incremental Taxes Due to Expiration of Economic Incentives - City

	2025	2026	2027	2028	2029
TIF	255,292.84	331,002.59	331,002.59	372,636.22	372,636.22
IRB	699,958.83	1,043,735.03	1,639,106.92	3,128,088.12	3,784,409.47
Incremental Sales	-	-	3,477,378.00	3,477,378.00	3,477,378.00
Total New Taxes - City	**955,250.67**	**1,374,737.62**	**5,447,487.51**	**6,978,102.34**	**7,634,423.69**

25% of New Taxes to Property Tax Mill Offset Calculation - City

	2025	2026	2027	2028	2029
TIF	63,822.96	82,750.65	82,750.65	93,159.06	93,159.06
IRB	174,989.72	260,933.77	409,776.75	782,022.06	946,102.40
Incremental Sales	-	-	869,344.50	869,344.50	869,344.50
25% of New Taxes to Relief Fund - City	**238,812.68**	**343,684.42**	**1,361,871.90**	**1,744,525.62**	**1,908,605.96**

Estimated Cumulative City Mill Levy Reduction	0.10	0.15	0.70	0.90	1.00
Per Year Mill Levy Reduction	0.10	0.05	0.55	0.20	0.10

County General Fund Calculation

Total New Incremental Taxes Due to the Expiration of Economic Incentives - County

	2025	2026	2027	2028	2029
TIF	247,683.09	321,137.14	321,137.14	361,529.79	361,529.79
IRB	679,095.16	1,134,016.13	1,795,482.59	3,289,097.73	3,979,636.26
Incremental Sales	-	-	511,299.84	511,299.84	511,299.84
Total New Taxes - County	**926,778.25**	**1,455,153.27**	**2,627,919.57**	**4,161,927.36**	**4,852,465.89**

25% of New Taxes to Property Tax Mill Offset Calculation - County

	2025	2026	2027	2028	2029
TIF	61,920.77	80,284.28	80,284.28	90,382.44	90,382.44
IRB	169,773.79	283,504.03	448,870.65	822,274.43	994,909.07
Incremental Sales	-	-	127,824.96	127,824.96	127,824.96
25% of New Taxes to Relief Fund - County	**231,694.56**	**363,788.31**	**656,979.89**	**1,040,481.83**	**1,213,116.47**

Estimated Cumulative County Mill Levy Reduction	0.10	0.15	0.30	0.50	0.60
Per Year Mill Levy Reduction	0.10	0.05	0.15	0.20	0.10

Detailed list of economic development incentives by project on the following pages for TIF, IRBs, and Incremental Sales Tax over the next five years for informational purposes

Economic Development related growth (TIF) - 2025-2029

Total New Taxes - City

	2025	2026	2027	2028	2029
Peregrine Falcon	10,486	10,486	10,486	10,486	10,486
St. Peter's Waterway	115,514	115,514	115,514	115,514	115,514
Escalade Heights	34,867	34,867	34,867	34,867	34,867
Mission Cliffs	74,793	74,793	74,793	74,793	74,793
Fiesta Plaza	-	75,711	75,711	75,711	75,711
I-70 & Armstrong	-	-	-	41,634	41,634
Strawberry Hill	19,631	19,631	19,631	19,631	19,631
Total New Taxes - City	**255,292**	**331,003**	**331,003**	**372,636**	**372,636**

25% of New Taxes to Property Tax Mill Offset Caculation - City

	2,025	2,026	2,027	2,028	2,029
Peregrine Falcon	2,622	2,622	2,622	2,622	2,622
St. Peter's Waterway	28,878	28,878	28,878	28,878	28,878
Escalade Heights	8,717	8,717	8,717	8,717	8,717
Mission Cliffs	18,698	18,698	18,698	18,698	18,698
Fiesta Plaza	-	18,928	18,928	18,928	18,928
I-70 & Armstrong	-	-	-	10,408	10,408
Strawberry Hill	4,908	4,908	4,908	4,908	4,908
25% of New Taxes to Property Tax Mill Offset Caculation - City	**63,823**	**82,751**	**82,751**	**93,159**	**93,159**

Economic Development related growth (TIF) - 2025-2029

Total New Taxes - County

	2025	2026	2027	2028	2029
Peregrine Falcon	10,174	10,174	10,174	10,174	10,174
St. Peter's Waterway	112,071	112,071	112,071	112,071	112,071
Escalade Heights	33,828	33,828	33,828	33,828	33,828
Mission Cliffs	72,564	72,564	72,564	72,564	72,564
Fiesta Plaza	-	73,454	73,454	73,454	73,454
I-70 & Armstrong	-	-	-	40,393	40,393
Strawberry Hill	19,046	19,046	19,046	19,046	19,046
Total New Taxes - County	**247,683**	**321,137**	**321,137**	**361,530**	**361,530**

25% of New Taxes to Property Tax Mill Offset Caculation - County

	2,025	2,026	2,027	2,028	2,029
Peregrine Falcon	2,544	2,544	2,544	2,544	2,544
St. Peter's Waterway	28,018	28,018	28,018	28,018	28,018
Escalade Heights	8,457	8,457	8,457	8,457	8,457
Mission Cliffs	18,141	18,141	18,141	18,141	18,141
Fiesta Plaza	-	18,364	18,364	18,364	18,364
I-70 & Armstrong	-	-	-	10,098	10,098
Strawberry Hill	4,762	4,762	4,762	4,762	4,762
25% of New Taxes to Property Tax Mill Offset Caculation - County	**61,921**	**80,284**	**80,284**	**90,382**	**90,382**

Economic Development related growth (IRB) - 2025-2029

Total New Taxes - City

	2025	2026	2027	2028	2029
Amazon	-	-	-	-	604,964
Assisted Living Associates	21,006	21,006	21,006	21,006	21,006
Associated Wholesale Grocers, Inc.	78,944	78,944	78,944	78,944	78,944
Boyer KCK MOB	-	-	-	-	51,357
Central Industrial Park	-	-	384,970	384,970	384,970
Dairy Farmers of America	-	-	-	154,554	154,554
Fastenal 3	-	-	-	-	-
Five M Limited	-	-	-	-	-
Herff Jones	-	-	-	-	-
INX International Ink Co.	-	-	-	-	-
JE Dunn Logistics Facility	42,514	42,514	42,514	42,514	42,514
Kansas Speedway	-	-	-	1,334,427	1,334,427
MS Kansas City, LLC	153,109	153,109	153,109	153,109	153,109
NPIF2 Kansas Avenue, LLC	-	68,585	68,585	68,585	68,585
Premier Investments	80,242	80,242	80,242	80,242	80,242
Stag Industrial	-	-	-	-	-
Tiner, Guy	-	-	-	-	-
US Soccer National Training Center	-	-	210,402	210,402	210,402
Village West Apartments - Phase I	273,773	273,773	273,773	273,773	273,773
Village West Apartments - Phase II	-	275,192	275,192	275,192	275,192
WellTower	50,371	50,371	50,371	50,371	50,371
Woodend Holdings, LLC #1	-	-	-	-	-
Woodend Holdings, LLC #2	-	-	-	-	-
Total New Taxes - City	**699,959**	**1,043,735**	**1,639,107**	**3,128,088**	**3,784,409**

25% of New Taxes to Property Tax Mill Offset Calculation - City

	2025	2026	2027	2028	2029
Amazon	-	-	-	-	151,241
Assisted Living Associates	5,252	5,252	5,252	5,252	5,252
Associated Wholesale Grocers, Inc.	19,736	19,736	19,736	19,736	19,736
Boyer KCK MOB	-	-	-	-	12,839
Central Industrial Park	-	-	96,242	96,242	96,242
Dairy Farmers of America	-	-	-	38,639	38,639
Fastenal 3	-	-	-	-	-
Five M Limited	-	-	-	-	-
Herff Jones	-	-	-	-	-
INX International Ink Co.	-	-	-	-	-
JE Dunn Logistics Facility	10,628	10,628	10,628	10,628	10,628
Kansas Speedway	-	-	-	333,607	333,607
MS Kansas City, LLC	38,277	38,277	38,277	38,277	38,277
NPIF2 Kansas Avenue, LLC	-	17,146	17,146	17,146	17,146
Premier Investments	20,061	20,061	20,061	20,061	20,061
Stag Industrial	-	-	-	-	-
Tiner, Guy	-	-	-	-	-
US Soccer National Training Center	-	-	52,601	52,601	52,601
Village West Apartments - Phase I	68,443	68,443	68,443	68,443	68,443
Village West Apartments - Phase II	-	68,798	68,798	68,798	68,798
WellTower	12,593	12,593	12,593	12,593	12,593
Woodend Holdings, LLC #1	-	-	-	-	-
Woodend Holdings, LLC #2	-	-	-	-	-
25% of New Taxes to Property Tax Mill Offs	**174,990**	**260,934**	**409,777**	**782,022**	**946,102**

Economic Development related growth (IRB) - 2025-2029

Total New Taxes - County

	2025	2026	2027	2028	2029
Amazon	-	-	-	-	586,932.07
Assisted Living Associates	20,380	20,380	20,380	20,380	20,380
Associated Wholesale Grocers, Inc.	76,591	76,591	76,591	76,591	76,591
Boyer KCK MOB	-	-	-	-	49,826
Central Industrial Park	-	-	373,495	373,495	373,495
Dairy Farmers of America	-	-	-	149,947	149,947
Fastenal 3	-	-	-	-	12,101
Five M Limited	-	-	-	-	41,679
Herff Jones	-	-	83,841	83,841	83,841
INX International Ink Co.	-	-	-	30,426	30,426
JE Dunn Logistics Facility	41,247	41,247	41,247	41,247	41,247
Kansas Speedway	-	-	-	1,294,652	1,294,652
MS Kansas City, LLC	148,545	148,545	148,545	148,545	148,545
NPIF2 Kansas Avenue, LLC	-	66,540	66,540	66,540	66,540
Premier Investments	77,851	77,851	77,851	77,851	77,851
Stag Industrial	-	102,639	102,639	102,639	102,639
Tiner, Guy	-	18,753	18,753	18,753	18,753
US Soccer National Training Center	-	-	204,131	204,131	204,131
Village West Apartments - Phase I	265,612	265,612	265,612	265,612	265,612
Village West Apartments - Phase II	-	266,989	266,989	266,989	266,989
WellTower	48,869	48,869	48,869	48,869	48,869
Woodend Holdings, LLC #1	-	-	-	18,590	18,590
Woodend Holdings, LLC #2	157,152	157,152	157,152	157,152	157,152
Total New Taxes - County	**679,095**	**1,134,016**	**1,795,483**	**3,289,098**	**3,979,636**

25% of New Taxes to Property Tax Mill Offset Calculation - County

	2025	2026	2027	2028	2029
Amazon	-	-	-	-	146,733
Assisted Living Associates	5,095	5,095	5,095	5,095	5,095
Associated Wholesale Grocers, Inc.	19,148	19,148	19,148	19,148	19,148
Boyer KCK MOB	-	-	-	-	12,457
Central Industrial Park	-	-	93,374	93,374	93,374
Dairy Farmers of America	-	-	-	37,487	37,487
Fastenal 3	-	-	-	-	3,025
Five M Limited	-	-	-	-	10,420
Herff Jones	-	-	20,960	20,960	20,960
INX International Ink Co.	-	-	-	7,607	7,607
JE Dunn Logistics Facility	10,312	10,312	10,312	10,312	10,312
Kansas Speedway	-	-	-	323,663	323,663
MS Kansas City, LLC	37,136	37,136	37,136	37,136	37,136
NPIF2 Kansas Avenue, LLC	-	16,635	16,635	16,635	16,635
Premier Investments	19,463	19,463	19,463	19,463	19,463
Stag Industrial	-	25,660	25,660	25,660	25,660
Tiner, Guy	-	4,688	4,688	4,688	4,688
US Soccer National Training Center	-	-	51,033	51,033	51,033
Village West Apartments - Phase I	66,403	66,403	66,403	66,403	66,403
Village West Apartments - Phase II	-	66,747	66,747	66,747	66,747
WellTower	12,217	12,217	12,217	12,217	12,217
Woodend Holdings, LLC #1	-	-	-	4,647	4,647
Woodend Holdings, LLC #2	39,288	39,288	39,288	39,288	39,288
25% of New Taxes to Property Tax Mill Offse	**169,774**	**283,504**	**448,871**	**822,274**	**994,909**

Economic Development related growth (Inc Sales) - 2025-2029

Total Taxes Received after Incentive - City

	2025	2026	2027	2028	2029
Shawnee Plaza	-	-	-	-	-
Fiesta Plaza	-	-	-	-	-
Plaza at the Speedway	-	-	3,477,378	3,477,378	3,477,378
Total Taxes Received after Incentive - City	**-**	**-**	**3,477,378**	**3,477,378**	**3,477,378**

Total Received from last year of Incentive - City

	2025	2026	2027	2028	2029
Shawnee Plaza	-	-	-	-	-
Fiesta Plaza	-	-	-	-	-
Plaza at the Speedway	-	-	-	-	-
Total Received from last year of Incentive - City	**-**	**-**	**-**	**-**	**-**

Total New Taxes - City

	2025	2026	2027	2028	2029
Shawnee Plaza	-	-	-	-	-
Fiesta Plaza	-	-	-	-	-
Plaza at the Speedway	-	-	3,477,378	3,477,378	3,477,378
Total New Taxes - City	**-**	**-**	**3,477,378**	**3,477,378**	**3,477,378**

25% of New Taxes to Property Tax Mill Offset - City

	2025	2026	2027	2028	2029
Shawnee Plaza	-	-	-	-	-
Fiesta Plaza	-	-	-	-	-
Plaza at the Speedway	-	-	869,345	869,345	869,345
25% of New Taxes to Property Tax Mill Offset - City	**-**	**-**	**869,345**	**869,345**	**869,345**

Economic Development related growth (Inc Sales) - 2025-2029

Total Taxes Received after incentive - County

	2025	2026	2027	2028	2029
Shawnee Plaza	-	-	-	-	-
Fiesta Plaza	-	-	-	-	-
Plaza at the Speedway	-	-	511,300	511,300	511,300
Total Taxes Received after incentive - County	**-**	**-**	**511,300**	**511,300**	**511,300**

Total Received from last year of incentive - County

	2025	2026	2027	2028	2029
Shawnee Plaza	-	-	-	-	-
Fiesta Plaza	-	-	-	-	-
Plaza at the Speedway	-	-	-	-	-
Total Received from last year of incentive - County	**-**	**-**	**-**	**-**	**-**

Total New Taxes - County

	2025	2026	2027	2028	2029
Shawnee Plaza	-	-	-	-	-
Fiesta Plaza	-	-	-	-	-
Plaza at the Speedway	-	-	511,300	511,300	511,300
Total New Taxes - County	**-**	**-**	**511,300**	**511,300**	**511,300**

25% of New Taxes to Property Tax Mill Offset - County

	2025	2026	2027	2028	2029
Shawnee Plaza	-	-	-	-	-
Fiesta Plaza	-	-	-	-	-
Plaza at the Speedway	-	-	127,825	127,825	127,825
25% of New Taxes to Property Tax Mill Offset - County	**-**	**-**	**127,825**	**127,825**	**127,825**

Tracking ID: 21637

Report to

MEETING DATE	PRESENTER	DEPARTMENT
	Shelley Kneuvean, Chief Financial Officer Debbie Jonscher, Deputy Finance Officer Alyse Villarreal, Fiscal Officer skneuvean@wycokck.org, djonscher@wycokck.org, avillarreal@wycokck.org x5849, x5847, x5273	Finance

AGENDA ITEM

ORDINANCE: AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS FOR DEBT FINANCING

BACKGROUND

An ordinance authorizing various public improvements and authorizing the issuance of general obligation bonds to finance a portion of the costs of such improvements, submitted by Dr. Shelley Kneuvean, Chief Financial Officer

RECOMMENDATION

Approve
Fast Track

For 1/6/25 ED&F
Requesting approval and Fast track to 1/9/25 Full Commission

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

This ordinance authorizes the sale of general obligation bonds approved in the CIP and through prior Commission project authorizations. Total project financing remains contingent upon future budget approvals. This action will refinance the current temporary notes, actual spent amounts, and authorized encumbrances for approved projects; and funding for several additional known capital costs for FY25 related to these projects. The funding source is partially from the City General Fund and the Sewer Fund. Project proceeds are approximately $84.6 million and total costs, including issuance costs, are approximately $89 million. The bond is being structured to essentially level the total principal and interest payments budgeted in FY25 for FY26 and FY27 by utilizing the existing fund balance in the Bond & Interest Fund ($1.2M in 2026 and $558K in 2027).

IT/POLICY CONSIDERATIONS

N/A

PROCUREMENT CONSIDERATIONS

All projects funded with debt proceeds were properly procured and compliant with the Purchasing Policy.

LEGAL CONSIDERATIONS

Debt proceeds are restricted to the amount and the description authorized in this resolution/ordinance. Some projects included have received debt authorization previously, but a scope, location, amount or name change is noted. Previous debt authorization actions are listed. All ordinances and related documents have been prepared by outside legal bond counsel.
ATTACHMENTS
Ordinance - Project Financing (UG), 2025 Debt Authorizations 12.18.24

Approved by Mayor and/or Chair and Administrator to add to agenda.

12/23/2024

[PROJECT DOCUMENTS]

A. Excerpt of Minutes of Meeting approving Ordinance
B. Ordinance
C. Summary of Ordinance

EXCERPT OF MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
HELD ON JANUARY 9, 2025

The governing body met in regular session at the usual meeting place in the Unified Government, at 7:00 p.m., the following members being present and participating, to-wit:

Present: _____

_____.

Absent: _____.

The Mayor/CEO declared that a quorum was present and called the meeting to order.

* * * * * * * * * * * * * *

(Other Proceedings)

There was presented an Ordinance entitled:

AN ORDINANCE AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO FINANCE A PORTION OF THE COSTS OF SUCH IMPROVEMENTS.

Commissioner _____ moved that said Ordinance be passed. The motion was seconded by Commissioner _____. The Ordinance was duly read and considered, and upon being put, the motion for the passage of the Ordinance was carried by the vote of the governing body, the vote being as follows:

Yea: _____

_____.

Nay: _____.

The Mayor/CEO declared the Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. O-___-25 was signed and approved by the Mayor/CEO and attested by the Clerk.

* * * * * * * * * * * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

_____
Clerk

ORDINANCE NO. O-___-25

AN ORDINANCE AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO FINANCE A PORTION OF THE COSTS OF SUCH IMPROVEMENTS.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "Unified Government"), successor to the City of Kansas City, Kansas, is a duly organized and existing municipal corporation under the laws of the State of Kansas, is a consolidated city-county having all the powers, functions and duties of a county and of a city of the first class; and

WHEREAS, Charter Ordinance No. CO-03-09 was previously approved by the Unified Government, acting as a city of the first class and pursuant to Article 12, Section 5 of the Constitution of the State of Kansas (the "Home Rule Amendment"), and such Charter Ordinance authorizes the governing body of the Unified Government to make the following improvements and to issue its general obligation bonds to finance the costs of such improvements:

> Bridge, viaduct, street, sidewalk or pedestrian way improvements, airport, public building or structure, parking improvement, or other public utility or works, including any appurtenances related thereto and the land necessary therefor, for lands for public parks and recreation facilities, including golf courses, stadiums and community centers, and developing and making improvements to the same, within or without the city, for the establishment, development and construction of crematories, desiccating or reduction works, including any appurtenances related thereto and the land necessary therefor, within or without the city, or for the improvement, repair or extension of any waterworks, sanitary sewer facilities, sewage treatment or disposal plant, sewerage system storm water improvement, electric light plant, crematory, desiccating or reduction works or other public utility plant or works owned by the city, and for the purpose of rebuilding, adding to or extending the same or acquiring land necessary therefor from time to time, as the necessities of the city may require, or for the acquisition of equipment, vehicles and other personal property to be used in relation to any of the improvements authorized herein; and

WHEREAS, the Home Rule Amendment and K.S.A. 12-101 empower cities to determine their local affairs and government and provide that such power and authority granted thereby to cities shall be liberally construed for the purpose of giving to cities the largest measure of self-government; and

WHEREAS, the Unified Government is a city within the meaning of the Home Rule Amendment; and

WHEREAS, there is no enactment of the Kansas legislature which authorizes the Unified Government to issue general obligation bonds to provide funds to finance the acquisition and development of software necessary for efficient city operations or other technology related capital expenditures, or which prohibits the City from issuing general obligation bonds to provide funds to finance such costs; and

WHEREAS, the Unified Government hereby exercises its authority pursuant to the Home Rule Amendment and authorizes the acquisition and development of certain software technology and equipment for public safety and other public purposes, and the issuance of general obligation bonds to finance the costs thereof; and

WHEREAS, the Unified Government now seeks to authorize certain improvements and the issuance of general obligation bonds to finance the costs of such improvements, all as set forth in **Exhibit A** attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. Approval of the Projects. The governing body of the Unified Government hereby authorizes and orders the construction of the improvements described in **Exhibit A** attached hereto.

Section 2. Issuance of General Obligation Bonds. Pursuant to Charter Ordinance CO-03-09 and the Home Rule Amendment, the governing body of the Unified Government hereby authorizes the issuance of general obligation bonds to fund the improvements authorized in Section 1 of this Ordinance. Such general obligation bonds may be issued in the maximum principal amounts set forth in **Exhibit A** attached hereto. The Unified Government expects to make expenditures prior to the issuance of such general obligation bonds, and any such tax-exempt general obligation bonds issued under the authority of this Ordinance may be used to reimburse expenditures made on or after the date that is 60 days before the date of passage of this Ordinance pursuant to U.S. Treasury Regulation §1.150-2.

Section 3. Further Authority. The Mayor/CEO, Unified Government Clerk, County Administrator, Unified Government Chief Financial Officer, and acting Unified Government Chief Counsel and other appropriate officers and agents of the Unified Government are hereby authorized and directed to take such action, expend such funds and execute such documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 4. Effective Date. This Ordinance shall be in full force and effect following its passage by the governing body of the Unified Government and publication (or a summary thereof) in the official newspaper of the Unified Government.

[Balance of page intentionally left blank]

PASSED by the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas, and **APPROVED AND SIGNED** by the Mayor/CEO this 9th day of January, 2025.

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

By: _____
Tyrone Garner, Mayor/CEO

(SEAL)

ATTEST:

_____
Monica Sparks, Unified Government Clerk

Approved as to Form:

_____
Office of Chief Counsel

EXHIBIT A

2025 FINANCING: PROJECT AUTHORIZATIONS

(Published in the ***Wyandotte Echo*** on January __, 2025)

SUMMARY OF ORDINANCE NO. O-_____-25

On January 9, 2025, the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas passed an ordinance entitled:

AN ORDINANCE AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO FINANCE A PORTION OF THE COSTS OF SUCH IMPROVEMENTS.

This ordinance authorized various improvements to be made in the Unified Government and also authorized the financing of certain costs related thereto.

A complete text of the Ordinance may be obtained or viewed free of charge at the office of the Unified Government Clerk, 701 N. 7th Street, Kansas City, Kansas 66101. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at wycokck.org.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: January 9, 2025.

_____

Office of Chief Counsel

Annual Alley Improvement Program, 2023

CMIP #: PRG00014

Description Amended

Annual CMIP#: 941-1223

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-132-22/R-54-22; O-133-23/R-65-23

Prior Authorization Amount Approved*: $300,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Annual project that will involve the milling, concrete pouring, asphalt overlay, resurfacing, utility cover adjustments, pavement marking, traffic control modifications, Americans With Disabilities Act compliant street to sidewalk access, including any appurtenances related thereto, any necessary land acquisitions, and associated engineering, design, inspection, removal, replacement, and construction costs associated with the replacement or repair of alleyways adjacent to some but not all locations below:

10TH ST from LYON AVE to REYNOLDS AVE
10TH ST from GARFIELD AVE to MILDRED DR
10TH ST from N SANDUSKY AVE to GRANDVIEW BLVD

CENTRAL AVE from VALLEY ST to 12TH ST
CENTRAL AVE from 8TH ST to COY ST
CENTRAL AVE from BOEKE ST to 9TH ST
CENTRAL AVE from BETHANY ST to 11TH ST
CENTRAL AVE from LOWELL AVE to BOEKE ST
CENTRAL AVE from VALLEY ST to VALLEY ST

Annual Bridge Repair, 2024

CMIP #: PRG00019

Description Amended

Annual CMIP#: 942-0124

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-133-23/R-65-23 (RR)

Prior Authorization Amount Approved*: $600,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Repair, removal and replacement of certain bridges and associated streets within the City of Kansas City, Kansas at locations to be determined, and any appurtenances related thereto. All work includes necessary traffic control, detour signing, and utility adjustments necessary to accommodate work as well as all necessary engineering, design, inspection, and all necessary appurtenances and related construction.

Locations:
Structure #199: Fairfax Trafficway

Structure #281: Holiday Drive. Near 73rd St
Structure #283: Holiday Drive Near 78th St

Annual CSO Control Measures Overflow Reduction Program, 2021-2022 f/k/a Annual Overflow CSO Reduction Program, 2021-2022

CMIP #: PRG00232

Name Change, Description Amended

Annual CMIP#: 946-0822

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-124-21; O-133-23/R-65-23

Prior Authorization Amount Approved*: $8,000,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Work includes design, bid, and construction improvements activities made resulting from the 2020 analysis of Jersey Creek which identified locations: CSO 14, 15, 16, 17, 19, 44, 55, 81, and 85, primarily focusing on CSO 19.

CSO 19 Sewer Separation (Phase I) – The project area is generally bound by Waterway Park and Big 11 Lake Park. Separate combined sewers through installation of approximately 5,700FT of 15IN through 60IN storm sewer, capacity of separated stormwater to mitigate overflow conditions and provide grey detention facility for stormwater attenuation to meet KDHE design restrictions and to meet the consent decree terms and conditions by 12/31/2024.

CSO 19 Sewer Separation (Phase II) - The project area is in the south-central portion of the Jersey Creek Basin. The area is generally bounded by North 14th Street on the west, North 7th Street Trafficway on the east, Walker Avenue on the north, and Sandusky Avenue on the south and includes the Big 11 Lake and Waterway Park areas. Improvements will include sewer separation and potentially stormwater BMPs or green infrastructure where feasible to supplement or reduce the following separation quantities of approximately 2,700 LF of 12-inch through 42-inch diameter storm sewer and 13,500 LF of 8-inch through 21-inch diameter sanitary sewer and to meet the consent decree terms and conditions by 12/31/2026.

Annual CSO Control Measures Overflow Reduction Program, 2023 f/k/a Annual Overflow CSO Reduction Program, 2023

CMIP #: PRG00232

Name Change, Description Amended

Annual CMIP#: 946-0823

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-132-22/R-54-22; O-133-23/R-65-23

Prior Authorization Amount Approved*: $7,000,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Work includes design and construction improvements made resulting from the 2020 analysis of Jersey Creek which identified locations: CSO 14, 16, 17, 19, 44 and 55, primarily focusing on CSO 19 and CSO 44.

CSO 19 - The project area is in the south-central portion of the Jersey Creek Basin. The area is generally bounded by North 14th Street on the west, North 7th Street Trafficway on the east, Walker Avenue on the north, and Sandusky Avenue on the south and includes the Big 11 Lake and Waterway Park areas. Improvements will include sewer separation and potentially stormwater BMPs or green infrastructure where feasible to supplement or reduce the following separation quantities of approximately 2,700 LF of 12-inch through 42-inch diameter storm sewer and 13,500 LF of 8-inch through 21-inch diameter sanitary sewer.

CSO44 – the project area is within the split log basin at 8th Street Park. The area is generally bounded by Ann on the north, 8th Street to the west, Barnett to the South and midblock to the park boundary. CSO44 is a consent required green infrastructure project to support water quantity and water quality through retention and detention facilities and is phase II of the sewer separation and green parking facility that occurred during the construction of the Juvenile Justice Center.

CSO44 and CSO19 are both required by the IOCP consent decree and due for significant completion by the end of 2024.

Annual CSO Control Measures Overflow Reduction Program, 2024 f/k/a Annual Overflow CSO Reduction Program, 2024

CMIP #: PRG00232

Name Change, Description Amended

Annual CMIP#: 946-0824

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-133-23/R-65-23

Prior Authorization Amount Approved*: $5,000,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Work includes design, bid, and construction improvements activities made resulting from the 2020 analysis of Jersey Creek which identified locations: CSO 14, 15, 16, 17, 19, 44, 55, 81, and 85, primarily focusing on CSO 19, CSO 44, CSO 15 & 81 and CSO 14.

CSO 19 (Phase I and II) - The project area is in the south-central portion of the Jersey Creek Basin. The area is generally bounded by North 14th Street on the west, North 7th Street Trafficway on the east, Walker Avenue on the north, and Sandusky Avenue on the south and includes the Big 11 Lake and Waterway Park areas. Improvements will include sewer separation, stormwater BMPs and grey detention facilities where appropriate and feasible or reduce the following separation quantities of approximately 2,700 LF of 12-inch through 42-inch diameter storm sewer and 13,500 LF of 8-inch through 21-inch diameter sanitary sewer.

CSO44 – the project area is within the split log basin at 8th Street Park. The area is generally bounded by Ann on the north, 8th Street to the west, Barnett to the South and midblock to the park boundary. CSO44 is a consent required green infrastructure project to support water quantity and water quality through retention and detention

CSO 15 & 81 - the project area is along Jersey Creek bound generally by Macs Park, Westheight Park, New Chelsea Elementary, Garfield Avenue, 18th Street, and Klamm Park. CSO 15 & 81 is a consent required project to included improvements to install approximately 3,200 linear feet of 12" through 27" storm sewer and 200 linear feet of 15" sanitary sewer.

Annual Elevator Upgrades, 2024

CMIP #: PRG00219

Description Amended, Amount Amended

Annual CMIP#: 948-0124

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-133-23/R-65-23 (RR)

Prior Authorization Amount Approved*: $200,000

New Authorization Amount*: $70,000

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Project will include engineering and design necessary to upgrade, maintain, repair and improve escalators and/or elevators at locations to be determined to ensure compliance with City, State, and Federal Codes and Regulations, including Americans with Disabilities Act Mandates. The scope for work will include but is not limited to the repair and replacement of drives, brakes, hoist cables, sheave brakes, governor, motor controls, and other associated Mechanical and Control Equipment. Other interior work could include but not be limited to interior lighting, panels, flooring, railings of the Cab. The elevator may receive new Operational Systems installed with new push-button automated operations and controls.
Locations:
City Hall, Court House, Police Headquarters, Court Services, Adult Detention Center, Juvenile Center, Health Department, Annex, Memorial Hall, Reardon Center, Parking Lot A, Parking Lot C, Parking Lot D.

Annual Monitoring and Control Improvements, 2024

CMIP #: PRG00268

Description Amended

Annual CMIP#: 946-0624

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-133-23/R-65-23

Prior Authorization Amount Approved*: $1,000,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Project includes design, construction, and implementation of improvements to control systems, programming, monitoring, communications, information technology, licensing, data storage, security and related facilities system wide to improve data acquisition, storage, and processing at all wastewater treatment plants (5), sanitary Pump Stations (70), storm pump stations (9), and other critical assets and locations. Includes upgrades of hardware, software, instrumentation, controls and electrical equipment for the entire wastewater system, including pump stations, treatment plants, and satellite sites. Locations may include the following sites:

Wastewater Treatment Plant No 1
Wastewater Treatment Plant No 3
Wastewater Treatment Plant No 6
Wastewater Treatment Plant No 14
Wastewater Treatment Plant No 20
Pump Station No 1
Pump Station No 2

Pump Station No 3
Pump Station No 4
Pump Station No 5
Pump Station No 6
Pump Station No 7
Pump Station No 8
Pump Station No 9
Pump Station No 10
Pump Station No 11
Pump Station No 13
Pump Station No 14
Pump Station No 15
Pump Station No 16
Pump Station No 18
Pump Station No 19
Pump Station No 20
Pump Station No 21
Pump Station No 22
Pump Station No 23
Pump Station No 24
Pump Station No 25
Pump Station No 26
Pump Station No 27
Pump Station No 28
Pump Station No 29
Pump Station No 30
Pump Station No 31
Pump Station No 32
Pump Station No 32A
Pump Station No 33
Pump Station No 34
Pump Station No 35
Pump Station No 36
Pump Station No 37
Pump Station No 38
Pump Station No 39
Pump Station No 40
Pump Station No 41
Pump Station No 42
Pump Station No 43
Pump Station No 44
Pump Station No 45
Pump Station No 46
Pump Station No 47
Pump Station No 48
Pump Station No 49
Pump Station No 50 (EFHB)

Pump Station No 51
Pump Station No 52
Pump Station No 53
Pump Station No 54
Pump Station No 55
Pump Station No 56
Pump Station No 57
Pump Station No 60
Pump Station No 61
Pump Station No 62
Pump Station No 63
Pump Station No 64
Pump Station No 65
Pump Station No 66
Pump Station No 69
Pump Station No 70
Pump Station No 71
Pump Station No 72
Pump Station No 73
Pump Station No 74
Pump Station No 77
Pump Station No 78
Pump Station No 79
Pump Station No 80
Pump Station No 81
Pump Station No 86
Pump Station No 88
Flood Pump Station No 01
Flood Pump Station No 02
Flood Pump Station No 10
Flood Pump Station No 11
Flood Pump Station No 12
Flood Pump Station No 13
Flood Pump Station No 14
Flood Pump Station No 16
Flood Pump Station No 17
Mark One FPS 18
Data Collection and transmission related improvements associated with Rain Gage /Weather Monitoring Network
Roswell Tower
Fire Station 6 Radio Tower
City Hall (701 N 7th Street) Antenna
Mill Street Bridge at Turkey Creek

Annual Priority Traffic Signal Replacements, 2024

CMIP #: PRG00155

Description Amended

Annual CMIP#: 943-0124

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-133-23/R-65-23

Prior Authorization Amount Approved*: $800,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Project will involve the review, design, and potential installation of traffic control elements along the State Avenue Corridor, from 94th Street to 118th Street as well as the intersection of 55th & Metropolitan. Possible elements could include the removal, replacement, or installation of traffic signals, removal and replacement of pavement marking patterns, installation or modification of traffic controller computer cabinets or equipment, pavement reconditioning, installation or modification of American with Disabilities Act accessible ramp and push buttons, or any appurtenances related to, any necessary land acquisitions, and associated engineering, design, inspection, removal, replacement, and construction costs along the above mentioned corridor.

Annual Wastewater System Renewal, 2023

CMIP #: PRG00229

Description Amended

Annual CMIP#: 946-0723

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-132-22/R-54-22

Prior Authorization Amount Approved*: $8,000,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

This is an annual program that includes the inspection, rehabilitation, repair, and/or replacement of wastewater related facilities for the collection, conveyance, treatment of wastewater and/or utility operations. Areas considered for 2023 include: WWTP 01, WWTP 20, PS 02, PS 18, Collection System rehabilitation, PS 36 forcemain, Emergency repair 4th and Freeman, Connor Creek Interceptor, sewer relocation at Sumner Academy.

Annual Wastewater System Renewal, 2024

CMIP #: PRG00229

Description Amended

Annual CMIP#: 946-0724

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-133-23/R-65-23

Prior Authorization Amount Approved*: $9,000,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

This is an annual program that includes the inspection, rehabilitation, repair, and/or replacement of wastewater related facilities for the collection, conveyance, treatment of wastewater and/or utility operations. Areas considered for 2024 include:

Wastewater Treatment Plant No 1
Wastewater Treatment Plant No 3

Wastewater Treatment Plant No 5
Wastewater Treatment Plant No 14
Wastewater Treatment Plant No 20
Pump Station No 1
Pump Station No 2
Pump Station No 3
Pump Station No 4
Pump Station No 5
Pump Station No 6
Pump Station No 7
Pump Station No 8
Pump Station No 9
Pump Station No 10
Pump Station No 11
Pump Station No 13
Pump Station No 14
Pump Station No 15
Pump Station No 16
Pump Station No 18
Pump Station No 19
Pump Station No 20
Pump Station No 21
Pump Station No 22
Pump Station No 23
Pump Station No 24
Pump Station No 25
Pump Station No 26
Pump Station No 27
Pump Station No 28
Pump Station No 29
Pump Station No 30
Pump Station No 31
Pump Station No 32
Pump Station No 32A
Pump Station No 33
Pump Station No 34
Pump Station No 35
Pump Station No 36
Pump Station No 37
Pump Station No 38
Pump Station No 39
Pump Station No 40
Pump Station No 41
Pump Station No 42
Pump Station No 43
Pump Station No 44
Pump Station No 45

Pump Station No 46
Pump Station No 47
Pump Station No 48
Pump Station No 49
Pump Station No 50 (EFHB)
Pump Station No 51
Pump Station No 52
Pump Station No 53
Pump Station No 54
Pump Station No 55
Pump Station No 56
Pump Station No 57
Pump Station No 60
Pump Station No 61
Pump Station No 62
Pump Station No 63
Pump Station No 64
Pump Station No 65
Pump Station No 66
Pump Station No 69
Pump Station No 70
Pump Station No 71
Pump Station No 72
Pump Station No 73
Pump Station No 74
Pump Station No 78
Pump Station No 79
Pump Station No 80
Pump Station No 81
Pump Station No 86
Pump Station No 87
Pump Station NO 88
Pump Station No 89
Flood Pump Station No 01
Flood Pump Station No 02
Flood Pump Station No 10
Flood Pump Station No 11
Flood Pump Station No 12
Flood Pump Station No 13
Flood Pump Station No 14
Flood Pump Station No 16
Flood Pump Station No 17
Data Collection and transmission related improvements associated with Rain Gage /Weather Monitoring Network
Roswell Tower
Fire Station 3 Radio Tower
Fire Station 6
Rain Gage sites 1-30

City Hall (701 N 7th Street)
Mill Street Bridge at Turkey Creek
Kansas River Crossings
Sewer Interceptor Pipes, pressure mains, Local Sewer Collection Pipes, Sewer Junction Structures (Manholes) and associated facilities in the following watersheds:
Armourdale Industrial District
Barber Creek
Brenner Heights Creek
Brenner Heights Tributary
Brush Creek
Central Industrial District
Connor Creek
East Mission Creek
Eddy Creek
Esplanade Creek
Fairfax Industrial District
Honey Creek
Island Creek (and tributary)
Jersey Creek
Little Muncie
Little Turkey Creek (North, South, Tributary)
Marshall Creek
Matoon Creek
Mill Creek
Morris Creek
Muncie Bluff Creek
Muncie Creek
Nearman Creek
Piper Creek
Pomeroy Creek
Sortor Creek
Splitlog Creek
Timmons Creek
Turkey Creek
Turner Creek
Union Pacific Bottoms
Vance Creek
Wolf Creek

Bridge #210 (18th St.) over Turkey Creek

CMIP #: PRJ2170

Amended Amount

Statutory Authority:	Charter Ordinance CO-03-09
Prior Authorization Approved:	O-53-19/R-50-19; R-76-19
Prior Authorization Amount Approved*:	$150,000
New Authorization Amount*:	$125,000

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Project to include the inspection, evaluation, and removal or replacement of the currently closed Bridge #210 over Turkey Creek. Removal of the bridge would include the complete removal of the super structure, sub-structure, and any other structural bases for the bridge. Removal would also include the cleaning/clearing of the Turkey Creek Channel, and restoration of the embankments on either side of the creek to natural conditions. Replacement would involve the re-design of the bridge location to account for the new raised flood limits from the Army Corp. of Engineers, and allow for suitable right-of-way for the adjacent railroad.

Fairfax Infrastructure Improvements, 2023 f/k/a Fairfax Industrial Area Improvements, 2023

CMIP #: PRG00247

Description Amended

Annual CMIP#: 941-0923

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-132-22/R-54-22 (RR); O-133-23/R-65-23

Prior Authorization Amount Approved*: $100,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Milling, concrete pouring, resurfacing, utility cover adjustments, pavement marking, traffic control modifications, Americans with Disabilities Act compliant street to sidewalk access, removal and replacement of curb, and other traffic control and roadway improvements on Fairfax Trafficway. This project involves the removal of the failed section of roadway that extends out over the concrete box under the road and re-establishment of the structural integrity of the roadway base. This project includes removals, new curbs, full depth pavement replacement, signing, striping and other ancillary items to complete the work.
Project Location:
Structure #199 Rehab, located on Fairfax Trafficway, south of Quindaro Boulevard.

Fairfax Infrastructure Improvements, 2024

CMIP #: PRG00247

Description Amended

Annual CMIP#: 941-0924

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-133-23/R-65-23 (RR)

Prior Authorization Amount Approved*: $100,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Milling, concrete pouring, resurfacing, utility cover adjustments, pavement marking, traffic control modifications, Americans with Disabilities Act compliant street to sidewalk access, removal and replacement of curb, and other traffic control and roadway improvements on Fairfax Trafficway. This project involves the removal of the failed section of roadway that extends out over the concrete box under the road and re-establishment of the structural integrity of the roadway base. This project includes removals, new curbs, full depth pavement replacement, signing, striping and other ancillary items to complete the work.

Project Location:
Structure #199 Rehab, located on Fairfax Trafficway, south of Quindaro Boulevard.

Fairfax Trafficway

CMIP #: PRJ1059

Description Amended

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: R-64-22; O-133-23/R-65-23

Prior Authorization Amount Approved*: $800,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Milling, concrete pouring, resurfacing, utility cover adjustments, pavement marking, traffic control modifications, Americans with Disabilities Act compliant street to sidewalk access, removal and replacement of curb, and other traffic control and roadway improvements on Fairfax Trafficway. This project involves the removal of the failed section of roadway that extends out over the concrete box under the road and reestablishment of the structural integrity of the roadway base. This project includes removals, new curbs, full depth pavement replacement, signing, striping and other ancillary items to complete the work.

Project Location:
Structure #199 Rehab, located on Fairfax Trafficway, south of Quindaro Boulevard.

Fiber Connectivity Projects, 2023

CMIP #: PRG00288

Description Amended

Annual CMIP#: 9430223

Statutory Authority: Charter Ordinance CO-03-09 and Article 12, Section 5 of the Constitution of the State of Kansas

Prior Authorization Approved: O-66-17; O-133-23/R-65-23

Prior Authorization Amount Approved*: $430,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Fiber Connectivity Projects, 2023 was previously grouped with Fiber Connectivity Projects, 2018-2020, formerly known as Fiber Connectivity Projects. Fiber Connectivity is a comprehensive program without a defined start/end date. Starting with 2023, each year will be treated as a separate project for debt purposes.

Project will include the installation of fiber optic cable, conduit and related hardware, software and services. The project will include continued fiber implementation for the Traffic Network intersections and connectivity to other Unified Government buildings or assets. Projects will include, but are not limited to:

- Connected FS#5—910 Quindaro to Fire fiber network.
- Added 7 Video/LPR sites on the Police Department fiber network.
- Implemented 31 traffic intersections on UG fiber and Traffic network (focus on sites with no fiber connectivity).

• Connected Parkwood Pool to UG Facilities fiber network.
• Extended fiber on Leavenworth Road (Phase 1 – 27th to 63rd).
• Performed substantial completion of conduit buildout on 55th Street to new Fire Station #16 – Turner/Pierson Park.
• Installed additional fibers between Juvenile Center and City Hall.

Fiber Connectivity Projects, 2024

CMIP #: PRG00288

Description Amended

Annual CMIP#: 9430224

Statutory Authority: Charter Ordinance CO-03-09 and Article 12, Section 5 of the Constitution of the State of Kansas

Prior Authorization Approved: O-133-23/R-65-23

Prior Authorization Amount Approved*: $430,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Project will include the installation of fiber optic cable, conduit and related hardware, software and services. The project will include continued fiber implementation for the Traffic Network intersections and connectivity to other Unified Government buildings or assets.

• Connected FS#16 – new Turner/Pierson Park and FS#18 – 5429 Leavenworth Road to Fire fiber network.
• Built out conduit and fiber to 3 new PD LPR/PTZ sites for future installation on the Police Department fiber network.
• Implemented 103 traffic intersections on UG fiber and Traffic network. This includes 62 new intersections on UG/UPN fiber and 41 transitions from other fiber.
• Connected Pierson Park Community Center to UG Facilities fiber network.
• Extended fiber on Leavenworth Road (Phase 2 – 64th to 77th Street).
• Completed conduit and fiber buildout on 55th Street to new Fire Station #16 – Turner/Pierson Park.
• Performed substantial completion of conduit and fiber build out to FS#15 – 444 Kindelberger in Fairfax.
• Performed substantial completion of conduit and fiber build between BPU Traffic Control and 65th and Kansas (Phase 1 to new Fire Station at 72nd & Kansas Avenue).
• Connected the new CSI building to PD fiber and the new Environmental Services building to Public Works fiber.
• Performed substantial completion of conduit and fiber build out to 7 Parks camera locations to Parks fiber.

Hutton & Leavenworth Rd Intersection Reconstruction

CMIP #: PRJ1609

Amount Amended

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: R-081-12; O-37-20/R-47-20

Prior Authorization Amount Approved*: $7,450,000

New Authorization Amount*: $5,000,000

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Design and reconstruct the intersection of Hutton Road and Leavenworth Road. Project will include the removal, grading, and replacing of road surface through the intersection, as well as extending east through the intersection of N. 107th St. Also included will be the installation of new storm sewer, and curb and gutter system along the improved

sections of road and intersection. Additional scoping will determine if the intersection is appropriate to be a fully signalized intersection or if some other design element will allow for the greatest flow of traffic and cause minimal impact to the surrounding area.

PDHQ Chiller System

CMIP #: PRJ8228

Amount Amended

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-132-22/R-54-22

Prior Authorization Amount Approved*: $3,750,000

New Authorization Amount*: $1,950,000

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

Replace & repair the HVAC system at the Police Headquarters, located at 700 Minnesota Avenue. Scope of work includes but is not limited to cooling tower(s), chillers, heaters, chemical support system, control system.

UG Levee Trail James Street Trailhead MARC CMAQ

CMIP #: PRJ-010042

Name Change

Statutory Authority: Charter Ordinance CO-03-09

Prior Authorization Approved: O-133-23/R-65-23

Prior Authorization Amount Approved*: $200,000

New Authorization Amount*: N/A

**plus capitalized interest on any temporary financing and costs of issuance*

Project Description:

The project includes a trailhead to be constructed at N James Street with green infrastructure, public bike repair facilities and water and electrical services to accommodate a water drinking/bottle refill station and lighting for safety. The concrete trail surfacing will connect to the levee trail system and the project will also include wayfinding (aligned with MARC's Regional Wayfinding Plan and Guidelines).

APPROVING THE DEBT AUTHORIZATION REPORT

Economic Development & Finance Meeting (ED&F)

FINANCE ADMINISTRATION

JANUARY 6, 2025

Introduction

- As part of the FY2025 budget, there was consensus to hold on any NEW debt until a debt strategy was developed and adopted by the Commission – these discussions will be forthcoming in late winter / early spring

- The ultimate goal is to reduce / manage the amount of debt the Unified Government is issuing for all funding sources while meeting the highest priority capital needs

- Prior to FY2025, the Commission has approved certain capital projects to be funded with debt, cash, or as lease purchases as part of the Capital Improvement Plan / Budget Adoption process

- Today's presentation closes out prior actions approved by the Commission as it relates to our EXISTING, PREVIOUSLY AUTHORIZED debt portfolio and EXISTING, previously approved project authorizations for the City General Fund projects and Wastewater Fund projects

TWO REQUESTED ACTIONS

1. Approval of resolution and ordinance for various public improvements to authorize issuance of general obligation bonds to finance costs of such improvements to be funded from the Bond & Interest City General Fund and the Sewer Fund (this resolution updates descriptions of projects).
   - All projects included in Exhibit A were previously approved by the Commission as part of the approved budget.

2. Approval of a Sale Resolution authorizing the sale of general obligation (GO) bonds.

Why are we doing this?

With the past practice:

- The full amount of these projects were authorized by the Commission as part of the debt authorization ordinance/resolution and budget process & CIP for $84.6 million in project costs for specific projects
- Commission authorizes issuance of one-year temporary notes were issued for a portion of the project based on projected spending (interest only payments)
  - $53.1 million in temporary notes were issued and spent on March 27, 2024
  - $29.47 million was spent or encumbered on the list of preapproved / preauthorized projects
- The temporary notes must be refinanced into permanent debt or repaid in full, including interest paid on the temporary notes and issuances costs for a total of $89 million
- The total permanent debt only includes these temporary notes and amounts spent and encumbered, no new projects and no new costs

ACTION #1: DEBT AUTHORIZATIONS

Project Name **CMIP #:** #######

New Project, Description Amended, Amended Amount, Name Change

Statutory Authority: _____

Prior Authorization Approved: _____

Prior Authorization Amount Approved*: $_____

New Authorization Amount*: $_____

**plus* *capitalized interest on any temporary financing and costs of issuance*

Project Description:

[Scope and location of work described here]

Included in the packet are the project authorizations that include the total project cost intended to be financed with debt

- Includes past amounts already bonded
- Include projects amounts (costs) in the CIP

Amounts authorized are contingent upon budget approval

For example: if a project is approved one year in the budget for $1M, and the next year in the amended budget, that budget is reduced to $500k, only $500k may be financed

Description restricts the use of debt proceeds for only the scope of work described at the locations described

Changes are noted for new projects, amended descriptions, amended amounts, name changes and other key information

ACTION #1: DEBT AUTHORIZATIONS

Of the 36 Projects in the 2025 bond 19 have debt authorization changes

- 15 Amending Descriptions - on annual programs such as street maintenance, a broad description is first included in the CIP and the debt authorization to allow for flexibility in use of funds, followed by a revision to specify where and what was done

- 4 Amending Amounts - projects **decreased** due to reduced project budgets
    - Bridge #210 (18th Street over Turkey Creek) $150,000 > $125,000 (required match for KDOT)
    - Annual Elevator Upgrades, 2024 $200,000 > $70,000 (revised to only included actual spent dollars)
    - Hutton & Leavenworth Road Intersection $7,450,000 > $5,000,000 (decreased mobilization costs, ROW costs & retaining wall not needed)
    - PDHQ Chiller $3,750,000 > $1,950,000 (revised scope to only include chiller not including heating element)
- 4 with Name Changes - to align with name as shown in the Budget document (no change to project scope)

ACTION #2: SALE RESOLUTION - FINANCING COSTS

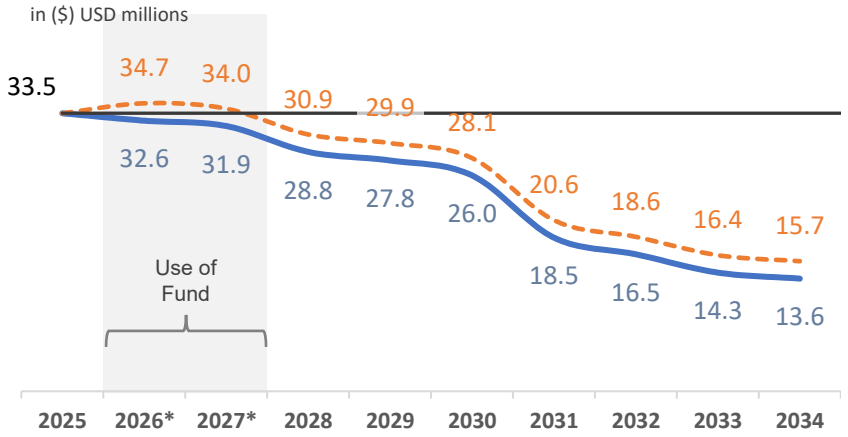
	2024-I Temporary Note Payoff	New money needed to fund additional spend & encumbrance	Total 2025 Bond Proceeds to project* (excluding estimated interest and costs of issuance)	Estimated 2025 Bond Issue total cost (including estimated interest and costs of issuance)
City Bond & Interest Tax Levy	19,575,500	6,086,824	25,662,324	28,000,000
Sanitary Sewer	33,542,501	25,385,850	58,928,351	61,000,000
TOTAL	**53,118,001**	**31,472,674**	**84,590,675**	**89,000,000**

- All amounts have been previously authorized by the Unified Government Board of Commissioner's.
- Two repayment sources – City General Fund ($28 million) and the Sanitary Sewer Fund ($61 million)

FINANCING IMPACT

Projected **City Bond & Interest** Tax Levy Debt

Impact of adding **2025-A Debt Service** to **Existing Debt Service**



Blue – Existing Debt

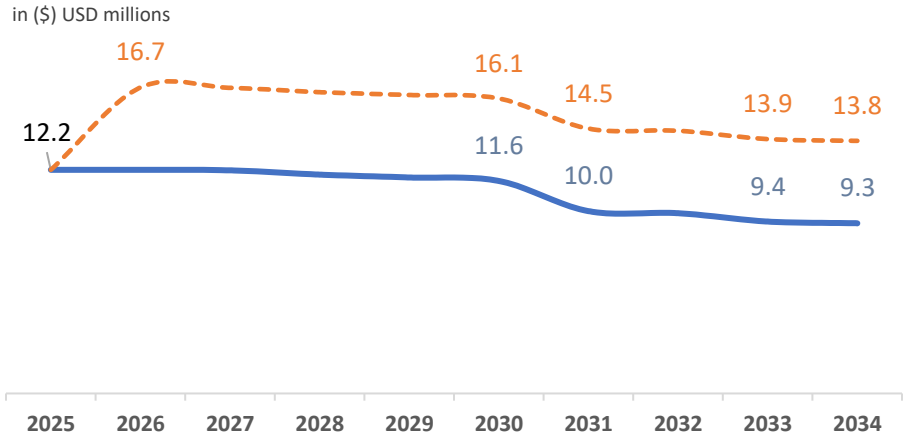
Orange – Debt Added

Total Debt Service in 2025 is being established to maintain Bond & Interest Expenses fairly level for first 2 years

*Plan to use fund balance in the Bond & Interest Fund to fund approximately $1.2M in 2026 and $558K in 2027 (currently there is $13.2 in the City Bond and Interest Fund, Fund Balance)

Projected **Sanitary Sewer** Rate Funded Debt

Impact of adding **2025-A Debt Service** to **Existing Debt Service**



Estimated debt is included in the Sanitary Sewer System Rate Model. Issuance of the 2025-A Bonds is affordable under existing assumed rates of 4.00% 2024-2029 & 3.50% thereafter

CALENDAR

Temporary Notes must be repaid prior to April 1, 2025

January 6, 2025 — ED&F - Presentation of Project Authorizations for Debt Projects & Sale Resolution

Fast tracking is being requested to due to rescheduling of ED&F from December to January.

January 9, 2025 — Full Commission Approval of Project Authorizations & Approval of Sale Resolution (both fast tracked)

During January and February, the bond counsel, financial advisors, and finance team prepares the Official Statement documents, conducts bond rating calls with S&P and Moody's, and markets the bonds prior to the bond sale date. The sale date must be advertised for 2 weeks prior to the sale to generate awareness and interest from investors.

Future Actions:

February 27, 2025 - Sale of Bonds/Temporary Notes & Results Presented to the Commission
March 27, 2025 - Closing on Bonds/Temporary Notes
April 1, 2025 - Payoff of 2024-I Temporary Notes

COMMISSION ACTION 1: APPROVE ORDINANCE/RESOLUTION



RESOLUTION NO. R-___-25

ORDINANCE NO. O- -25

A RESOLUTION AND AN ORDINANCE AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND/OR TEMPORARY NOTES TO FINANCE A PORTION OF THE COSTS OF SUCH IMPROVEMENTS; AND AUTHORIZING ONE OR MORE LEASE PURCHASE AGREEMENTS TO FINANCE THE ACQUISITION AND INSTALLATION OF CERTAIN EQUIPMENT.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "Unified Government"), successor to the City of Kansas City, Kansas, is a duly organized and existing municipal corporation under the laws of the State of Kansas, is a consolidated city-county having all the powers, functions and duties of a county and of a city of the first class; and

WHEREAS, Charter Ordinance No. CO-03-10 was previously approved by the Unified Government, acting as a city of the first class and pursuant to Article 12, Section 5 of the Constitution of the State of Kansas (the "Home Rule Amendment"), and such Charter Ordinance authorizes the governing body of the Unified Government to make the following improvements and to issue its general obligation bonds and/or temporary notes to finance the costs of such improvements:

Bridge, viaduct, street, sidewalk or pedestrian way improvements, airport, public building or structure, parking improvement, or other public utility or works, including any appurtenances related thereto and the land necessary therefor, for lands for public parks and recreation facilities, including golf courses, stadiums and community centers, and developing and making improvements to the same, within or without the city, for the establishment, development and construction of conservatories, dancestring or reduction works, including any appurtenances related thereto and the land necessary therefor, within or without the city, or for the improvement, repair or extension of any waterworks, sanitary sewer facilities, sewage treatment or disposal plant, sewerage system from water improvement, electric light plant, cemetery, dancestring or reduction works or other public utility plant or works owned by the city, and for the purpose of rebuilding, adding to or extending the same or acquiring land necessary therefor from time to time, as the necessities of the city may require, or for the acquisition of equipment, vehicles and other personal property to be used in relation to any of the improvements authorized herein; and

WHEREAS, the Unified Government is authorized under K.S.A. 10-1201 et seq. to enter into lease agreements and lease-purchase agreements for the purpose of financing the acquisition of certain equipment; and

WHEREAS, the Home Rule Amendment and K.S.A. 12-101 empower cities to determine their local affairs and government and provide that such powers and authority granted thereby to cities shall be liberally construed for the purpose of giving to cities the largest measure of self-government; and

WHEREAS, the Unified Government is a city within the meaning of the Home Rule Amendment; and

WHEREAS, there is no enactment of the Kansas legislature which authorizes the Unified Government to issue general obligation bonds to provide funds to finance the acquisition and development of software necessary for efficient city operations or other technology related capital expenditures, or which prohibits the City from issuing general obligation bonds to provide funds to finance such costs; and

- Authorizes all 36 projects included in the 2025 debt financing to be paid for with debt including changes to project descriptions and amounts
- Authorization is for estimated full cost of project to be paid with debt but is contingent upon annual budget approval

COMMISSION ACTION 2: APPROVE SALE RESOLUTION



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE OFFERING FOR SALE GENERAL OBLIGATION BONDS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS.

WHEREAS, pursuant to the provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas (the "Issuer" or the "Unified Government") has previously authorized certain general improvements described as follows (the "Improvements"):

Improvements to be Funded with General Obligation Bonds

CMP	Project Name	Estimated Project Costs to be Financed
541023	Annual Concrete Repair Program, 2025	$2,000,000
541025	Annual Neighborhood ADA Pedestrian Handicapped Ramps, 2025	$900,000
541026	Parlin Industrial Area Improvements, 2025	$300,000
541027	Parlin Infrastructure Improvements, 2024	$300,000
541028	Annual Pavement Preservation Program, 2025	$300,000
541029	Annual Alley Improvement Program, 2025	$1,400,000
543022	Annual Bridge Repair, 2023	$500,000
543024	Annual Bridge Repair, 2024	$500,000
543025	Annual Bridge Repair, 2025	$500,000
543026	Annual Pavers Traffic Signal Improvements, 2025	$400,000
543027	Annual Pavers Traffic Signal Improvements, 2026	$328,541
543028	Annual Pavers Traffic Signal Improvements, 2028	$300,000
543029	Fire Connects for Projects, 2025	$300,000
543030	Fire Connects for Projects, 2026	$418,679
548022	Annual Elevator Upgrades, 2022	$277,000
548023	Annual Facilities Parking Annual Maintenance & Repair, 2023	$70,000
548024	Annual Facilities Parking Annual Maintenance & Repair, 2024	$700,000
562245	Rebuild - Dove Bridge Replacement	$28,871
562270	Bridge 42-01	18th St Lower Turkey Creek	$900,000
909001	Fire Station #29	$75,000
909021	Police CSI Lab & Tow Lot	$678,153
909028	PSPG Chiller	$1,062,000
970309	Facility TuckPoint	$1,431,304
970409	Station 26 Locust/north Road Intersection	$800,000
970511	Leavenworth Road, 78th - 82nd Street	$1,107,253
971442	Rebuild - Lake Waterline Study & Repair	$125,000
PR1410041	102 Levee Trail Series Street TruBuild	$1,200,000
		$300,000
	FAIR LEVY SUBTOTAL	$35,665,454

- Authorizes staff to proceed with the bond sale in February 2025
- Provides the Commission with an estimate of the bond size, with the sale results to be provided on the night of the bond sale for approval
- Amounts are proceeds that go toward the project and are exclusive of interest and costs of issuance

Development of a Debt Strategy

- Additional projects are being evaluated as part of Debt Strategy planning to minimize use of debt (February and March Budget Workshops)
- Exploring strategies to use cash as possible to fund annual maintenance projects in lieu of debt
- Working with project managers to align spending with CIP projects and the fiscal years
- Upcoming action: New projects will need to be authorized by the Commission before spending can occur

Questions?

Tracking ID: 21638

Report to

MEETING DATE	PRESENTER	DEPARTMENT
	Shelley Kneuvean, Chief Financial Officer Debbie Jonscher, Deputy Finance Officer Alyse Villarreal, Fiscal Officer skneuvean@wycokck.org, djonscher@wycokck.org, avillarreal@wycokck.org x5849, x5847, x5273	Finance

AGENDA ITEM #

RESOLUTION: SALE OF GO BONDS

BACKGROUND

A resolution authorizing the offering for sale general obligation bonds of the Unified Government of Wyandotte County/Kansas City, KS. This item relates directly to the Authorization Ordinance/Resolution on the agenda.

RECOMMENDATION

Approve
Fast Track

For 1/6/25 ED&F
Requesting approval and fast track to 1/9/25 Full Commission

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

Issuance of general obligation bonds will include the UG entering into agreements to pay debt service on bonds for 20 years. The exact amount and timing of payments will be determined at the time of sale, which is expected to occur on 2/27/25. The results of the sale will be brought to the Full Commission on the day of the sale to request acceptance.

IT/POLICY CONSIDERATIONS

n/a

PROCUREMENT CONSIDERATIONS

n/a

LEGAL CONSIDERATIONS

Sale resolution is intended to communicate the upcoming action of the Unified Government to enter the bond market to sell general obligation bonds in the approximate amount of $86M. Sale is expected to occur

2/27/25. The results of the sale will be brought to the Full Commission on the day of the sale to request acceptance. Bond proceeds will be received at closing, which is scheduled to occur 3/27/25. The current temporary notes that will be refinanced through this bond issuance are due in April 2025.
ATTACHMENTS
Sale Resolution - 2025 GO Bonds (UG)

Approved by Mayor and/or Chair and Administrator to add to agenda.

12/23/2024

Approved: Lynne Davis

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE OFFERING FOR SALE GENERAL OBLIGATION BONDS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS.

WHEREAS, pursuant to the provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas (the "Issuer" or the "Unified Government") has previously authorized certain internal improvements described as follows (the "Improvements"):

Improvements to be Funded with General Obligation Bonds

CMIP	Project Name	Estimated Project Costs to be Financed
9410323	Annual Concrete Repair Program, 2023	$2,000,000
9410823	Annual Neighborhood ADA Pedestrian Handicapped Ramps, 2023	$800,000
9410923	Fairfax Industrial Area Improvements, 2023	$100,000
9410924	Fairfax Infrastructure Improvements, 2024	$100,000
9411123	Annual Pavement Preservation Program, 2023	$4,400,000
9411223	Annual Alley Improvement Program, 2023	$300,000
9420123	Annual Bridge Repair, 2023	$300,000
9420124	Annual Bridge Repair, 2024	$488,295
9430123	Annual Priority Traffic Signal Replacements, 2023	$228,541
9430124	Annual Priority Traffic Signal Replacements, 2024	$280,881
9430223	Fiber Connectivity Projects, 2023	$419,679
9430224	Fiber Connectivity Projects, 2024	$277,394
9480124	Annual Elevator Upgrades, 2024	$70,000
9480223	Annual Facilities/Parking Annual Maintenance & Repair, 2023	$700,000
9480224	Annual Facilities/Parking Annual Maintenance & Repair, 2024	$20,872
9622141	Holiday Drive Bridge Replacements	$900,000
9622170	Bridge #210 (18th St.) over Turkey Creek	$75,000
9698085	Fire Station #20	$679,352
9698212	Police CSI Lab & Tow Lot	$5,842,000
9698228	PDHQ Chiller	$1,631,006
9701059	Fairfax Trafficway	$800,000
9701609	Hutton & Leavenworth Road Intersection	$3,537,221
9701612	Leavenworth Road, 78th - 63rd Street	$222,083
9714425	WyCo Lake Waterline Study & Repair	$1,290,000
PRJ-010042	UG Levee Trail James Street Trailhead	$200,000
	TAX LEVY SUBTOTAL	**$25,662,324**

9460523	Annual Sanitary Sewer System Capacity Upgrades, 2023	$1,038,838
9460624	Annual Monitoring and Control Improvements, 2024	$240,049
9636309	Annual Wastewater System Renewal, 2022	$8,000,000
9460723	Annual Wastewater System Renewal, 2023	$7,230,146
9460724	Annual Wastewater System Renewal, 2024	$1,530,424
9636311	Annual Overflow CSO Reduction Program, 2021-2022	$7,643,067
9460823	Annual Overflow CSO Reduction Program, 2023	$7,000,000
9460824	Annual Overflow CSO Reduction Program, 2024	$2,745,827
9636039	Relocation of Sewer Maintenance Facilities	$16,400,000
9636047	Plant 20 Biosolids Dewatering	$5,000,000
9636132	Plant 20 & 3 Equipment and Structural Rehab	$2,100,000
	STORM/SEWER SUBTOTAL	**$58,928,351**
	Total	**$84,590,675**

WHEREAS, pursuant to Charter Ordinance No. CO-03-09*,* K.S.A. K.S.A. 10-1201 *et seq.,* K.S.A. 19-101a, and Article 12, Section 5 of the Constitution of the State of Kansas the Unified Government previously exercised its authority to issue and sell its general obligation bonds and/or temporary notes for the purpose of funding certain of the Improvements described herein; and

WHEREAS, the Issuer has previously issued $54,885,000 principal amount of Municipal Temporary Notes, Series 2024-I (the "Existing Notes"); and

WHEREAS, the Issuer desires to issue its general obligation bonds in one or more series in order to permanently finance a portion of the costs of the Improvements and to retire a portion of the Existing Notes which were issued to temporarily finance a portion of the costs of the Improvements; and

WHEREAS, the Issuer hereby selects the firm of Baker Tilly Municipal Advisors, LLC, Saint Paul, Minnesota ("Municipal Advisor"), as Municipal Advisor for one or more series of general obligation bonds of the Issuer, to be issued in order to provide funds to pay the costs of the Improvements; and

WHEREAS, the Issuer desires to authorize the Municipal Advisor, in conjunction with the Clerk, Chief Financial Officer, and other officers and representatives of the Issuer to proceed with the offering for sale of said general obligation bonds, and related activities; and

WHEREAS, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said bonds; and

WHEREAS, the Issuer desires to authorize the Municipal Advisor, in conjunction with the Clerk, Chief Financial Officer, and other officers and representatives of the Issuer to proceed with the preparation and distribution of a preliminary official statement and notice of bond sale and to authorize the distribution thereof and all other preliminary action necessary to sell said bonds.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. **General Obligation Financing Authorized.** The Issuer is hereby authorized to offer at competitive public sale one or more series of general obligation bonds to fund total project costs of approximately $84,590,675 plus interest and costs of issuance (collectively, the "Obligations") as described in the Notice of Sale to be prepared by officials and representatives of the Issuer, as authorized below. Such project costs may be paid through the issuance of tax-exempt or taxable Obligations.

Section 2. **Preliminary Official Statement.** The Chief Financial Officer is hereby authorized to cause to be prepared a Preliminary Official Statement, and such officials and other representatives of the Issuer are hereby authorized to use such document in connection with the public sale of the Obligations.

Section 3. **Notice of Bond Sale.** The Chief Financial Officer, in conjunction with the Municipal Advisor and Gilmore & Bell, P.C., Kansas City, Missouri ("Bond Counsel"), is hereby authorized and directed to give notice of said bond sale by publishing a summary of the Notice of Sale not less than 6 days before the date of the bond sale in a newspaper of general circulation in Wyandotte County, Kansas, and the ***Kansas Register*** and is hereby authorized to distribute copies of the Notice of Sale and Preliminary Official Statement relating to the Obligations to prospective purchasers of the Obligations. Bids for the purchase of the Obligations shall be submitted upon the terms and conditions set forth in said Notice of Sale, and shall be delivered to the governing body at its meeting to be held on the date of such sale, at which meeting the governing body shall review such bids and shall award the sale of the Obligations or reject all bids for a particular series of the Obligations.

Section 4. **Compliance with Federal Securities Laws.** For the purpose of enabling the purchaser of the Obligations (the "Purchaser") to comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), the appropriate officers of the Issuer are hereby authorized: (a) to approve the form of the Preliminary Official Statement; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to certain national repositories and the Municipal Securities Rulemaking Board, as applicable; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of the Rule.

The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Obligations or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(3) and (4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 5. **Further Authority.** The Mayor/Chief Executive, Chief Financial Officer, Clerk and the other officers and representatives of the Issuer, Bond Counsel and the Municipal Advisor are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Obligations.

Section 6. **Effective Date.** This Resolution shall be in full force and effect from and after its adoption.

ADOPTED by the governing body on January 9, 2025.

(SEAL)

_____
Tyrone Garner, Mayor/CEO

ATTEST:

_____
Monica Sparks, Unified Government Clerk

Approved as to form:

_____
Office of Chief Counsel