

**UPDATE
AUGUST 25, 2016 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY REVEREND MIKE MAY (RET.) ST. LUKE'S
LUTHERAN CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, AUGUST 25, 2016 AGENDA
BLUE SHEET**
- VI. 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.)
- VII. PLANNING AND ZONING CONSENT AGENDA**
- VIII. PLANNING AND ZONING NON-CONSENT AGENDA**
- IX. MAYOR'S AGENDA**
- X. NON-PLANNING CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. MAYOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

SERGEANT-AT-ARMS: CAPTAIN STEVEN HAULMARK

PLANNING & ZONING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. **#3117 - FARRUKH AND MOONA JAMAL**

SYNOPSIS: Change of Zone from C-1 Limited Business District to CP-2 Planned General Business District for a new store building with three (3) fueling islands and canopy at 1800 Steele Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 16755

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2016-54 - ERIC GENTRY WITH PREMIER AUTOMOTIVE AT THE LEGENDS LLC**

SYNOPSIS: Special Use Permit for a used car dealership at 1801 North 100th Terrace, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

Tracking #: 16759

2. **#SP-2016-56 - WILLIAM AND JOYCE CALLOWAY**

SYNOPSIS: Expansion of Existing Special Use Permit (#SP-2014-34 - expires March 31, 2026) for existing early childhood education center at 3440 North 99th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

Tracking #: 16760

3. **#SP-2016-58 - ANDRE D. HAMPTON**

SYNOPSIS: Special Use Permit for the Temporary Use of Land for commercial purposes for the repair of guns and a Home Occupation for firearm sales (maximum of 2 per month) at 1728 North 32nd Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 16761

4. **#SP-2016-62 - TERRY MASON WITH POSITIVE ROLE MODELS INTO DEMANDING EXCELLENCE**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-34) for a group boarding home for youth 12 to 17 years old at 1634 South 29th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 16754

5. **#SP-2016-65 - DAVID FICKLIN WITH KANSAS CITY, KANSAS PROPERTIES LLC**

SYNOPSIS: Special Use Permit for the national training and coaches' development center at 1111 North 98th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL AS AN INDEFINITE SPECIAL USE PERMIT)**

Tracking #: 16762

C. PLAN REVIEW APPLICATION

1. **#PR-2016-18 - DAVID FICKLIN WITH KANSAS STADIUM PARTNERS LLC**

SYNOPSIS: Preliminary Plan Review for a national training and coaches' development center at 1111 North 98th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 16763

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **#3118 - TED EHNEY WITH KANSAS CITY, KANSAS PROPERTIES LLC**

SYNOPSIS: Change of Zone from C-O Non-Retail Business District to C-D Central Business District for a restaurant, office space and future commercial at 607 Minnesota Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL - 7/1 VOTE)**

Tracking #: 16757

2. **#3119 - KEVIN QUINN WITH KCK DEVELOPMENT II, INC.**

SYNOPSIS: Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District for an auto body shop, car wash (for the body shop), commercial development, Legends Honda and convenience store at 10000 Lafayette Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL - 8/0 VOTE)**

Tracking #: 16756

B. SPECIAL USE PERMIT APPLICATION

1. **#SP-2016-64 - KEVIN QUINN WITH KCK DEVELOPMENT II, LLC**

SYNOPSIS: Special Use Permit for an auto body shop at 10000 Lafayette Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 10 YEARS - 6/2 VOTE)**

Tracking #: 16758

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR AUGUST 25, 2016

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2013.

NOTE: This information cannot serve as the basis for approval or denial of an application. It is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.

REGULAR COMMISSION AGENDA

IX. MAYOR'S AGENDA

X. NON-PLANNING CONSENT AGENDA

1. ORDINANCE: RAINBOW VILLAGE IRBS

SYNOPSIS: An ordinance authorizing the issuance of \$12M in industrial revenue bonds for Rainbow Legacy Investors, LLC as part of the Rainbow Village Hotel project at 3440 Rainbow Blvd Kansas City, KS (sales tax exemption only), submitted by Marlon Goff, Urban Redevelopment Manager.

On July 28, 2016, the commission unanimously adopted Resolution No. R-59-16, indicating the UG's intent to issue said bonds.

Tracking #: 16752

2. PLAT: ETHIOPIAN ORTHODOX TEWAHEDO CHURCH

SYNOPSIS: Plat of Ethiopian Orthodox Tewahedo Church First Plat, located at 31st and Barnett Avenue, and being developed by Ethiopian Orthodox Tewahedo Church, submitted by Brent Thompson, County Surveyor, and Wayne Moody, Interim County Engineer.

Tracking #: 16764

3. NOMINATION: BOARDS AND COMMISSIONS

SYNOPSIS: Allison Rank to Planning & Zoning Commission, 8/25/16 - 3/31/18, submitted by Commissioner Philbrook

Tracking #: 16753

4. MINUTES

SYNOPSIS: Minutes from regular session of July 7, 2016; and special sessions of July 25 and 28, and August 11 and 16, 2016.

Tracking #: MINUTES

5. WEEKLY BUSINESS MATERIAL

SYNOPSIS: Weekly business material dated August 11 and 18, 2016.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

1. PUBLIC HEARING: ASSESSMENT OF FAIR HOUSING

SYNOPSIS: Conduct a public hearing to consider and receive comment on an Assessment of Fair Housing (AFH), submitted by Wilba Miller, Community Development Director.

Tracking #: 16740

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. RESOLUTION: INTEGRATED OVERFLOW CONTROL PLAN

SYNOPSIS: A resolution of support of the Unified Government's Integrated Overflow Control Plan (IOCP) and authorization of submittal of the plan to the EPA and DOJ as required by the 2013 Partial Consent Decree, submitted by Misty Brown, Senior Attorney.

Tracking #: 16747

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, AUGUST 25, 2016**

X. NON-PLANNING CONSENT AGENDA

ADDITIONAL INFORMATION

ITEM NO. 3 – 16753....NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominate Karen French to the Landmarks Commission, 8/25/16 – 3/31/18, submitted by Commissioner Townsend.



County Administrator's Office
Douglas G. Bach, County Administrator

701 North 7th St., Suite 945
Kansas City, Kansas 66101-3064

Phone: (913) 573-5030
Fax: (913) 573-5540

NOTICE OF PENDING APPOINTMENT

DATE: 8/24/16

BOARD POSITION: Landmarks Commission

INCUMBENT REPLACED: Mary Sheppard

ADDRESS: _____

TERM EXPIRATION DATE: 2/9/2018

APPOINTING COMMISSIONER: Commissioner Townsend

REVIEW DATE (7 business days): 8/23/16

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Karen French

ADDRESS: _____

CELL NUMBER AND EMAIL ADDRESS: _____

TERM OF OFFICE: 8/25/16 TO 3/31/18

SIGNATURE OF APPOINTING COMMISSION MEMBER

* NOTICE: IF THERE ARE NO CONCERNS RAISED IN THE INITIAL 7 BUSINESS DAYS REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: August 25, 2016
Re: **Change of Zone Petition #3117**

GENERAL INFORMATION

Applicant:
Farrukh and Moona Jamal

Status of Applicant:
Representative
Bryan Ruoff with 3F30 Architects
7501 NW Tiffany Springs Parkway, Suite 240
Kansas City, MO 64153

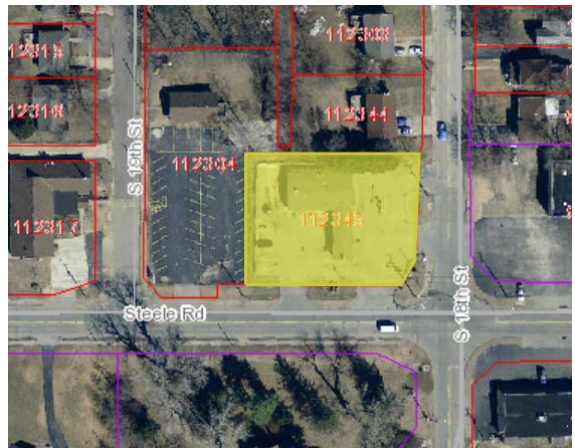
Requested Actions:
Change of Zone from
C-1 Limited Business District to CP-2
Planned General Business District

Date of Application:
May 31, 2016

Purpose:
To build a new convenience store with 24 hour operations

Property Location:
1800 Steele Road

Existing Zoning: C-1 Limited Business District



Surrounding Zoning: **North:** R-1 Single Family District
 South: R-1 Single Family District
 East: MP-1 Planned Light Industrial and Industrial
 Park District
 West: R-1 Single Family District

Existing Uses: **North:** Single family homes
 South: Single family homes
 East: Catholic Charities distribution center
 West: Iglesia Bautista Church parking lot

Total Tract Size: .53 acre

Master Plan Designation: The City-Wide Master Plan designates this property as Community Commercial

Major Street Plan: The City-Wide Master Plan classifies Steele Road as a Class C Thoroughfare

Advertisement: The Wyandotte Echo – June 16, 2016
 Letters to Property Owners – June 15, 2016, July 7, 2016 and August 18, 2016

Public Hearings: August 8, 2016 and August 25, 2016

Public Opposition: There was one (1) person present with concerns about water issues at the August 8, 2016 City Planning Commission meeting. She submitted information to the Commission that is available in the Planning Department.

PROPOSAL

Detailed Outline of Requested Action: The applicant's representative, Bryan Ruoff of 3F30 Architects wants to rezone the property from C-1 Limited Business District to CP-2 Planned General Business District to build a convenience store with three (3) gas pumps with 24-hour operations on .53 acre.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-245 – 27-339

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The character of the neighborhood is comprised of single family homes to the north and south and a church to the west.

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

The zoning and uses of properties nearby is relatively compatible. This is an existing gas station and convenience store, but will be demolished in order to build a new store and three (3) pumps with 24 hour operations.

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

The removal of the restrictions could affect nearby property as the current zoning district, C-1 Limited Business District does not permit 24 hour operations. All store operations must cease at 1:00 AM.

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

The property is not vacant.

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 necessary for those who live in the area of 18th and Steele Road. The proposed will not permanently injure the appropriate use, visual quality, or marketability of nearby property.

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 the traffic and parking demand in ways that will adversely affect road capacity, safety, or create parking problems.

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

The proposed use conforms to the Master 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.

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

a. *Water service*

Available

b. Sanitary sewer service

Available

c. Storm water control

To be designed to meet City Code

d. Police

Police service is provided by South Patrol, District #331

e. Fire

Fire service is provided by Station #7

f. Transit

Kansas City ATA does not provide transit service near this property.

g. Schools

Turner USD 202

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.

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

In order to meet applicable ordinance requirements, variances and revisions are required.

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 applicant may open a gas station and convenience store with three (3) pumps, but the business must close by 1:00 AM.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 25, 2016. According to the applicant, no one at the meeting appeared in opposition.

KEY ISSUES

Canopy setback
Building design

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Change of Zone Application #3117, subject to:

Urban Planning and Land Use Comments:

General Planning:

1. Subject to approval, a \$50.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department following the Unified Government Board of Commissioners meeting.
2. A setback variance from the Board of Zoning Appeals is required as the canopy is within the 25 foot front yard setback. Please file a variance application with the Urban Planning and Land Use Department.

Applicant Response: The variance application was filed.

3. Implement the recommendations on page 13, Number 5. They address in the staff report that the tanks will be replaced.
4. Any required remediation by the State will be done.

Building Architecture:

1. Sec. 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:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

There appears to be no building articulation in the building; there is a significant lack of depth. Faux windows or inset window displays can be added on the façade to promote products for sale, without being

considered signage on the side and rear façades, which will aid in breaking up the building.

The building needs greater architectural detail. The façade needs to have projections, variation in materials and integral colors.

Different building materials and architectural elements shall be included in revisions and subsequently incorporated into the final development plans. Please look at the other gas stations in the city that meet our Commercial Design Guidelines such as the Sinclair in Prescott Plaza (18th Street and Interstate 70), Phillips 66 at 103rd Street and Leavenworth Road, and QuikTrip at 78th Street and Interstate 70.

While you do not need to match these stores, elements and materials used in their construction need to be integrated into these plans.

Applicant Response: See revised elevations, sheets A102.0 and A102.1.

2. Sec. 27-576(e)(1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality pre-stressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided.

Applicant Response: See revised elevations, sheets A102.0 and A102.1.

3. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
 - a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tee or double-tee concrete systems; or
 - f. EIFS at the ground level or comprising more than 15 percent of any facade.

Please review the materials in the guidelines and include them into the building elevations.

Applicant Response: See revised elevations, sheets A102.0 and A102.1.

4. Masonry columns shall wrap the entire metal column underneath the gas canopy. Please provide gas canopy elevations.

Applicant Response: See Canopy Details, sheet A102.2.

5. Downspouts shall be internalized.

Applicant Response: This change has been made on the elevations and in the civil drawings.

Landscaping and Screening:

1. Sec. 27-577(a)(5) - Landscaping shall exceed the typical code requirements by at least 75 percent.
 - a. The district requirement is one tree per 7,000 square feet of site area. The property is .53 acre, so 6 trees are required per code.
 - b. 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.
 - c. Landscaping shall be irrigated.
2. 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. Please add note on landscape plan and revise as necessary.
3. 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:
 - a. 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.
 - b. 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.

5 trees are required to be planted along the perimeter of the property (Steele Road) to meet the street tree requirement. Please revise the landscape plan to space out the trees.

Applicant Response: Site plan has been revised. It should be noted that with the space issue in the north and south direction, it is not possible to add trees to the south area. We are agreeable to adding trees in the right-of-way area.

4. 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.

Please revise the landscape plan.

Applicant Response: Site plan has been revised. It should be noted that with the space issue in the north and south direction, it is not possible to add trees to the south area. We are agreeable to adding trees in the right-of-way area.

5. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building. All rooftop mechanical equipment shall be screened from public view on all sides by a parapet.

Please revise the screening details to revise the building elevation to show that a parapet will screen the mechanical units from public view. It is poor practice to show a false representation of the building elevations, when it is clear that the proposed HVAC unit screening will be taller than the parapet.

Applicant Response: There will be adequate space behind the building and in front of the existing retaining wall for the electrical service connection. There is a six-foot plus tall parapet wall. RTU is shown on the elevations.

6. 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.

Applicant Response: See gate detail on sheet A102.2.

7. All lighting shall have 90 degree cutoff fixtures. Any lighting that is physically mounted to the building shall be decorative and have 90 degree cutoffs, as not to cast light on adjacent properties and public right-of-way. Light shall not exceed one footcandle as measured from said property line. Wall pack lighting is not permitted.

Applicant Response: A photometric plan has been provided.

Signage:

1. Shall comply with the sign code.

Applicant Response: Noted.

Public Works Comments:

A) Items that require plan revision or additional documentation before engineering can recommend approval:

- 1) None

B) Items that are conditions of approval (stipulations):

- 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Staff Conclusion

The applicant has revised the site and landscape plans and building elevations. Although there is a retaining wall proposed on the north side of the property, a privacy fence with masonry columns every 32' on center shall be constructed along the north property line to effectively screen the building from residential property.

A final development plan is required to be submitted and approved prior to obtaining a building permit through the Development Review Committee (DRC). During the final development plan, staff will continue to work with the applicant's representative to enhance the appearance of the north façade.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #3117 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Site Plan
Grading Plan
Landscape Plan
Building Elevations
Canopy Details

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	August 8, 2016	August 25, 2016
Rezoning	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #3117 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 #3117 as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

CHANGE OF ZONE APPLICATION #3117 – FARRUKH AND MOONA JAMAL - SYNOPSIS: Change of Zone from C-1 Limited Business District to CP-2 Planned General Business District for a new store building with three (3) fueling islands and canopy at 1800 Steele Road

Recording Secretary Parker stated that the following items should be 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 August 8, 2016;
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 dated June 16, 2016; and
7. The Notices to property owners dated June 15 and July 7, 2016.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Bryan Ruoff, 3F30 Architects, 7501 Northwest Tiffany Springs Parkway, Suite 240, Kansas City, MO 64153, representing the applicant, appeared in support of this application. He stated that in addition to what they said earlier (in their appeal hearing) they are very interested in turning this into a brand new site and new store. It would

include new petroleum tanks and all the technology that would go with that. It would close the southeast approach and northwest approach which would simplify traffic and it solves a little bit of the drainage issues on the site as far as water running into the street. They would go through the entire City BMP process. They met with all four of the neighborhood associations in Argentine in June concerning the rezoning process. They have 7 signatures specifically from the South Argentine Neighborhood Association and everyone seemed favorable to the project; they did not have any objections. The project has changed very little in site layout since that meeting. He has been working with Byron Toy (staff) in upgrading the visual aspects of the building. They are working on materials for the building and part of the reason he does not have a rendering is that the building will be dark brown split face block on the bottom and above will be a tan large king brick and they will have red awnings. The elevations are accurate; they are just descriptive of the colors they are using. The landscaping on this project is tight because of all the issues they have. They are a lot of full grown trees to the north and most of them will remain. The trees on the left will have to come out and they plan to plant as many trees as possible on the site but they do not have a large landscaping area. He will work with the staff to make sure that gets done. .

Ms. Sandra Hayden, 1820 Shearer Road, Kansas City, Kansas, appeared concerning this application. She stated that there is an underground storage tank that is leaking petroleum that comes down the driveway and goes into two storm sewers. She has been working with the city since December 2015. The water department has come out and done testing. The results have come back high for PTX, E.coli, Faust Fates (petroleum by-products.) She stated that she wants to go on record that there is an issue. She submitted her pictures and correspondence to the staff. She stated that the staining can be seen in the aerial photograph on 18th Street. It is odorless and has been ongoing. She stated that the city came back out in May and the results are in the folder. Planning Commissioner Connelly asked if EPA has had anything to say about this. Ms. Hayden stated that she does not know if they have forwarded it on to them. The city has not taken any pro-active approach to the issue. She stated that she thinks that the pumps have been turned off.

Mr. Ruoff stated that the store is closed. The tanks in the ground right now are Fiberglass. There will be a new petroleum system with new controls, leak detection and new tanks which is to everyone's advantage. He stated that the Unified Government/Kansas City, Kansas has one of the highest levels of BMP (Best Management Practices) enforcement. That is the control of where the water runs off at the dispensers. The civil engineers have already designed the site and the area under the canopy is its own control pad and trench drain and anyone fueling there the water would wash across that and would go into a controlled situation. It is not like you would find in most gas stations. There is one exactly like it on Brown Avenue if anyone would like to see it. They are aware of the underground water issue on this site. There is a small leak that is continuous and he was there in July after several weeks of drought and there was a little bit of water coming out at the south end at the paving. They will not be able to figure out what that is until they pull the pavement up. It could be a water line leak. The new construction will allow them to remove the pavement and see what is going on and fix it. In his opinion all of this can be looked at and addressed.

Planning Director Richardson asked when the tanks are pulled out is the soil tested and if so the bad soil is taken off site and replaced; is that part of the process. Mr. Ruoff stated yes.

Mr. Jay Jamal, 18023 Melrose Drive, Bucyrus, Kansas, owner, appeared in support of this application. He stated that this site is under the tank insurance fund of Kansas under KDHE so it is fully insured. There are water problems in the ground but there is no gas leak. They are aware that there is water traveling in ground. Once they start construction they are taking the old tanks out and putting new tanks in. Before they do that they are going to find out where the water is coming from. It could be an issue of a broken water line. This site is 56 years old but if there was gas in there, they would be the first ones getting shut down by KDHE. They come out and regularly inspect these places. He stated that they have to turn in the results of monitoring on a monthly and yearly basis. He personally has not operated a site; he bought it about three years ago. The plan is to gut everything out and put everything brand new in there. He stated that the water problem was the first thing they saw months ago. Obviously there is some water traveling underground and they will not know what the problem is until they take the tanks out. Whenever they take the tanks out and close it, KDHE will take the samples of soil and send them to the lab. If there is any contamination they will be required to clean all that up and haul in new dirt/gravel. He stated that he wants to point out that it is water and not gas. The former tenant's lease ran out and he did not extend it because he wanted to rebuild the site with a new store. He stated that they have almost 9 or 10 other locations. Most recently they building on Brown Avenue in Kansas City, Kansas and this site will look almost like that site.

Planning Commissioner Carson asked what their timeline is for reconstruction. Mr. Jamal stated that they were going to start in August but they have been working with the staff and there were some stipulations that they needed to address. As soon as they get approved, the architects and engineers will go on the drawing board. They would like to break ground before the end of the year. Construction takes about six (6) months.

Chairman Huey asked if he can assure Mrs. Hayden that the leak will be remedied with the new construction and the new tanks coming in. Mr. Jamal stated that Mr. Ruoff can vouch for him that about 3 months ago he took Mr. Ruoff to the site about the water coming out of the ground. Mr. Ruoff told him that it could be addressed with proper drainage. Once this is completed, there will not be any water coming out of the ground; it is also bad for the concrete. Right now there is asphalt and they are putting patches on it which is not good.

Planning Director Richardson stated that given the discussion that has taken place he would add the following stipulations:

3. Implement the recommendations on page 13, Number 5. They address in the staff report that the tanks will be replaced.
4. Any required remediation by the State will be done.

With regard to the water situation if there is a nature spring in there sometimes those problems are harder to fix. If it is a water line he can see that being fixed. With the

addition of the new tanks, the soil remediation, fixing anything they find with the water line. With regard to the BMP for the last 3 or 4 years new gas stations that have been built, it is called "hot spot" in the regulations so anywhere that fuel can be spilled, that water has to be pulled out in a separate way and pre-treated prior to it going into the stormwater system. This will be a much cleaner, environmentally-friendly facility once it is done than any of the gas stations in town except for their store and the Quik Trip at 78th Street as they are the only 2 that have been built under those guidelines.

Planning Commissioner Connelly asked if the report submitted by Mrs. Hayden is good or bad. Planning Director Richardson stated that it indicates that there is an issue (and he has not had a chance to read it but Mrs. Hayden did explain it to him before the meeting) but should be fixed with the staff stipulations.

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application #3117:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

General Planning:

- 1. Subject to approval, a \$50.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department following the Unified Government Board of Commissioners meeting.**
- 2. A setback variance from the Board of Zoning Appeals is required as the canopy is within the 25 foot front yard setback. Please file a variance application with the Urban Planning and Land Use Department.**

***Applicant Response:* The variance application was filed.**

- 3. Implement the recommendations on page 13, Number 5. They address in the staff report that the tanks will be replaced.**
- 4. Any required remediation by the State will be done.**

Building Architecture:

1. **Sec. 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:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

There appears to be no building articulation in the building; there is a significant lack of depth. Faux windows or inset window displays can be added on the façade to promote products for sale, without being considered signage on the side and rear façades, which will aid in breaking up the building.

The building needs greater architectural detail. The façade needs to have projections, variation in materials and integral colors.

Different building materials and architectural elements shall be included in revisions and subsequently incorporated into the final development plans. Please look at the other gas stations in the city that meet our Commercial Design Guidelines such as the Sinclair in Prescott Plaza (18th Street and Interstate 70), Phillips 66 at 103rd Street and Leavenworth Road, and QuikTrip at 78th Street and Interstate 70.

While you do not need to match these stores, elements and materials used in their construction need to be integrated into these plans.

Applicant Response: See revised elevations, sheets A102.0 and A102.1.

2. **Sec. 27-576(e)(1)** Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality pre-stressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided.

Applicant Response: See revised elevations, sheets A102.0 and A102.1.

3. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
 - a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tee or double-tee concrete systems; or
 - f. EIFS at the ground level or comprising more than 15 percent of any facade.

Please review the materials in the guidelines and include them into the building elevations.

Applicant Response: See revised elevations, sheets A102.0 and A102.1.

4. Masonry columns shall wrap the entire metal column underneath the gas canopy. Please provide gas canopy elevations.

Applicant Response: See Canopy Details, sheet A102.2.

5. Downspouts shall be internalized.

Applicant Response: This change has been made on the elevations and in the civil drawings.

Landscaping and Screening:

1. Sec. 27-577(a)(5) - Landscaping shall exceed the typical code requirements by at least 75 percent.
 - a. The district requirement is one tree per 7,000 square feet of site area. The property is .53 acre, so 6 trees are required per code.
 - b. 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.
 - c. Landscaping shall be irrigated.
2. 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. Please add note on landscape plan and revise as necessary.
3. 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:
 - a. 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.

- b. 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.

5 trees are required to be planted along the perimeter of the property (Steele Road) to meet the street tree requirement. Please revise the landscape plan to space out the trees.

Applicant Response: Site plan has been revised. It should be noted that with the space issue in the north and south direction, it is not possible to add trees to the south area. We are agreeable to adding trees in the right-of-way area.

4. 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.

Please revise the landscape plan.

Applicant Response: Site plan has been revised. It should be noted that with the space issue in the north and south direction, it is not possible to add trees to the south area. We are agreeable to adding trees in the right-of-way area.

5. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building. All rooftop mechanical equipment shall be screened from public view on all sides by a parapet.

Please revise the screening details to revise the building elevation to show that a parapet will screen the mechanical units from public view. It is poor practice to show a false representation of the building elevations, when it is clear that the proposed HVAC unit screening will be taller than the parapet.

Applicant Response: There will be adequate space behind the building and in front of the existing retaining wall for the electrical service connection. There is a six-foot plus tall parapet wall. RTU is shown on the elevations.

6. 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.

Applicant Response: See gate detail on sheet A102.2.

7. All lighting shall have 90 degree cutoff fixtures. Any lighting that is physically mounted to the building shall be decorative and have 90 degree cutoffs, as not to cast light on adjacent properties and public right-of-way. Light shall not exceed one footcandle as measured from said property line. Wall pack lighting is not permitted.

Applicant Response: A photometric plan has been provided.

Signage:

1. Shall comply with the sign code.

Applicant Response: Noted.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Staff Conclusion

The applicant has revised the site and landscape plans and building elevations. Although there is a retaining wall proposed on the north side of the property, a privacy fence with masonry columns every 32' on center shall be constructed along the north property line to effectively screen the building from residential property.

A final development plan is required to be submitted and approved prior to obtaining a building permit through the Development Review Committee (DRC). During the final development plan, staff will continue to work with the applicant's representative to enhance the appearance of the north façade.



7501 NW Tiffany Springs Pkwy, Suite 240, Kansas City, MO 64153 – (p) 816-801-7070 (f) 816-801-7074

July 25, 2016

Byron Toy, AICP
Unified Government
701 N. 7th St, Suite 423
Kansas City, KS 66101

Re: Xpress Mart, 1800 Steele Rd

Byron,

The comments of the staff have been addressed in the following manner. We look forward to presenting to the BZA ad Planning Commission. Of course I will be available for any comments leading into these meetings from the staff working on this. We have a meeting with the neighborhood this evening to directly comment on the Variance process and I will be forwarding you the minutes for that meeting along with the minutes from the June meeting tomorrow.

STAFF COMMENTS AND SUGGESTIONS

Urban Planning and Land Use Comments:

General Planning:

1. A setback variance from the Board of Zoning Appeals is required as the canopy is within the 25 foot front yard setback. Please file a variance application with the Urban Planning and Land Use Department.

The Variance Application was filed.

Building Architecture:

1. Sec. 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:
 - a. Divisions or breaks in materials;
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 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

There appears to be no building articulation in the building; there is a significant lack of depth. Faux windows or inset window displays can be added on the façade to promote products for sale, without being considered signage on the side and rear façades, which will aid in breaking up the building. The building needs greater architectural detail. The façade needs to have projections, variation in materials



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and integral colors.

Different building materials and architectural elements shall be included in revisions and subsequently incorporated into the final development plans. Please look at the other gas stations in the city that meet our Commercial

#3117 July 11, 2016

Design Guidelines such as the Sinclair in Prescott Plaza (18th Street and Interstate 70), Phillips 66 at 103rd Street and Leavenworth Road, and QuikTrip at 78th Street and Interstate 70.

While you do not need to match these stores, elements and materials used in their construction need to be integrated into these plans. **See revised Elevations, Sheets A102.0 and A102.1**

2. Sec. 27-576(e)(1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality pre-stressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.

a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
b. Highly tinted glass or glass tinted in unnatural colors should be avoided.

3. Sec. 27-576(e)(2) Exterior building materials shall not include the following: a. Split shakes, rough sawn, or board and batten wood;

b. Vinyl siding;

c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;

d. Field painted or prefinished corrugated metal siding;

e. Standard single-tee or double-tee concrete systems; or

f. EIFS at the ground level or comprising more than 15 percent of any facade.

Please review the materials in the guidelines and include them into the building elevations.

See revised Elevations, sheet A102.0 and 102.1

4. Masonry columns shall wrap the entire metal column underneath the gas canopy. Please provide gas canopy elevations. **See Canopy Details Sheet A102.2**

5. Downspouts shall be internalized. **This change has been made on the Elevations and in the Civil drawings.**

Landscaping and Screening:

1. Sec. 27-577(a)(5) - Landscaping shall exceed the typical code requirements by at least 75 percent.

a. The district requirement is one tree per 7,000 square feet of site area. The property is .53 acre, so 6 trees are required per code.

b. 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.

c. Landscaping shall be irrigated.

2. Sec. 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking



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from adjacent developments or public streets.

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6

Shrubs used in this area must not exceed a maximum height of 30 inches at maturity. Please add note on landscape plan and revise as necessary.

3. 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: a. 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.

b. 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.

5 trees are required to be planted along the perimeter of the property (Steele Road) to meet the street tree requirement. Please revise the landscape plan to space out the trees.

4. 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.

Please revise the landscape plan.

Site Plan has been revised. It should be noted that with the space issue in the North and South direction it is not possible to add trees to the south area. We are agreeable to adding trees in the ROW area.

5. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building. All rooftop mechanical equipment shall be screened from public view on all sides by a parapet. **There will be adequate space behind the building and in front of the existing retaining wall for the Electrical service connection.**

Please revise the screening details to revise the building elevation to show that a parapet will screen the mechanical units from public view. It is poor practice to show a false representation of the building elevations, when it is clear that the proposed HVAC unit screening will be taller than the parapet. **There is 6'+ parapet wall. RTU is shown on the elevations.**

6. 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. **See Gate Detail on A102.2**

7. All lighting shall have 90 degree cutoff fixtures. Any lighting that is physically mounted to the building shall be decorative and have 90 degree cutoffs, as not to cast light on adjacent properties and public right-of-way. Light shall not exceed one footcandle as measured from said property line. Wall pack lighting is not permitted. **A photometrics plan has been provided.**



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Signage:

1. Shall comply with the sign code. **Noted.**

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Public Works Comments:

A) Items that require plan revision or additional documentation before engineering can recommend approval: 1) Is the east entrance at Steele being removed? It is not obvious from the plan sheets. Only one entrance per street will be allowed so two entrances shall need to be removed from the site.

The plans have been revised to have one entrance to Steele and one entrance to 18th Street.

2) Provide turning movement diagrams for the worst case vehicle on site.

Included in this resubmittal are the truck movement diagrams.

3) Provide ADA ramps for all entrances and directional ADA ramps at 18th St. and Steele.

ADA ramps have been added to the entrances.

4) The pump canopy will require special grading and other pollution controls for stormwater quality 'hot spots' to ensure drainage does not cross the canopy and spills are contained properly.

The grading of the canopy has been revised so runoff does not cross onto the canopy pavement and the runoff from the canopy pavement is collected and sent to a sedimentation manhole.

5) Provide the locations of the underground tank manholes on the utility sheet.

Based on discussion with state underground insurance fund the tanks are currently scheduled to be replaced and the new tank locations are shown on Civil and Architectural site plans.

B) Items that are conditions of approval (stipulations): 1) None

C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: 1) None

Thank you for your assistance on this project,

Bryan Ruoff

AIA, CSI, LEED AP, CDT

3F30 Architects

7501 NW Tiffany Springs Pkwy

Suite 240

Kansas City, MO 64153

(Tiffany Springs exit on I-29)

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(f) 816-801-7074

(m) 816-305-5034

Xpress Mart 1800 Steele Rd

CZ-16401-00013

This project was presented to the extended group of the Argentine Betterment Corporation. This was their regularly scheduled meeting time. This organization includes four separate neighborhood associations and the attendance for the general meeting had about 35 participants. Because of this formality of the meeting schedule and organization it was difficult to get individual names during the overall process. Questions were asked of various attendees that were from the South Argentine Neighborhood specifically, the greater area of the Argentine Betterment Corporation, and from residents and city personnel outside the formal neighborhood. After the meeting there was a brief discussion with the President, Treasurer and members of the South Argentine Neighborhood Association and at that time the seven names of the attendees were gathered per the attached sign in sheet before departure.

After Bryan Ruoff, 3F30 Architects, presented the general project along with site plan, floor plan, and building elevation exhibits. He explained that the main reason we are in the formal process is to change the zoning to C2 and have the ability to operate 24 hours. The C"P"-2 situation and city planning process was explained. It was explained that the current store and zoning allow the store to be open until 1:00 am, but with vandalism and on site ATM 24 hour operation is the desired operation. The site dimensions required to fit this project on the site were discussed along with a need for a variance on the south edge. After a couple of general questions regarded the age and condition of the existing building it was opened up for questions.

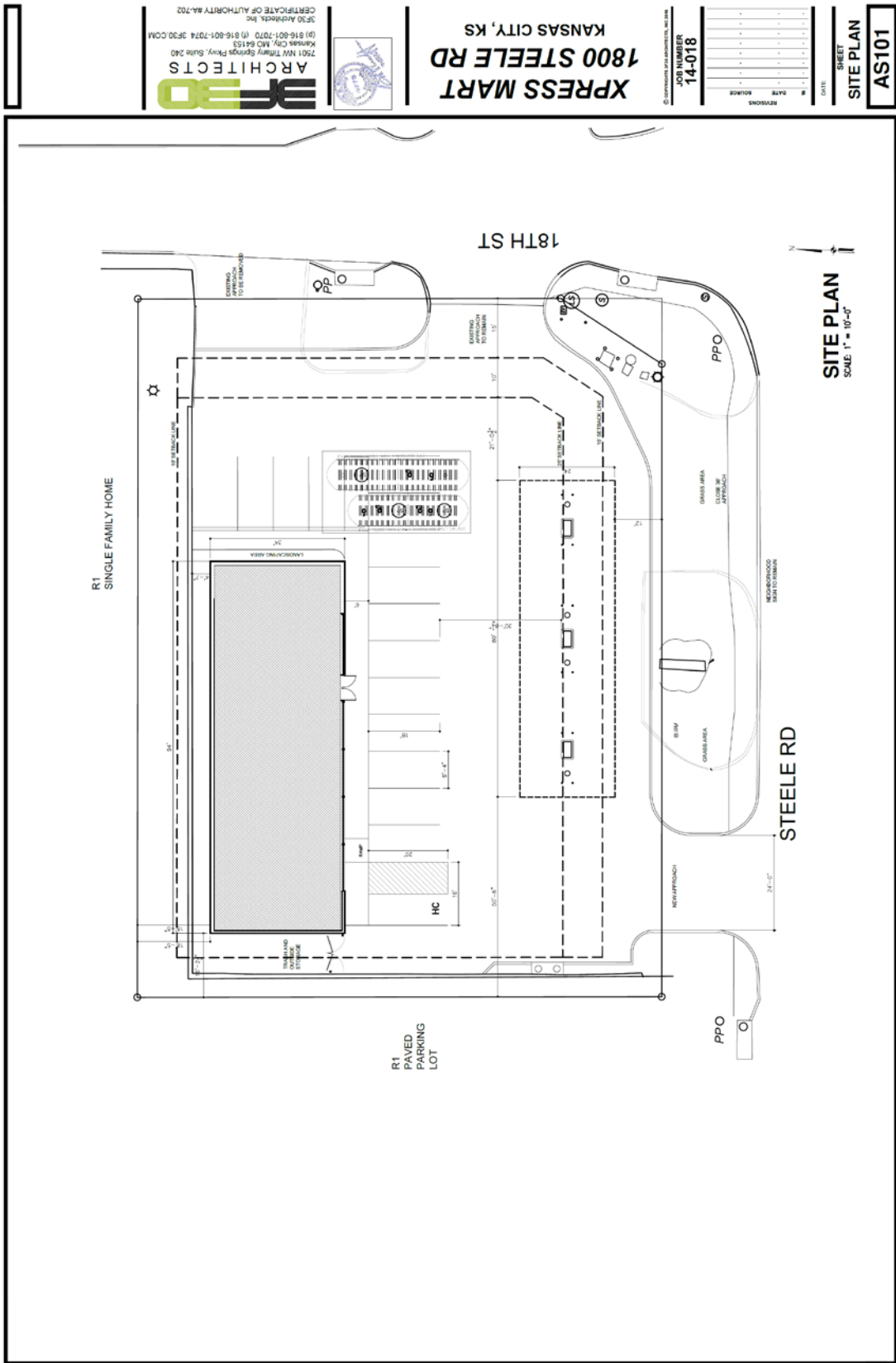
Questions and Responses were noted and are listed below.

1. There was general discussion amount the group on the location of the site and the existing store condition.
2. *Is the water that runs into the street on a regular basis going to be fixed?* Bryan Ruoff explained that there is a Civil Engineer working on this project and that the site will be designed to control water. There is apparently some underground water issue that has been going on for years and it was explained that the best way to figure out the source and issue is the open the site so that it can be located and repaired.
3. *Will the store be branded?* Bryan Ruoff explained it would be a Shell brand and introduced the Owner/Developer, Jay Jamal, who explained the branding situation on all his new stores including the Xpress Mart store sign.
4. *Will the neighborhood sign be affected?* It is currently planned to leave the South Argentine sign to the south of the property as it currently is.
5. *When will the construction occur?* Bryan Ruoff described the current city planning schedule and best case construction schedule.

Respectfully submitted



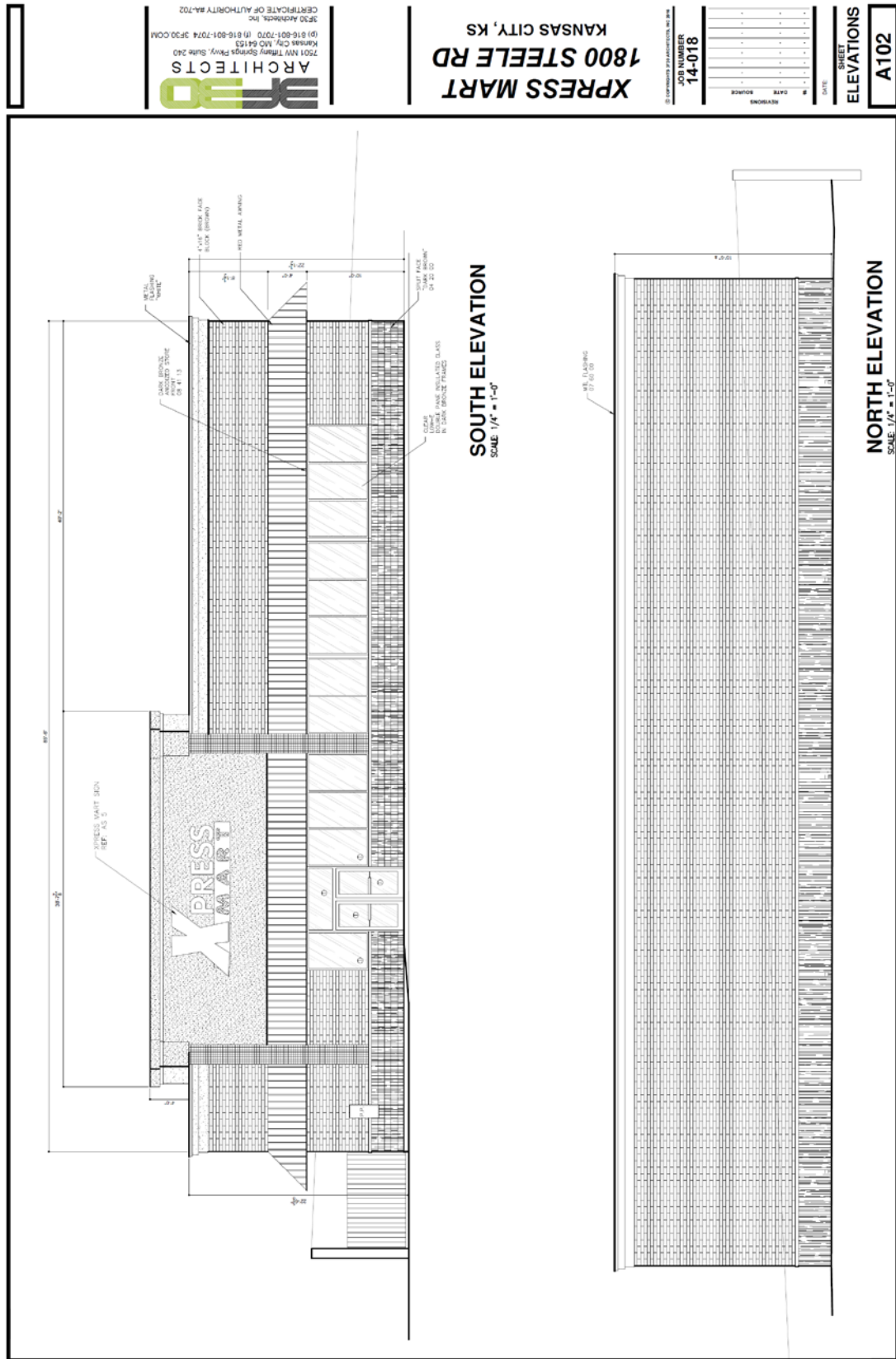
Bryan Ruoff
3F30 Architects

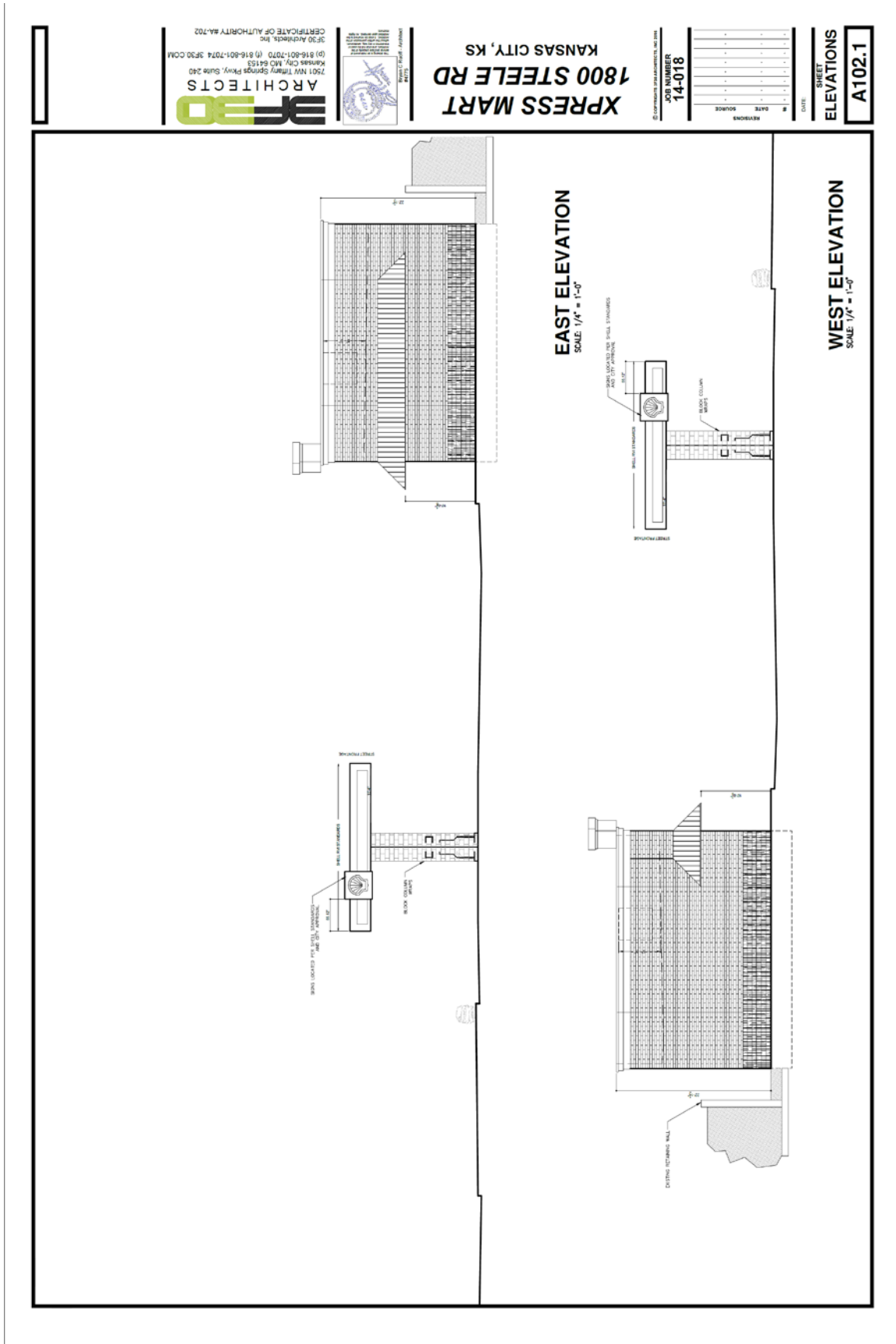


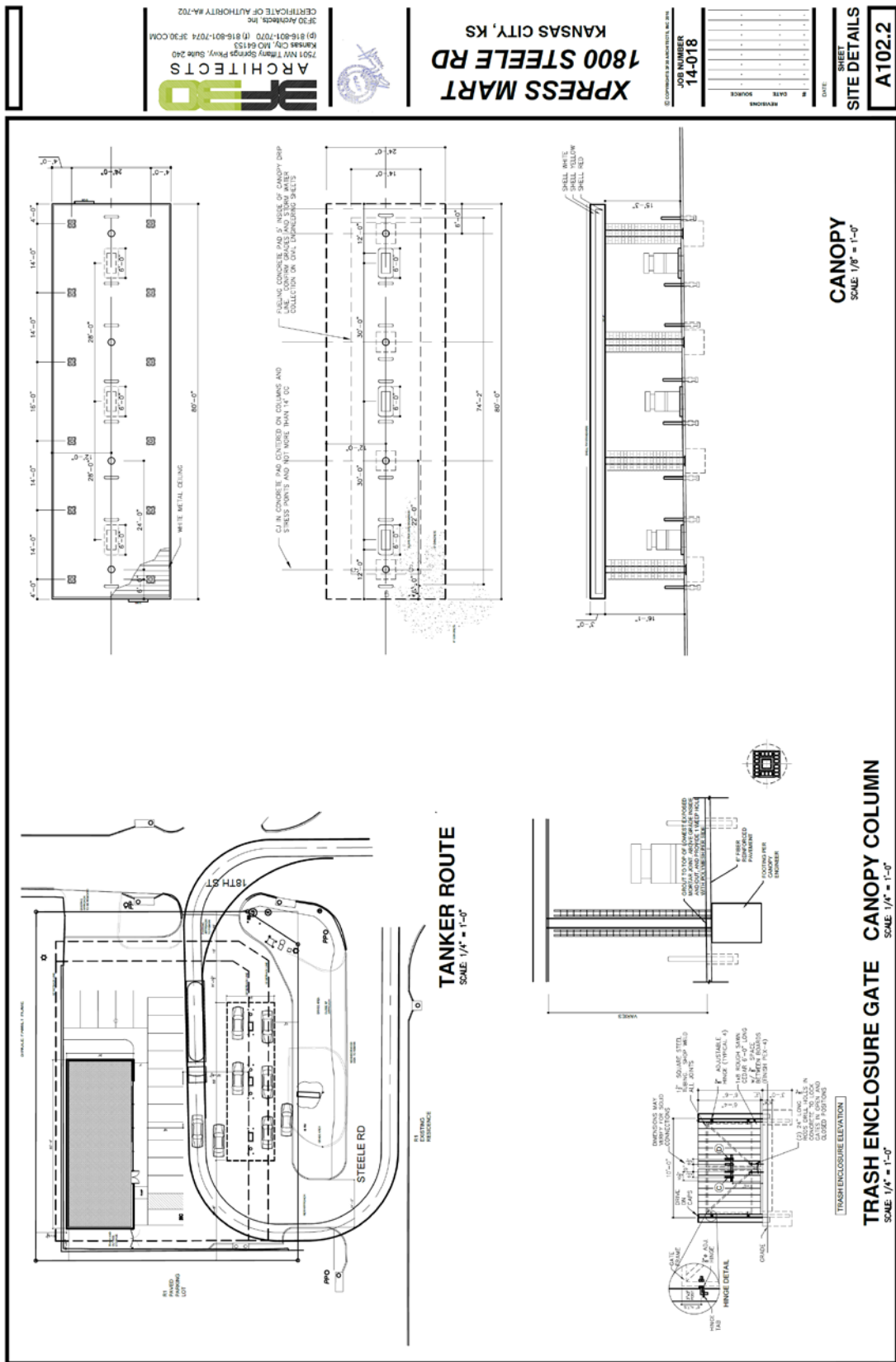














Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: August 25, 2016
Re: Petition #SP-2016-54

GENERAL INFORMATION

Applicant:
Eric Gentry

Status of Applicant:
Representative
Jesse Peckham with Olsson Associates
7301 West 133rd Street, Suite 200
Overland Park, KS 66213

Requested Action:
Approve Special Use Permit

Date of Application:
May 27, 2016

Purpose:
To build a used car dealership

Property Location:
1801 North 100th Terrace



Existing Zoning: CP-2 Planned General Industrial District

Existing Surrounding Zoning: **North:** CP-2 Planned General Business District
South: CP-2 Planned General Business District
East: CP-2 Planned General Business District
West: CP-2 Planned General Business District

Existing Uses: **North:** Vacant, undeveloped land
South: Vacant, undeveloped land
East: Vacant land (proposed car wash and hotel) and development detention basin
West: New automotive dealerships (currently under construction)

Total Tract Size: 6.27 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Planned Commercial

Major Street Plan: The Prairie Delaware Piper Master Plan classifies North 110th Terrace as a local street

Advertisement: The Wyandotte Echo – June 16, 2016
Letters to Property Owner – June 15, 2016 and August 18, 2016

Public Hearings: August 8, 2016 and August 25, 2016

Public Opposition: No one appeared in opposition at the August 8, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Eric Gentry with Premier Automotive at the Legends LLC wants to build a 4,500 square foot building for a used automotive dealership on 6.27 acres.

City Ordinance Requirements: 27-592 through 27-606 and Article VIII Sections 27-340 – 27-765

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The property is surrounded by current or future commercial development, the proposed use is compatible with other projects in the area.

2. 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 increase traffic and parking demand, but not in ways that will adversely affect road capacity, safety, or create parking problems.

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

While special use permits are not addressed in the Master Plan, the proposed use conforms to the designation as Planned Commercial.

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

a. *Water service*

Available

b. *Sanitary sewer service*

Available

c. *Storm water control*

To be designed to meet City Code

d. *Police*

Police service is provided by the West Patrol, District #225

e. *Fire*

Fire service is provided by Station #6

f. *Transit*

Kansas City ATA provides transit service along Parallel Parkway, Route #116

g. *Schools*

Kansas City, KS USD 500

5. *The capability of the proposed use to meet applicable ordinance and other requirements.*

The proposed use is capable of meeting applicable ordinance and other requirements.

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

The zoning and use of properties nearby are set out above. Considering the majority of the uses in the development are new automotive dealerships, the proposed use is compatible with them.

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

Removal of the restrictions should not detrimentally affect nearby property as the dealerships that are under construction are high quality design and the proposed shall meet the Legends Auto Plaza design criteria and the Commercial Design Guidelines.

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

The property has been vacant as zoned since 2014.

9. *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 will increase vehicular traffic, but not to the point where it exceeds the capacity of the street network to accommodate it.

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

11. *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.*

Illumination that is normally associated with this use is of such duration and intensity as not to create problems for nearby property. All lighting will have 90 degree cutoff fixtures.

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

The proposed use will not pollute the air, land or water.

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

The proposed use will not damage or destroy an irreplaceable natural resource.

14. 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 was denied, the applicant would not be able to build and use the property as they intended.

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

This is not applicable.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 16, 2016. According to the applicant, no one attended the meeting.

KEY ISSUES

Compliance with the Legends Auto Plaza Design Criteria
Compliance with the Commercial Design Guidelines

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2016-54, **for two (2) years unless the applicant provides the value of the project within a quarter million dollars by the Board of Commissioners meeting and then the recommendation will be for ten (10) years, subject to:**

Urban Planning and Land Use Comments:

General Planning

1. A final plan review will be required for the future expansion on the east side of the building.

Building Design

1. Sec. 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 façade.

This can be achieved through combinations of at least three of the following techniques:

- a. Divisions or breaks in materials;
- b. Building offsets (projections, recesses, niches);
- c. Window bays;
- d. Separate entrances and entry treatment; or
- e. Variation of rooflines.

The only articulation along the west façade is the front entry. The columns shall project more than 4" around the building.

Applicant Response: See attached revised plans with the following changes; letters refer to a-e above:

- *West façade – a. Materials are broken at pilasters, stucco, canopy and glazing. b. Pilaster changed to 8" deep units to create greater reveal. c. Window bays present and divided by multiple pilasters. d. Entry is recessed with protruding vestibule and a curved canopy that extends the length of the façade. e. Roof between pilasters is 8" lower than top of pilasters.*
- *East façade – Materials are broken at pilasters, stucco and glazing. Wainscot height changed to 5'-4". b. Pilasters changed to 8" deep units to create greater reveal. c. Window bays present. d. Protruding bathroom and mechanical rooms break up façade. e. Roof between pilasters is 8" lower than top of pilasters.*
- *North façade – a. Materials are broken at pilasters, stucco, canopy and glazing. b. Pilaster changed to 8" deep units to create greater reveal. c. Window bays present. d. Entry is under delivery canopy that extends the length of the façade. e. Roof between pilasters is 8" lower than top of pilasters.*
- *South façade – a. Materials are broken at pilasters, stucco, canopy and glazing. b. Pilaster changed to 8" deep units to create greater reveal. c. Window bays present. d. Entry canopy added to create shadow and break up wall. e. Roof between pilasters is 8" lower than top of pilasters.*

2. The 2' CMU - Trenwyth band around the north, south, and east facades shall be raised to 4' to offset the amount of stucco used on the building.

Applicant Response: See attached revised plans with the following changes: Wainscot is raised from 32" to 64".

3. All downspouts shall be internalized.

Applicant Response: Agreed, all downspouts are internalized.

4. Sec. 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.

Applicant Response: See attached revised plans with the following changes: percentage of linear frontage sown on plans North, South and West facades that face the streets and parking lots exceed the 60% linear frontage requirement. The north façade per the ordinance should be 25% of the linear frontage and this façade also exceeds this requirement.

Landscaping and Screening

1. Sec. 27-577(a)(5) - Landscaping shall exceed the typical code requirements by at least 75 percent.
 - a. The district requirement is one tree per 7,000 square feet of site area. The property is 6.27 acres, so 68 trees are required per code.
 - b. 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.
 - c. Landscaping shall be irrigated.

Please revise the landscape plan.

Applicant Response: 68 trees are provided. All trees and shrubs have been updated to meet requirements. Under Planting Notes, irrigation is to be design build by contractor.

Sec. 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curb line of a private easement.

Please submit a landscape plan and revise the site plan to show this buffer. The site plan depicts a 10' setback along the north property line and 18' setback along the west property line.

Applicant Response: All streets are private. From curb line, 25' is accommodated. No action is required.

Staff Response: While all streets are dedicated as on the plat as tracts, developments within Legends Auto Mall have complied with this landscape buffer and this project is no different.

2. 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.

Applicant Response: Shrubs have been updated to meet requirements.

3. 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:
 - a. 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.
 - b. 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.

As stated above the street tree ratio is one (1) tree per 30 feet of frontage. Proposed street "A" has 590 linear feet of frontage, which requires 20 trees. Proposed street "B" has 480 linear feet of frontage, which requires 16 trees. Please revise the landscape plan accordingly.

Applicant Response: All tree requirements have been updated to meet requirements.

4. 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.

Applicant Response: All streets are private. No action is required.

5. The master plant palette for this development is as follows:
 - a. Autumn Blaze Maple
 - b. Armstrong Columnar Maple
 - c. Imperial Honey Locust
 - d. Autumn Brilliance Serviceberry
 - e. Eastern Redbud
 - f. Summer Snow Japanese Tree Lilac
 - g. Eastern White Pine

Applicant Response: Trees have been modified to match plant palette.

6. All disturbed areas within the development shall be brought to finished grade and seeded or sodded. There shall not be any exposed, bare ground unless the lot has an active building permit for building construction.

Applicant Response: Under sodding notes, all disturbed areas to be sodded.

7. Similar to the Toyota and Honda dealerships, staff has a lot of concern about some of the ornamental grasses throughout the development. These types of grasses can take up to five (5) years to get established. During that time period, the area must be meticulously weeded so that the grass does not get choked out. Staff is recommending replacing the ornamental grass with turf grass or other type of landscaping.

Applicant Response: Native grasses are used in the BMP areas for water quality purposes. Turf would not be recommended in these areas.

8. All lighting shall have 90 degree cutoff fixtures.
9. Wall pack lighting is not permitted. All lights mounted on the building shall be decorative.
10. All roof mounted units must be screened by the parapet of the building.

Please revise the building elevations to show the parapet covering the roof mounted HVAC units.

Applicant Response: The units moved to lower roof over restrooms and the parapet has been raised to cover equipment.

11. All utility connections shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.

Applicant Response: See attached east elevation and the floor plan for wall location.

Signage

1. Shall comply with the Legends Auto Plaza Conceptual Design Guide.
 - a. All wall mounted signage shall be individual letters.
2. All signage shall comply with the sign code.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) Submit a filed parking easement for the proposed parking area for the hotel on the east side of the lot.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Staff Conclusion:

The applicant has worked with staff to resolve the majority of planning and engineering comments. The initial term for used car lots/dealerships under the new ordinance has been for two (2) years. The term length ensures that the operator is being a good and responsible neighbor. Whether the length of a permit is two (2) years or indefinite, a special use permit may be revoked by the Unified Government Board of Commissioners at any time.

UPDATE: The applicant has indicated the investment will be well over 2 Million Dollars which is sufficient to be a major investment and qualify for the longer initial Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 #**SP-2016-54** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Site Plan
Grading Plan
Utility Plan
Lighting Plan
Landscape Plan
Building Elevations

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	August 8, 2016	August 25, 2016
Special Use	Approval	

STAFF CONTACT: **Byron Toy, AICP**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-54** 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 #**SP-2016-54**, 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.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-54 – ERIC GENTRY WITH PREMIER AUTOMOTIVE AT THE LEGENDS, LLC - SYNOPSIS: Special Use Permit for a used car dealership at 1801 North 100th Terrace

PLAN REVIEW APPLICATION #PR-2016-17 – ERIC GENTRY WITH PREMIER AUTOMOTIVE AT THE LEGENDS LLC – SYNOPSIS: Final Plan Review for a used car dealership at 1801 North 100th Terrace

Recording Secretary Parker stated that the following items should be 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 August 8, 2016;
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 dated July 14, 2016 for the special use permit; and
7. The Notices to property owners dated July 14, 2016.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Eric Gentry, 4406 Sienna Ridge, Riverside, Missouri, applicant, appeared in support of this application. He stated that he wants to put in a late model used car lot on Lot 5 of the Legends Auto Plaza. He currently has Victory Chrysler Dodge Jeep Ram that is open and operating at the Legends Auto Mall and Victory Ford that will be done by the end of the month and will be operational. In a very short amount of time they have increased sales tax collections for Wyandotte County by capturing people that were probably purchasing cars in Johnson County. They are selling a lot of cars in Wyandotte County and the Kansas tax base has gone up tremendously. They are hoping to get this application approved so they can open a pre-owned used car lot that is directly to the east of his current two facilities. This is not a long-term plan for this property. The building is generic as far as car showrooms; their plan is to put a new car

franchise in this building but they have not secured that franchise at this time. This is step one in the process. This use will allow them to open and get started selling pre-owned cars in this market.

No one appeared in opposition to these applications.

Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Mr. Gentry stated that they would also like to ask for a 10 year special use permit. Planning Director Richardson stated the staff would be agreeable subject to the stipulation in the previous case.

Planning Commissioner Serda stated that it appears to him that this is getting into a policy decision that should be made by the Board of Commissioners. Planning Director Richardson stated that they will make that decision when these cases go before them. In the past the policy has been hundreds of millions of dollars and not millions in single digits.

On motion by Dr. Serda, seconded by Ms. Jones, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-54 for two (2) years unless the applicant provides the value of the project within a quarter million dollars by the Board of Commissioners meeting and then the recommendation will be for ten (10) years:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

General Planning

1. A final plan review will be required for the future expansion on the east side of the building.

Building Design

1. Sec. 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 façade. This can be achieved through combinations of at least three of the following techniques:

- a. Divisions or breaks in materials;
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- d. Separate entrances and entry treatment; or
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The only articulation along the west façade is the front entry. The columns shall project more than 4" around the building.

Applicant Response: See attached revised plans with the following changes; letters refer to a-e above:

- ***West façade – a. Materials are broken at pilasters, stucco, canopy and glazing. b. Pilaster changed to 8" deep units to create greater reveal. c. Window bays present and divided by multiple pilasters. d. Entry is recessed with protruding vestibule and a curved canopy that extends the length of the façade. e. Roof between pilasters is 8" lower than top of pilasters.***
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Please revise the landscape plan.

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Please submit a landscape plan and revise the site plan to show this buffer. The site plan depicts a 10' setback along the north property line and 18' setback along the west property line.

Applicant Response: All streets are private. From curb line, 25' is accommodated. No action is required.

Staff Response: While all streets are dedicated as on the plat as tracts, developments within Legends Auto Mall have complied with this landscape buffer and this project is no different.

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As stated above the street tree ratio is one (1) tree per 30 feet of frontage. Proposed street "A" has 590 linear feet of frontage, which requires 20 trees. Proposed street "B" has 480 linear feet of frontage, which requires 16 trees. Please revise the landscape plan accordingly.

Applicant Response: All tree requirements have been updated to meet requirements.

4. 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.

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not get choked out. Staff is recommending replacing the ornamental grass with turf grass or other type of landscaping.

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Please revise the building elevations to show the parapet covering the roof mounted HVAC units.

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Signage

1. Shall comply with the Legends Auto Plaza Conceptual Design Guide.
 - a. All wall mounted signage shall be individual letters.
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Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
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 - 1) Submit a filed parking easement for the proposed parking area for the hotel on the east side of the lot.
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 - 1) None

Staff Conclusion:

The applicant has worked with staff to resolve the majority of planning and engineering comments. The initial term for used car lots/dealerships under the new ordinance has been for two (2) years. The term length ensures that the operator is being a good and responsible neighbor. Whether the length of a

permit is two (2) years or indefinite, a special use permit may be revoked by the Unified Government Board of Commissioners at any time.

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **APPROVE Plan Review Application #PR-2016-17:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to APPROVE Passed: 8 to 0
Subject to the above stipulations



June 27, 2016

Unified Government of Wyandotte County
Attn: Ryan Horvath
Dept. of Urban Planning
PH: 816.513.2509
4953 State Ave
Kansas City, KS 66102

**RE: Premier Auto
SP-2016-54, PR-2016-17**

To City Staff,

We are responding to your comments dated June 11, 2016 and are submitting with this letter revised plans, as well as other required documents. Please find the original comments below; our responses are below in bold italics.

If you have any questions or need additional information please do not hesitate to contact us.

Thanks,

Brad Freeman, IE

Staff Comments and Suggestions

Urban Planning and Land Use Comments:

General Planning

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1301 Burlington, Suite 100
North Kansas City, MO 64116

TEL 816.587.4320
FAX 816.587.1393

www.olssonassociates.com

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Public Works Comments:

- A. Items that require plan revisions or additional documentation before engineering can recommend approval:
 - 1) Submit a filed parking easement for the proposed parking area for the hotel on the east side of the lot.
 - 2) The layout of the north entrance drive is not acceptable as designed.
 - 3) Is a sanitary manhole located in the drive path at the north entrance? It should be relocated if it is.
 - 4) The trash dumpster enclosure should not be located in the drainage easement.
- B. Items that are conditions of approval (stipulations):
 - 1) None
- C. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None



June 22, 2016

Byron Toy
Department of Urban Planning and Land Use
701 North 7th Street Suite 423
Kansas City KS, 66101

**Re: Petition #SP-2016-54 and #PR-2016-17
Final Plan Review Comments**

Dear Mr. Toy

The attached cd has revisions as requested to comply with outstanding review comments.

Building Design

1. Sec. 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 façade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation of rooflines.

The only articulation along the west façade is the front entry. The columns shall project more than 4" around the building.

Applicants Response: See attached revised plans with the followings changes, letters refer to a-e above:
West Façade: a. Materials are broken at pilasters, stucco, canopy and glazing. b. Pilaster changed to 8" deep units to create greater reveal. c. Window bays present and divided by multiple pilasters. d. Entry is recessed with protruding vestibule and a curved canopy that extends the length of the façade. e. Roof between pilasters is 8" lower than top of pilasters.

East Façade: a. Materials are broken at pilasters stucco and glazing. Wainscot height changed to 5'-4". b. Pilasters changed to 8" deep units to create greater reveal. c. Window bays present. d. Protruding bathroom and mechanical rooms brake up façade. e. roof between pilasters is 8" lower than top of pilasters.

Mr. Byron Toy
Page 2 of 2
June 27, 2016

North Façade: a. Materials are broken at pilasters, stucco, canopy and glazing. b. Pilasters changed to 8" deep units to create greater reveal. c. Window bays present d. Entry is under delivery canopy that extends the length of the façade. e. roof between pilasters is 8" lower than top of pilasters.

South Façade: a. Materials are broken at pilasters, stucco and glazing. b. Pilasters changed to 8" deep units to create greater reveal. c. Window bays present. d. Entry canopy added to create shadow and break up wall. e. Roof between pilasters is 8" lower than top of pilasters.

2. The 2' CMU - Trenwyth band around the north, south, and east facades shall be raised to 4' to offset the amount of stucco used on the building.

Applicants Response: See attached revised plans with the followings changes: Wainscot raised from 32" to 64"

3. All downspouts shall be internalized.

Applicants Response: Agreed, all downspouts are internalized

4. Sec. 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.

Applicants Response: See attached revised plans with the followings changes: percentage of linear frontage shown on plans North, South and West facades that face the streets and parking lots exceed the 60% of linear frontage requirement. The north façade per the ordinance should be 25% of the linear frontage and this façade also exceeds the requirement.

11. All roof mounted units must be screened by the parapet of the building.

Please revise the building elevations to show the parapet covering the roof mounted HVAC units.

Applicants response: Units moved to lower roof over restrooms, parapet raised to cover equipment

12. All utility connections shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.

Applicants response: See attached East elevation and the floor plan for wall location.

Respectfully,

Williams Spurgeon Kuhl & Freshnock Architects, Inc.



John E Freshnock, AIA, NCARB, LEED AP

cc: file

Neighborhood Meeting Minutes

Project: SP-2016-54 (Special Use Permit for pre-owned vehicle dealership)

Date of Meeting: June 16, 2016

Location: Schlitterbahn Offices at 9400 State Avenue, Kansas City, Kansas

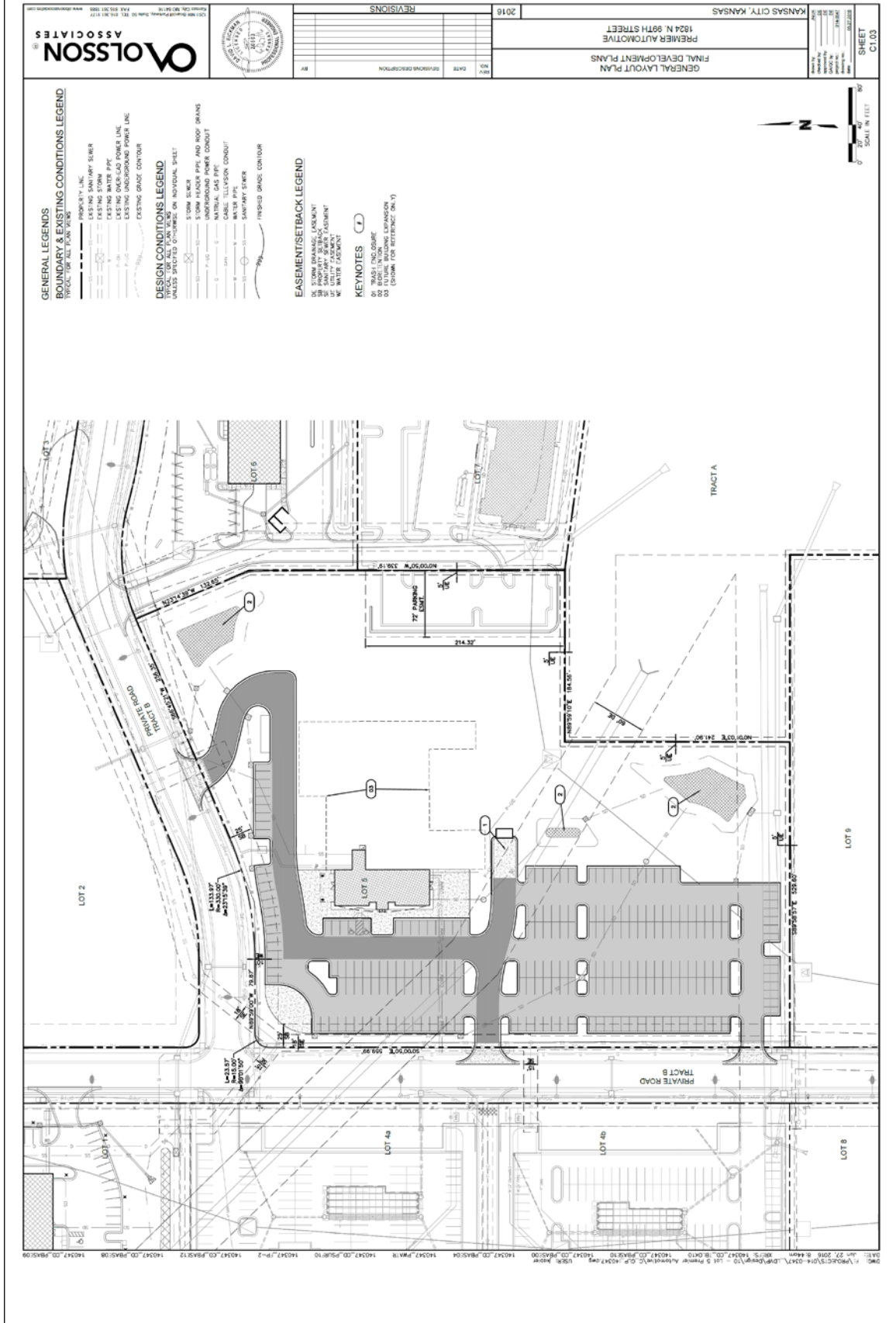
Meeting called to order at 6:00 p.m.

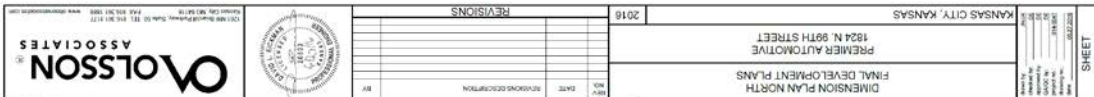
Attendance: Jesse Peckham, Olsson Associates

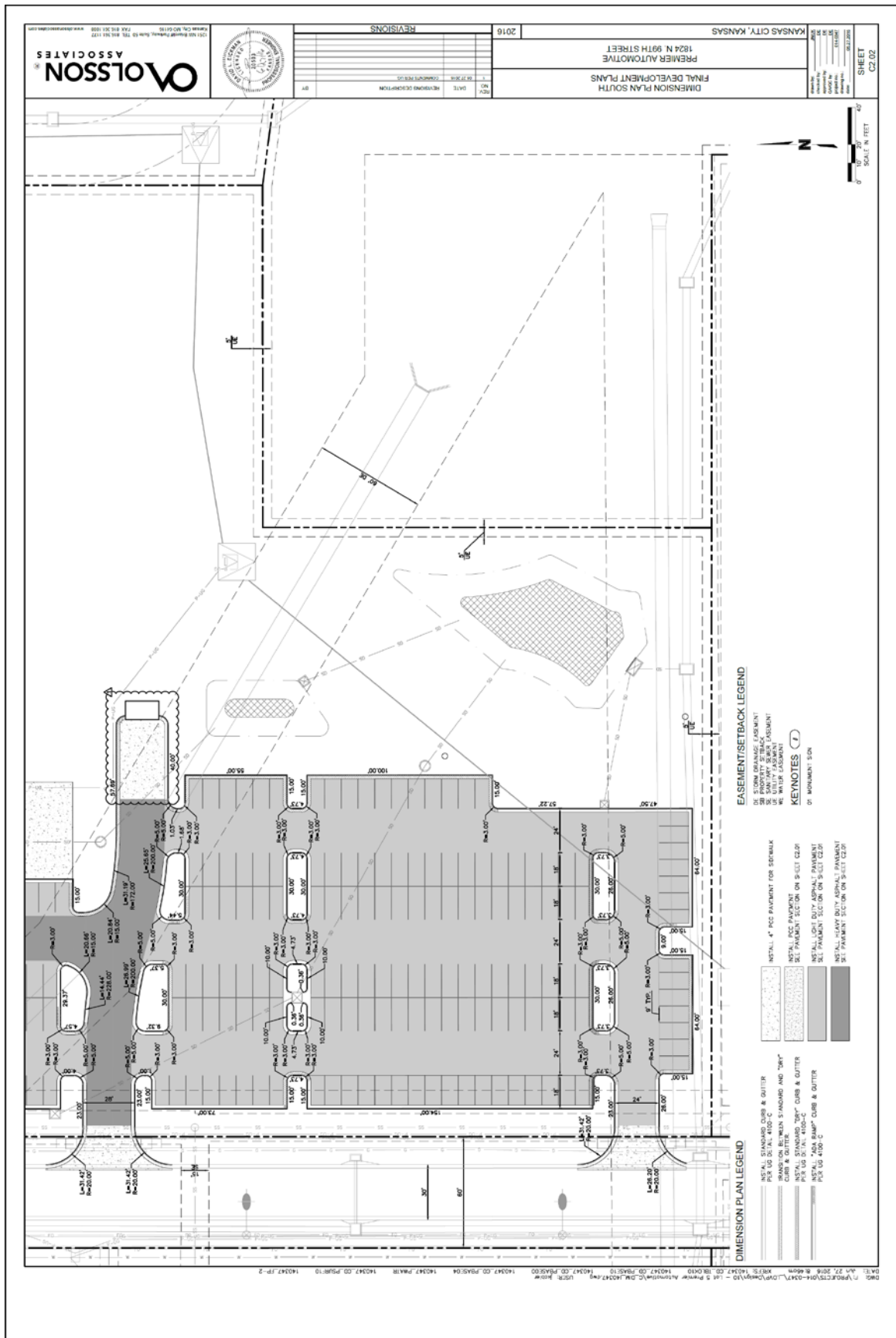
There was no discussion as none of the invitees attended the meeting.

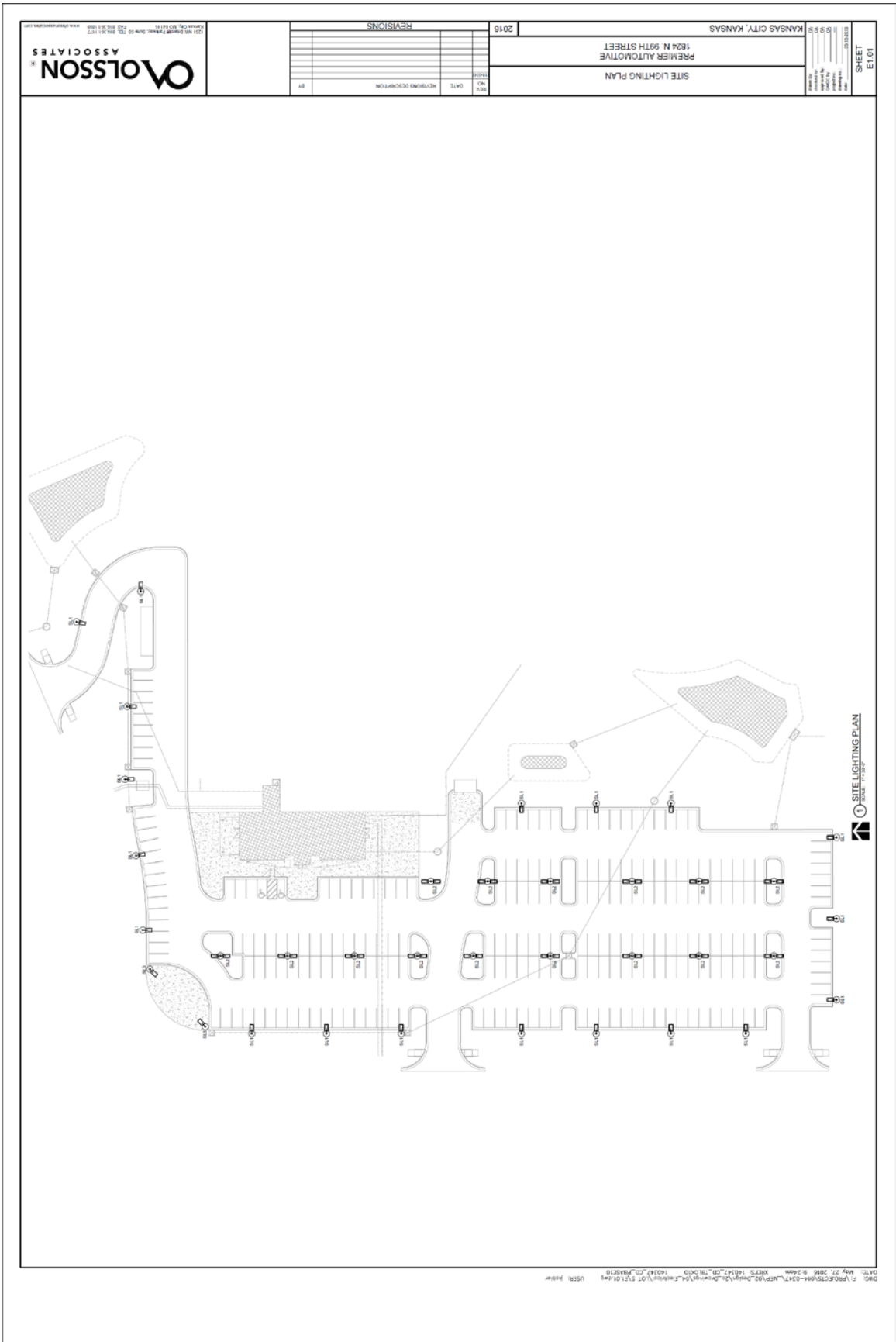
Meeting adjourned: 6:30 p.m.

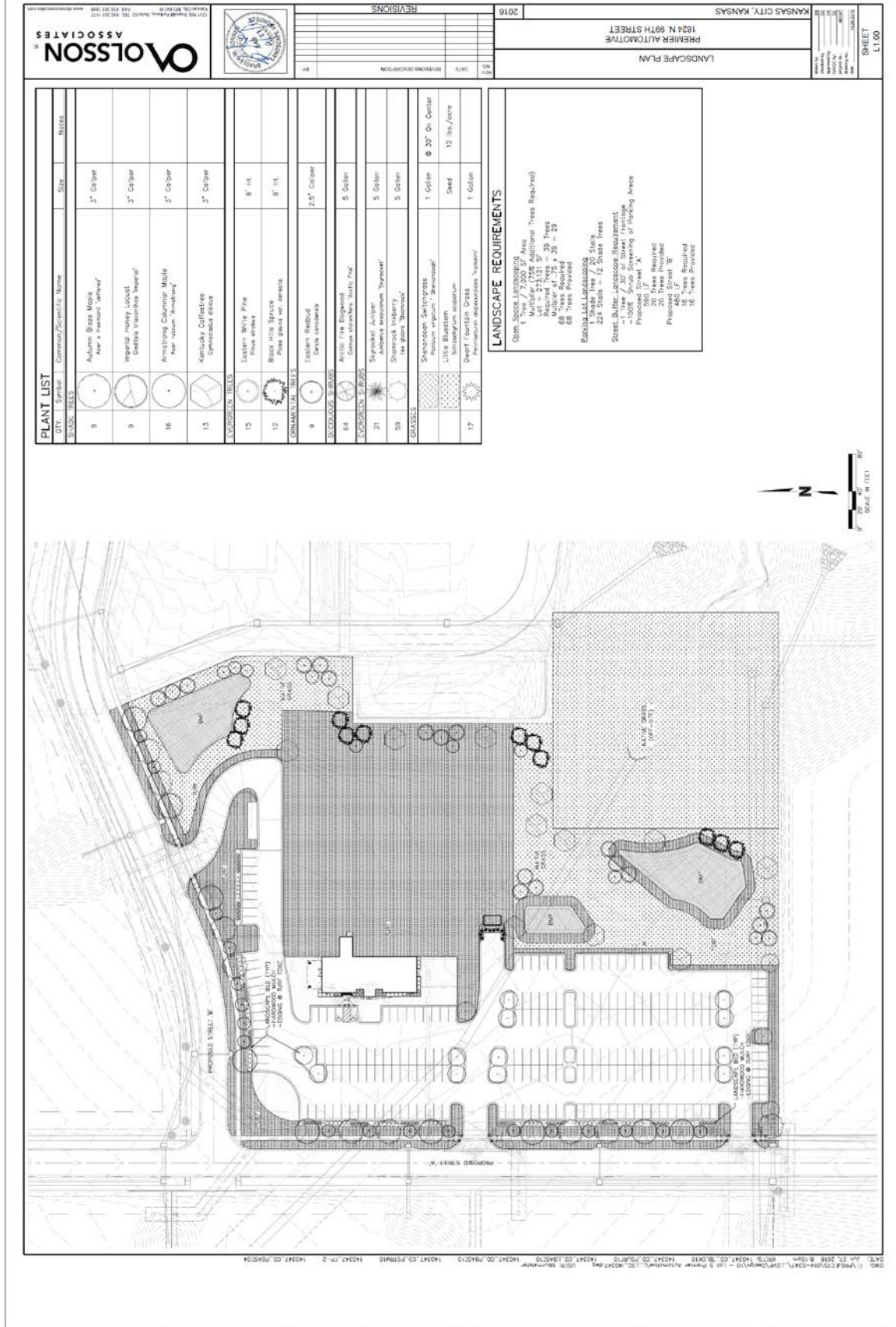
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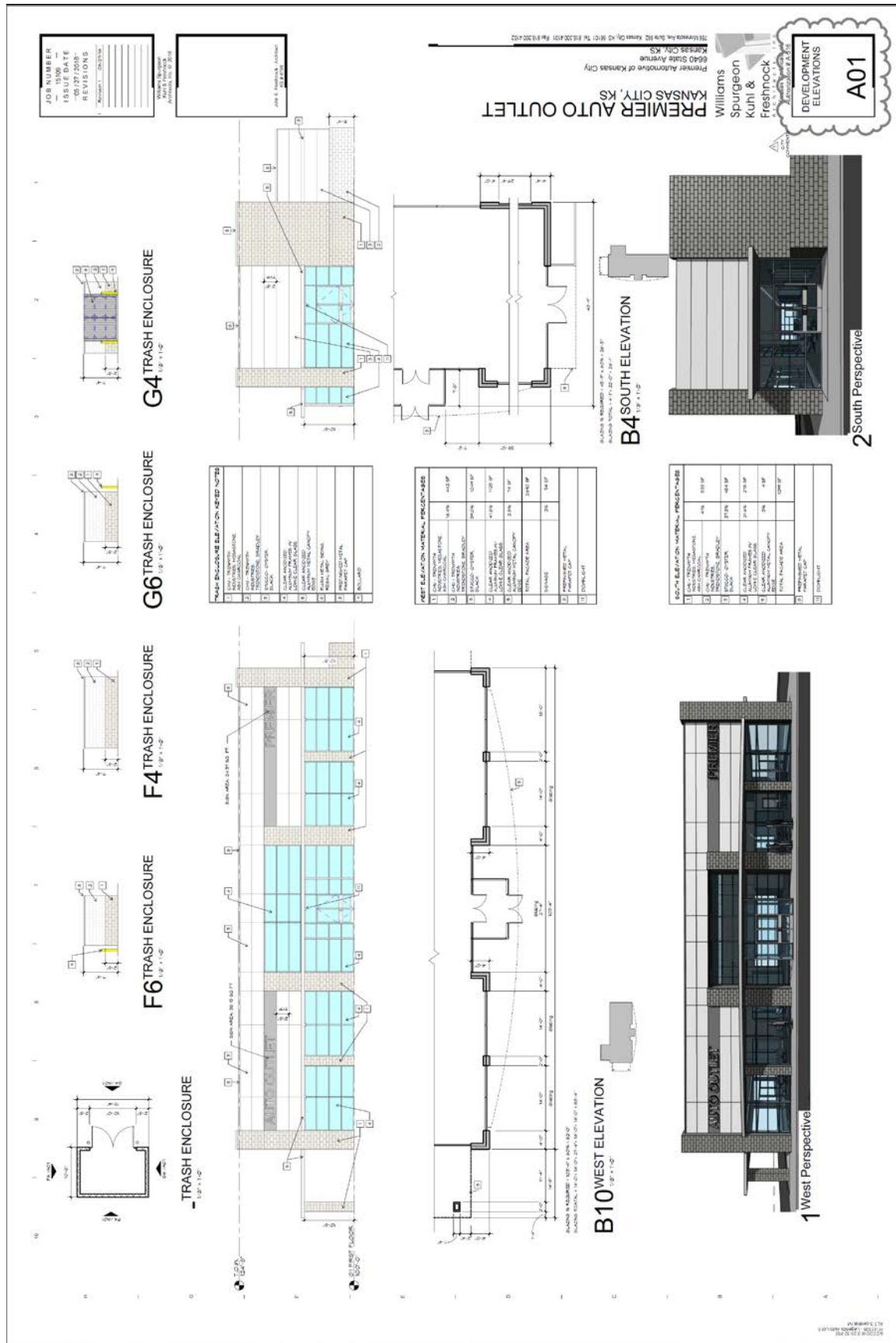
















Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: August 25, 2016
Re: **Petition #SP-2016-56**

GENERAL INFORMATION

Applicant:
William and LaJoyce Calloway

Status of Applicant:
Owners
3440 North 99th Street
Kansas City, KS 66109

Requested Action:
Expand existing Special Use Permit

Date of Application:
June 22, 2016

Purpose:
To expand operations of an early
childhood development center

Property Location: 3440 North 99th Street

Existing Zoning: A-G Agriculture District



Existing Surrounding Zoning: **North:** A-G Agriculture District
South: A-G Agriculture District
East: A-G Agriculture District
West: A-G Agriculture District

Existing Uses: **North:** Large lot homes
South: Large lot homes
East: The Woodlands
West: Large open farm field

Total Tract Size: 1.8 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Planned Mixed Residential.

Major Street Plan: The Prairie Delaware Piper Master Plan designates North 99th Street as a Major Arterial roadway.

Advertisement: The Wyandotte Echo – July 14, 2016
Letters to Property Owner – July 14, 2016 and August 18, 2016

Public Hearings: August 8, 2016 and August 25, 2016

Public Opposition: No one appeared in opposition at the August 8, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicants, William and LaJoyce Calloway want to expand the use and existing building of an early childhood development and education center.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is large lot homes and agricultural uses to the north and west. The Woodlands racetrack, although vacant, is located across North 99th Street, to the east. The Graham Heights Subdivision is a short distance to the south.

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

The zoning and uses of nearby properties are agricultural in nature. The proposed use is not compatible with the surrounding parcels. The proposed use

is a commercial use in an agricultural zoned district. However, the use is complementary in that there are residences in the surrounding area that this use would fit with.

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

The building location and driveway configuration will allow this property to work appropriately and efficiently. The removal of these restrictions will not detrimentally affect nearby property.

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

The property is not vacant.

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

Special use permits are not addressed in the Master Plan.

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 will result in an increase in the amount of vehicular traffic along North 99th Street, but not to the point where it exceeds the capacity of the street network.

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 is necessary for those who will use the service. The childcare center will not substantially injure visual quality or marketability of adjoining property. In fact it might make it more attractive for families raising children.

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 associated with a childcare development and education center will not create problems for near-by property. There may be brief periods of time during construction that some of these issues may develop, but they should not cause too much of an issue.

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

The proposed use will not pollute the air, land or water.

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

The proposed use will not damage or destroy an irreplaceable natural resource.

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

There is a minimal relative gain to the public health, safety and welfare as compared to the hardship on the individual landowner.

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

The proposed use will not result in overcrowding of land or cause undue concentrations of population. The property is 1.8 acres, which is ample enough room to have this center on the property.

PREVIOUS ACTIONS

This petition is an expansion of SP-2016-24, which was approved for 10 years by the City Planning Commission and Board of Commissioners on March 14, 2016 and March 31, 2016 respectively. That petition was a renewal of SP-2011-29 which was approved on June 13, 2011 and June 30, 2011. That petition was a renewal of #SP-2009-34, which was approved on June 8, 2009 and June 25, 2009 respectively. The original application (#SP-2007-25) was approved on July 9, 2007 and July 26, 2007 respectively. This location, 3440 North 99th Street was previously Country Side Childcare.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 22, 2016. According to the applicant no one attended the meeting.

KEY ISSUES

Building plans and related documentation

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2016-56, subject to:

Urban Planning and Land Use Comments:

- 1. Subject to approval, the petition will be valid for ten (10) years.**

Applicant Response: Understood

2. **Approved hours of operation have been Monday through Friday, 6:00 a.m. to 7:00 p.m. with occasional evening care on Friday and Saturday 7:00 p.m. to 11:00 p.m. Will this remain the same after the expansion takes place?**

Applicant Response: Hours of operation would be M-F, 6:00am – 5:30pm, with occasional evening care on Friday and Saturday 7:00 – 11:00pm. They would also utilize the space for children’s birthday parties on Saturdays and Sundays and family workshops.

3. **The applicant has a state license allowing forty (40) children. The staff will consist of eight (8) people, five (5) full-time and three (3) part-time and volunteer.**

Applicant Response: The owners are currently licensed for 32 students and currently have a staff of 8. This expansion would allow the owners to hire an additional 4-6 staff members. They have successfully partnered with counselors from the surrounding high schools and community colleges to recruit students that have an interest to work with young children.

4. **What are the expected numbers (children, staff, etc.) you will be operating with once the expansion takes place?**

Applicant Response: With the expansion, the owners project to add an additional 30-37 students. The Kansas Department of Health and Education (KDHE) will determine the final number of students upon completion of the project.

5. **You are proposing to basically double the size of the building you are operating out of. Have you received dramatically increased interest in your services of late? What is the rationale behind such an aggressive expansion?**

Applicant Response: The program started on Sept. 27th, 1999, as early childhood education services. In December of 2007, the program relocated to the existing location, after a complete renovation of the existing building (It had been vacant for several years.) The program currently has a waiting list of 81 students. Four out of five other child care centers that were surveyed also had waiting lists, so there is an obvious need for more capacity. The expansion will allow the program to serve additional families in the growing community.

6. **All proper permits and review will be taken with the Building Permits Department and any other relevant Department within the Unified Government.**

Applicant Response: Understood

7. Parking standards are set as 4 spaces for every 1,000 square feet of floor area. Based on information available at this time it would appear that no fewer than 20 parking spaces should be available on this property. The application states that the facility is to be 5,134 square feet.

Applicant Response: Submitted with the response letter, is a set of PDF copies of a revised site plan showing the additional required parking spaces.

8. Per commercial design guidelines, at least 4 street trees (no less than 6 feet tall at time of planning) must be planted along the frontage with North 99th Street. Groupings of shrubs and/or ornamental trees and/or bushes are to be placed in between the street trees.

Applicant Response: The revised site plan shows the required street trees and shrub grouping along the frontage of N. 99th Street.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Staff Conclusion:

Applicant has complied with all requests and made all changes that have been requested. Based on the plans and responses provided, Staff recommends approval for ten (10) years.

STAFF COMMENTS AND RECOMMENDATION

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 #SP-2016-56 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
Aerial Photograph
Street view of current facility
Neighborhood Meeting Minutes
Plans for building expansion
Letters in Support

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	August 8, 2016	August 25, 2016
Special Use	Approval	

STAFF CONTACT: Kyle Kobe kkobe@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-56** 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 #**SP-2016-56** 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.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-56 – WILLIAM AND JOYCE

CALLOWAY - SYNOPSIS: Expansion of an existing Special Use Permit (#SP-2014-34 – expires March 31, 2026) for existing early childhood education center at 3440 North 99th Street

Recording Secretary Parker stated that the following items should be 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 August 8, 2016;
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 dated July 14, 2016;
7. The Notices to property owners dated July 14, 2016; and
8. Three emails that were received in favor of this application.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Joyce and William Calloway, 3042 North 85th Place, applicants, appeared in support of this application. Mrs. Calloway stated that they currently have an early childhood development center at 3440 North 99th Street. She stated that they have been there for almost 9 years and they want to add an additional 2800 square feet which would provide additional classrooms, extend the kitchen, additional closet and storage space, a small office, infant care and additional preschool accommodations.

There were 20 people present in support of this application, including the following that spoke.

Ms. Carla Jones-Wilson, 3216 North 111th Terrace, Kansas City, Kansas, stated that Beautiful Beginnings is a fabulous school and both of her boys have graduated from there. One is in Piper Grade School and the other in Piper Middle School and she highly recommends approval of the expansion. Kids going through the program are prepared for an excellent education.

Ms. Gordon, 1818 Walker Avenue, Kansas City, Kansas, stated that her niece (Joyce Calloway) and husband have done an awesome job out there and if this is approved, it will be a blessing for them and the future education of her students.

Ms. Jill Washmon, 6009 West 54th Street, Mission, Kansas, stated that one of the most important things is impact that this has had on her family. It is a safe place to drop off their children and know that they trust them. Her son has a lot of food allergies and how they handle that is very comforting. She worked in Wyandotte County for 8 years until she got a job in Johnson County but she kept him in this school. It is a 45 minute drive for her to take her son to this facility but it is worth it. It is a good foundation in giving the children a launching pad and they provide the kids thoughts about college at a young age. They do a year book and ask the kids what they want to be in the future. Kids talk about being doctors or veterinarian which are things that she did not think about when she was 2 or 3. It is a good starting point for the kids.

Ms. Barbara Bailey, 2301 North 36th Street, Kansas City, Kansas, 66104, stated that her daughter and grandson had to leave because they did not want to disturb the meeting any more than necessary. Her family has been involved with Beautiful Beginnings since her 16 year old grandson went to them. They have always given excellent educational

growth for her grandchildren. This is her third grandchild that is going to this child care facility. It would be advantageous for everyone for this petition to be approved for the continuous growing of their facility.

No one appeared in opposition to this application.

Planning Commissioner Jones stated that she commends those in the audience for their interests in quality education that came to the meeting tonight. This application reminds her of the old Kiddie College that was operated by Crawford and Maxine Williams that her son attended. She stated that she is a supporter of education as it spells success.

Planning Director Richardson stated that the staff recommends approval subject to the staff comments and suggestions.

On motion by Ms. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-56:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, the petition will be valid for ten (10) years.

Applicant Response: Understood

2. Approved hours of operation have been Monday through Friday, 6:00 a.m. to 7:00 p.m. with occasional evening care on Friday and Saturday 7:00 p.m. to 11:00 p.m. Will this remain the same after the expansion takes place?

Applicant Response: Hours of operation would be M-F, 6:00am – 5:30pm, with occasional evening care on Friday and Saturday 7:00 – 11:00pm. They would also utilize the space for children’s birthday parties on Saturdays and Sundays and family workshops.

3. The applicant has a state license allowing forty (40) children. The staff will consist of eight (8) people, five (5) full-time and three (3) part-time and volunteer.

Applicant Response: The owners are currently licensed for 32 students and currently have a staff of 8. This expansion would allow the owners to hire an additional 4-6 staff members. They have successfully partnered with counselors from the surrounding high schools and community colleges to recruit students that have an interest to work with young children.

- 4. What are the expected numbers (children, staff, etc.) you will be operating with once the expansion takes place?**

Applicant Response: With the expansion, the owners project to add an additional 30-37 students. The Kansas Department of Health and Education (KDHE) will determine the final number of students upon completion of the project.

- 5. You are proposing to basically double the size of the building you are operating out of. Have you received dramatically increased interest in your services of late? What is the rationale behind such an aggressive expansion?**

Applicant Response: The program started on Sept. 27th, 1999, as early childhood education services. In December of 2007, the program relocated to the existing location, after a complete renovation of the existing building (It had been vacant for several years.) The program currently has a waiting list of 81 students. Four out of five other child care centers that were surveyed also had waiting lists, so there is an obvious need for more capacity. The expansion will allow the program to serve additional families in the growing community.

- 6. All proper permits and review will be taken with the Building Permits Department and any other relevant Department within the Unified Government.**

Applicant Response: Understood

- 7. Parking standards are set as 4 spaces for every 1,000 square feet of floor area. Based on information available at this time it would appear that no fewer than 20 parking spaces should be available on this property. The application states that the facility is to be 5,134 square feet.**

Applicant Response: Submitted with the response letter, is a set of PDF copies of a revised site plan showing the additional required parking spaces.

- 8. Per commercial design guidelines, at least 4 street trees (no less than 6 feet tall at time of planning) must be planted along the frontage with North 99th Street. Groupings of shrubs and/or ornamental trees and/or bushes are to be placed in between the street trees.**

Applicant Response: The revised site plan shows the required street trees and shrub grouping along the frontage of N. 99th Street.

Public Works Comments:

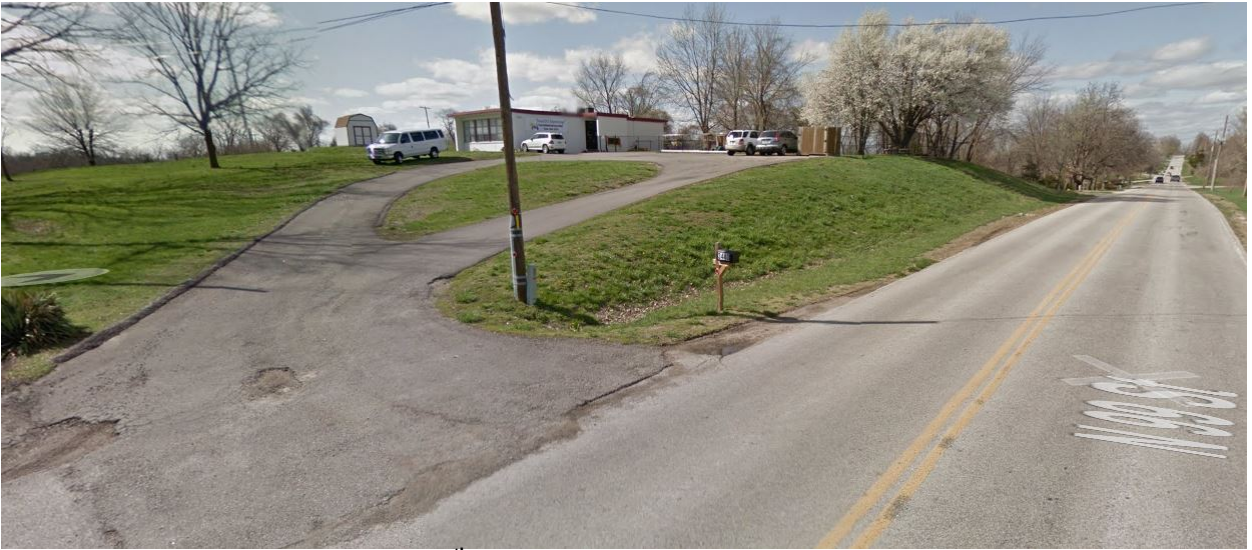
- A) Items that require plan revision or additional documentation before engineering can recommend approval:
1) None**
- B) Items that are conditions of approval (stipulations):
1) None**
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
1) None**

Staff Conclusion:

Applicant has complied with all requests and made all changes that have been requested. Based on the plans and responses provided, Staff recommends approval for ten (10) years.



Aerial photograph of 3440 North 99th Street



Google street view of 3440 North 99th Street



Aerial view of 3440 North 99th Street and surroundings (Google maps)



310 ARMOUR RD., #202 • NORTH KANSAS CITY, MO 64116
PHONE: 816-221-9297 • FAX: 816-221-9298

7/22/16

Unified Government of Wyandotte County
Dept. of Urban Planning and Land Use
701 N. 7th Street
Kansas City, KS 66101

RE: Resubmittal
Petition #SP-2016-56

To Whom It May Concern:

Submitted with this response letter, are PDF copies of the site construction plans. The response comments below correspond to the review comments that we received.

Urban Planning & Land Use Comments

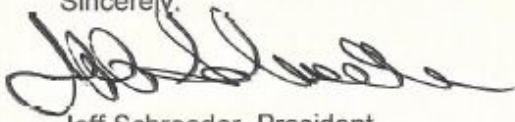
1. Understood
2. Hours of operation would be M-F, 6:00am – 5:30pm, with occasional evening care on Friday and Saturday 7:00 – 11:00pm. They would also utilize the space for children's birthday parties on Saturdays and Sundays and family workshops.
3. The owners are currently licensed for 32 students and currently have a staff of 8. This expansion would allow the owners to hire an additional 4-6 staff members. They have successfully partnered with counselors from the surrounding high schools and community colleges to recruit students that have an interest to work with young children.
4. With this expansion, the owners are projecting to add an additional 30-37 students. The Kansas Department of Health and Education (KDHE) will determine the final number of students upon completion of the project.
5. The program started on Sept. 27th, 1999, as early childhood education services. In December of 2007, the program relocated to the existing location. after a complete renovation of the existing building (It had been vacant for several years) The program currently has a waiting list of 81 students. Four out of five other child care centers that were surveyed also had waiting lists, so there is an obvious need for more capacity. The expansion will allow the program to serve additional families in the growing community.
6. Understood

7. Submitted with this response letter, is a set of PDF copies of a revised site plan showing the additional required parking spaces.
8. The revised site plan, shows the required street trees and shrub groupings along the frontage of N. 99th Street.

Public Works Comments

- A. Complete construction plans, including erosion control are submitted along with this response letter.
- B. Okay
- C. Okay

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Schroeder', written over a horizontal line.

Jeff Schroeder, President
Herman A. Scharhag Co., Architects



Proverbs 22:6
BEAUTIFUL BEGINNINGS

Beautiful Beginnings Early Childhood Education Center

3440 NORTH 99TH STREET
KANSAS CITY, KS 66109
913-788-2275

7/22/2016

ATTN Janet Parker

Minutes & Summary

Special Use Permit SP 2016-56

As requested in the Special Use Application Process, a neighborhood meeting was conducted on Thursday, July 21, 2016 at the following location.

Kansas Public Library-West Branch
Conference Room A
1737 North 82nd Street
Kansas City, KS 66112

Meeting Called to Order at : 5:00pm

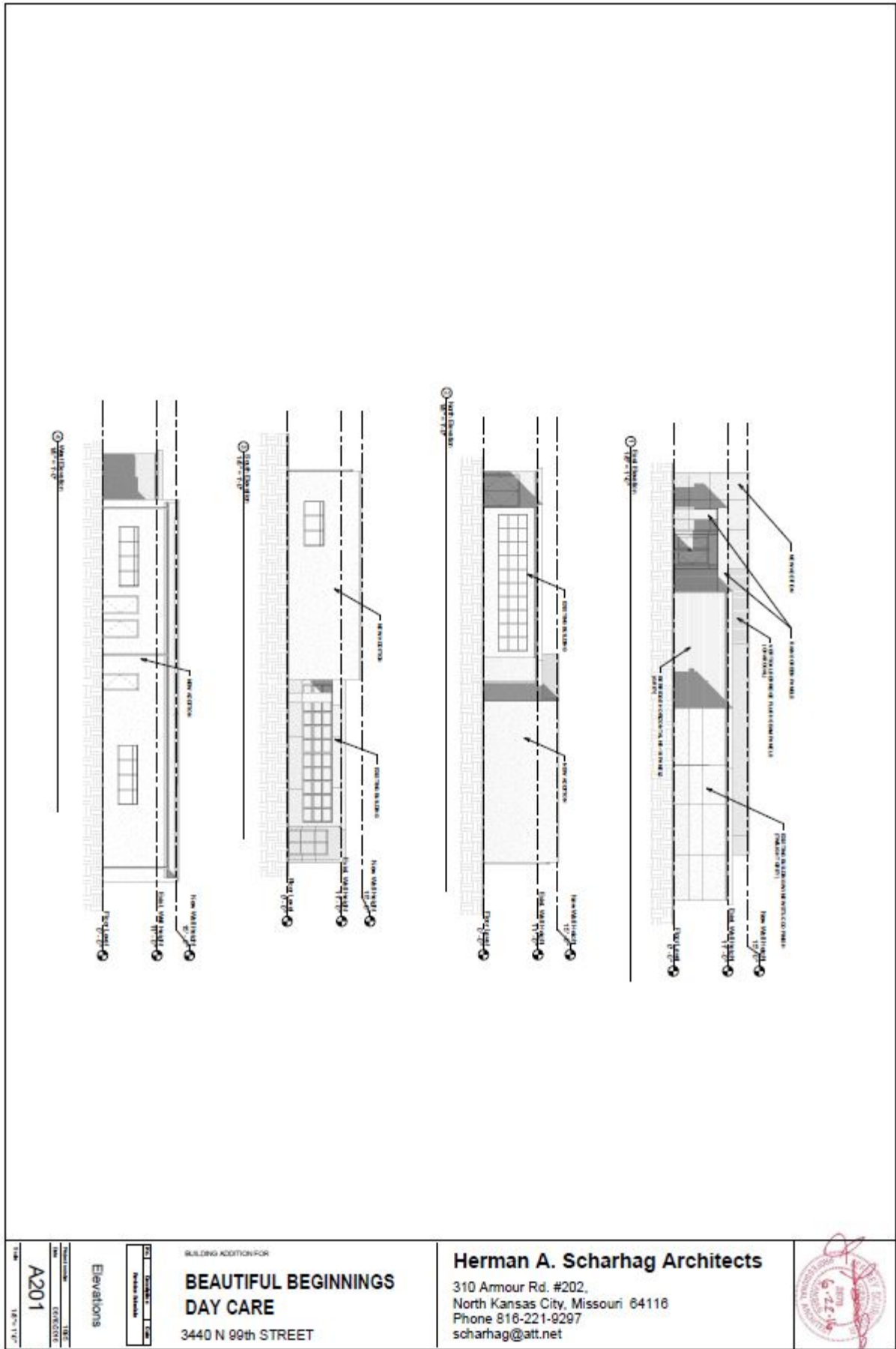
Those in attendance:
Travis Summers (Teague Construction Co.)
LaJoyce Calloway (Applicant)

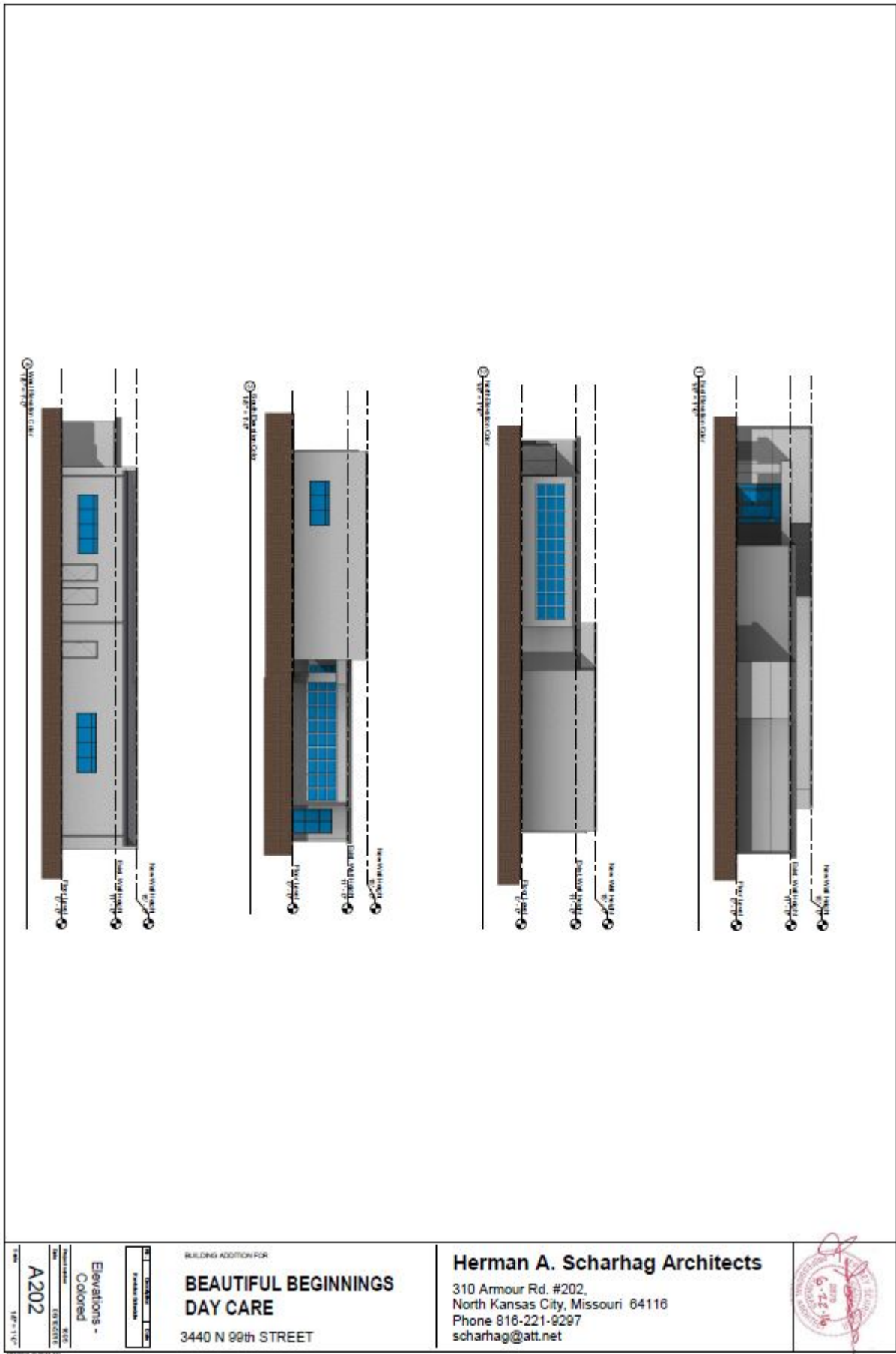
Meeting adjourned at 5:48pm-please see the attached sign in/out form

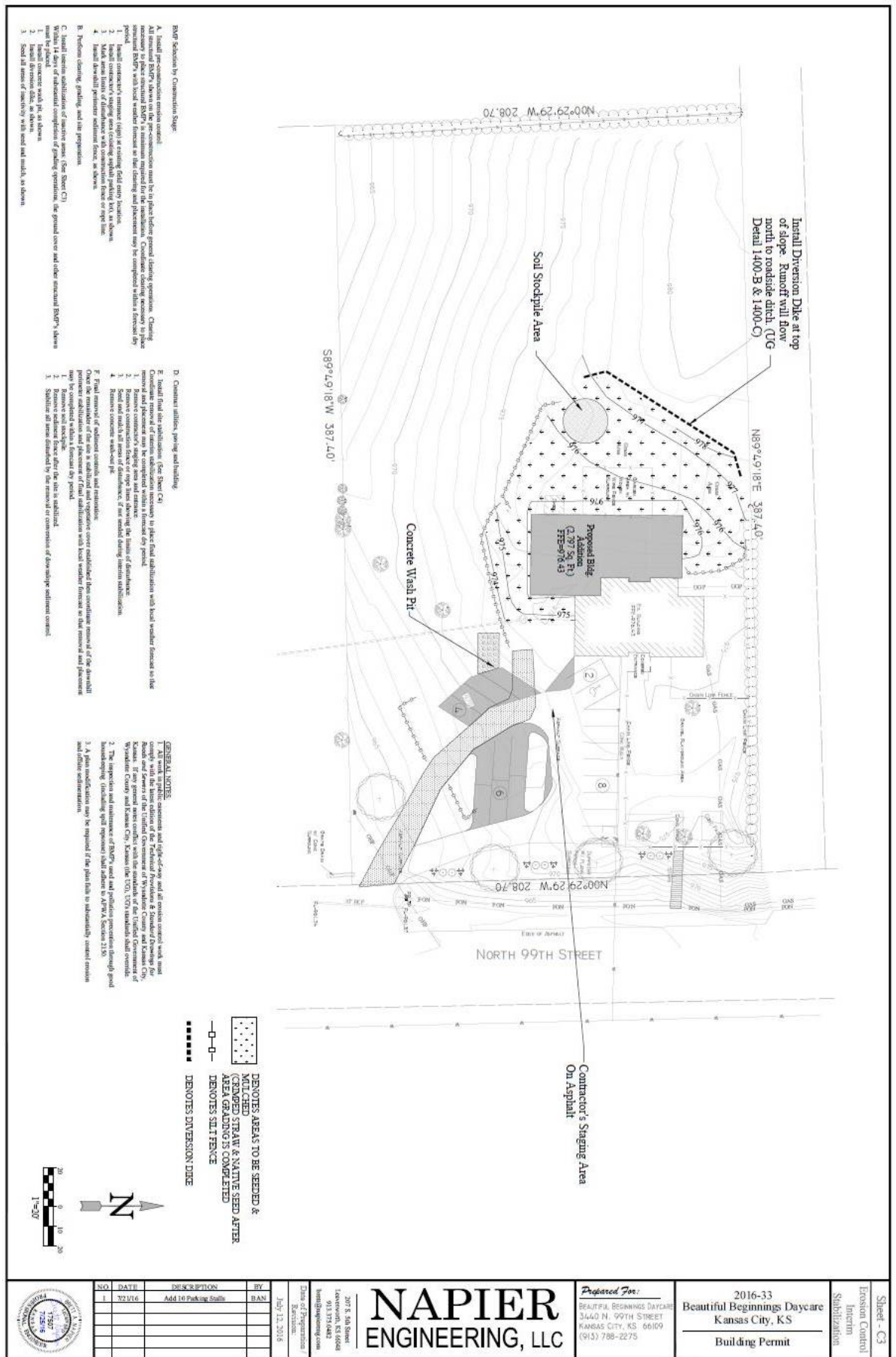
Minutes would have been taken by LaJoyce Calloway













I am greatly in support of the zoning request by this business. I feel that Mrs. Calloway, staff, and it's teachings are a great inspiration to this community, our children, and their education to facilitate positive striving adults in Kansas City. My son attended this school for about 4 years and is currently at the top of his class in the Piper school district. It will be of a tremendous asset to this community if Beautiful Beginnings is allowed to touch more lives with expanding it's location.

Sincerely,
LaShon Hollinshed
hollinshedlashon@yahoo.com
913 721-9703

Dear City Planning Commission Meeting Board of Zoning Appeals,

I am writing to **stand in full support of the Beautiful Beginnings Expansion**. My child was in the preschool program until 2015 when he started full time kindergarten at Piper Elementary. My experience with Beautiful Beginnings was a very positive one. Ms. Calloway, the Director of the facility went over and beyond her call of duty to help me find support for my son who suffered from developmental delays. When other childcare centers were throwing him out, Beautiful Beginnings opened their doors and said "let's work on helping him together", "we are here for you and your family". Those words were proven over and over again. My son felt safe at the Beautiful Beginnings and I always felt safe leaving him there. It is true that there are more young lives that can be forever changed for the better if Beautiful Beginnings is able to expand. The Piper School District is busting at the seams as more and more subdivisions and apartments go up! It would be a great help to our community if children are able to have the Beautiful Beginnings experience before heading to kindergarten. They will be fully equipped to read, write, potty, etc. Beautiful Beginnings is a early learning childcare center that I will promote for life. The staff are well trained and the facility is well cared for. I look forward to keeping this gem in our community and I look forward to the expansion.

Sincerely,
Mrs. Antoinette Starks

A message to City Planning Commission Meeting Board of Zoning Appeals, I support this expansion because of my personal experience at Beautiful Beginnings, I have had both of my children attend and graduate from this program, with my youngest daughter graduating this year. It is a diverse program where both of my children have learned and gained the experience needed to prepare them for elementary school and beyond. After my son graduated and attended kindergarten, his teacher was so impressed with not only his behavior but his academic skills for that level as well, he exceeded there expectations and as he got older tested into advance study classes. I don't look at Beautiful Beginnings as a daycare because they have an education program that prepares our children for the future with a excellent balance between learning and playing. I believe this is a well rounded program from the education they get, the field trips they attend and even the meals that are provided, that will benefit every single child that attends and it would be wonderful for them to expand and touch even more of our children's lives. I support this expansion 100%.

Thank you,
Monica Little



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: August 25, 2016
Re: Petition #SP-2016-58

GENERAL INFORMATION

Applicant:
Andre Hampton

Status of Applicant:
Owner
1728 North 32nd Street
Kansas City, KS 66102

Requested Action:
Approval of a special use permit for the temporary use of land for commercial purposes for the repair of guns and a home occupation special use permit for firearm sales

Date of Application:
June 24, 2016

Purpose:
Applicant is seeking a special use permit for the temporary use of land for commercial purposes for the repair of guns and a home occupation special use permit for firearm sales.

Property Location: 1728 North 32nd Street



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

Existing Surrounding Zoning: **North:** R-1(B) Single Family District
South: R-1(B) Single Family District
East: R-1(B) Single Family District
West: R-1(B) Single Family District

Existing Uses: **North:** Single Family Residence
South: Single Family Residence
East: Church
West: Vacant Lot/Single Family residence

Total Tract Size: 0.11 acre

Master Plan Designation: The City-Wide Mast Plan designates this property as Urban Residential

Major Street Plan: North 32nd Street is a designated Local Street

Advertisement: The Wyandotte Echo – July 14, 2016
Letters to Property Owner – July 14, 2016 and August 19, 2015

Public Hearings: August 8, 2016 and August 25, 2016

Public Opposition: Planning staff has received a call from a neighbor opposing the application. There were two (2) people present at the August 8, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant is requesting a special use permit for the temporary use of land for commercial purposes for the repair of guns and a home occupation special use permit for firearm sales.

Code Enforcement Actions: None

City Ordinance Requirements: Sec. 27-592 through 27-606, Sec. 7-212

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This is a predominantly single family neighborhood.

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

The neighboring properties are single family residences and a church. The operation of a business in a single family neighborhood could pose issues related to parking and traffic. Although the amount of traffic will not exceed the capacity of the street network to accommodate it, it may disrupt the quiet, neighborhood character of the street, depending on the number of customers that frequent the business and the hours of operation.

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

Firearms of any kind in a neighborhood can create some legitimate concerns among neighbors. Staff will gauge neighborhood concerns or lack thereof expressed during the neighborhood meeting and public hearing to help determine if this application is appropriate for this area.

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

The property is currently the home of the applicant.

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

The Master Plan does not address home occupations.

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 will not increase vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

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.*

A home business is not necessary for the convenience and welfare of the public. If the business is properly operated and supervised, it should not create an adverse effect on 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.*

This should not be an issue. Using a firearm within city limits is illegal, therefore there will be no noise associated with using a firearm.

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

The proposed use will not pollute the air, land, or water.

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

This is not an issue.

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

The denial of the special use permit would prevent the owner from operating a firearm relates business at this location.

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

This is not an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 18, 2016. According to the applicant, no one attended the meeting.

KEY ISSUES

Neighborhood concerns
Amount of inventory on the premises
Ammunition
Projected sales
Safety and Security
Restrictions

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2016-58, subject to:

Urban Planning and Land Use Comments:

Stipulations:

The applicant shall have:

1. No signs.
2. No employees other than members of the immediate family residing on the premises.
3. No clients coming to the home.
4. Ammunition on the premises shall be limited to the amount that is for the applicant's personal use and testing only.
5. Approval will be for two (2) years.
6. No more than two (2) gun sales per month.
7. Maximum of no more than then ten (10) guns on the property at any one time.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) None.
- B) Items that are conditions of approval (stipulations):
- 1) None.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 #SP-2016-58 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
 Aerial Photo
 Response to Staff Comments
 Meeting Minutes, Sign in Sheet, and Affidavit

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	August 8, 2016	August 25, 2016
Special Use	Minutes	

STAFF CONTACT:

Zach Flanders

zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-58** 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 #**SP-2016-58** 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.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-58 – ANDRE D. HAMPTON - SYNOPSIS: Special Use Permit for the Temporary Use of Land for commercial purposes for the repair of guns and a Home Occupation Special Use Permit for firearm sales at 1728 North 32nd Street

Recording Secretary Parker stated that the following items should be 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 August 8, 2016;
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 dated July 14, 2016; and
7. The Notices to property owners dated July 14, 2016.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Andre Hampton, 1728 North 32nd Street, Kansas City, Kansas, applicant, appeared in support of this application. In 1976 he was in the army as a mechanic. From 1986 to 1996 he was with TWA as a jet mechanic. From 1996 until 2014 he was at the Board of

Education as an IT supervisor for Apple computers. He does not want to sell guns; he only wants to repair the guns.

Chairman Huey stated that he has no intention of selling guns but just wants to repair them. Mr. Hampton stated yes. Chairman Huey stated that in his response in the staff report it says projected number of sales per day/month and he stated 2 sales per day for a total of 60 sales per month. Is that strictly for sales towards repairs? Mr. Hampton stated that if he has a sale it will not be because he is trying to market weapons; it would be if someone wants to sell a gun to a relatives or something like that. Most of the time he wants to just fix them; he does not want to sell them or do ammunition in his home. Chairman Huey asked how he would market his business since this is a home business without signage, etc. Mr. Hampton stated that it would come through gun stores, pawn shops, Cabala's or Academy. He stated that these people sometimes have gunsmiths on site and sometimes they have modification orders that he can do at a slower pace. If a pawn shop gets a weapon in and it has a bad firing pin he can do that kind of work. Chairman Huey asked if he would ever have anyone coming to his home. Mr. Hampton stated no. He would go to the gun dealership to pick up the gun and he would return the gun to the dealership. The traffic in his neighborhood will not change. He can work at a pace that he is comfortable with. Chairman Huey asked if there is any licensing that is required. Mr. Hampton stated that he will work with his son and he will be the service provider for the parts, etc.

(Questions were asked by one of the members of the Commission that did not have their microphone on.) Mr. Hampton stated that he will do work that does not require any machinery. He will have to take them apart and repair them. He stated that if for instance Metro Pawn has a gun that needs repair, they will have to transfer paperwork and then he will transfer back to them. There will be no traffic in and out of his home. It will be between him and whatever dealer he is working with. He needs a special use permit to operate out of his home. He stated that he does not want signs in his yard, ammunition in his home or any traffic. He stated that if he is the vendor that is selected on the list that a company has, the customer will have to transfer custody of the weapon to the vendor. If it is Cabala's, they will pick the gunsmith they want to use. If a customer brings a gun to Cabela's for repair, Cabela's will have a list of gunsmiths and they can choose the one that they want to look at the gun.

Planning Commissioner Connelly thanked Mr. Hampton for his service in the military. He stated that he is looking at the staff report and the number of weapons that he said that he would have on the property at any given time. Mr. Hampton stated that he needed to put a number down and he would assume that at any given time he would not have more than 5 or 6. Mr. Connelly asked if they will be properly stored. Mr. Hampton stated yes. His house has an alarm system and he will have them locked in a vault so that if someone breaks into the house they cannot carry the vault down the street. Also his security system has monitoring with it.

Chairman Huey asked if he will have ammunition for sale in the home. Mr. Hampton stated no; there are many different types. Planning Director Richardson stated that the applicant may have his own ammunition on site but not for sale.

Planning Commissioner Schwartzman stated for instance if he gets a gun with a bad firing pin how he knows that the guns works for sure after it is repaired if he does not fire it. Mr. Hampton stated that he will take it to the firing range to make sure it works before he returns it.

Planning Commissioner Carson asked if people would have to bring him ammunition for the gun for when he is ready to shoot it. Mr. Hampton stated that he will make sure he has the ammunition because he does not want people coming to his home with guns or ammunition.

Planning Commissioner Jones asked a question that could not be heard (microphone off.) Mr. Hampton stated that he will if they ask him but he is not advertising.

Planning Commissioner Serda asked if there is a Federal licensing for gunsmiths. Mr. Hampton stated yes; he is present for the special use permit as the first step before he applies for his Federal licensing. Dr. Serda stated that he would not have a problem if that is one of the stipulations. Mr. Hampton stated no; that is part of his plan.

Ms. Laura Drescher, Blue Door Project, 3535 Wood Avenue, Kansas City, Kansas, appeared concerning this application. She stated although she does support Mr. Hampton's business she does not believe that this is an appropriate location for this type of business. The application stated that he is able to have up to 50 firearms on his property at any time and she has three (3) main concerns with this. The first is the security in the area. Thirty-Second Street is not a busy street and there is not a lot of police patrol or traffic on the street. There are good lights but she is concerned about a location that may have this many firearms in it especially since she and her husband have a new child and 16 teenagers will be living on the other side of the block. There is a church to the left and one across the street. Both of these were previously used as schools and there have been some great discussions with organizations, especially the church on the left, about future uses in redevelopment for a school or a community resource and outreach center. She would not like to have those opportunities stifled knowing that there is a location around the corner associated with gun sales. The last concern is the apartment complex that is located behind Mr. Hampton's residence (Oak Wood Garden.) This is a Section 8 housing facility that the Housing Authority and Wyandotte County Mental Health frequently work with to place their clients. When they were looking for their facility they had heard that the apartment complex had a lot of behavioral issues especially with gun fire. They have done things to assess these concerns and have someone there full-time now and the problems are better. She is concerned about that many firearms that close to this property.

Planning Commissioner Jones asked a question that could not be heard on the tape. Ms. Drescher stated that they did not receive a letter regarding the neighborhood meeting because they are not within 200'. Mr. Hampton's neighbor did not receive a letter concerning the neighborhood meeting but did receive one for the meeting tonight and she passed it along to her. They are new residents in the area and the neighbor knew that they would want to know about this. The application says that he has two (2) sales per day and 60 sales a month and will have 50 firearms on the property at one time.

Chairman Huey stated that Mr. Hampton clarified that he does not intend to sell guns directly but on occasion he may. There is proper licensing that he has to do in order to complete any transactions. He also clarified that the maximum number of firearms would be 5 or 6 and not 50. Ms. Drescher stated that she heard that but she was not sure he would be held to those numbers or the numbers in his application. She is much more comfortable with the lower numbers.

Planning Commissioner Connelly asked how many weapons she thinks are in the surrounding homes now. Ms. Drescher stated that she understand that many homes may have collections of firearms but that is not advertised. Her concern would be that people know that this home had up to 50 firearms and that would increase the chance of a break in. She is not concerned about people purchasing guns but if his property will be more apt to theft. Mr. Connelly stated that the applicant stated that he would not advertise and people would not come to his home. Mr. Drescher stated that she did not get the explanation because she was not invited to the neighborhood meeting (because she is not within 200').

Planning Commissioner Pauley asked if there is a way to rephrase the explanation of the application so it better describes what he is proposing. Planning Director Richardson stated yes.

Ms. Drescher stated that she became aware of the application from one of the neighbors and called the city directly and she got the answers that she could and said that she would be present this evening. She stated that another neighbor was present tonight but had to leave.

Ms. Pat Brunner, 1729 North 30th Street, Kansas City, Kansas, appeared concerning this application. She stated that she is just a couple of blocks away from where the guns will be. The neighborhoods are on edge anyway with the guns and way things are right now. Knowing that the guns will be here is very upsetting. There are three churches, a day care and Blue Door moving into the area and they do not think that this is a good asset to this neighborhood.

Planning Commissioner Jones asked if she knew Mr. Hampton prior to this meeting. Ms. Brunner stated no. Ms. Drescher stated that she did not know him either but she had heard from neighbors that he was a good neighbor and she is sure that he will conduct himself with integrity. If he is not going to conduct sales on the property and the number of firearms is limited to much less than 50 she will feel more comfortable. Chairman Huey asked if she feels better knowing that he will not have ammunition on site. Ms. Drescher stated that he could have his own ammunition. Chairman Huey stated so could her neighbors and she would not know. He did address security and it his response that all entry/exit points on the property are protected and secured by keyed locking system or electronic locking systems or a combination of both. In addition to these systems there is an alarm security system that protects the property from theft, vandalism and fire. There is also a firearm safe to secure firearms.

Mr. Hampton stated that he would say 5 to 10 at the most. He does not have the customer base for 50. He had to put something in the response to the question. He will

have a gun vault and security system and he is home every day. This is a hobby but it is a serious business to work on these guns.

Planning Commissioner Ernst asked if it would be fair to say that half the time the weapons do not work. Mr. Hampton stated when they come to him they do not work. When he gives them back, they will be in working conditions.

Planning Commissioner Schwartzman asked if his sales would be more repair sales after the guns are repaired. Mr. Hampton stated that if ABC gun shop calls him and says that they have a gun that needs to be repaired, they will have to transfer to him and once he is done he has to transfer it back; there is no sale. If someone says that they want to sell a gun to their son then that creates a sale and then he will need to have a license to do that. He wants to get his special use permit approved before he takes it any further. Mr. Schwartzman stated that when he said two (2) guns sales he was not making reference to his repair work. Mr. Hampton stated no.

Planning Director Richardson stated that when there is a sale involved, would he go to them or would the customer come to him. Mr. Hampton stated that they would have to come to him because he is not marketing sales. The only way something like that will occur is if one of the gun dealerships refers them but they are in the business of selling guns and he is in the business of repairing guns. He stated that he has been in his home for 28 years. He sent out neighborhood meeting letters to everyone within 200' at the Library at 625 Minnesota Avenue and no attended.

Planning Director Richardson stated that the applicant said that if the applicant is going to do sales this application will cost \$350.00 every 2 years. If he does not have sales, then all he will need is a regular home occupation permit and not a special use permit. If he is going to do enough sales to justify that expense that is one thing but if he is not, based on what he is saying now that he will not have anyone coming to his home, assembly only, no employees other than himself then he does not need a special use permit unless he has sales. Mr. Hampton stated that he wanted to make sure he had himself covered in case he did sell something. Director Richardson stated that if the staff recommended no more than 10 guns and 2 sales a month would that be acceptable to the applicant. Mr. Hampton stated yes.

Planning Commissioner Carson asked to clarify the type of guns that he will specialize in: will it be hand guns, AK 47, or heavy duty guns. Mr. Hampton stated that he has the capability to work on all of them but it will probably just be hand guns. Mr. Carson asked if he had a heavy duty gun does he pull into his garage; he is concerned that if someone sees him walking into his house with something large and shiny that puts him more at risk and confirms the lady's concern. What is the process on the larger guns? Mr. Hampton stated that he treats those weapons like a guitar. He does not travel with a strap over his arm. They would be in a case because he has to make sure he does not damage the gun in transport.

Chairman Huey stated that this Commission and Governing Body have allowed a special use permit for the sale of guns in homes. It is not advertised and all of them are by appointment only. His request is not unusual to this Commission. However, he will

have very limited sales and all the ones in the past have been for sales and not repairs. She just wanted to let those present know this information.

Planning Director Richardson stated that he would like to add two (2) recommendations to the stipulations:

6. No more than two (2) gun sales per month.
7. Maximum of no more than ten (10) guns on the property at any one time.

On motion by Ms. Jones, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-56:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

Stipulations:

The applicant shall have:

1. No signs.
2. No employees other than members of the immediate family residing on the premises.
3. No clients coming to the home.
4. Ammunition on the premises shall be limited to the amount that is for the applicant's personal use and testing only.
5. Approval will be for two (2) years.
6. No more than two (2) gun sales per month.
7. Maximum of no more than then ten (10) guns on the property at any one time.

Public Works Comments:

A) Items that require plan revision or additional documentation before engineering can recommend approval:

- 1) None.

B) Items that are conditions of approval (stipulations):

- 1) None.

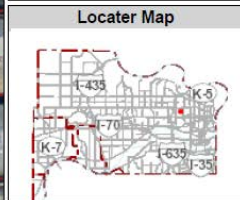
C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

- 1) None.



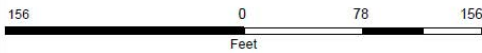
Legend

- Parcel IDs
- Points of Interest
- Lakes
- Rivers
- Streams
- Parks
- Platted Parcel
- Unplatted Parcel
- ROW Parcel
- Municipal Boundaries
- Railroads



Notes

Map Print Date: 7/28/2016 6:42 PM



Map Scale
 1: 939



(c) 2016 Unified Government

DISCLAIMER OF WARRANTY AND ACCURACY: Unified Government of Wyandotte Co./Kansas City, KS (UG) makes no representations or warranties about this map or its content, including, without limitation, accuracy, completeness, or fitness for any purpose. Users of this map document do so at their own risk; UG will not be liable to any such user for any loss or damage whatsoever.

Amount of Inventory on the Premises:

Does the applicant plan on selling firearms or only repairing firearms? **The applicant plans on doing firearm repairs and sales.**

What is the maximum number of firearms associated with the business that could be on the premises at one time? **50** This number, set by the applicant at this time, will be the limit that the city will approve.

Ammunition:

Will ammunition be sold on the premises? **NO**

Projected Sales:

What is the projected number of sales per day/month/year?

Projected sales 2 sales per day/ 60 sales per month

Safety and Security:

What kind of security measures will be employed to protect the inventory and maintain a safe environment?

All the entry/exit points of the property located at 1728 N 32nd St, Kansas City, KS. 66102 are protected and secured by Keyed locking system or electronic locking systems or a combination of both. In addition to these systems there is an alarm security system that protects the property from theft, vandalism and fire. There is also a firearm safe to secure firearms.

Andre D. Hampton
1728 N. 32nd Street
Kansas City, KS. 66102
(913)321-3615

MINUTES:

Application Number #SP-16402-00037

Date and Location: 07/18/2016

Meeting called to order at: 6:00PM

Names of people in attendance:

1. Andre D. Hampton, 1728 N. 32ND Street, Kansas City, KS. 66102

Introductions:

Presentation was going to be given by the applicant Andre Hampton. There was no one in attendance other than the applicant.

Questions and answers (include the following):

Meeting adjourned at: 6:50PM

Minutes taken by: Andre D. Hampton

07/18/2016

First Name	Last Name	MI	Street Address	Sign In
HOMIE ACCESS LLC			9218 METCALF AVE, #155	
IGLESIA CRISTIANA	MONTE DE SION		3121 WOOD AVE.	
JACKS CREEKS	APARTMENTS INC		757 ARMSTRONG AVE.	
SALINA	JOHNSON		1714 TENNYSON ST	
MADEROS	PROPERTY, LLC		2216 LAWRENCE AVE	
HECTOR	MADEROS		551 WESTVALE RD	
MARIA	MADEROS	R	551 WESTVALE RD	
THOMASINA	MORGAN		1723 N 32ND ST	
NEW LIFE	PROPERTIES, LLC		PO BOX 5051	
BEVERLY	OLEARY		1631 N 32ND ST	
JOSHUA	RAMIREZ		12 S BOEKE ST	
ERNESTO	RIOS		2409 WOOD AVE.	
MARIA	RIOS	I	2409 WOOD AVE.	
SELMA	SHELTON	J	1724 N 32ND ST	
GREGORY	STOUSE		3215 WOOD AVE.	
DEBORAH	STROHM	L	1826 TENNYSON ST	
ULRIKE	TERRELL		10545 WASHINGTON ST, APT 310	
DONNIE	THOMAS		1726 N 32ND ST	
MAX	WILLIAMS	D	3002 N 58TH ST	
KENNETH	WOODS		3213 WOOD AVE	
HAROLD	JOHNSON COMMISSIONER		701 NORTH 7TH STREET, 9TH FLOOR	
MELISSA	BYNUM COMMISSIONER		701 NORTH 7TH STREET, 9TH FLOOR	
DONNIE	THOMAS/KENSINGTON COMMUNITY AREA WATCH		PO BOX 2071	
ANDRE	HAMPTON	D	1728 N 32ND ST	
ALAN	ADRIANCE	F	1826 TENNYSON ST	
DEBORAH	ALEXANDER	L	1732 N 32ND ST	
AMIGO	INVESTMENTS LLC		3976 HEATHERGLENN LN	
AM	BENITEZ TRUST		759 NW 22 AVENUE	
COBBLESTONE	CONSTRUCTION LLC		15458 QUIVERA RD.	
WALTER	DOUGHERTY	R	1631 N 32ND ST	
JESUS	GONZALEZ	A	1221 GRANDVIEW BLVD	

Archie H. Hightower 5:45

First Name	Last Name	MI	Street Address	Sign In
JOHN	GRAHAM	ROBERT	8533 STEARNS ST	
BRUCE	GRAY	L	4501 GEORGIA AVE.	
LOLA	GRAY	M	4501 GEORGIA AVE	
JAIMIE	GROSS	TRUST	759 NW 22 AVENUE	
ANDRE	HAMPTON	D	1728 N 32ND ST	
DESHAI	HAMPTON	D	1728 N 32ND ST	
JIMMIE	HATTLEY	R	3212 WOOD AVE.	

Paulo D. Hampton 5145

AFFIDAVIT, PROPERTY OWNER CONSENT FORM
STATE OF KANSAS }
COUNTY OF Wyandotte } SS:

Comes now Andre D Hampton, of lawful age, sound mind and upon
(property owner)

his/her oath states as follows:

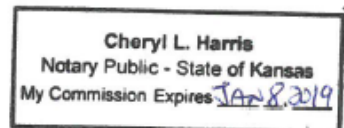
1. That I am the property owner of 1228 N 32ND St Kansas City, KS in Kansas City,
(Address) Kansas.
2. That I have reviewed the application for Andre D Hampton to
(Applicant)
operate/develop At Home Occupation / Gunsmith on my
(Proposed use)
property.
3. That after discussing the matter and fully reviewing the application, I authorize this
application and subsequent applications necessary to accomplish the plan/use noted
above, to be filed on my behalf.

Further affiant saith not.

Andre D Hampton
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 23rd day of June, 2016.
My commission expires JANUARY 8, 2019.

Cheryl L. Harris
Notary Public



BOZA Application

Case Number _____

4 of 7



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: August 25, 2016
Re: Petition #SP-2016-62

GENERAL INFORMATION

Applicant:
Terry D. Mason

Status of Applicant:
Applicant
Positive Role Models into
Demanding Excellence
1634 South 29th Street
Kansas City, KS 66106

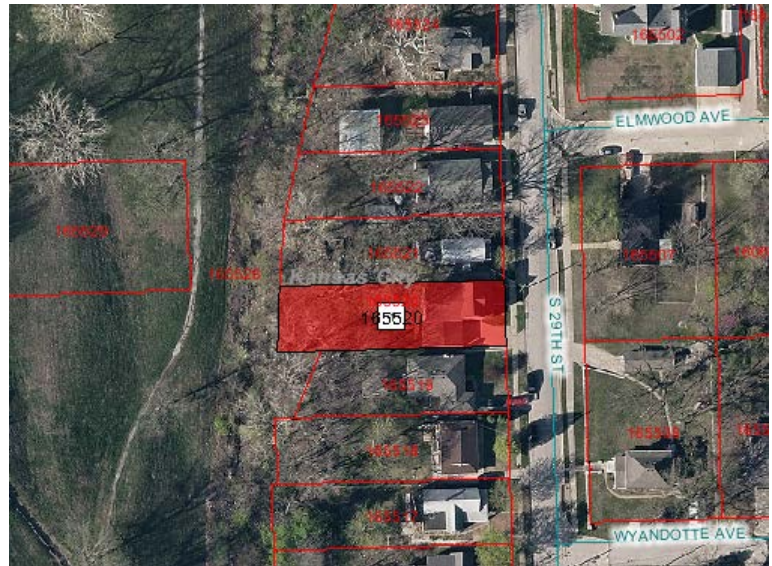
Requested Action:
Renew Special Use Permit

Date of Application:
June 15, 2016

Purpose:
To operate a group home for
youth 12 to 17 years old

Property Location:
1634 South 29th Street

Existing Zoning: R-1 Single Family District



Existing Surrounding Zoning: **North:** R-1 Single Family District
South: R-1 Single Family District
East: R-1 Single Family District
West: R-1 Single Family District

Existing Uses: **North:** Single family homes
South: Single family homes
East: Single family homes
West: Ruby Park

Total Tract Size: .20 acre

Master Plan Designation: The City-Wide Master Plan designates this property as Low Density Residential.

Major Street Plan: The City-Wide Master Plan classifies 29th Street as a local road.

Advertisement: The Wyandotte Echo – July 14, 2016
Letters to Property Owner – July 14, 2016 and August 18, 2016

Public Hearings: August 8, 2016 and August 25, 2016

Public Opposition: None one appeared in opposition at the August 8, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Terry Mason with Positive Role Models into Demanding Excellence wants to continue operating a group home for youths between the ages of 12 to 17 years old at 1634 South 29th Street.

Code Enforcement Actions: On July 12, 2016, Code Enforcement conducted an inspection of the property. The property was cited as requiring repair/replace any damaged/missing sections of gutters at the property. There was one gutter that had fallen down; Code Enforcement stated the level of repair work was “probably an afternoon’s worth.” Corrections are required to take place no later than August 1, 2016.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is comprised entirely of single family homes. To the west, the property abuts Ruby Park.

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

The zoning and their uses are set out above. The proposed may not be compatible with the single family homes in the neighborhood.

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

The youth group home may detrimentally affect nearby property. Property owners have objected to this use in the past, citing concerns for their property values and overall safety. However, staff is unaware of any issues resulting from this particular group home over the past two years.

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

The property is not vacant.

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

Special use permits are not addressed in the Master Plan.

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.*

Depending on the number of staff and clients at the residence vehicular traffic may increase but not to the point it exceeds the capacity of the street. This does not appear to have been an issue to date.

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 is not reasonably necessary for the convenience and welfare of the public. The proposed use may injure the marketability of adjoining properties.

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.*

This should not be an issue.

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

This should not be an issue.

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

This should not be an issue.

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

There is no relative gain to the public health, safety and welfare. If this special use permit renewal is denied, the applicant will have to find an alternate location to have this group home.

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

The staff believes that overcrowding of the land has not and will not be an issue but cannot make that determination until the information about the exact number of staff and clients staying on the property are submitted.

PREVIOUS ACTIONS

Approval of SP-2016-62 in June of 2014.

NEIGHBORHOOD MEETING

The applicant conducted a neighborhood meeting on July 25, 2016. According to the applicant there was one neighbor in attendance.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2016-62, subject to:

Urban Planning and Land Use Comments:

1. Per Sec. 27-340 Family means one (1) or more persons who are related by blood or marriage, and including any foster children, or a group of not more than five (5) persons living together by joint agreement on a non-profit cost sharing basis, or a combination of persons related by blood or marriage along with no more than two (2) unrelated adults to a maximum number of (5) persons, living together and occupying a single housekeeping unit with single kitchen facilities. In addition, up to ten persons, including eight or fewer persons with a disability or handicap and

not to exceed two staff residents residing in a dwelling shall be considered to be a family. Handicapped persons are defined in Title VIII of the Civil Rights Act of 1968, as amended by the "Fair Housing Amendments Act of 1988.

Applicant Response: There will be 5 children sharing this residence with staff supervision.

2. Are the youths from Wyandotte County or are they from the Kansas City metropolitan area?

Applicant Response: The children will come from Wyandotte County and neighboring counties from the state of Kansas.

3. How are the youths chosen for this particular group home?

Applicant Response: The children are referred to us from placement agencies as they do in foster care. We then review their diagnosis, history of violence and sexual acting out so that these can be screened out.

4. Based on the four bedrooms, how many youths will be in the group home?

Applicant Response: 5

5. How many vehicles will be making trips to this location?

Applicant Response: 4-5

6. How many staff members will reside at the home?

Applicant Response: No staff will reside in the home.

7. What are the proposed hours of operation?

Applicant Response: The home is 24 hours a day 7 days a week.

8. What is the typical, day-to-day operation of the group home?

Applicant Response: It's much like a foster home. The children will have breakfast in the morning, go to school, come home from school and do homework and chores. They then will have the option of watching television, group activities, video games, etc. Some evenings they will meet w/ Clinical Director for individual therapy. They will have dinner, shower and go to bed. If there is no school we will have scheduled activities in and out of the home.

9. Are there plans for visitors?
a. If so, where will they park?

Applicant Response: The only visitors are caseworkers who typically come once or twice monthly and they parent/parents for family therapy. They will park in front of the home.

10. No signs shall be posted on the property.

Applicant Response: There will be no signs posted on the property.

11. Building Inspection Department and/or Fire Department might require upgrades to the house; applicant will ensure there are no updates required from either of these departments. If updates are required they must be addressed prior to approval.

Applicant Response: The home has already been inspected and approved by the Fire Department.

12. Have there been any issues with the neighbors in the past two years since the group home has started?

Applicant Response: No.

Public Works Comments:

None

Staff Conclusion:

At the time of this report, Code Enforcement has not yet re-inspected the property. Staff recommends approval for two (2) years.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 #SP-2016-62 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
Aerial Photographs
Applicant Response Letter
Neighborhood Meeting Minutes
Floor Plan

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	August 8, 2016	August 25, 2016
Special Use	Approval	

STAFF CONTACT: **Kyle Kobe** **kkobe@wycokck.org**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-62** 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 #**SP-2016-62** 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.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-62 – TERRY MASON WITH POSITIVE ROLE MODELS INTO DEMANDING EXCELLENCE – SYNOPSIS:

Renewal of a Special Use Permit (#SP-2014-34) for a group boarding home for youth 12 to 17 years old at 1634 South 29th 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 August 8, 2016;
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 permit; and
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone comes forward and asks that an item be removed from the Consent Agenda."

Chairman Huey asked if any member of the public, staff or Commission wished to remove an item from the Consent Agenda. Mr. Curtis Peterson asked that Plan Review #PR-2016-21 be removed from the Consent Agenda.

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present
Motion to APPROVE Passed: 8 to 0	
Subject to:	

Urban Planning and Land Use Comments:

1. Per Sec. 27-340 Family means one (1) or more persons who are related by blood or marriage, and including any foster children, or a group of not more than five (5) persons living together by joint agreement on a non-profit cost sharing basis, or a combination of persons related by blood or marriage along with no more than two (2) unrelated adults to a maximum number of (5) persons, living together and occupying a single housekeeping unit with single kitchen facilities. In addition, up to ten persons, including eight or fewer persons with a disability or handicap and not to exceed two staff residents residing in a dwelling shall be considered to be a family. Handicapped persons are defined in Title VIII of the Civil Rights Act of 1968, as amended by the "Fair Housing Amendments Act of 1988.

Applicant Response: There will be 5 children sharing this residence with staff supervision.

- 2. Are the youths from Wyandotte County or are they from the Kansas City metropolitan area?**

Applicant Response: The children will come from Wyandotte County and neighboring counties from the state of Kansas.

- 3. How are the youths chosen for this particular group home?**

Applicant Response: The children are referred to us from placement agencies as they do in foster care. We then review their diagnosis, history of violence and sexual acting out so that these can be screened out.

- 4. Based on the four bedrooms, how many youths will be in the group home?**

Applicant Response: 5

- 5. How many vehicles will be making trips to this location?**

Applicant Response: 4-5

- 6. How many staff members will reside at the home?**

Applicant Response: No staff will reside in the home.

- 7. What are the proposed hours of operation?**

Applicant Response: The home is 24 hours a day 7 days a week.

- 8. What is the typical, day-to-day operation of the group home?**

Applicant Response: It's much like a foster home. The children will have breakfast in the morning, go to school, come home from school and do homework and chores. They then will have the option of watching television, group activities, video games, etc. Some evenings they will meet w/ Clinical Director for individual therapy. They will have dinner, shower and go to bed. If there is no school we will have scheduled activities in and out of the home.

- 9. Are there plans for visitors?**
a. If so, where will they park?

Applicant Response: The only visitors are caseworkers who typically come once or twice monthly and they parent/parents for family therapy. They will park in front of the home.

10. No signs shall be posted on the property.

Applicant Response: There will be no signs posted on the property.

11. Building Inspection Department and/or Fire Department might require upgrades to the house; applicant will ensure there are no updates required from either of these departments. If updates are required they must be addressed prior to approval.

Applicant Response: The home has already been inspected and approved by the Fire Department.

12. Have there been any issues with the neighbors in the past two years since the group home has started?

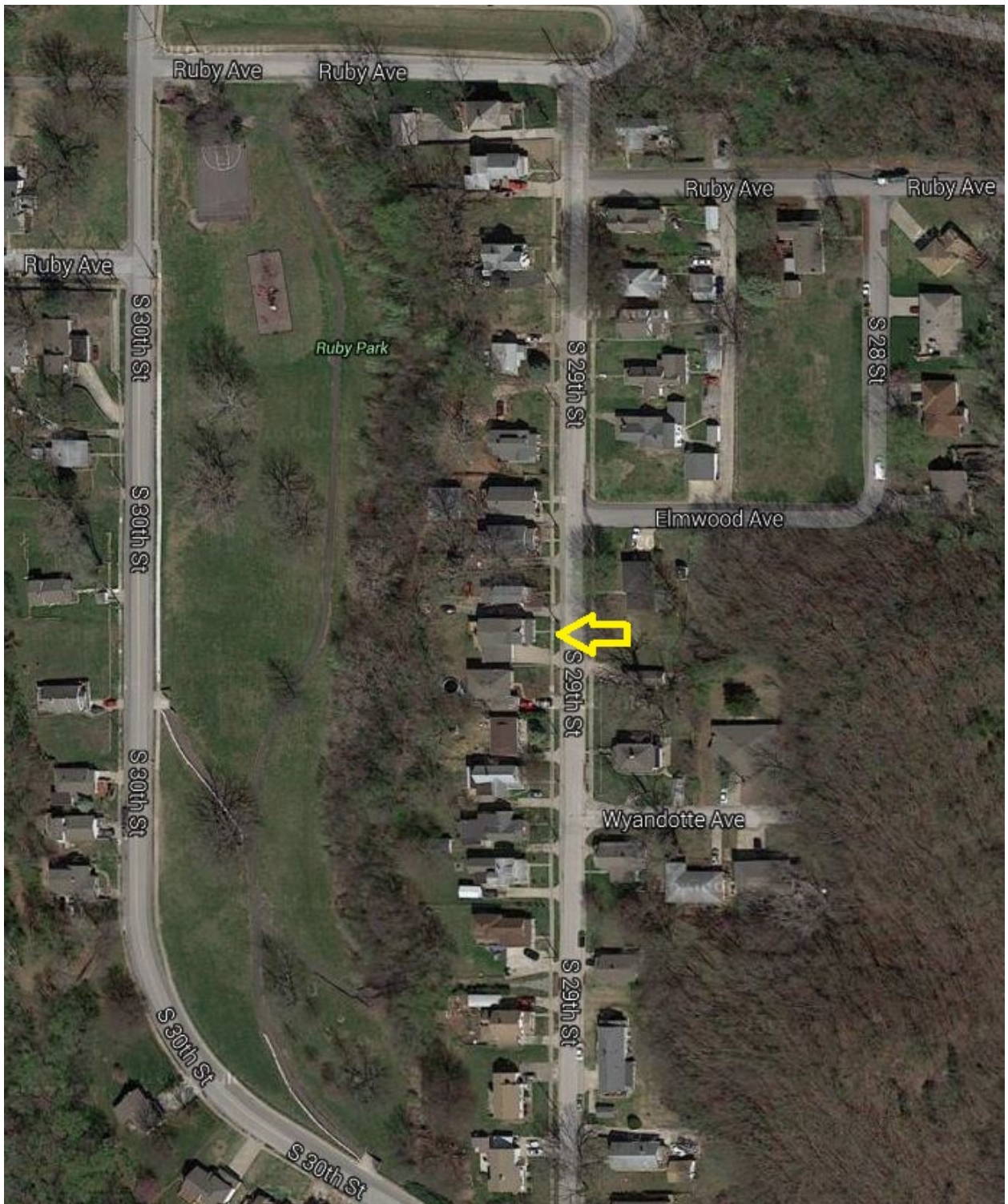
Applicant Response: No.

Public Works Comments:

None

Staff Conclusion:

At the time of this report, Code Enforcement has not yet re-inspected the property. Staff recommends approval for two (2) years.



Aerial Photo of surrounding area (provided by Google Maps)



Photograph of 1634 South 29th Street (provided by Google Maps - Street View).



Aerial photograph of 1634 South Street (provided by Bing Maps).

July 25, 2016

Positive Rolemodels Into Demanding Excellence (P.R.I.D.E.)

Draft Comments:

1. There will be 5 children sharing this residence w/staff supervision.
2. The children will come from Wyandotte County and neighboring counties from the state of Kansas.
3. The children are referred to us from placement agencies as they do in foster care. We then review their diagnosis, history of violence and sexual acting out so that these can be screened out.
4. 5
5. 4-5
6. No staff will reside in the home.
7. The home is 24 hours a day 7 days.
8. It's much like a foster home. The children will have breakfast in the morning go to school, come home from school and do homework and chores. They then will have the option of watching tv, group activities video games etc. Some evenings they will meet w/Clinical Director for individual therapy. They will have dinner, shower and go to bed. If there is no school we will have scheduled activities in and out of the home.
9. The only visitors are caseworkers who typically come once or twice monthly and they parent/parents for family therapy. They will park in front of the home.
10. There will be no signs posted on the property.
11. The home has already been inspected and approved by the Fire Department.
12. No

Town Hall Meeting Minutes

Application Number: **#SP-14402-00024** (Ref: SP-2014-34)

Date: **Monday, July 25, 2016**

Location: **Wilhelmina Gill Multi-Service Center, 645 Nebraska, Kansas City, KS 66101**

Meeting called to order at: **7:06 p.m.**

Names of people in attendance:

- **Dustin Dye**

Introductions:

Jerald Payne LSCSW, LCSW, Psychotherapist-Clinical Director

Terry Mason- Director

Mr. Payne gave an overview of the group home P.R.I.D.E. (Positive Role models Into Demanding Excellence)

Mission Statement: The P.R.I.D.E. mission is to provide individualized skills to cope with everyday life, basic education, job skills, cultural enlightenment, and financial responsibility to transition adolescents into productive adults.

- Mr. Payne talked about going through the zoning process to open P.R.I.D.E. up as a 5 bed group home to serve C.I.N.C. (Children In Need of Care) kids who are children who have been removed from the home due to abuse (physical, sexual, and/or neglect) and they are a part of the child welfare system/foster care system.
- Discussed the change from a group home to a children's shelter based on the greater need for a shelter vs. a group home in the area for children that are needing immediate placement. The shelter will serve children that are in P.P.C. (Police Protective Custody)

Example: If a family has an incident of domestic violence and police are called to home and children need to be removed from the home, these children need to be placed in a shelter until the case worker can find a long term place for the children to live.

- Ms. Mason talked about how long it took to get the behind the scenes work done in order to be able to open the group home, which was about a year. She also added the importance of having the proper staff to care for the children. She is seeking to hire staff that have a passion to care for children. She has been a foster parent for over 25 years and the importance of being able to relate to the children is very important to her. The purpose of having this facility is to change the lives of the children that are placed. It is very important to catch these children early to help them become productive members of society so they can reach back and help other children. She further explained that this is still a group home, however, P.R.I.D.E. is transitioning to a children's shelter vs. a group home. Ms. Mason and Mr. Payne will be very hands on when working with the children as well to be sure that the children aren't experiencing any more trauma.
- Ms. Mason also added that the home has been completely remodeled.

Terry Mason- Director

Terry Mason is the CEO/Co-Owner of S.P.R.U.C.E. (Special People Requiring Unique Care Equally) S.P.R.U.C.E. is an agency located in Kansas City Missouri that works w/ Individuals who are intellectually challenged in a non-facility based form of residential rehabilitation which provides 24/7 support and training services to them in their own homes. Terry Mason is also a Career level foster parent in Missouri and has been for the past 16 years. Terry Mason has worked w/youth holding various positions working w/disadvantaged youth for the past 27 years.

Jerald Payne LSCSW, LCSW, Psychotherapist- Clinical Director

Jerald Payne has been a therapist since 1998. He is currently in private practice, with Payne, Hogan & Associates, with offices in both Kansas and Missouri. Jerald specializes in children and adolescent treatment services addressing such issues as anger management, drug/alcohol abuse, gang affiliation, truancy, theft, depression, bipolar disorder, attention deficit hyperactivity disorder, oppositional defiant disorder, conduct disorder,

sexual and physical abuse (victims and perpetrators). Jerald Payne received his Bachelor's degree in Pre-Law/Interdisciplinary Social Sciences (Psychology concentration) from Kansas State University in 1992, and his Masters in Social Work (Clinical) from the University of Kansas, in 1998. He is licensed in the states of Missouri and Kansas as a Licensed Specialist Clinical Social Worker.

Questions and Answers:

Q1: Dustin: Where did you get your Masters in social work? (question directed towards Mr. Payne)

A: Jerald: Kansas University

Q2: Dustin: What qualifications do you have Ms. Mason?

A: Terry: I don't have a personal degree myself, however, I do have a business on the Missouri side S.P.R.U.C.E. (Special People Requiring Unique Care Equally). I have had that for about 9 years. I've worked with children since the age of 18 starting at the Boys and Girls Club. I have been a mentor, and I have over 30 years experience working with children. I have a passion to work with children.

Q3: Dustin: What is Ginuwine's association with the facility?

A: Terry: He is the financial piece of the facility. He also has a business with me on the Missouri side S.P.R.U.C.E. that works with special needs. When I told him that I wanted to open this facility, working with children, he wanted to be involved because he loves working with children. He feels like he can really relate to children with his trials and tribulations that he has faced in life himself.

Q4: Dustin: Is P.R.I.D.E. non-profit?

A: Terry: No, it is for profit.

Q5: Dustin: How are you incorporated?

A: Terry: L.L.C.

Q6: Dustin: Where do you get your funds from?

A: Terry: Ginuwine is the financial background as I stated earlier, so anything that we need right, it comes from him. When the children are placed in the home there is a subsidy that will come with them, so that is

how we will take care of the children and take care of our staff. We need to make sure they eat and are taken care of very well. Anything additional, that they need that is not supplied we will take care of that.

Q7: Dustin: Who gives you the subsidy?

A: Terry & Jerald: The contracted agency whether it be K.V.C, D.C.F., which would be the State of Kansas because that is who they are employed by.

Q8: Dustin: How long do you get the subsidy? Do you have to remain in the group home for a number of years?

A: Terry: The subsidy is for as long as you have the child.

Q9: Dustin: There is an elderly blind man that lives next door, people are worried about their safety. There is a safety concern on our block.

A: Jerald: There are two types of children in the foster care system. C.I.N.C. (Children In Need Of Care)- those are children that have been placed in the system because of abuse or neglect or J.J.A. children who are under the umbrella of the Department of Corrections- those are children that have been placed because they have committed crimes and are now on probation. We were never taking the J.J.A. kids that are with the Department of Corrections. I can understand the neighbors having concerns that is something that we explained multiple times even before the Commissioners. These children we are taking are victims of abuse and neglect. They do not have any criminal records, nor have they been on probation and are not a part of the Department of Corrections at all. Even with us switching to a shelter, we will still be only accepting C.I.N.C. (Children In Need Of Care). Children that are under the Department of Corrections will not be able to be housed with our children. There will never be a case where we have C.I.N.C. and then periodically we take a child that is on probation. Kansas does not allow those children to be mixed together under the same roof. Bringing juvenile delinquents into the neighborhood was never part of the plan, and we have thoroughly explained that.

Q10: Dustin: Will the group home on the street bring down property value?

A: Terry: That question came up last year and I'm not for sure how the Commissioners answered that question. Our group home is actually considered a family because we don't have over 5 children. Once you get over a certain number of children then it becomes a residential facility. It is equivalent to a mother or father taking 5 kids in. We just simply have staff in place 24/7, the children are never by themselves. We also have alarms on

our windows because we want our children to be safe as well as the neighborhood. Everything is monitored we have t.v. monitors as well. If I felt like me as a foster parent myself, if I had a child with high risk behavior, such as a danger to other children in the home or the community, I honestly hate to remove kids because I feel it is a sign of rejection, however, if that were the case I would have to remove that child. That would mean that the child is not ready for the level of structure that we offer, they would need something else.

A: Jerald: To answer your question about bringing down property values, we don't have a direct answer for that, but we have been approved to be open for the past two years, so have any of the neighbors stated that their property value has decreased within the past couple years? It hasn't been brought to our attention that anyone's property value has decreased.

A: Dustin: No one has said anything to me, but I have seen my appraised value go down slightly in the past couple years from when I purchased my home.

A: Jerald: Was this attributed to the group home?

A: Dustin: I didn't question why it was appraised at that value.

A: Jerald: We were concerned about the appraised value of the group home going down because there are some homes that are poorly kept, which is not the case with the group home. At the time we acquired the group home some homes that had broken toilets laying out in the back yards, discarded furniture laying out, so property value has been a concern of ours as well. We do not want the value of the group home to decrease because of how people keep their property. All we can do is make sure that we take proper care of the group home. Again, it has not been brought to our attention that property value has decreased because there is a group home in the area.

Q11: Dustin: You stated there will be staff at the home 24/7?

A: Terry & Jerald: Yes, we both will come and go, but that is in addition to the staff that 24/7.

Q11: Dustin: Who are the 24/7 staff?

A: Terry: The staff that we hire. Shifts will be: 7-3,3-11,11-7

A: Jerald: Those are the teaching parents. The house will have teaching parent staff, a house manager, and then myself Clinical Director. The staff that will be there 24/7 are the teaching parents.

Q12: Dustin: What qualifications do the teaching parents have?

A: Jerald: In order for them to be able to provide care to children that are in State custody. They have to pass thorough background checks, they

cannot have a criminal background, and they have to be drug free. They have to pass an abuse and neglect background check and participate in all the educational courses that the State requires: first aid, CPR, being certified to give medication, being trained in de-escalation techniques, plus ongoing trainings and education. My part there is to offer them training on the specific diagnostic being presented by the children.

Q13: Dustin: How would the children and staff give back to the community?

A: Jerald: One way that we discussed is to provide on-going trainings/community trainings. I can provide psycho educational trainings at the community center or trainings on PTSD. What we feel has been the cause of some of the neighbors anxiety of a group home opening around them is their lack of knowledge on childhood disorders and the effects of trauma. The children themselves will provide community service.

A: Terry: We want to teach them to give back because so much is given to them.

Q14: Dustin: Will you have more listening sessions?

A: Terry: Absolutely, you have both, mine and Jerald's information and we will provide you with our business cards that also have our cell numbers on them. You just let us know when you want to meet. We can meet at my office or Jerald's office, better yet, it would be great to meet at the group home, so you all will be able to see what it looks like. I think that would be great. We can meet once a month, once every 3 months, or once every six months. Just let us know, we are open at any time to talk. We want you all to be very involved. We are in the community, so we definitely want community involvement. Even if you are taking baby steps and have any questions or concerns, please feel free to contact one or both of us. We want the neighborhood to feel they have a voice.

Q15: Dustin: This is a question that I have. Maybe the kids are good, staff is fine, and the house is kept nice. I read that sometimes these homes or shelters attract bad people such as the family trying to get the kids back. Is that anything you have seen before?

A: Terry: I have never seen that. The only time that family is involved is when it has to go through the court.

A: Jerald: The parents that have lost their children, they want their children back, so they are advised to comply in order to get their children. The last thing they would want to do is show up and say they want to see their child. They must be in compliance with treatment plans that have been set for them. Most of the time they are not told where the children are.

Q:16: Will you have a formal open house for the neighborhood?

A: *Terry:* We have already had one for businesses, but we can definitely have one for the neighborhood.

Dustin thanked Ms. Mason and Mr. Payne and in return Dustin was thanked for taking time out of his day as well.

Meeting adjourned at: 7:35 p.m.

Minutes taken by: Clydette Johnston



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners

From: City Staff

Date: August 25, 2016

Re: Petition #PR-2016-18 and #SP-2016-65

GENERAL INFORMATION

Applicant:
David Ficklin

Status of Applicant:
Representative
Kansas Stadium Partners,
Inc.
1511 Baltimore Avenue
Kansas City, MO

Requested Actions:
Preliminary Plan Review
and Special Use Permit for
training center for Sporting
KC and US Men's Soccer,
and Children's Mercy Sports
Medicine Center

Date of Application:
June 24, 2016

Purpose:
Approve plans for training
center for Sporting KC and
US Men's Soccer, and
Children's Mercy Sports Medicine Center



Property Location: South of Parallel, East of 98th Street

Existing Zoning: CP-2 Planned General Business District

Surrounding Zoning:

North:	A-G Agriculture District
South:	CP-2 Planned General Business District
East:	CP-2 Planned General Business District
West:	Interstate I-435

Existing Uses:

North:	Residential
South:	Dairy Farmers of America headquarters, Schlitterbahn Vacation Village
East:	Commercial
West:	Interstate I-435 and Legends retail center

Total Tract Size: 50.49 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Planned Mixed Entertainment and Commercial District.

Major Street Plan: 98^h Street is a designated Collector street

Advertisement: The Wyandotte Echo – July 14, 2016
Letters to Property Owners – July 14, 2016 and August 19, 2016

Public Hearings: August 8, 2016 and August 25, 2016

Public Opposition: No one appeared in opposition at the August 8, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Mr. Ficklin is seeking approval to build a 76,000 square foot training center for Sporting KC and US Men's Soccer, and Children's Mercy Sports Medicine Center

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-245 – 27-339

STATUTORY REQUIREMENTS/FACTORS TO BE CONSIDERED

1. Neighborhood character.

This property is surrounded by current or future commercial development, the proposed use is compatible with other projects in the 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 is compatible with them.

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

The removal of the restrictions will not detrimentally affect nearby property.

4. *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 increase traffic and parking demands for the site which is currently undeveloped. This is not expected to have a negative effect on nearby properties, however.

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

This use is in line with the Master Planned use of entertainment and commercial space.

6. *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, a training facility and medical center is not necessary for the convenience and welfare of the public however the medical center will be a benefit to the community and this project is not expected to substantially injure the appropriate use, visual quality or marketability of nearby property.

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

This is not an issue.

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

a. *Water service*

To be designed and built to Unified Government standards.

b. *Sanitary sewer service*

To be designed and built to Unified Government standards.

c. Storm water control

To be designed and built to Unified Government standards.

d. Police

Police service is provided by the West Patrol, District #223

e. Fire

Fire service is provided by Station #6

f. Transit

Transit stops are located on Village West Parkway

g. Schools

Piper USD 203

9. The capability of the proposed use to meet applicable ordinance and other requirements.

This plan meets all ordinance requirements.

10. The Character of the Neighborhood.

The neighborhood is commercial in nature with large scale commercial, retail, and office developments in the area.

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

The commercial nature of this operation could be a compatible use.

12. The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property.

This is not expected to have a negative effect on nearby properties.

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

This property is part of a large development project that is in early stages.

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

This project, in a commercial district conforms to the Master Plan.

15. 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.

While not necessary for the public, the medical center will be an asset to the community and is not expected to have a negative effect on nearby properties.

16. 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.

Illumination of the fields could be problematic to nearby property owners if on late in the evening.

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

This is not expected to be an issue.

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

This is not expected to be an issue.

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

The inclusion of a children's sports medicine center is a gain for the public.

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

This is not expected to be a significant issue.

PREVIOUS ACTIONS

Change of Zone from AG Agriculture to CP-2 Planned General Business approved November 2007.

KEY ISSUES

Public Works Comments

NEIGHBORHOOD MEETING

A neighborhood meeting was held on July 25, 2016. Attached are the minutes from the meeting.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #**SP-2016-65** and Plan Review Application #**PR-2016-18**, subject to:

Urban Planning and Land Use Comments:

Special Use Permit for training facility and medical center:

1. **Will training sessions be open to the public to view? How will crowd management and security be handled if so? Most Sporting KC practices are currently open to the public, and it is anticipated this policy to continue at the NTCDC. Just as the public is required to do at SKC's current training building, all public visitors to the NTCDC will be required to check in at the building's reception desk. They will then be escorted out to the field entry gate at the north side of the building. Visitors will proceed down the stairs where they will be met by staff to guide them to the appropriate viewing location. Visitors requiring assistance will be escorted inside the building to use the elevator down to the field level and out to the practice fields. It is anticipated US National Team practices would operate the same way. When the Men's and Women's National Teams are in town to play a game they typically hold an open practice session the day before the game. This event is held in Children's Mercy Park. It is anticipated that this procedure continue upon the opening of the NTCDC.**
2. **How many doctors and patients are expected on a daily average? It is anticipated that there will be one to two doctors in the Children's Mercy Sports Medicine and Rehabilitation Center per day. One non-operative sports medicine physician typically sees approx. 20 patients in a full day clinic. At this point in time, it is anticipated that the clinic will primarily be staffed by non-operative sports medicine physicians.**
3. **Please provide greater detail on the types of medical services provided. Is this exclusively outpatient, etc. From a physical therapy standpoint, it is anticipated that the clinic will be staffed with 5.8 FTE physical therapists and PTA(s) seeing approx. 725-800 patients per month. Door opening numbers will likely be approx. ½ those numbers listed with an approximately 20% increase per quarter. All services will be provided on an outpatient basis. There will be a radiology suite, and at some point limited laboratory services may be provided as well. In addition it is anticipated that on the days it is scheduled for use the gait lab will require two technicians (physical therapist/ATC), a physician and involve 1-2 patients over a 4-6 hour period. The eventual goal is daily use during the more quiet gym times i.e. during school.**
4. **This would be an indefinite special use permit.**

Plan Review:

A) Signage

1. All signage requires sign permitting and standard sign permit review processing. Understood, we will comply. The signing for this project will be made with a future application.

B) Landscape plan

1. Provide landscape plan. A landscape plan was provided as sheets L1-01 through L1-04.
2. 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. (Sec. 27-577 d.1) This entire project is, at its heart, a landscape development with supporting buildings. It is the complete inverse of standard development of a proportionally large building, parking lots and relatively small necklace of peripheral landscape. Site visitors will experience a park-like setting which is, by design, screened from surrounding streets and land uses. There will be no objectionable views into the development and the large proportion of landscape within this project, we believe, renders this specific guideline not applicable.
3. Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity. By design, the entire development, including the parking, is screened from adjacent streets and land uses by a combination of extensive berms, evergreen trees, ornamental grasses and continuous hedgerows.
4. 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:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. 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. In general the project is accessed by one two-lane drive easement off of 98th Street and therefore has no practical public street frontage. The Parallel Parkway frontage is landscaped with a large continuous berm with native

grasses and flowers as well as a continuous hedgerow. Trees have not been included because of concerns with both overhead and underground utilities.

5. New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. (Sec. 27-577 b.1) The parking lots/ buildings are setback over 400 feet from adjacent street rights of way with both formal and informal greenspace between.

C) Parking and Site Design

1. (Sec. 27-576 d) 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. Sidewalk is being provided from the perimeter of the parking areas to the front doors of both the north and south building entrances.
2. Sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses. The sidewalks in drop off areas in front of buildings are wide enough for standing, and pedestrian movements. The sidewalks are generally 20' and greater in width in front of both building entrances.
3. Internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces. Parking lot sidewalks are constructed of concrete behind curbs in islands.
4. Pedestrian connections must be clearly defined in a combination of two or more of the following ways:
 - a. Six-inch vertical curb. 6" vertical curb is used at all sidewalks.
 - b. Trellis.
 - c. Special railing.
 - d. Bollards. Bollards will be used at the entry to the US Soccer / Sporting KC building.
 - e. Special paving. The sidewalk at the building entries have mica flakes and colored bands.
 - f. Low seat wall or other architectural features. Overhang with lighting is provided at the Children's Mercy Hospital entry.
 - g. Pedestrian scale lighting.
 - h. Traffic calming devices.

D) Architecture

1. (Sec. 27-576 c) 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:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines. (Sec. 27-576 c)

The building facades vary greatly to avoid the monotonous long facades described in the review comment.

2. All downspouts must be internalized. There are no exposed downspouts on the Training Center building. The small maintenance shed will have exposed downspouts but this is an accessory building screened from the public way.
3. All roof mounted units must be screened by the parapet. Roof mounted units are screened from view from the public way by either the building parapet or other screening system.
4. All signs must be approved and permitted separately by the Planning Staff. Will comply.

E) Lighting

1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed. Understood, lighting around the building consists of 25' tall, full cut off fixtures and bollards.
2. Exterior parking lot lighting shall have 90 degree cutoff fixtures. The lighting submitted has full cut off fixtures.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #**PR-2016-18** and #**SP-2016-65** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
Aerial photograph
Zoning map
Elevations
Site plan
Neighborhood meeting information

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	August 8, 2016	August 25, 2015
SUP	Approval	
Plan Review	August 8, 2016	August 25, 2016
	Approval	

STAFF CONTACT: **Jamie Ferris** **jferris@wycokck.org**

MOTIONS

Special Use Permit:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-65** 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 #SP-2016-65 as it is not in compliance with the City Ordinances and as it will not promote the health,

safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Plan Review Application:

I move the Unified Government Board of Commissioners **APPROVE** Petition #PR-2016-18 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 #PR-2016-18 as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-65 – DAVID FICKLIN WITH KANSAS CITY, KANSAS PROPERTIES LLC - SYNOPSIS: Special Use Permit for national training and coaches' development center at 1111 North 98th Street

PLAN REVIEW APPLICATION #PR-2016-18 – DAVID FICKLIN WITH KANSAS CITY, KANSAS PROPERTIES LLC - SYNOPSIS: Preliminary Plan Review for national training and coaches' development center at 1111 North 98th Street

Recording Secretary Parker stated that the following items should be 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 August 8, 2016;
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 dated July 14, 2016 for the special use permit; and,
7. The Notices to property owners dated July 14, 2016.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. David Ficklin, 1511 Baltimore Avenue, Kansas City, Missouri, appeared in support of this application. Mr. Ficklin stated that they have been before the Commission several times in the past months seeking to build futsal courts (almost completed) and the youth soccer fields (opening in Spring of 2017) and now they are present for the “crown jewel” of the project. This is a one of a kind building in this country and maybe even the world. It is the coming together of a national sports body (US Soccer), a professional sports team (Sporting Kansas City) and a world-class provider (Children’s Mercy Hospital). He stated that it has been challenging to get these three groups together and the result is something magnificent. It is an interesting site because they have 50 acres and they are planning to build on 30ish acres. What was really important in this project was to create a sanctuary so when there are people coming here they can come to a sanctuary and concentrate on the task before them: education, rehabilitation or training in an environment that is separated from the hustle and bustle of the rest of the world. They have done some things with their master plan to do that. On the east side they plan to maintain as many of the trees as they can and similarly on the south side so when you are standing along Parallel Parkway and look south you see a great line of forest that separates them from Schlitterbahn on the south and the residences on the east. When you come in the southwest entry, you will see a monument at the street and as you come up you will see another monument sign at the south parking lot. With their higher use, Children’s Mercy Clinic, it should be very intuitive with a parking lot and major entry for them on the lower level of the building. If you are coming to the soccer complex you know where you are going and how you will get there. It will not be signed because people know why they are going there. It is an upper parking lot and entry. This is a 76,000 square foot building between the three (3) uses. Inside the building there will be locker rooms for soccer, training rooms, and hydro-therapy. For the coaching education there will be executive offices for US Soccer Coaching Education Program, cafeteria, kitchen and classrooms. On the northern portion of the site, there are two soccer fields next to each other and they are the coaching education course fields. Those two fields have sports lighting. Eventually there will be two more soccer fields for coaching as the master plan is for two sets (2 fields) for coaches training. Mr. Ficklin stated that to the east of the building is a large natural grass place the size of three full-size soccer fields which is for Sporting Kansas City and men’s and women’s national teams when they come to train. It will not have lights so it will be used exclusively in the mornings and sometimes in the afternoon. If a team ever needs to train after dark they will go to Children’s Mercy Park. He stated that there are two detention ponds on the site. At the north end of the site is about a 2,000 square foot building with four parking spaces. That is where the field maintenance equipment is kept. There will be very infrequent deliveries of sand there and other pesticides. The majority of the traffic will be off 98th Street.

Ms. Marshaun Butler, Children’s Mercy, 5808 West 110th Street, Overland Park, Kansas, appeared in support of this application. She stated that they are seeking to partner with Sporting Kansas City to improve the overall health and well-being of children of this community. Their goals are three fold: they want to improve access to the pediatrics relating to sports medicine; they want to strengthen the community and they want to protect the youth. Those three goals can be accomplished in several

ways. They are looking to build a state-of-the-art sports medicine and rehab center that targets solely youth in the community. They would like to think of this as a destination for children across the region because they are not only treating injuries related to soccer but they will be able to treat youth athletes with any type of sports injury. With regard to strengthening the community they see this as a strong partnership that allows them to collaborate with other community partners as well as Sporting Kansas City to build and develop outreach programs that will develop programming to ultimately impact the long-term health care outcomes of children and their success rates as they transition to adulthood. Because of the expertise that will be there they have the ability to develop curriculums not only for the coaches but for the parents and administrators that they can provide on-site. With regard to their overview of services, it is solely outpatient. They will have clinic exam rooms on site and they will also have a sport's training area. They will have an aquatics area and some human performance lab capacities to evaluate mobility and movement on site. There will be two physicians on site every day seeing about 30 to 40 patients on a clinic day. There will also be physical therapists and assistants to provide therapy for youth athletes on-site. In addition they may have limited ancillary services such as radiology to do some imaging. They will have a state-of-the-art lab which allows them to evaluate the mobility and movement of the youth athlete so they can develop some appropriate therapies. She stated that they are excited and think this will be a good partnership.

Chairman Huey asked if it will be referral based for the youth. Ms. Butler stated that they will be available to treat the academy youth athletes that are part of the program so they will be referred to them for additional services and assessments. They will be a referral line that patients can call and get appointments through their centralized referral process through Children's Mercy. There are multiple avenues that those patients will be assessed.

Planning Commissioner Jones asked if they will have an outreach with the Wyandotte County Schools. Mr. Butler stated that they have an outreach program with their athletic trainers currently.

Dr. Kevin Latz, Chief, Section of Sports Medicine, Children's Mercy, 2401 Gillham, Kansas City, Missouri, appeared in support of this application. He stated that currently the Wyandotte County schools are covered by Safe-K. He stated that they have relationships with the Kansas City, Missouri schools, Turner, and St. Theresa's Academy and that landscape changes year-by-year. Right now there is no formal connection with any Kansas City, Kansas schools except Turner.

Planning Commissioner DeWitt asked if their radiography will include plain film radiography, CT Scan, MRI, video fluorography, etc. What type of diagnostic imaging do they plan to have on-site. Dr. Latz stated that they will have plain film radiography and ultra sound to start with. He will never see a role for CT on the site or fluorography. There may be MRI in the future.

Mr. Ficklin stated that when coaches come in they need people to coach so they have spoken to the Piper School District and they are in the process of reaching out to KCKCC because they are going to need players of all ages, playing ability and both sexes to serve as players to be coached by the coaching candidates. It is an

opportunity that they have been waiting to have for several years. This is in excess of a \$50 million project and they would request an indefinite special use permit.

Planning Commissioner Jones asked if there are any plans to reach out to USD 500. Mr. Ficklin stated that they have a great relationship with them in building the futsal courts.

Planning Commissioner Schwartzman stated that he lives around the corner from this project and would like to know how they are going to grow grass on the clay. Mr. Ficklin stated that there is about 10" of sand that they will excavate and then they will have 10" of gravel and another 10" of sand and then the sports turf.

Planning Commission Jones asked about the deviation from the Commercial Design Guidelines with regard to the requirement for street trees. Mr. Ficklin stated that they do not have much street frontage except for Parallel Parkway. He showed the Commission the larger transmission pole on the slide that goes westward for the KCP&L substation to the north of them. From that point west they are not able to put in any street trees. They have a berm and significant native landscaping. They do not know when or what format the construction will take place for the final two playing fields so they are requesting not to put street trees there until the time that they know the construction method, elevation and configuration of those two fields. Planning Director Richardson stated that issue will be worked out for final plan review. Mr. Ficklin stated that is agreeable.

No one appeared in opposition to these applications.

Planning Director Richardson stated that with regard to the plan review the street trees will be worked out given the constraints. With regard to the special use permit, it will be an indefinite special use permit. The staff recommends approval subject to these comments and the stipulations in the staff report.

The Planning Commission voted unanimously to recommend approval of the Special Use Permit #SP-2016-65 subject to the staff comments (Serda/Jones).

After the vote staff realized that the public hearing had not been opened up for public comment.

The Planning Commission voted unanimously to reconsider the approval of Special Use Permit #SP-2016-65 (Carson/Serda).

The Planning Commission voted unanimously to vacate the previous vote and open the public hearing for anyone that would like to speak on this issue (Carson/Jones).

Mr. James Evans, 1841 North 94th Street, Kansas City, Kansas, appeared in support of this application. He stated that he is 1 of 5 or 6 houses that are affected by the noise or cars. He stated that he is right next to the Oak Ridge Church. None of the neighbors have any opposition and they will be happy to have it there. Soccer is a good sport and brings a lot of good to the community. He stated that the applicant had a meeting the other night regarding the information and he was very forthright and was not hiding

anything. The only other comment that he would have is that he gets about 30 to 50 cars a day in his driveway making a U-Turn. He is the first left and he would ask to have some signage to indicate where the facility is located because that will save traffic flow, U-Turns and his driveway.

Planning Director Richardson stated that staff has the same recommendation. There will be signage along Parallel and he will look at the signage package for Schlitterbahn; there is a new sign code and he will work with the applicant on this issue.

On motion by Dr. Serda, seconded by Ms. Jones, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-65:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

Special Use Permit for training facility and medical center:

- 1. Will training sessions be open to the public to view? How will crowd management and security be handled if so? Most Sporting KC practices are currently open to the public, and it is anticipated this policy to continue at the NTCDC. Just as the public is required to do at SKC's current training building, all public visitors to the NTCDC will be required to check in at the building's reception desk. They will then be escorted out to the field entry gate at the north side of the building. Visitors will proceed down the stairs where they will be met by staff to guide them to the appropriate viewing location. Visitors requiring assistance will be escorted inside the building to use the elevator down to the field level and out to the practice fields. It is anticipated US National Team practices would operate the same way. When the Men's and Women's National Teams are in town to play a game they typically hold an open practice session the day before the game. This event is held in Children's Mercy Park. It is anticipated that this procedure continue upon the opening of the NTCDC.**
- 2. How many doctors and patients are expected on a daily average? It is anticipated that there will be one to two doctors in the Children's Mercy Sports Medicine and Rehabilitation Center per day. One non-operative sports**

medicine physician typically sees approx. 20 patients in a full day clinic. At this point in time, it is anticipated that the clinic will primarily be staffed by non-operative sports medicine physicians.

3. Please provide greater detail on the types of medical services provided. Is this exclusively outpatient, etc. From a physical therapy standpoint, it is anticipated that the clinic will be staffed with 5.8 FTE physical therapists and PTA(s) seeing approx. 725-800 patients per month. Door opening numbers will likely be approx. $\frac{1}{2}$ those numbers listed with an approximately 20% increase per quarter. All services will be provided on an outpatient basis. There will be a radiology suite, and at some point limited laboratory services may be provided as well. In addition it is anticipated that on the days it is scheduled for use the gait lab will require two technicians (physical therapist/ATC), a physician and involve 1-2 patients over a 4-6 hour period. The eventual goal is daily use during the more quiet gym times i.e. during school.
4. This would be an indefinite special use permit.

Plan Review:

A) Signage

1. All signage requires sign permitting and standard sign permit review processing. Understood, we will comply. The signing for this project will be made with a future application.

B) Landscape plan

1. Provide landscape plan. A landscape plan was provided as sheets L1-01 through L1-04.
2. 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. (Sec. 27-577 d.1) This entire project is, at its heart, a landscape development with supporting buildings. It is the complete inverse of standard development of a proportionally large building, parking lots and relatively small necklace of peripheral landscape. Site visitors will experience a park-like setting which is, by design, screened from surrounding streets and land uses. There will be no objectionable views into the development and the large proportion of landscape within this project, we believe, renders this specific guideline not applicable.
3. Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30

inches at maturity. By design, the entire development, including the parking, is screened from adjacent streets and land uses by a combination of extensive berms, evergreen trees, ornamental grasses and continuous hedgerows.

4. 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:
 - c. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - d. 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. In general the project is accessed by one two-lane drive easement off of 98th Street and therefore has no practical public street frontage. The Parallel Parkway frontage is landscaped with a large continuous berm with native grasses and flowers as well as a continuous hedgerow. Trees have not been included because of concerns with both overhead and underground utilities.
5. New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. (Sec. 27-577 b.1) The parking lots/ buildings are setback over 400 feet from adjacent street rights of way with both formal and informal greenspace between.

C) Parking and Site Design

1. (Sec. 27-576 d) 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. Sidewalk is being provided from the perimeter of the parking areas to the front doors of both the north and south building entrances.
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3. Internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces. Parking lot sidewalks are

constructed of concrete behind curbs in islands.

4. Pedestrian connections must be clearly defined in a combination of two or more of the following ways:
 - a. Six-inch vertical curb. 6" vertical curb is used at all sidewalks.
 - b. Trellis.
 - c. Special railing.
 - d. Bollards. Bollards will be used at the entry to the US Soccer / Sporting KC building.
 - e. Special paving. The sidewalk at the building entries have mica flakes and colored bands.
 - f. Low seat wall or other architectural features. Overhang with lighting is provided at the Children's Mercy Hospital entry.
 - g. Pedestrian scale lighting.
 - h. Traffic calming devices.

D) Architecture

1. (Sec. 27-576 c) 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:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines. (Sec. 27-576 c)The building facades vary greatly to avoid the monotonous long facades described in the review comment.
2. All downspouts must be internalized. There are no exposed downspouts on the Training Center building. The small maintenance shed will have exposed downspouts but this is an accessory building screened from the public way.
3. All roof mounted units must be screened by the parapet. Roof mounted units are screened from view from the public way by either the building parapet or other screening system.
4. All signs must be approved and permitted separately by the Planning Staff. Will comply.

E) Lighting

- 1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed. Understood, lighting around the building consists of 25' tall, full cut off fixtures and bollards.**
- 2. Exterior parking lot lighting shall have 90 degree cutoff fixtures. The lighting submitted has full cut off fixtures.**

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Plan Review Application #PR-2016-18:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0
Subject to the above stipulations

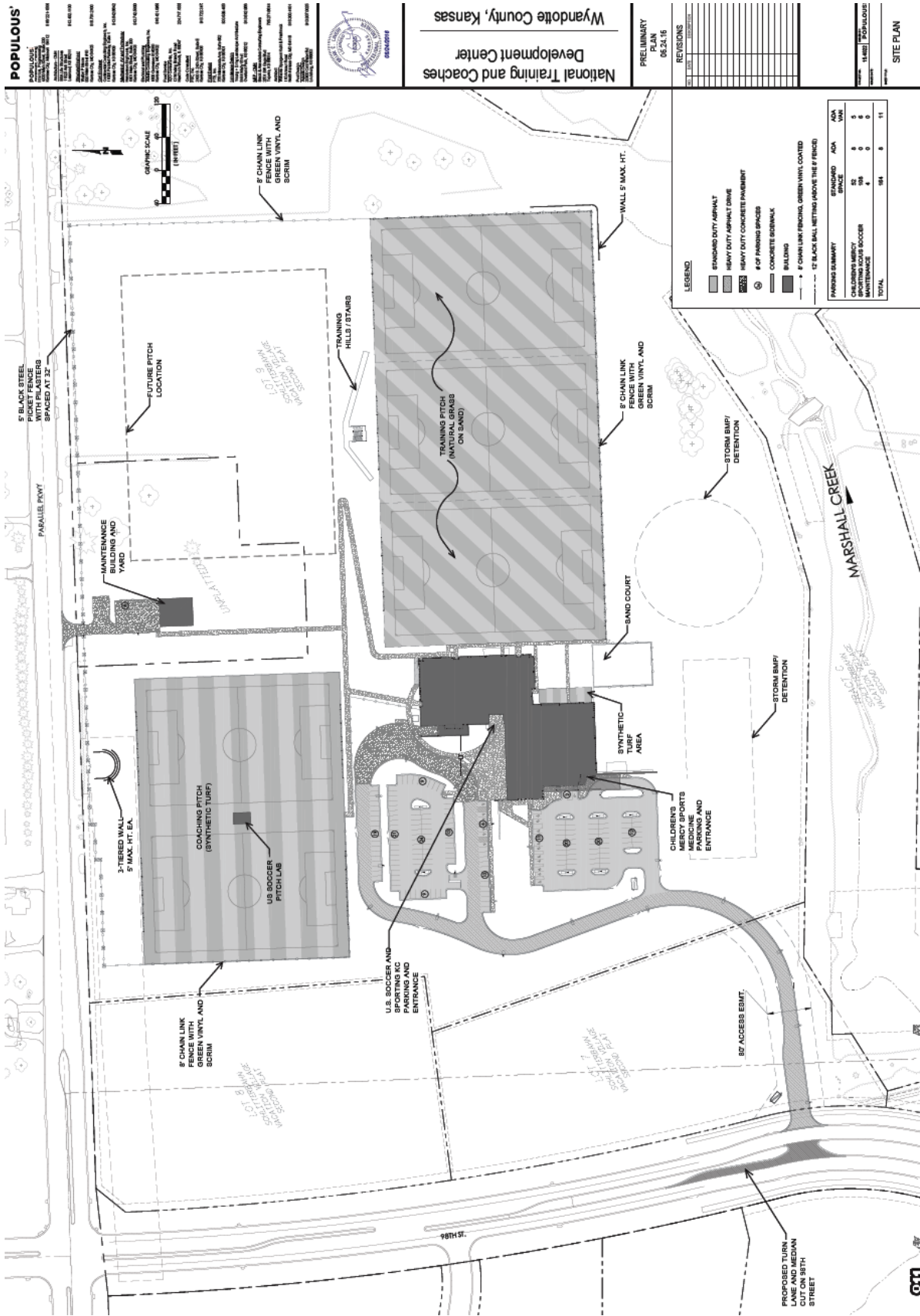


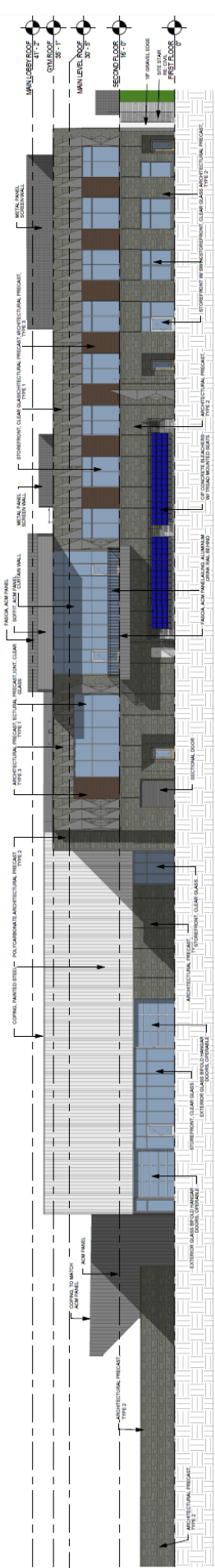


National Training and Coaches Development Center

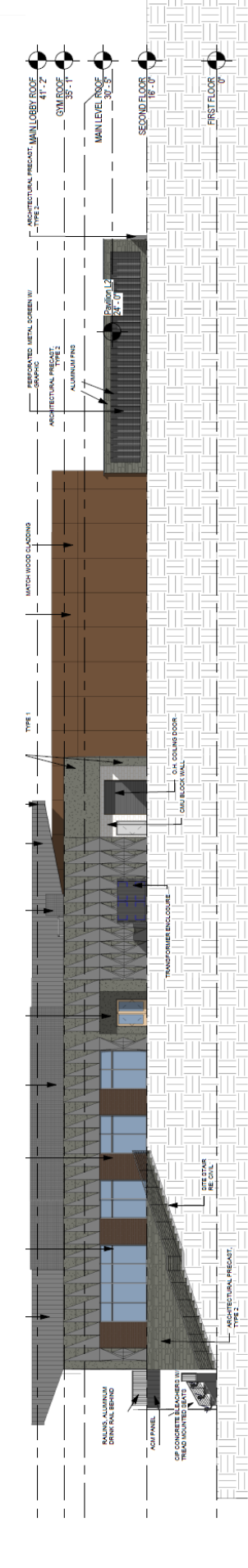


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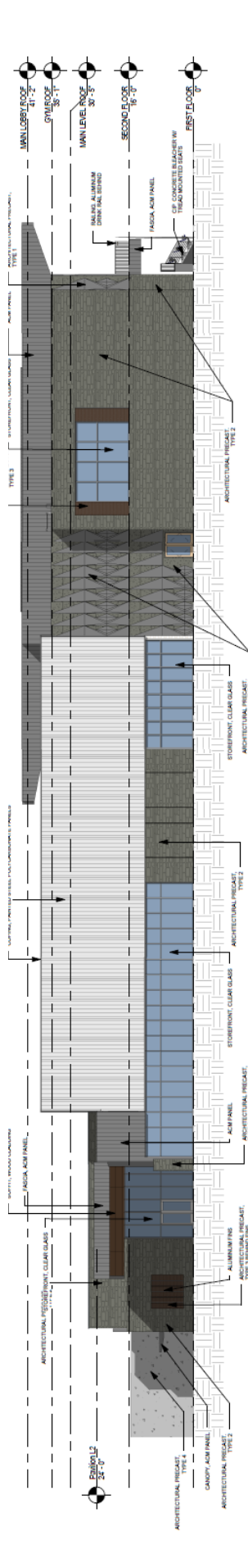




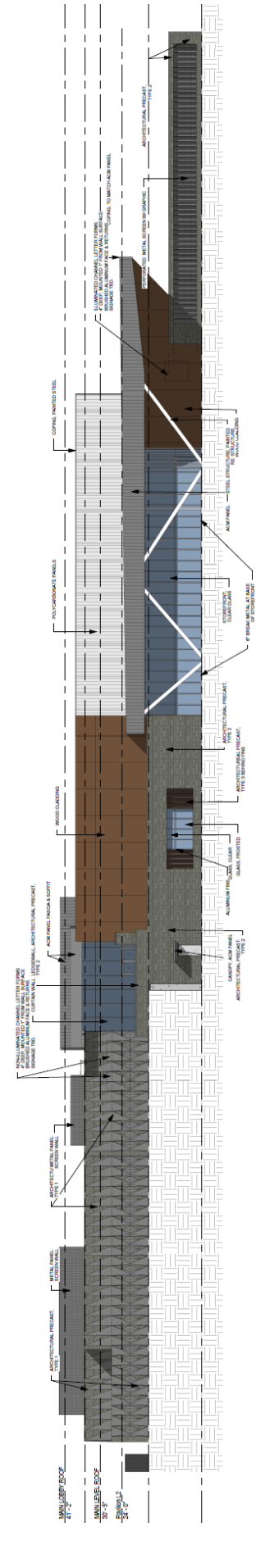
① EAST
1/16" = 1'-0"



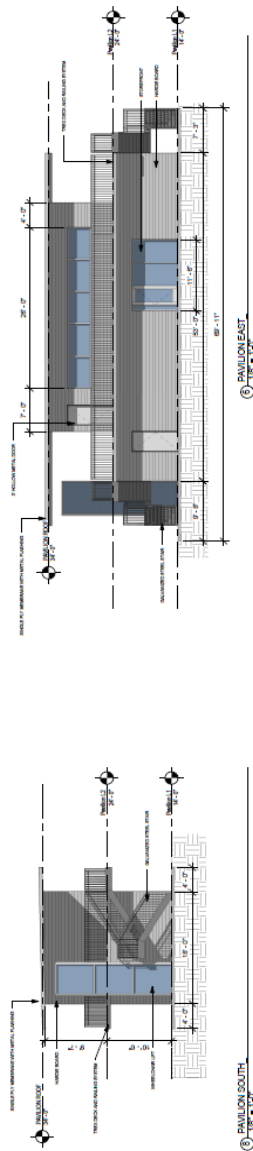
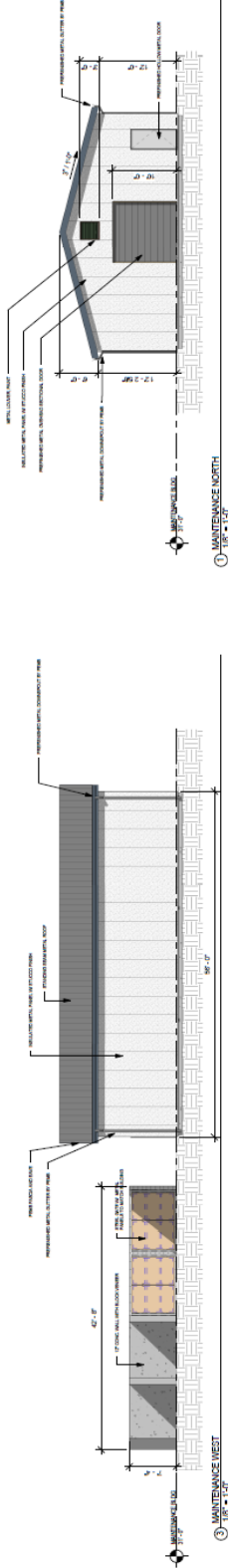
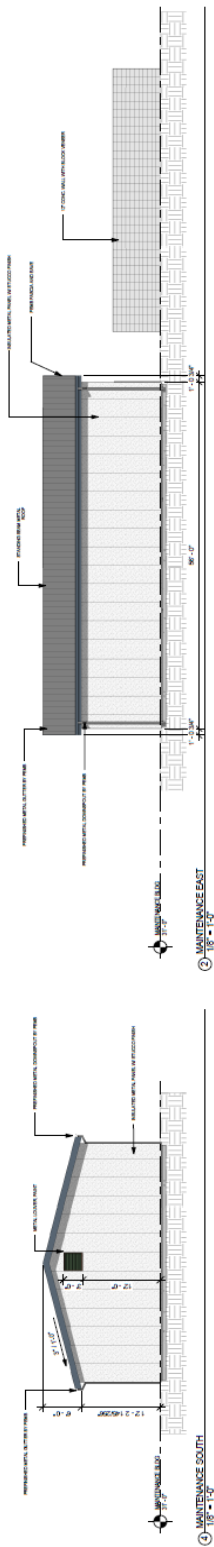
② NORTH
1/16" = 1'-0"



③ SOUTH
1/16" = 1'-0"



④ WEST
1/16" = 1'-0"



**National Training and Coaching Development Center
Neighborhood Meeting Minutes
Application Number SP-2016-65, PR 2016-18
Date and Location: July 25, 2016, Children's Mercy Park
Meeting called to order at: 4:30 PM**

Names of people in attendance:

Presentation Group:

Michael Donovan, AIA, Populous
Brian Lavery, PE, Continental

Neighbors:

James Evans 1841 N. 94th Street, Kansas City, KS 66112
Charlene Plotyia 1918 N. 94th Street, Kansas City, KS 66112
Deryle Cline and Diana Braswell 9746 Parallel Parkway, Kansas City, KS 66109
Loraine Knipp, Loretta Caldwell, Gery Walker, 9611 State Ave, Kansas City, KS 66111
William Cigich, Jeramy Cigich, 9800 Parallel Parkway, Kansas City, KS 66109
Frank and Mary Jo Van Fleet, 9460 Parallel Parkway, Kansas City, KS 66109
Roscoe Davis, 9600 Parallel Parkway, Kansas City, KS 66109
Murrel Blend, PO Box 12905, Kansas City, KS 66109
Jeff Hays (Schlitterbahn), 9400 State Ave, Kansas City, KS 66112
Kevin and Blanche Geary, 1900 N. 94th Street, Kansas City, KS 66112
Janell and Paul Rhodes, 1717 N. 94th Street, Kansas City, KS 66112
Angus Turner, 9510 Parallel Parkway, Kansas City, KS 66109
John Handley, 10985 Cody, Suite 220, Overland Park, KS 66210
Monica Foltz, Paul Foltz, 9616 Parallel Parkway, Kansas City, KS 66109
Diana Billings, 1301 N. 94th Street, Kansas City, KS 66112

Introductions:

Mike Donovan of Populous described the location and use of the project. There were presentation boards showing building elevations, 3d views, and a site plan. The project is a training center for Sporting Kansas City, US Soccer National Teams, and US Soccer coaching training as well as a component used by Children's Mercy Hospital as an outpatient rehab facility. The project is located south of Parallel Parkway and east of 98th Street. There are 2 lots between this project and 98th Street that are not controlled by this development. The north portion of the building will serve US Soccer and Sporting KC and be at an upper elevation. The south portion of the building will sit lower and serve Children's Mercy. There will be a double synthetic pitch to the north used by US Soccer coaching training, while the main triple pitch will be grass and used by Sporting KC and the US Soccer national teams. Besides the main building, there is a maintenance building of approximately 2000 sf south of Parallel and a pavilion in the center of the training pitch for US Soccer coaches.

Questions and answers:

- 1) What is the size of this project? Mr. Donovan replied that the entire site is approximately 50 acres with the area shown being developed as 37 acres

- 2) Is the only access off 98th Street? Mr. Donovan replied that the access for Children's Mercy, US Soccer, and Sporting KC is off 98th Street, the only access off Parallel is for the maintenance building.
- 3) What kind of traffic will this generate? Mr. Donovan and Mr. Lavery replied that US Soccer would bus in their coaches and that the traffic for Sporting KC would only be from players, coaches and trainers. There are around 160 parking spaces, so the traffic is relatively light. The traffic generated by Children's Mercy would be less than 150 cars per day.
- 4) How long is the lease on this property? Mr. Donovan and Mr. Lavery did not know how long OnGoal would be leasing this property from Schlitterbahn, but assumed it was greater than 20 years.
- 5) Are there any plans for the ground to the east of what is shown on the plans? Mr. Lavery replied that the only plans may be a future pitch to the east of the maintenance building, but nothing further east of that. The ground was too steep and treed and there is a creek buffer that prevents developing within 200 feet of Marshall Creek.
- 6) Are there any hotel plans? Mr. Donovan and Mr. Lavery replied that there are no hotels planned for this property, although there may be plans for hotels by other developers on adjacent properties.
- 7) Are there any plans for the ground south of State Avenue? Mr. Donovan and Mr. Lavery weren't aware of any plans for ground south of State Avenue.
- 8) Will anyone reside in this building? Mr. Donovan stated that there will be no permanent residents here, all users for US Soccer will stay in nearby hotels and be bussed to and from the property.
- 9) Will there be additional traffic on Parallel north of the site? Mr. Lavery replied that there will likely be minimal additional traffic on Parallel. This project does not generate a large amount of traffic, and the traffic that does come will generally come from the I-435 direction, not from the east.
- 10) What are the hours of the facility? Mr. Donovan and Mr. Lavery replied that the US Soccer coaches training was generally a M-F, 8a-8p type of schedule. Sporting KC would practice as needed and could be any day of the week depending on their game schedule. Sporting would not practice at night since the grass pitch was not lit. Children's Mercy would operate Mon-Sat, 8a-8p. There is no current schedule for the US Men's or Women's team to practice.
- 11) Which fields are lighted? Mr. Donovan replied that only the north double pitch is lighted.
- 12) Will there be noise at night? Mr. Donovan and Mr. Lavery replied that they did not anticipate any use that would generate noise at night.
- 13) Will the traffic from the youth fields affect this project? Mr. Lavery replied that the 2 projects were around a mile apart and would not affect each other from a traffic standpoint.
- 14) Are there youth fields for this project? Mr. Donovan replied that the youth field component is on 90th Street and no games would be held at this site.
- 15) When will the grading be complete? Mr. Lavery indicated that the grading would be complete in Sept of 2016. Mr. Donovan replied that the foundations would begin this fall.
- 16) Are the fields artificial or grass turf? Mr. Donovan replied that the north pitch is synthetic turf while the main, triple pitch is grass.
- 17) Will the future fields be lighted? Mr. Lavery and Mr. Donovan replied that they were not certain if the future fields would be lighted, but they did not anticipate that they would be.
- 18) Does this project have fencing? Mr. Lavery replied that the fence along Parallel would be similar to that across the street from Children's Mercy Park with columns every 40' or so with the area in-between composed of 5' black pickets. The remainder of the fence would be vinyl coated chain link with scrim.
- 19) Where is the sanitary sewer? Mr. Lavery replied that there is a sanitary sewer immediately west of this project and east of 98th Street as well as a sewer along Marshall Creek to the south.
- 20) Where will the emergency access be coming from? Mr. Lavery replied that emergencies would likely be leaving the site for Providence Hospital to the east while the responders would come from the fire station on State Avenue just east of 98th Street.

- 21) A resident complained of dirt and dust from the grading blowing to the north. Mr. Lavery replied that he would contact the City and notify the proper authority.
- 22) When is the completion date? Mr. Donovan replied that the project was scheduled to open in the Fall of 2017.
- 23) Can you explain the north side of the project, are there trees, is that a 3:1 slope? Mr. Lavery explained that the north field sits approximately 25' below Parallel Parkway and there is a 3:1 slope down to it except where there is a small wall around the KCPL pole. There would be a berm with shrubs along the south side of Parallel. This berm changes in height from 3'-8' as you move west on Parallel.
- 24) Will this project create any jobs? Mr. Donovan indicated that he did not believe they were moving anyone from existing facilities to this one, so it would create some jobs in running or maintaining the facility.
- 25) Can you explain the lighting? Mr. Lavery replied that there was 25' tall light fixtures in the parking areas and 60-70' tall high mast lighting for the north fields. The City would require that all lighting is cut off from spilling over the property line.
- 26) Will there be piped in noise to simulate crowd noise? Mr. Donovan and Mr. Lavery were not aware of any intention by the users to pipe in crowd noise.
- 27) Which creek is filled? There is wildlife in those creeks. Mr. Lavery replied that they are not touching Marshall Creek and that they are filling the tributary to the west to cross it.
- 28) What is the potential for development between this site and 98th Street? Mr. Donovan and Mr. Lavery did not know of any future developments immediately between this project and 98th Street other than the proposed Freddy's restaurant at the southeast corner of 98th and Parallel.
- 29) Is there a general contractor? Mr. Donovan indicated that Grand Construction would be the general for the site work and that Turner would be the general for the building.

Meeting adjourned at: 5:40PM

Minutes taken by: Brian Lavery, Continental



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners

From: City Staff

Date: August 25, 2016

Re: Petition #PR-2016-18 and #SP-2016-65

GENERAL INFORMATION

Applicant:
David Ficklin

Status of Applicant:
Representative
Kansas Stadium Partners,
Inc.
1511 Baltimore Avenue
Kansas City, MO

Requested Actions:
Preliminary Plan Review
and Special Use Permit for
training center for Sporting
KC and US Men's Soccer,
and Children's Mercy Sports
Medicine Center

Date of Application:
June 24, 2016

Purpose:
Approve plans for training
center for Sporting KC and
US Men's Soccer, and
Children's Mercy Sports Medicine Center



Property Location: South of Parallel, East of 98th Street

Existing Zoning: CP-2 Planned General Business District

Surrounding Zoning:

North:	A-G Agriculture District
South:	CP-2 Planned General Business District
East:	CP-2 Planned General Business District
West:	Interstate I-435

Existing Uses:

North:	Residential
South:	Dairy Farmers of America headquarters, Schlitterbahn Vacation Village
East:	Commercial
West:	Interstate I-435 and Legends retail center

Total Tract Size: 50.49 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Planned Mixed Entertainment and Commercial District.

Major Street Plan: 98^h Street is a designated Collector street

Advertisement: The Wyandotte Echo – July 14, 2016
Letters to Property Owners – July 14, 2016 and August 19, 2016

Public Hearings: August 8, 2016 and August 25, 2016

Public Opposition: No one appeared in opposition at the August 8, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Mr. Ficklin is seeking approval to build a 76,000 square foot training center for Sporting KC and US Men's Soccer, and Children's Mercy Sports Medicine Center

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-245 – 27-339

STATUTORY REQUIREMENTS/FACTORS TO BE CONSIDERED

1. Neighborhood character.

This property is surrounded by current or future commercial development, the proposed use is compatible with other projects in the 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 is compatible with them.

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

The removal of the restrictions will not detrimentally affect nearby property.

4. *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 increase traffic and parking demands for the site which is currently undeveloped. This is not expected to have a negative effect on nearby properties, however.

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

This use is in line with the Master Planned use of entertainment and commercial space.

6. *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, a training facility and medical center is not necessary for the convenience and welfare of the public however the medical center will be a benefit to the community and this project is not expected to substantially injure the appropriate use, visual quality or marketability of nearby property.

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

This is not an issue.

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

a. *Water service*

To be designed and built to Unified Government standards.

b. *Sanitary sewer service*

To be designed and built to Unified Government standards.

c. Storm water control

To be designed and built to Unified Government standards.

d. Police

Police service is provided by the West Patrol, District #223

e. Fire

Fire service is provided by Station #6

f. Transit

Transit stops are located on Village West Parkway

g. Schools

Piper USD 203

9. The capability of the proposed use to meet applicable ordinance and other requirements.

This plan meets all ordinance requirements.

10. The Character of the Neighborhood.

The neighborhood is commercial in nature with large scale commercial, retail, and office developments in the area.

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

The commercial nature of this operation could be a compatible use.

12. The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property.

This is not expected to have a negative effect on nearby properties.

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

This property is part of a large development project that is in early stages.

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

This project, in a commercial district conforms to the Master Plan.

15. 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.

While not necessary for the public, the medical center will be an asset to the community and is not expected to have a negative effect on nearby properties.

16. 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.

Illumination of the fields could be problematic to nearby property owners if on late in the evening.

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

This is not expected to be an issue.

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

This is not expected to be an issue.

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

The inclusion of a children's sports medicine center is a gain for the public.

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

This is not expected to be a significant issue.

PREVIOUS ACTIONS

Change of Zone from AG Agriculture to CP-2 Planned General Business approved November 2007.

KEY ISSUES

Public Works Comments

NEIGHBORHOOD MEETING

A neighborhood meeting was held on July 25, 2016. Attached are the minutes from the meeting.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #**SP-2016-65** and Plan Review Application #**PR-2016-18**, subject to:

Urban Planning and Land Use Comments:

Special Use Permit for training facility and medical center:

1. **Will training sessions be open to the public to view? How will crowd management and security be handled if so? Most Sporting KC practices are currently open to the public, and it is anticipated this policy to continue at the NTCDC. Just as the public is required to do at SKC's current training building, all public visitors to the NTCDC will be required to check in at the building's reception desk. They will then be escorted out to the field entry gate at the north side of the building. Visitors will proceed down the stairs where they will be met by staff to guide them to the appropriate viewing location. Visitors requiring assistance will be escorted inside the building to use the elevator down to the field level and out to the practice fields. It is anticipated US National Team practices would operate the same way. When the Men's and Women's National Teams are in town to play a game they typically hold an open practice session the day before the game. This event is held in Children's Mercy Park. It is anticipated that this procedure continue upon the opening of the NTCDC.**
2. **How many doctors and patients are expected on a daily average? It is anticipated that there will be one to two doctors in the Children's Mercy Sports Medicine and Rehabilitation Center per day. One non-operative sports medicine physician typically sees approx. 20 patients in a full day clinic. At this point in time, it is anticipated that the clinic will primarily be staffed by non-operative sports medicine physicians.**
3. **Please provide greater detail on the types of medical services provided. Is this exclusively outpatient, etc. From a physical therapy standpoint, it is anticipated that the clinic will be staffed with 5.8 FTE physical therapists and PTA(s) seeing approx. 725-800 patients per month. Door opening numbers will likely be approx. ½ those numbers listed with an approximately 20% increase per quarter. All services will be provided on an outpatient basis. There will be a radiology suite, and at some point limited laboratory services may be provided as well. In addition it is anticipated that on the days it is scheduled for use the gait lab will require two technicians (physical therapist/ATC), a physician and involve 1-2 patients over a 4-6 hour period. The eventual goal is daily use during the more quiet gym times i.e. during school.**
4. **This would be an indefinite special use permit.**

Plan Review:

A) Signage

1. All signage requires sign permitting and standard sign permit review processing. Understood, we will comply. The signing for this project will be made with a future application.

B) Landscape plan

1. Provide landscape plan. A landscape plan was provided as sheets L1-01 through L1-04.
2. 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. (Sec. 27-577 d.1) This entire project is, at its heart, a landscape development with supporting buildings. It is the complete inverse of standard development of a proportionally large building, parking lots and relatively small necklace of peripheral landscape. Site visitors will experience a park-like setting which is, by design, screened from surrounding streets and land uses. There will be no objectionable views into the development and the large proportion of landscape within this project, we believe, renders this specific guideline not applicable.
3. Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity. By design, the entire development, including the parking, is screened from adjacent streets and land uses by a combination of extensive berms, evergreen trees, ornamental grasses and continuous hedgerows.
4. 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:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. 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. In general the project is accessed by one two-lane drive easement off of 98th Street and therefore has no practical public street frontage. The Parallel Parkway frontage is landscaped with a large continuous berm with native

grasses and flowers as well as a continuous hedgerow. Trees have not been included because of concerns with both overhead and underground utilities.

5. New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. (Sec. 27-577 b.1) The parking lots/ buildings are setback over 400 feet from adjacent street rights of way with both formal and informal greenspace between.

C) Parking and Site Design

1. (Sec. 27-576 d) 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. Sidewalk is being provided from the perimeter of the parking areas to the front doors of both the north and south building entrances.
2. Sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses. The sidewalks in drop off areas in front of buildings are wide enough for standing, and pedestrian movements. The sidewalks are generally 20' and greater in width in front of both building entrances.
3. Internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces. Parking lot sidewalks are constructed of concrete behind curbs in islands.
4. Pedestrian connections must be clearly defined in a combination of two or more of the following ways:
 - a. Six-inch vertical curb. 6" vertical curb is used at all sidewalks.
 - b. Trellis.
 - c. Special railing.
 - d. Bollards. Bollards will be used at the entry to the US Soccer / Sporting KC building.
 - e. Special paving. The sidewalk at the building entries have mica flakes and colored bands.
 - f. Low seat wall or other architectural features. Overhang with lighting is provided at the Children's Mercy Hospital entry.
 - g. Pedestrian scale lighting.
 - h. Traffic calming devices.

D) Architecture

1. (Sec. 27-576 c) 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:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines. (Sec. 27-576 c)

The building facades vary greatly to avoid the monotonous long facades described in the review comment.

2. All downspouts must be internalized. There are no exposed downspouts on the Training Center building. The small maintenance shed will have exposed downspouts but this is an accessory building screened from the public way.
3. All roof mounted units must be screened by the parapet. Roof mounted units are screened from view from the public way by either the building parapet or other screening system.
4. All signs must be approved and permitted separately by the Planning Staff. Will comply.

E) Lighting

1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed. Understood, lighting around the building consists of 25' tall, full cut off fixtures and bollards.
2. Exterior parking lot lighting shall have 90 degree cutoff fixtures. The lighting submitted has full cut off fixtures.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #**PR-2016-18** and #**SP-2016-65** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
Aerial photograph
Zoning map
Elevations
Site plan
Neighborhood meeting information

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	August 8, 2016	August 25, 2015
SUP	Approval	
Plan Review	August 8, 2016	August 25, 2016
	Approval	

STAFF CONTACT: **Jamie Ferris** **jferris@wycokck.org**

MOTIONS

Special Use Permit:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-65** 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 #SP-2016-65 as it is not in compliance with the City Ordinances and as it will not promote the health,

safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Plan Review Application:

I move the Unified Government Board of Commissioners **APPROVE** Petition #PR-2016-18 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 #PR-2016-18 as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2016-65 – DAVID FICKLIN WITH KANSAS CITY, KANSAS PROPERTIES LLC - SYNOPSIS: Special Use Permit for national training and coaches' development center at 1111 North 98th Street

PLAN REVIEW APPLICATION #PR-2016-18 – DAVID FICKLIN WITH KANSAS CITY, KANSAS PROPERTIES LLC - SYNOPSIS: Preliminary Plan Review for national training and coaches' development center at 1111 North 98th Street

Recording Secretary Parker stated that the following items should be 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 August 8, 2016;
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 dated July 14, 2016 for the special use permit; and,
7. The Notices to property owners dated July 14, 2016.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. David Ficklin, 1511 Baltimore Avenue, Kansas City, Missouri, appeared in support of this application. Mr. Ficklin stated that they have been before the Commission several times in the past months seeking to build futsal courts (almost completed) and the youth soccer fields (opening in Spring of 2017) and now they are present for the “crown jewel” of the project. This is a one of a kind building in this country and maybe even the world. It is the coming together of a national sports body (US Soccer), a professional sports team (Sporting Kansas City) and a world-class provider (Children’s Mercy Hospital). He stated that it has been challenging to get these three groups together and the result is something magnificent. It is an interesting site because they have 50 acres and they are planning to build on 30ish acres. What was really important in this project was to create a sanctuary so when there are people coming here they can come to a sanctuary and concentrate on the task before them: education, rehabilitation or training in an environment that is separated from the hustle and bustle of the rest of the world. They have done some things with their master plan to do that. On the east side they plan to maintain as many of the trees as they can and similarly on the south side so when you are standing along Parallel Parkway and look south you see a great line of forest that separates them from Schlitterbahn on the south and the residences on the east. When you come in the southwest entry, you will see a monument at the street and as you come up you will see another monument sign at the south parking lot. With their higher use, Children’s Mercy Clinic, it should be very intuitive with a parking lot and major entry for them on the lower level of the building. If you are coming to the soccer complex you know where you are going and how you will get there. It will not be signed because people know why they are going there. It is an upper parking lot and entry. This is a 76,000 square foot building between the three (3) uses. Inside the building there will be locker rooms for soccer, training rooms, and hydro-therapy. For the coaching education there will be executive offices for US Soccer Coaching Education Program, cafeteria, kitchen and classrooms. On the northern portion of the site, there are two soccer fields next to each other and they are the coaching education course fields. Those two fields have sports lighting. Eventually there will be two more soccer fields for coaching as the master plan is for two sets (2 fields) for coaches training. Mr. Ficklin stated that to the east of the building is a large natural grass place the size of three full-size soccer fields which is for Sporting Kansas City and men’s and women’s national teams when they come to train. It will not have lights so it will be used exclusively in the mornings and sometimes in the afternoon. If a team ever needs to train after dark they will go to Children’s Mercy Park. He stated that there are two detention ponds on the site. At the north end of the site is about a 2,000 square foot building with four parking spaces. That is where the field maintenance equipment is kept. There will be very infrequent deliveries of sand there and other pesticides. The majority of the traffic will be off 98th Street.

Ms. Marshaun Butler, Children’s Mercy, 5808 West 110th Street, Overland Park, Kansas, appeared in support of this application. She stated that they are seeking to partner with Sporting Kansas City to improve the overall health and well-being of children of this community. Their goals are three fold: they want to improve access to the pediatrics relating to sports medicine; they want to strengthen the community and they want to protect the youth. Those three goals can be accomplished in several

ways. They are looking to build a state-of-the-art sports medicine and rehab center that targets solely youth in the community. They would like to think of this as a destination for children across the region because they are not only treating injuries related to soccer but they will be able to treat youth athletes with any type of sports injury. With regard to strengthening the community they see this as a strong partnership that allows them to collaborate with other community partners as well as Sporting Kansas City to build and develop outreach programs that will develop programming to ultimately impact the long-term health care outcomes of children and their success rates as they transition to adulthood. Because of the expertise that will be there they have the ability to develop curriculums not only for the coaches but for the parents and administrators that they can provide on-site. With regard to their overview of services, it is solely outpatient. They will have clinic exam rooms on site and they will also have a sport's training area. They will have an aquatics area and some human performance lab capacities to evaluate mobility and movement on site. There will be two physicians on site every day seeing about 30 to 40 patients on a clinic day. There will also be physical therapists and assistants to provide therapy for youth athletes on-site. In addition they may have limited ancillary services such as radiology to do some imaging. They will have a state-of-the-art lab which allows them to evaluate the mobility and movement of the youth athlete so they can develop some appropriate therapies. She stated that they are excited and think this will be a good partnership.

Chairman Huey asked if it will be referral based for the youth. Ms. Butler stated that they will be available to treat the academy youth athletes that are part of the program so they will be referred to them for additional services and assessments. They will be a referral line that patients can call and get appointments through their centralized referral process through Children's Mercy. There are multiple avenues that those patients will be assessed.

Planning Commissioner Jones asked if they will have an outreach with the Wyandotte County Schools. Mr. Butler stated that they have an outreach program with their athletic trainers currently.

Dr. Kevin Latz, Chief, Section of Sports Medicine, Children's Mercy, 2401 Gillham, Kansas City, Missouri, appeared in support of this application. He stated that currently the Wyandotte County schools are covered by Safe-K. He stated that they have relationships with the Kansas City, Missouri schools, Turner, and St. Theresa's Academy and that landscape changes year-by-year. Right now there is no formal connection with any Kansas City, Kansas schools except Turner.

Planning Commissioner DeWitt asked if their radiography will include plain film radiography, CT Scan, MRI, video fluorography, etc. What type of diagnostic imaging do they plan to have on-site. Dr. Latz stated that they will have plain film radiography and ultra sound to start with. He will never see a role for CT on the site or fluorography. There may be MRI in the future.

Mr. Ficklin stated that when coaches come in they need people to coach so they have spoken to the Piper School District and they are in the process of reaching out to KCKCC because they are going to need players of all ages, playing ability and both sexes to serve as players to be coached by the coaching candidates. It is an

opportunity that they have been waiting to have for several years. This is in excess of a \$50 million project and they would request an indefinite special use permit.

Planning Commissioner Jones asked if there are any plans to reach out to USD 500. Mr. Ficklin stated that they have a great relationship with them in building the futsal courts.

Planning Commissioner Schwartzman stated that he lives around the corner from this project and would like to know how they are going to grow grass on the clay. Mr. Ficklin stated that there is about 10" of sand that they will excavate and then they will have 10" of gravel and another 10" of sand and then the sports turf.

Planning Commission Jones asked about the deviation from the Commercial Design Guidelines with regard to the requirement for street trees. Mr. Ficklin stated that they do not have much street frontage except for Parallel Parkway. He showed the Commission the larger transmission pole on the slide that goes westward for the KCP&L substation to the north of them. From that point west they are not able to put in any street trees. They have a berm and significant native landscaping. They do not know when or what format the construction will take place for the final two playing fields so they are requesting not to put street trees there until the time that they know the construction method, elevation and configuration of those two fields. Planning Director Richardson stated that issue will be worked out for final plan review. Mr. Ficklin stated that is agreeable.

No one appeared in opposition to these applications.

Planning Director Richardson stated that with regard to the plan review the street trees will be worked out given the constraints. With regard to the special use permit, it will be an indefinite special use permit. The staff recommends approval subject to these comments and the stipulations in the staff report.

The Planning Commission voted unanimously to recommend approval of the Special Use Permit #SP-2016-65 subject to the staff comments (Serda/Jones).

After the vote staff realized that the public hearing had not been opened up for public comment.

The Planning Commission voted unanimously to reconsider the approval of Special Use Permit #SP-2016-65 (Carson/Serda).

The Planning Commission voted unanimously to vacate the previous vote and open the public hearing for anyone that would like to speak on this issue (Carson/Jones).

Mr. James Evans, 1841 North 94th Street, Kansas City, Kansas, appeared in support of this application. He stated that he is 1 of 5 or 6 houses that are affected by the noise or cars. He stated that he is right next to the Oak Ridge Church. None of the neighbors have any opposition and they will be happy to have it there. Soccer is a good sport and brings a lot of good to the community. He stated that the applicant had a meeting the other night regarding the information and he was very forthright and was not hiding

anything. The only other comment that he would have is that he gets about 30 to 50 cars a day in his driveway making a U-Turn. He is the first left and he would ask to have some signage to indicate where the facility is located because that will save traffic flow, U-Turns and his driveway.

Planning Director Richardson stated that staff has the same recommendation. There will be signage along Parallel and he will look at the signage package for Schlitterbahn; there is a new sign code and he will work with the applicant on this issue.

On motion by Dr. Serda, seconded by Ms. Jones, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-65:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

Special Use Permit for training facility and medical center:

- 1. Will training sessions be open to the public to view? How will crowd management and security be handled if so? Most Sporting KC practices are currently open to the public, and it is anticipated this policy to continue at the NTCDC. Just as the public is required to do at SKC's current training building, all public visitors to the NTCDC will be required to check in at the building's reception desk. They will then be escorted out to the field entry gate at the north side of the building. Visitors will proceed down the stairs where they will be met by staff to guide them to the appropriate viewing location. Visitors requiring assistance will be escorted inside the building to use the elevator down to the field level and out to the practice fields. It is anticipated US National Team practices would operate the same way. When the Men's and Women's National Teams are in town to play a game they typically hold an open practice session the day before the game. This event is held in Children's Mercy Park. It is anticipated that this procedure continue upon the opening of the NTCDC.**
- 2. How many doctors and patients are expected on a daily average? It is anticipated that there will be one to two doctors in the Children's Mercy Sports Medicine and Rehabilitation Center per day. One non-operative sports**

medicine physician typically sees approx. 20 patients in a full day clinic. At this point in time, it is anticipated that the clinic will primarily be staffed by non-operative sports medicine physicians.

3. Please provide greater detail on the types of medical services provided. Is this exclusively outpatient, etc. From a physical therapy standpoint, it is anticipated that the clinic will be staffed with 5.8 FTE physical therapists and PTA(s) seeing approx. 725-800 patients per month. Door opening numbers will likely be approx. $\frac{1}{2}$ those numbers listed with an approximately 20% increase per quarter. All services will be provided on an outpatient basis. There will be a radiology suite, and at some point limited laboratory services may be provided as well. In addition it is anticipated that on the days it is scheduled for use the gait lab will require two technicians (physical therapist/ATC), a physician and involve 1-2 patients over a 4-6 hour period. The eventual goal is daily use during the more quiet gym times i.e. during school.
4. This would be an indefinite special use permit.

Plan Review:

A) Signage

1. All signage requires sign permitting and standard sign permit review processing. Understood, we will comply. The signing for this project will be made with a future application.

B) Landscape plan

1. Provide landscape plan. A landscape plan was provided as sheets L1-01 through L1-04.
2. 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. (Sec. 27-577 d.1) This entire project is, at its heart, a landscape development with supporting buildings. It is the complete inverse of standard development of a proportionally large building, parking lots and relatively small necklace of peripheral landscape. Site visitors will experience a park-like setting which is, by design, screened from surrounding streets and land uses. There will be no objectionable views into the development and the large proportion of landscape within this project, we believe, renders this specific guideline not applicable.
3. Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30

inches at maturity. By design, the entire development, including the parking, is screened from adjacent streets and land uses by a combination of extensive berms, evergreen trees, ornamental grasses and continuous hedgerows.

4. 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:
 - c. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - d. 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. In general the project is accessed by one two-lane drive easement off of 98th Street and therefore has no practical public street frontage. The Parallel Parkway frontage is landscaped with a large continuous berm with native grasses and flowers as well as a continuous hedgerow. Trees have not been included because of concerns with both overhead and underground utilities.
5. New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. (Sec. 27-577 b.1) The parking lots/ buildings are setback over 400 feet from adjacent street rights of way with both formal and informal greenspace between.

C) Parking and Site Design

1. (Sec. 27-576 d) 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. Sidewalk is being provided from the perimeter of the parking areas to the front doors of both the north and south building entrances.
2. Sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses. The sidewalks in drop off areas in front of buildings are wide enough for standing, and pedestrian movements. The sidewalks are generally 20' and greater in width in front of both building entrances.
3. Internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces. Parking lot sidewalks are

constructed of concrete behind curbs in islands.

4. Pedestrian connections must be clearly defined in a combination of two or more of the following ways:
 - a. Six-inch vertical curb. 6" vertical curb is used at all sidewalks.
 - b. Trellis.
 - c. Special railing.
 - d. Bollards. Bollards will be used at the entry to the US Soccer / Sporting KC building.
 - e. Special paving. The sidewalk at the building entries have mica flakes and colored bands.
 - f. Low seat wall or other architectural features. Overhang with lighting is provided at the Children's Mercy Hospital entry.
 - g. Pedestrian scale lighting.
 - h. Traffic calming devices.

D) Architecture

1. (Sec. 27-576 c) 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:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines. (Sec. 27-576 c)The building facades vary greatly to avoid the monotonous long facades described in the review comment.
2. All downspouts must be internalized. There are no exposed downspouts on the Training Center building. The small maintenance shed will have exposed downspouts but this is an accessory building screened from the public way.
3. All roof mounted units must be screened by the parapet. Roof mounted units are screened from view from the public way by either the building parapet or other screening system.
4. All signs must be approved and permitted separately by the Planning Staff. Will comply.

E) Lighting

- 1. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are allowed. Understood, lighting around the building consists of 25' tall, full cut off fixtures and bollards.**
- 2. Exterior parking lot lighting shall have 90 degree cutoff fixtures. The lighting submitted has full cut off fixtures.**

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Plan Review Application #PR-2016-18:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0
Subject to the above stipulations

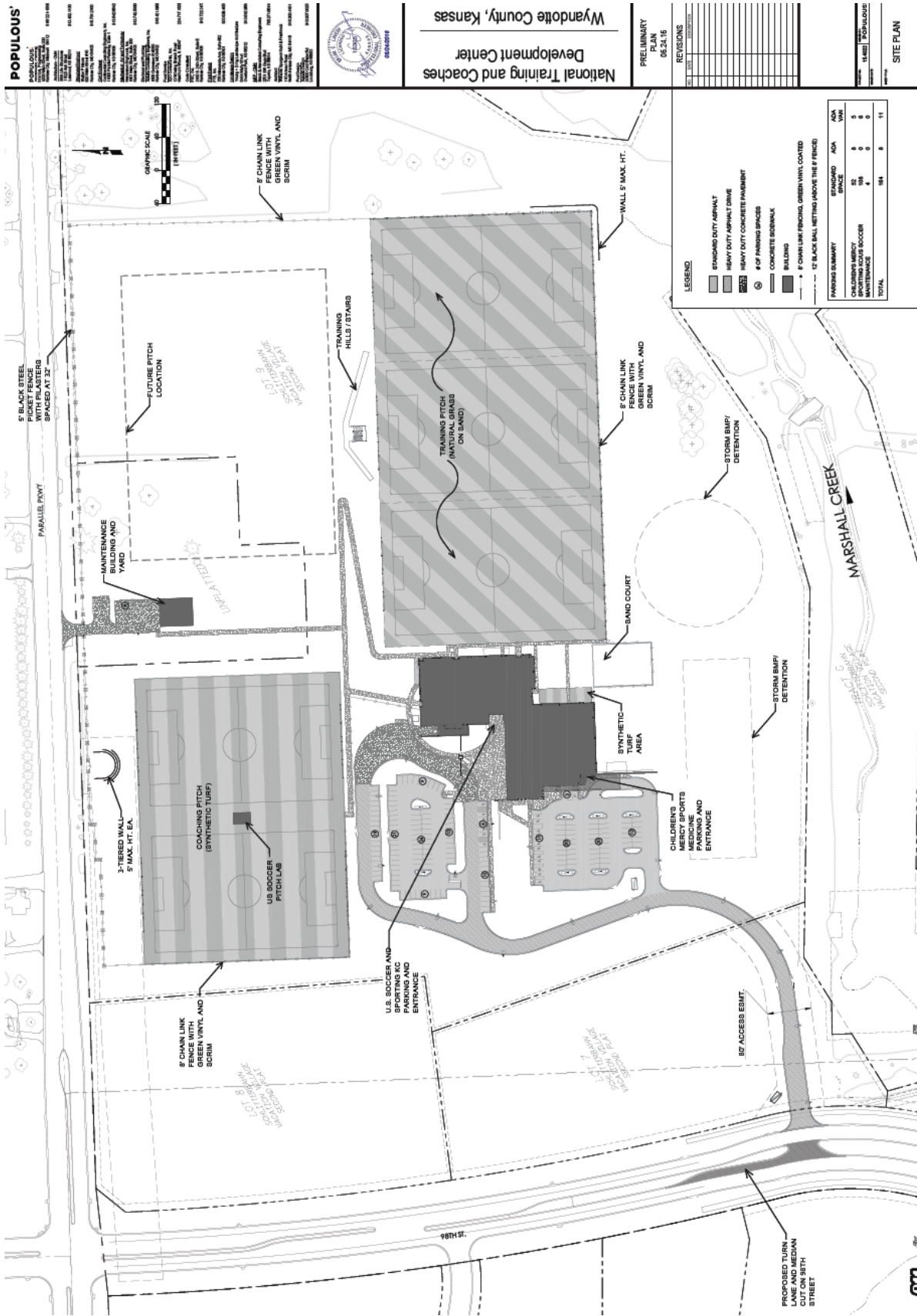


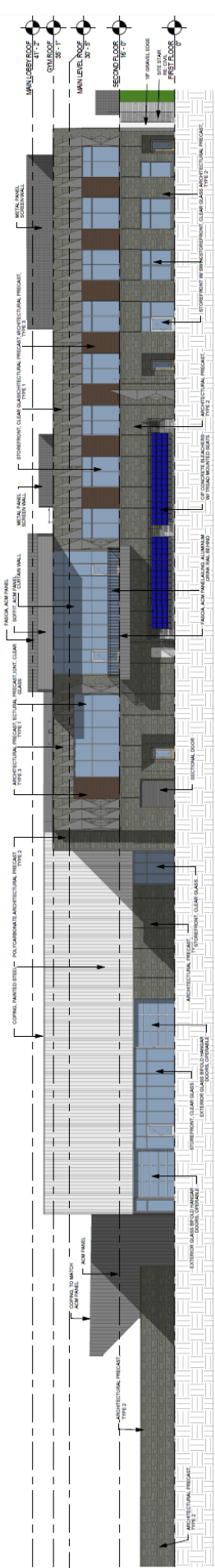


National Training and Coaches Development Center

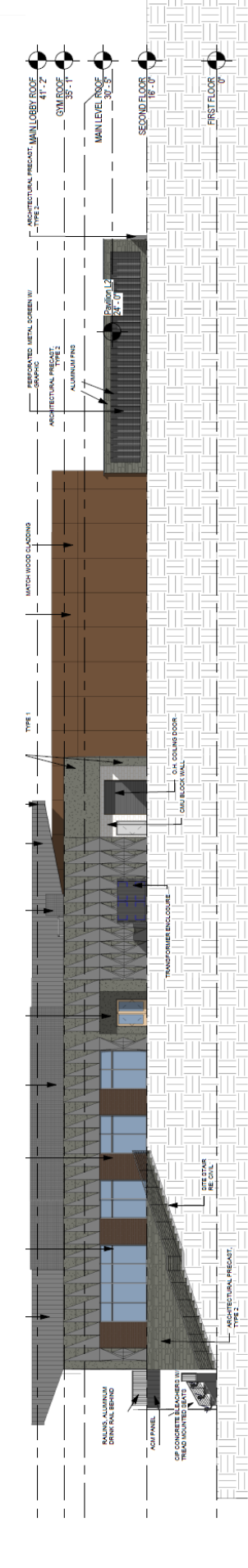


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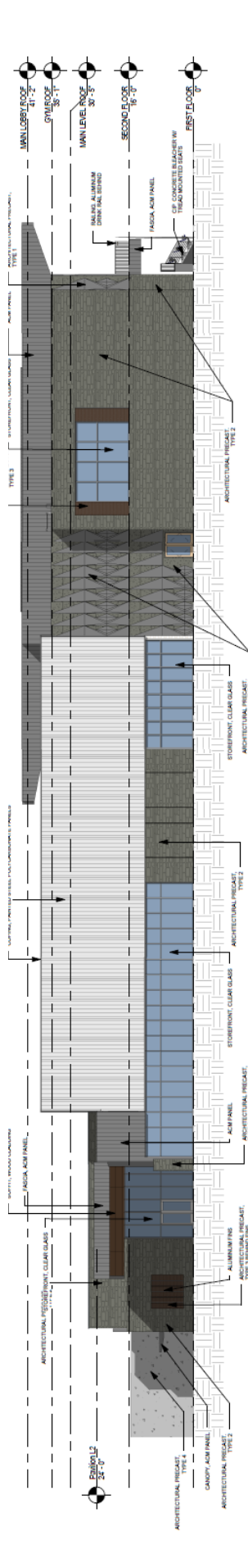




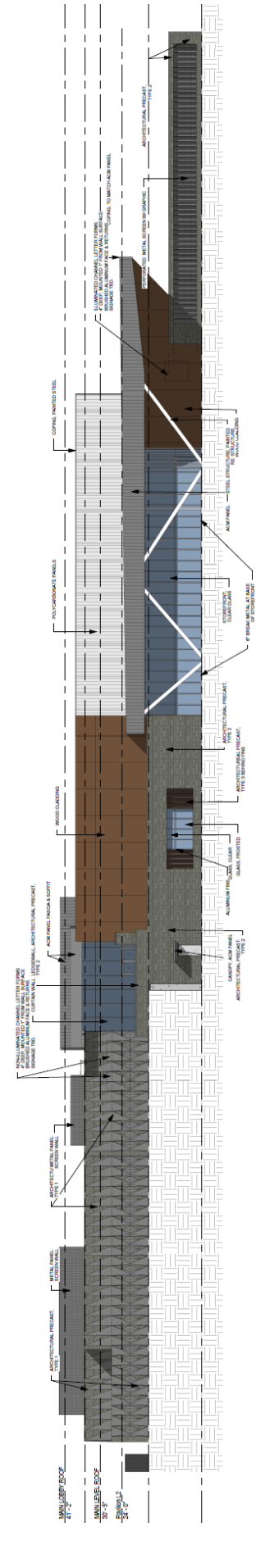
① EAST
1/16" = 1'-0"



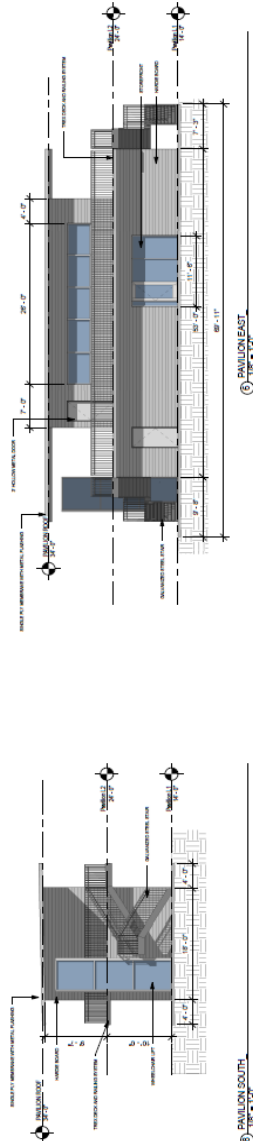
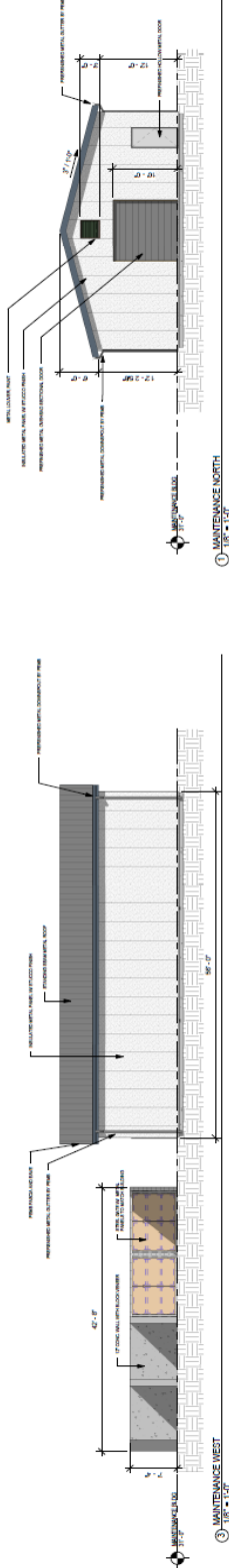
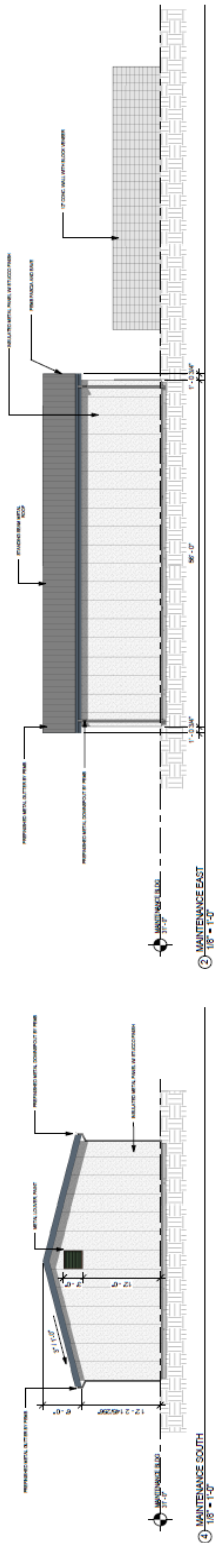
② NORTH
1/16" = 1'-0"



③ SOUTH
1/16" = 1'-0"



④ WEST
1/16" = 1'-0"



**National Training and Coaching Development Center
Neighborhood Meeting Minutes
Application Number SP-2016-65, PR 2016-18
Date and Location: July 25, 2016, Children's Mercy Park
Meeting called to order at: 4:30 PM**

Names of people in attendance:

Presentation Group:

Michael Donovan, AIA, Populous
Brian Lavery, PE, Continental

Neighbors:

James Evans 1841 N. 94th Street, Kansas City, KS 66112
Charlene Plotyia 1918 N. 94th Street, Kansas City, KS 66112
Deryle Cline and Diana Braswell 9746 Parallel Parkway, Kansas City, KS 66109
Loraine Knipp, Loretta Caldwell, Gery Walker, 9611 State Ave, Kansas City, KS 66111
William Cigich, Jeramy Cigich, 9800 Parallel Parkway, Kansas City, KS 66109
Frank and Mary Jo Van Fleet, 9460 Parallel Parkway, Kansas City, KS 66109
Roscoe Davis, 9600 Parallel Parkway, Kansas City, KS 66109
Murrel Blend, PO Box 12905, Kansas City, KS 66109
Jeff Hays (Schlitterbahn), 9400 State Ave, Kansas City, KS 66112
Kevin and Blanche Geary, 1900 N. 94th Street, Kansas City, KS 66112
Janell and Paul Rhodes, 1717 N. 94th Street, Kansas City, KS 66112
Angus Turner, 9510 Parallel Parkway, Kansas City, KS 66109
John Handley, 10985 Cody, Suite 220, Overland Park, KS 66210
Monica Foltz, Paul Foltz, 9616 Parallel Parkway, Kansas City, KS 66109
Diana Billings, 1301 N. 94th Street, Kansas City, KS 66112

Introductions:

Mike Donovan of Populous described the location and use of the project. There were presentation boards showing building elevations, 3d views, and a site plan. The project is a training center for Sporting Kansas City, US Soccer National Teams, and US Soccer coaching training as well as a component used by Children's Mercy Hospital as an outpatient rehab facility. The project is located south of Parallel Parkway and east of 98th Street. There are 2 lots between this project and 98th Street that are not controlled by this development. The north portion of the building will serve US Soccer and Sporting KC and be at an upper elevation. The south portion of the building will sit lower and serve Children's Mercy. There will be a double synthetic pitch to the north used by US Soccer coaching training, while the main triple pitch will be grass and used by Sporting KC and the US Soccer national teams. Besides the main building, there is a maintenance building of approximately 2000 sf south of Parallel and a pavilion in the center of the training pitch for US Soccer coaches.

Questions and answers:

- 1) What is the size of this project? Mr. Donovan replied that the entire site is approximately 50 acres with the area shown being developed as 37 acres

- 2) Is the only access off 98th Street? Mr. Donovan replied that the access for Children's Mercy, US Soccer, and Sporting KC is off 98th Street, the only access off Parallel is for the maintenance building.
- 3) What kind of traffic will this generate? Mr. Donovan and Mr. Lavery replied that US Soccer would bus in their coaches and that the traffic for Sporting KC would only be from players, coaches and trainers. There are around 160 parking spaces, so the traffic is relatively light. The traffic generated by Children's Mercy would be less than 150 cars per day.
- 4) How long is the lease on this property? Mr. Donovan and Mr. Lavery did not know how long OnGoal would be leasing this property from Schlitterbahn, but assumed it was greater than 20 years.
- 5) Are there any plans for the ground to the east of what is shown on the plans? Mr. Lavery replied that the only plans may be a future pitch to the east of the maintenance building, but nothing further east of that. The ground was too steep and treed and there is a creek buffer that prevents developing within 200 feet of Marshall Creek.
- 6) Are there any hotel plans? Mr. Donovan and Mr. Lavery replied that there are no hotels planned for this property, although there may be plans for hotels by other developers on adjacent properties.
- 7) Are there any plans for the ground south of State Avenue? Mr. Donovan and Mr. Lavery weren't aware of any plans for ground south of State Avenue.
- 8) Will anyone reside in this building? Mr. Donovan stated that there will be no permanent residents here, all users for US Soccer will stay in nearby hotels and be bussed to and from the property.
- 9) Will there be additional traffic on Parallel north of the site? Mr. Lavery replied that there will likely be minimal additional traffic on Parallel. This project does not generate a large amount of traffic, and the traffic that does come will generally come from the I-435 direction, not from the east.
- 10) What are the hours of the facility? Mr. Donovan and Mr. Lavery replied that the US Soccer coaches training was generally a M-F, 8a-8p type of schedule. Sporting KC would practice as needed and could be any day of the week depending on their game schedule. Sporting would not practice at night since the grass pitch was not lit. Children's Mercy would operate Mon-Sat, 8a-8p. There is no current schedule for the US Men's or Women's team to practice.
- 11) Which fields are lighted? Mr. Donovan replied that only the north double pitch is lighted.
- 12) Will there be noise at night? Mr. Donovan and Mr. Lavery replied that they did not anticipate any use that would generate noise at night.
- 13) Will the traffic from the youth fields affect this project? Mr. Lavery replied that the 2 projects were around a mile apart and would not affect each other from a traffic standpoint.
- 14) Are there youth fields for this project? Mr. Donovan replied that the youth field component is on 90th Street and no games would be held at this site.
- 15) When will the grading be complete? Mr. Lavery indicated that the grading would be complete in Sept of 2016. Mr. Donovan replied that the foundations would begin this fall.
- 16) Are the fields artificial or grass turf? Mr. Donovan replied that the north pitch is synthetic turf while the main, triple pitch is grass.
- 17) Will the future fields be lighted? Mr. Lavery and Mr. Donovan replied that they were not certain if the future fields would be lighted, but they did not anticipate that they would be.
- 18) Does this project have fencing? Mr. Lavery replied that the fence along Parallel would be similar to that across the street from Children's Mercy Park with columns every 40' or so with the area in-between composed of 5' black pickets. The remainder of the fence would be vinyl coated chain link with scrim.
- 19) Where is the sanitary sewer? Mr. Lavery replied that there is a sanitary sewer immediately west of this project and east of 98th Street as well as a sewer along Marshall Creek to the south.
- 20) Where will the emergency access be coming from? Mr. Lavery replied that emergencies would likely be leaving the site for Providence Hospital to the east while the responders would come from the fire station on State Avenue just east of 98th Street.

- 21) A resident complained of dirt and dust from the grading blowing to the north. Mr. Lavery replied that he would contact the City and notify the proper authority.
- 22) When is the completion date? Mr. Donovan replied that the project was scheduled to open in the Fall of 2017.
- 23) Can you explain the north side of the project, are there trees, is that a 3:1 slope? Mr. Lavery explained that the north field sits approximately 25' below Parallel Parkway and there is a 3:1 slope down to it except where there is a small wall around the KCPL pole. There would be a berm with shrubs along the south side of Parallel. This berm changes in height from 3'-8' as you move west on Parallel.
- 24) Will this project create any jobs? Mr. Donovan indicated that he did not believe they were moving anyone from existing facilities to this one, so it would create some jobs in running or maintaining the facility.
- 25) Can you explain the lighting? Mr. Lavery replied that there was 25' tall light fixtures in the parking areas and 60-70' tall high mast lighting for the north fields. The City would require that all lighting is cut off from spilling over the property line.
- 26) Will there be piped in noise to simulate crowd noise? Mr. Donovan and Mr. Lavery were not aware of any intention by the users to pipe in crowd noise.
- 27) Which creek is filled? There is wildlife in those creeks. Mr. Lavery replied that they are not touching Marshall Creek and that they are filling the tributary to the west to cross it.
- 28) What is the potential for development between this site and 98th Street? Mr. Donovan and Mr. Lavery did not know of any future developments immediately between this project and 98th Street other than the proposed Freddy's restaurant at the southeast corner of 98th and Parallel.
- 29) Is there a general contractor? Mr. Donovan indicated that Grand Construction would be the general for the site work and that Turner would be the general for the building.

Meeting adjourned at: 5:40PM

Minutes taken by: Brian Lavery, Continental



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: August 25, 2016
Re: Petition #3118

GENERAL INFORMATION

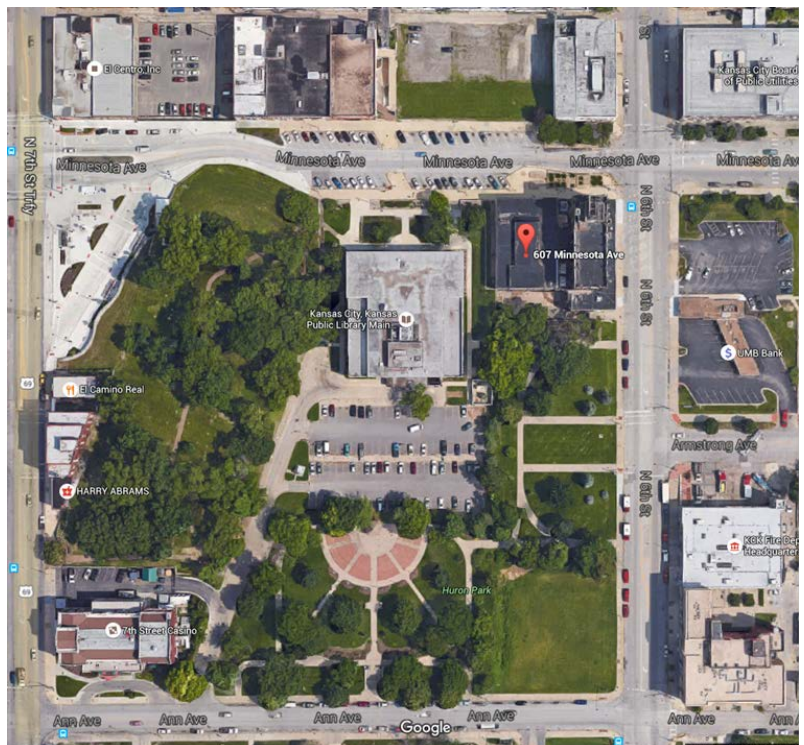
Applicant:
Ted Ehney

Status of Applicant:
Representative
Kansas City Kansas
Properties, LLC
607 Minnesota Avenue
Kansas City, KS 66101

Requested Action:
Change of Zone from C-O Non-
Retail Business District to C-D
Central Business District

Date of Application:
June 24, 2016

Purpose:
To obtain approval for a
change of zone to rehabilitate
of 607 Minnesota Avenue in order to use it as a commercial space, including restaurant
use



Property Location: 607 Minnesota Avenue

Existing Zoning: C-O Non-Retail Business District

Surrounding Zoning:

North:	C-D Central Business District
South:	C-O Non-Retail Business District
East:	C-D Central Business District
West:	C-D Central Business District

Existing Uses:

North:	Commercial
South:	Huron Park and Municipal Office Building
East:	Commercial
West:	Commercial

Total Tract Size: 0.27 acre

Master Plan Designation: The Downtown Master Plan designates this property as a catalyst block.

Major Street Plan: Minnesota Avenue is a designated Class B Thoroughfare

Advertisement: The Wyandotte Echo – July 14, 2016
Letters to Property Owners – July 14, 2016 and August 18, 2016

Public Hearings: August 8, 2016 and August 25, 2015

Public Opposition: No one appeared in opposition to this application at the August 8, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Mr. Ehney is seeking approval for a change of zone in order to rehabilitate 607 Minnesota Avenue for use as commercial space including: restaurant, office, and fitness center.

Code Enforcement Actions: There are no current open Code Enforcement cases on this property. However, in 2015 a stop-work order was issued due to façade work beginning without permits being issued.

City Ordinance Requirements: Article XXII Sections 27-1001 – 27-1419 and Article XXI Sections 27-501 - 27-1000

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

The character of the neighborhood is the urban core of Kansas City, Kansas.

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

This area is primarily commercial and office use though it has had a mix of uses commonly found in urban centers. This project would allow for more dense development and a more vibrant mix of uses in the urban core.

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

This is not foreseen to be an issue.

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

This property is not vacant but has been underutilized for a number of years.

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.*

Downtown Kansas City, Kansas has seen many decades of disinvestment and empty storefronts. Mr. Ehney is proposing office use, new restaurant space with sidewalk seating, and a fitness center on the second floor. This type of reinvestment in and rehabilitation of our historic downtown properties as well as the variety of new commercial uses is an example of rejuvenating development that staff is eager to help facilitate in the urban core.

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 uses will likely increase traffic to the site, however, staff feels there is enough available parking and transit access in the urban core to facilitate this demand.

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

This change would be in conformance with the Master Plan.

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

This is not foreseen to be an issue.

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

a. Water service

Existing

b. Sanitary sewer service

Existing

c. Storm water control

Existing

d. Police

Police service is provided by Police District #115

e. Fire

Fire service is provided by District #1

f. Schools

Kansas City, Kansas USD 500

g. Streets

See item #6 above

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

The proposed use would likely increase the tax revenue for the site as well as have other, positive catalytic impacts on the urban core.

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

The proposed use is expected to meet 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.

It could be argued that increased economic activity as well as a livelier, more active streetscape would be a gain for the public safety and welfare of the community.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 25, 2016. According to the applicant no one attended.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission vote 7 to 1 to recommend **APPROVAL** of Change of Zone Application #3118, subject to:

Urban Planning and Land Use Comments:

1. This project is located in the Huron Place Historic District and within 500' of, Huron Indian Cemetery, Old Kansas City, Kansas City Hall, and Kansas City, Kansas Fire Headquarters. This rehabilitation project was approved unanimously by the Landmarks Commission July 5, 2016.
2. To obtain building permits, an application to DRC must be submitted.
3. Upon approval a \$50.00 ordinance publication fee must be submitted.
4. Before a permit is issued for the two-story structure some temporary repairs are made for the structure on the east so it does not look like there are big holes cut in it.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #3118 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
Zoning Map
Historic properties map
Aerial photo
Photo of structure at present
Proposed plans and renderings

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	August 8, 2016	August 25, 2016
Rezoning	Approval	

STAFF CONTACT: **Jamie Ferris** **jferris@wycokck.org**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #3118 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 #3118, as it is not in compliance with the City Ordinances and as it will not promote the health, safety

and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

CHANGE OF ZONE APPLICATION #3118 – TED EHNEY WITH KANSAS CITY KANSAS PROPERTIES LLC - SYNOPSIS: Change of Zone from C-O Non-Retail Business District to C-D Central Business District for a restaurant, office space and future commercial at 607 Minnesota Avenue

Recording Secretary Parker stated that the following items should be 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 August 8, 2016;
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 dated July 14, 2016; and
7. The Notices to property owners dated July 14, 2016.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

The applicant was not present.

Mr. John Freshnock, WSKF Architects, appeared in support of this application. He stated that he is assisting the applicant in the rehabilitation of this building. This building has been empty for quite some time. Rezoning of this building would allow for a restaurant and other commercial uses that are not allowed under the current zoning. He stated that it would be beneficial to get the building into a better tax and usable situation for the city and neighborhood.

Chairman Huey asked if the restaurant will only be in one portion of the building. Mr. Freshnock stated yes. Chairman Huey asked what other uses are proposed on the west side. Mr. Freshnock stated that right now there are several ideas and one of them is a drive-through to move the UMB bank over to that side of the street. The west side faces the library and it is a stucco façade that is quite old and right now it is just going to be maintained.

Planning Commissioner Connelly asked about the east side of the building where it has been damaged. Will that be repaired? Mr. Freshnock stated that it is in the process of being designed and will have to go before the historic preservation board. The façade was put on in the 1960s and it will be removed.

No one appeared in opposition to this application.

Planning Director Richardson stated that he also received some questions today about the eastern building which is the tower. There are two buildings: the eastern building is the tower and then there is this building which is a two-story structure that has a common wall with the tower. In investigating what was under the façade, he believes that some big holes were cut out of the building. He would like to add a number 4 that before a permit is issued for the two-story structure some temporary repairs be made for the structure on the east so it does not appear that there are big holes cut in it. The staff recommends approval with the additional stipulation.

Planning Commissioner DeWitt asked if the staff is recommending approval even though the applicant was not present. Planning Director Richardson stated yes because Mr. Freshnock that spoke did the plans for the applicant.

Planning Commissioner Serda asked if the materials, etc. will be covered under a plan review. Planning Director Richardson stated yes.

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application #3118:**

Carson	Aye
Connelly	Aye
DeWitt	No
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 7 to 1

Subject to:

Urban Planning and Land Use Comments:

1. This project is located in the Huron Place Historic District and within 500' of, Huron Indian Cemetery, Old Kansas City, Kansas City Hall, and Kansas City, Kansas Fire Headquarters. This rehabilitation project was approved unanimously by the Landmarks Commission July 5, 2016.
2. To obtain building permits, an application to DRC must be submitted.
3. Upon approval a \$50.00 ordinance publication fee must be submitted.
4. Before a permit is issued for the two-story structure some temporary repairs are made for the structure on the east so it does not like there are big holes cut in it.

.Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:

- 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None









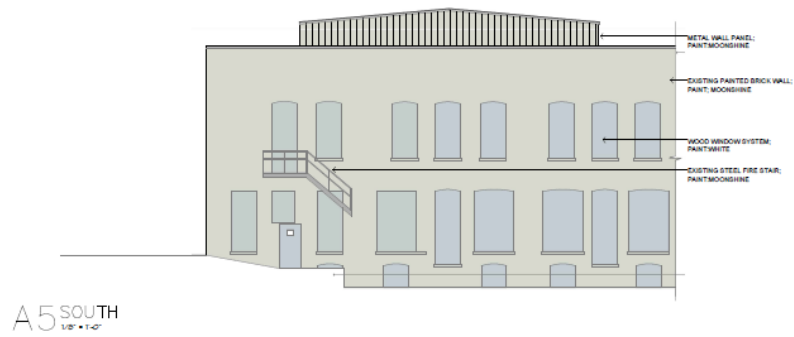
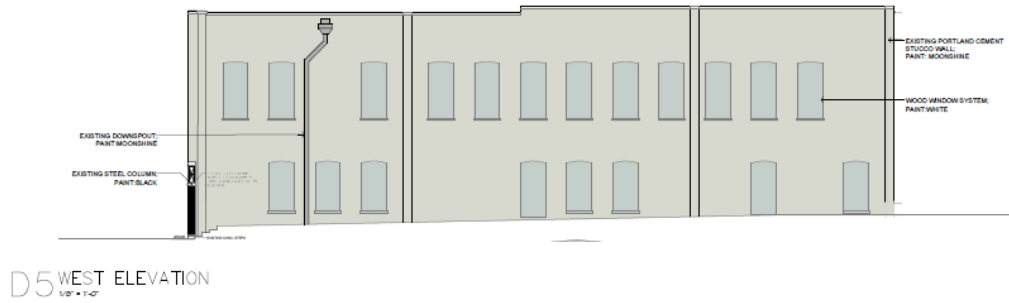
Image via Google Street View (July 2015)



Historic photo of 607 Minnesota via Kansas Historic Resources Inventory (date unknown)



W.C. Clegg Building, Kansas City Public Library, Kansas City, Missouri



JOB NUMBER	16034
ISSUE DATE	05/31/2016
REVISIONS	



607 Minnesota Ave.
607A 607B 607C Minnesota Avenue
Kansas City, Kansas 66101
Kansas City Properties-Ted Barry
601 Minnesota Ave. Fairlane City, KS 66101
TEL: 913.481.1471 FAX: 913.481.1472
Will City
Spurgeon
Kuh &
reshnock
ARCHITECTS
P.C.





1 EXTERIOR CEILING DEMOLITION
NO SCALE



1 DEMOLITION @ NEW ENTRY(607A-EAST)
NO SCALE



1 INTERIOR CONCRETE RESURFACE
NO SCALE



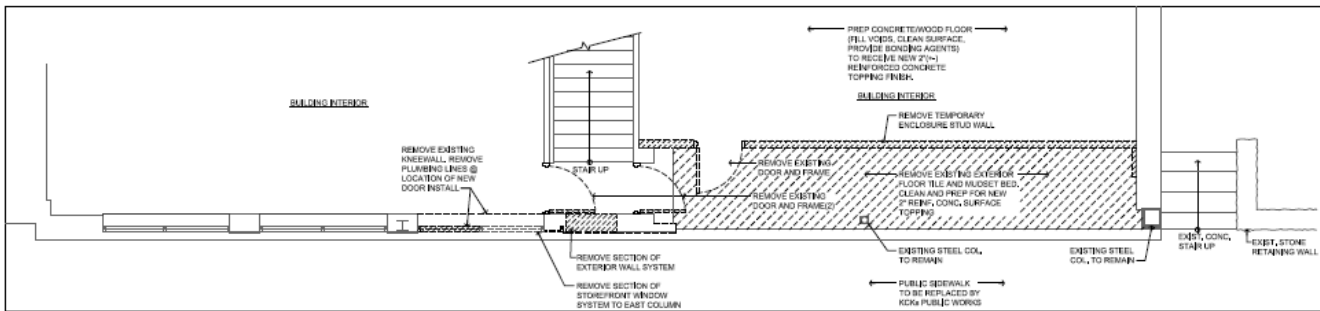
1 EXTERIOR WALL DEMOLITION
NO SCALE



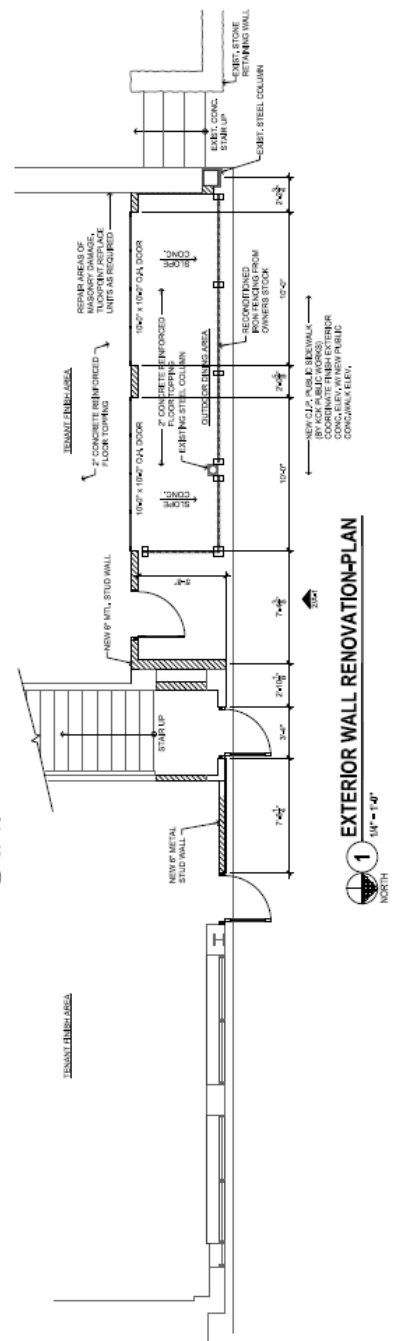
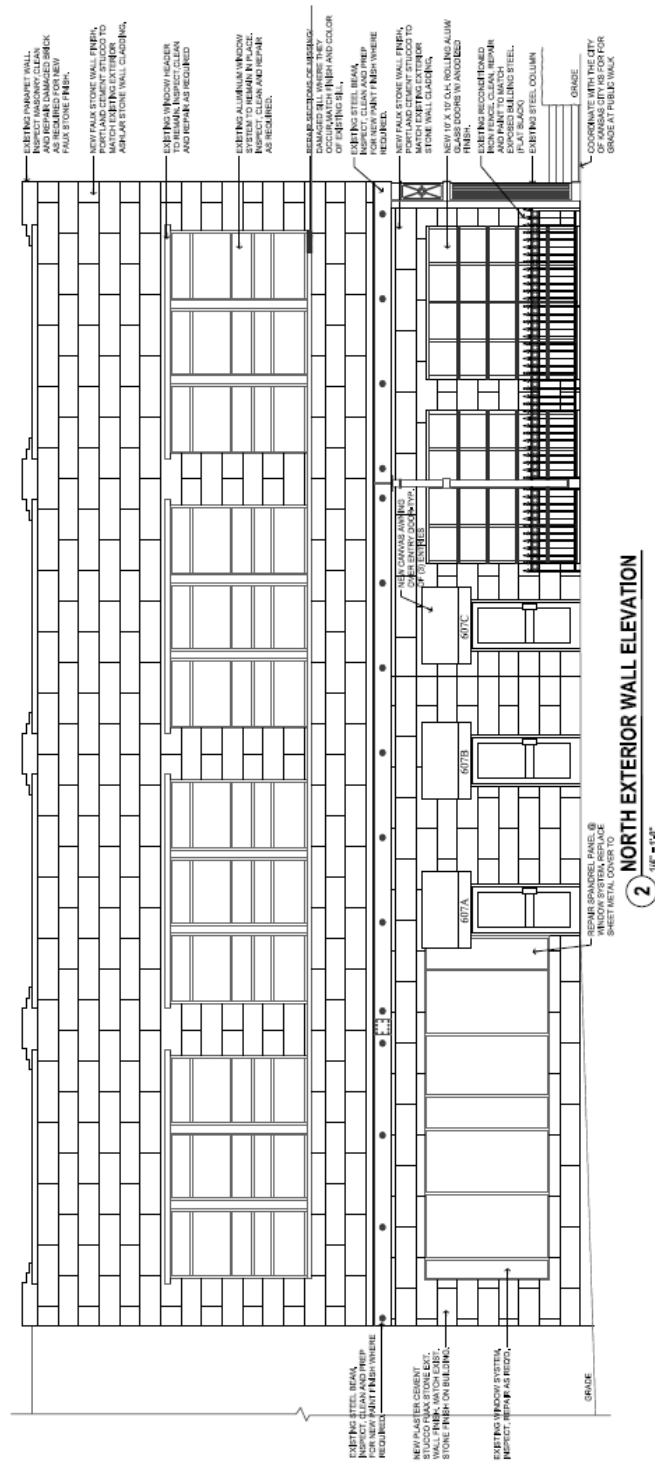
1 EXTERIOR WALL SURFACE DEMOLITION
NO SCALE



1 EXTERIOR CONC. DEMOLITION
NO SCALE



1 EXTERIOR WALL DEMOLITION PLAN
1/4" = 1'-0"
NORTH





Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners

From: City Staff

Date: August 25, 2016

Re: **Change of Zone Petition #3119, Petition #SP-2016-64**

GENERAL INFORMATION

Applicant:
Kevin Quinn

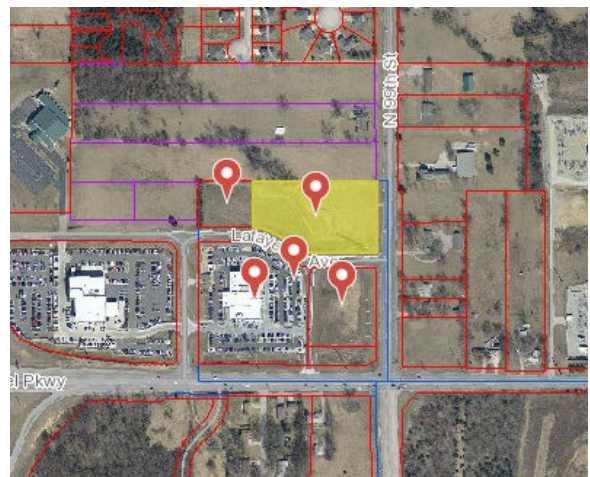
Status of Applicant:
Representative
Caleb Flake with BHC Rhodes
7101 College Boulevard, Suite 400
Overland Park, KS 66210

Requested Actions:
Change of Zone from
CP-2 Planned General Business District
to CP-3 Planned Commercial District

Special Use Permit to build an auto body
repair shop

Date of Application:
Change of Zone: June 24, 2016
Special Use Permit: June 24, 2016

Purpose: To build and operate a car wash, auto body repair shop and, Legends Honda (existing) and convenience store



Property Location: 10050 Parallel Parkway, 10000 Lafayette Avenue, 2220 North 99th Street and 2200 North 99th Street

Existing Zoning: CP-2 Planned General Business District

Surrounding Zoning: **North:** A-G Agriculture District
 South: CP-2 Planned General Business District
 East: A-G Agriculture District
 West: CP-2 Planned General Business District

Existing Uses: **North:** Undeveloped land and a large lot single family home
 South: Auto dealerships and commercial development (under construction)
 East: Single family homes
 West: Legends Toyota automotive dealership

Total Tract Size: 13 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Regional Commercial

Major Street Plan: The City-Wide Master Plan classifies Parallel Parkway as a Class A Thoroughfare, North 99th Street as a Class B Thoroughfare and Lafayette as a local street.

Advertisement: The Wyandotte Echo – Change of Zone – July 14, 2016 and Special Use Permit – July 14, 2016
 Letters to Property Owners – July 14, 2016 and August 18, 2016

Public Hearings: August 8, 2016 and August 25, 2016

Public Opposition: At least one adjacent neighbor called in opposition to the auto body land use. No one appeared in opposition at the August 8, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Kevin Quinn with KCK Development II, Inc. has filed a change of zone from CP-2 Planned General Business District to CP-3 Planned Commercial District and a special use permit in order to build and operate an auto body repair shop at 10000 Lafayette Avenue. A preliminary and final plan review have been filed to amend a previously approved preliminary plan review for the Legends Auto Plaza, which also includes a car wash/commercial development, Legends Honda (existing) and convenience store in addition to the repair shop at 10050 Parallel Parkway, 2220 North 99th Street and 2200 North 99th Street.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VII Sections 27-245 – 27-339 and Article VIII Sections 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

This site is at the eastern edge of commercial development on Parallel Parkway.

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

The zoning and their uses are set out above. The proposed uses with the exception of the auto body repair shop are compatible with them.

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

The removal of the restrictions could affect nearby property if the auto body repair shop does not comply with regulations and stipulations.

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

The property has been vacant since 2013 as zoned.

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 of the public for those who will use these services. If these buildings are properly designed, architecturally and landscape materials effectively screen equipment, storage areas and soften the appearance of the building, the proposed use will not substantially injure the appropriate use, visual quality or marketability of adjoining property.

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 uses in this development will increase traffic in ways that it could impact the current volume of traffic travelling on North 99th Street and Parallel Parkway.

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

The proposed uses conform to the Master Plan.

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

The proposed use will not enhance the environment.

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

a. *Water service*

Available

b. *Sanitary sewer service*

Available

c. *Storm water control*

To be designed to meet City Code

d. *Police*

Police service is provided by West Patrol, District #223

e. *Fire*

Fire service is provided by Station #6

f. *Transit*

Kansas City ATA provides transit along Parallel Parkway, the closest transit stop is at the intersection of 106th and Parallel Parkway, Route #116

g. *Schools*

Kansas City, Kansas USD 500

h. *Streets*

See item #6 above

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

The proposed uses will have a positive economic impact on the community.

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

With revisions the proposed use is capable of meeting applicable ordinance requirements.

12. 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 will increase the amount of vehicular traffic on Lafayette Avenue and North 99th Street, especially with the addition of a convenience store at the northwest corner of the intersection.

13. 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 that is normally generated from a repair shop can cause issues for adjacent homeowners. The applicant will need to keep their overhead doors closed when servicing vehicles as not to cast noise from air hose compressors and/or machinery towards neighbors.

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

If proper measures are taken during construction and in the daily operation of the repair shop and convenience store, the proposed use should not pollute the land or water.

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

The proposed use will not damage or destroy an irreplaceable natural resource.

16. 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 applicant will need to change the scope of the project for Lot 3.

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

The proposed use will not result in overcrowding of land or cause undue concentrations of population.

PREVIOUS ACTIONS

These properties, known as Legends Auto Mall were approved for a change of zone by the City Planning Commission and Unified Government Board of Commissioners on June 11, 2012 and June 28, 2012, respectively.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 21, 2016. According to the applicant, no one who attended the meeting appeared in opposition.

KEY ISSUES

Compliance with the Commercial Design Guidelines

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Change of Zone Application #3119, subject to:

Urban Planning and Land Use Comments:

General Planning:

1. Subject to approval, a \$50.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department following the Unified Government Board of Commissioners meeting.
2. The property lines between Lots 3 and 4 on the Legends Auto Mall final plat do not match the revised site plan included in this submittal. Please revise the preliminary site plan.
Staff Response: The applicant has revised the preliminary site plan.
3. Any wind turbines must comply with the wind turbine ordinance.
4. Because 99th Street is part of the trail network, specifically the On-Street Bike Route Connections (Share the Road), all new trails shall subscribe to the following:
 - Provide at least 10 feet wide and will include enhanced pedestrian amenities including wayfinding and interpretative signage, benches, litter receptacles and generous landscaping.
 - All trails will be illuminated with pedestrian lights with a consistent spacing.
 - All sidewalk and trails should meet the requirements of the American with Disabilities Act Accessibility Guidelines (ADAAG).
5. Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of the major street system shall have

- sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted street right-of-way abutting the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided.
6. Any making or assembly of products to be sold, including raw materials and any servicing or repair activities shall be totally within an enclosed building.
 7. All overhead doors shall be closed when automobiles are being serviced.
 8. Sixty-five (65) of the seventy-two (72) spaces on site are required for customers based on the 16,177 square foot building. The seven (7) remaining spaces can be used for vehicles that are in for disrepair provided they are screened from public view.

Landscaping and Screening:

1. Based on the landscaping requirements in the CP-3 Planned Commercial District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), the number of trees that are required to be planted is twenty-five (25).
This total does not include the street tree requirement or trees to be planted in parking lot islands.
2. Sec. 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.
3. 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:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. 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 street trees.
4. All landscaping must be irrigated.
5. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the site and 3 gallons internal to the development when planted.
6. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are permitted.
7. All lighting, whether mounted on the building or in the parking lot shall have 90 cutoff fixtures.

8. The dumpster will be integrated into the site fence.
9. All roof mounted units shall be screened by the parapet of the building.
10. Sec. 27-467(c) 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 percent of the area of the main building and not in a required yard.
11. The wood privacy fence around the perimeter of the property, abutting residential property shall be 6' in height and have masonry columns every 32' on center.

Building and Architectural Design:

1. Submit a material palette for the auto body repair shop.
2. Provide color renderings of the building.
3. Sec. 27-576(e)
 - (1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality pre-stressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided.
 - (2) Exterior building materials shall not include the following:
 - a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tee or double-tee concrete systems; or
 - f. EIFS at the ground level or comprising more than 15 percent of any facade.

On sheet A3.0, one of the proposed exterior materials is smooth masonry. Smooth-faced grey concrete block is not permitted.

- 4. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.
- 5. Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened and all downspouts shall be internalized.
- 6. Overhead doors shall be painted to match the building.

Signage:

1. Shall comply with the sign ordinance.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) None
- B) Items that are conditions of approval (stipulations):
- 1) A Replat of the Final plat shall be submitted and approved with final development plans, to show the relocated property line between Lots 3 and 4, and all applicable changes for drainage, ingress/egress, and utility easements.
 - 2) Approval from Corps of Engineers and copy of 404 permit for the proposed drainage channel, box culvert, and re-alignment improvements will be required prior to UG approval of final development plans.
 - 3) Final development plans will have to be approved before going to planning commission with approval to obtain construction permits. This will include complete drawings with construction notes and details.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Staff Conclusion:

The applicant has acknowledged and addressed staff's comments and will be required to submit a final development plan for the auto body repair shop. The initial term for mechanic shops under the new ordinance has been for two (2) years. The term length ensures that the operator is being a good and responsible neighbor. Whether the length of a permit is two (2) years or indefinite, a special use permit may be revoked by the Unified Government Board of Commission at any time. Subject to approval, this special use permit shall be valid for two (2) years.

The Planning Commission voted 6 to 2 to recommend **APPROVAL** of Special Use Permit Application #SP-2016-64, for two (2) years unless the applicant provides the value of the project within a quarter million dollars by the Board of Commissioners meeting and then the recommendation will be for ten (10) years and the doors are to remain closed and subject to the above stipulations.

UPDATE: The applicant has indicated the investment will be well over 2 Million Dollars which is sufficient to be a major investment and qualify for the longer initial Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 Change of Zone Petition #3119, Petition #SP-2016-64 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
Neighborhood Meeting Minutes
Final Plat
Site Plan
Landscape Plan
Building Elevations

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	August 8, 2016	August 25, 2016
Rezoning	Approval	

Public Hearing	August 8, 2016	August 25, 2016
Special Use	Approval	

STAFF CONTACT: **Byron Toy, AICP**

MOTIONS

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition #3119 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 #**3119** 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.

Special Use Permit

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-64** 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 #**SP-2016-64** 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.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

CHANGE OF ZONE APPLICATION #3119 – KEVIN QUINN WITH KCK DEVELOPMENT II, INC. - SYNOPSIS: Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District for an auto body shop, car wash/commercial development, Legends Honda and convenience store at 10000 Lafayette

SPECIAL USE PERMIT APPLICATION #SP-2016-64 – KEVIN QUINN – SYNOPSIS; Special Use Permit for an auto body shop at 10000 Lafayette Avenue

Recording Secretary Parker stated that PR-2016-20 was to be heard with these two cases, but the final plan review will be heard in September and the Preliminary Plan Review is part of the change of zone

Recording Secretary Parker stated that the following items should be 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 August 8, 2016;
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 dated July 14, 2016 for the change of zone and special use permit; and
7. The Notices to property owners dated July 14, 2016.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Curtis Peterson, 6201 College Boulevard, Overland Park, Kansas, and Mr. Kevin Quinn, applicant and one of the principles with KCK Development II, Inc., appeared in support of this application. Mr. Peterson stated that Mr. Quinn and his group (Baxter) are based in Omaha and own several dealership and they actually started the car dealership several years ago with Toyota and then Honda. They are also the owners of all of the land being discussed tonight. He stated that Tony Weise with Omaha Collision LLC and he is the contractor of Lot 3 and proposes to construct and build a collision center. He further stated that there is also a representative present from BHC Rhodes. This was residential and agricultural land until 2012 until Mr. Quinn and his group came in and it was platted into four lots. Lot 1 is Legends Honda, Lot 2 is for a convenience store/gas station (still undeveloped), Lot 3 was for a third auto dealership and Lot 4 was meant to be an overflow lot for the dealerships. What has happened is that a Honda dealership has gone in. They have worked very hard with Mr. Quinn to try to get a convenience store there and they were unsuccessful. There is a plan review submitted for the convenience store right across the street at 98th and Parallel. Since they have talked to so many people, they question as to whether or not that will go in. Tonight they are discussing a replat for Lot 3 and Lot 4 would be bigger. They are requesting the change of zone, revised preliminary plan and also a special use permit which would allow the collision center. On Lot 4 Mr. Quinn is proposing a car wash which is allowed under CP-2 and it is only part of the revised preliminary plan. The car wash is only to be used for the two dealerships unless they have a special promotion for existing customers. It is not a retail car wash. They had a nicely attended neighborhood meeting and there were very good questions and they talked to all of the questions that he had asked the client as well. There may be some neighbors present this evening and they can speak for themselves but he believes that they were satisfied. Mr. Petersen stated that he is going to ask Mr. Weise to discuss his operation. As the Commission knows special use permit are for the applicant and not the land so if he would decide in two years to sell the property to someone else for the same use, they would have to come forward for their own special use permit.

Mr. Tony Weise appeared in support of this application. He stated that he and his brothers operate in Omaha, Nebraska and do over 500+ cars a month and have around 50 employees. They are a growing facility and they are looking to come to the Kansas City market and do a handful of shops depending how this project works out. They are not a typical shop with a steel building and cars parked all over. They are in business for repair of late model vehicles and work with insurance companies on direct repairs. This is a very clean and organized operation like the dealerships across the street. It is

not what would typically be expected. They never leave cars outside at night unless they are a total loss and will be thrown away.

Chairman Huey stated that from the neighborhood meeting they were asked if they would hire employees from Kansas City, Kansas and they stated yes but they may bring 1 or 2 employees from Omaha. She stated that the KCKCC has a very strong auto program and asked if they would cultivate a relationship with the college to hire graduates from their program. Mr. Weise stated that it is in the works. Ninety percent of their work force is under the age of 35. They train most of their technicians in-house; they have a very specific program. He is looking for the tech graduate that is looking for a job. It takes 4 or 5 years to get them into higher positions. Chairman Huey asked if he would also team up with USD 500 or does he want someone with some training. Mr. Weise stated that he is open to both. He stated that the 1 or 2 people that would come from Omaha would bring their operating style and model to make sure that it runs smoothly. The people in the facility would almost all be Kansas City, Kansas residents. Chairman Huey stated that there are some amazing students in Kansas City, Kansas not only in the USD 500 area but also Turner, Piper and Bonner Springs.

Planning Commissioner Carson stated that he made the statement that cars would not be outside unless they were a total loss and as a resident in that area those are the cars that he is concerned about being outside and not the new Camaro that is outside. What is the time frame for a car like that being out before it is hauled off. Mr. Weise stated that a facility of this size would have 1 to 3 of those vehicles and they would be in the northwest corner of the facility which is fairly hard to see. On average that vehicle would sit no longer than 7 to 10 days. Mr. Carson stated that he would assume that is for the insurance company to come out and see if the vehicle is going to be a total loss. Mr. Weise stated that is right. Once they do their part and determine the car to not be repairable the insurance company does its due diligence. He stated that they begin to build storage after 14 days. They have a lot of motivation to hurry up and get it out of there.

Mr. Peterson stated the building is 16,000 to 17,000 square feet and the one entrance point lines up with the undeveloped Lot 2 and Honda on the west side. The entire north side and east side down to the corner of the parking lot and on the west side is a 6' wood privacy fence on 32' center masonry columns. The landscaping will be on three sides outside the fence. There will be deciduous trees. The property right now is a big hole and there will be a lot of fill that comes in to level it out. There will be a retaining wall and it will be 6' and tamper down to 0 (he showed the Commission on the slide.) On the north side the grade drops and it is a maximum of a 5' retaining wall. To the north there will be the deciduous trees and on the east there will be shrubbery included in addition to the deciduous trees. He showed the Commission on the slide the traffic circulation. The hours of operation would be 7:00 a.m. to 5:30 p.m. and there will be 10 cars per hour which is less than the dealership that is approved now. There will be 1 in 10 that are tow trucks. The vast majority will be picking up cars.

Planning Commissioner Schwartzman stated that he lives at the top of the hill and sees this and drives by it every day. There are cars parked on the "feeder street" and asked if they will be off the street. Mr. Peterson stated that they heard this at the neighborhood meeting. Lot 4 will eventually be the car wash to service the dealerships

but that would not be immediate. The plan is to put overflow cars there. The manager and operator do not want the cars there either.

The Planning Commission granted Mr. Peterson an additional 5 minutes.

Mr. Peterson stated that there is an enclosure (and he showed the Commission where it is on the slide) that has three types of waste: trash, bumpers and plastic and metals. It is fully enclosed and masonry. Right next to it will be a maximum of 3 inoperable vehicles so they cannot be seen; the privacy fence will be around there. With regard to the staff report Item 4 in speaking with staff they have agreed that it can be removed. It deals with on-street bike route connections. The next item is number 7 that the overhead doors shall be closed when automobiles are being serviced. Mr. Peterson stated that is not the way that any of Mr. Weise's buildings function because for operational efficiency the doors are open so air can pass through and there is not a need for a HVAC system trying to pump cool air through a big building. Mr. Peterson stated that there are only three things that make very loud noises: air hoses, air hammer and ratchet. He stated that they will only be open from 7:00 a.m. to 5:30 p.m. Also about 5% of the time those noises are being made. Mr. Weise's did a test at his current facility and went to the general distances it would take to get to the surrounding property owners (200 to 250 feet) and with 6' fence and landscaping, the noise will not be heard; it is barely heard at the property line as they are inside the building. He stated that 6 of the 8 doors would be on the west facing the car wash and on the south facing commercial. Two would be on the north and one on the east and the two on the north have about 250' feet before it gets to the neighbor. It would be their request to delete that stipulation (number 7.) The next one is number 8 which states that 65 of the 72 spaces on the site are required for customers based on the 16,000 square foot building. The 7 remaining spaces can be used for vehicles that are in for disrepair provided they are screened from public view. He stated that they will always place the 1 to 3 inoperable cars in this area so they will only be seen by someone that does deliveries and comes to the back of the building. That would be a clarification in the record for stipulation number 8, he would like to talk about landscaping and screening in the staff report. Number 1, they would like to add or clarify that their buffer and screening trees may be planted in the utility easement as listed on the pending plat. It is a ten foot utility easement and that is how they make this site work. He stated that the staff is in agreement. Under number 8 regarding the dumpster in the northwest corner, they are showing it as a masonry enclosure and the stipulation ends saying that it will be plushy landscaping and they were struggling to understand that as there is masonry and inoperable vehicles. The staff had a great suggestion that they would like to adopt and that is that the fence will terminate into the masonry wall so there is not a masonry enclosure and north boundary and a fence next to it. They will incorporate those into it. They want to strike the plush landscaping.

The Planning Commission voted unanimously to extend Mr. Peterson's time by 5 minutes.

Number 10 regarding storage, they found it to be confusing when it ends that outside storage shall be limited to areas directly adjacent to the main building..." they would ask that it be modified to say enclosure and inoperable vehicles next to it would be ok notwithstanding the stipulation because there is some distance between the area and

the building. Planning Commissioner Serda asked if they are agreeable to the 20 percent. Mr. Peterson stated yes. Mr. Peterson stated that the next stipulation is the duration of the special use permit. Given that this is a several million dollar investment and they have the lender on board, who asked what is meant by it is at the discretion of the UG after 2 years that the special use permit for this building that is several million dollars could be pulled. Mr. Peterson stated that they said they would be more comfortable if it was 10 years. He stated that they are requesting ten (10) years knowing that it could be pulled at any time if the owner did not follow suit. He stated that on page 17 of the packet the retaining wall that he talked about getting shorter as you go up the hill, it is listed as a maximum of 2' wall; that is a typo and it will be 6'. He stated that the actual special use permit will need to be in the name of Mr. Weise's company, Omaha Collision Company, LLC.

No one appeared in opposition to these applications.

Planning Director Richardson stated that that he would like to go through Mr. Peterson's comments regarding specific staff stipulations:

General Planning:

#7 (All overhead doors shall be closed when automobiles are being serviced.) Director Richardson stated that they are directly adjacent to residential use and residential zoning on the north and directly across the street to the west. This is a stipulation that he cannot remember not including in an automotive use. He had a long phone conversation with a neighbor across the street to the east who is very opposed to this in general. He thinks that the doors need to be kept down especially on the north and east where they face residential. Planning Commissioner Carson asked if Toyota and Honda have the same stipulations as well. When he goes for servicing those doors are open all the time. Chairman Huey stated that the same is true of NTB. Director Richardson stated that in January he will have a zoning enforcement officer that will be looking at these things. He stated that he could be wrong about this. However, on the north and east side this is a big issue when they are adjacent to the residential zoning. One of the primary purposes of the zoning ordinance is to establish buffers between uses that are not necessarily compactable. Any recommendation for a body shop next to a residential home is questionable to him so anything that can be done to make that buffer effective and real is very important and he thinks that the doors are one of those issues.

#8 (Sixty-five of the seventy-two spaces on site are required for customers based on the 16,177 square foot building. The seven (7) remaining spaces can be used for vehicles that are in for disrepair provided they are screened from public view.) He stated that the applicant is not proposing any other screening except for the 6' fence and the staff is amenable to that but during the final plan review he wants to check the sight lines to make sure from the public streets they cannot be seen. He will ask their architect to supply plans for that and if it cannot be seen from the public streets he is fine with the fence the way that it is. If you can see in during the final plan review staff will request additional screening.

Landscaping and Screening:

#8 – (The dumpster will need to be screened with an architectural wall that matches the building and plushy landscaped) Director Richardson asked where the retaining wall is in relation to the bottom of the retaining wall; is the top of the dumpster the same as the bottom of the retaining wall. Mr. Peterson stated that the enclosure is 7' and then to the north you will go 3' to the retaining wall and that will be a maximum of 5'. The retaining wall faces the neighbors and the trees will be on the other side of the retaining walls. Director Richardson stated that the landscape issue around the dumpster is that the additional landscaping would be around this corner and that can be worked out at final site plan review.

#10 – (Section 27-467(c) 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 percent of the area of the main building and not in a required yard.) Director Richardson stated that the staff is approving the dumpster and additional storage at these locations but the gates are to be kept closed and he noted earlier about the sight line.

With regard to the duration of the special use permit, longer special use permits for this scale of operation have not been given. Director Richardson asked what the long-term value of this property will be and what will this be on the tax rolls every year. He wants to make sure we are not putting ourselves in a position that if someone wants to come in and build a fancy bar they have to get a 10-year special use permit. There have been claims of \$1 million and #2 million bars. Mr. Peterson stated that he knows that it is a multi-million dollar project. He would see as a general rule he does not think that staff/commission will see a typical bar/night club as a multi-million dollar investment. He stated that they do not have their bids back so he does not have an exact number. Multi-million to him means more than \$2 million. Director Richardson asked if it is more than \$4 or \$6 million; they have to have an idea of how much it is going to cost. Mr. Peterson stated that he can say that it is more than \$2 million but he cannot be more precise than multi-million. Director Richardson stated that with his previous comments, the staff recommends approval for a two-year permit.

Planning Commissioner Connelly asked if there is any EPA regulation as to why the doors need to be open. Mr. Weise stated no.

Planning Commissioner Jones asked if there would be an additional expense to the owner with the doors being closed. Mr. Weise stated that it would be fairly substantial because it gets hot and in order for his employees to work with the doors closed in the summer time it is not practical without air-conditioning to keep it a workable environment. He would estimate that it would be an additional \$40,000 to \$50,000 of AC equipment, insulation and whatever the utility bill would be every month.

Planning Commissioner Carson asked about restrictions that the doors could be open such as not having the residential doors open until 9:00 a.m. Director Richardson stated that it is up to the Planning Commission but the one neighbor that he talked to is

home all day long. Mr. Carson stated he is looking at an area that has substantial traffic with substantial noise. He does not think that there is any noise that comes out of that garage that is louder than I-435 or Parallel Parkway. That is the nature of the beast of living there so he is trying to come up with a compromise.

Planning Commissioner Jones asked if they are talking about total drive-through when the doors are up. Would a compromise be to have one side up and one side down? Mr. Peterson stated that the circulation for the building is internal so there are not cars driving in and out all these doors. It is about being efficient and letting the air cool the building. If there was a limitation that the 2 doors could not be open until 9:00 a.m. (north and east) that would be an interesting compromise. He stated that if it Mr. Richardson is talking about the neighbor he is thinking about (and they have talked to a lot of the neighbors) he is across from Lot 2 which is an empty lot. Mr. Jones stated that she does not know how that would affect requirements for having to do an HVAC type situation at what threshold. Mr. Weise stated that the whole building has a vacuum system through it for all of their sanders so everything is being extracted and there is no dust even in the shop. Hand tools are extracting their dust as they use them. They do not spray anything unless it is in the paint booth which is fully filtered. In addition to that the one thing that is important is the actual body shop is that they are using the loud tools are on the east side of the building so they would have no opposition to keeping the east door and north door closed for a certain period of time to muffle that. The main doors that he would prefer to keep open are on the south side and the north side all the way to the west. Those would bring the maximum air flow so they can work around that.

Planning Commissioner Schwartzman asked if there are individual bays where the people work; do people enter through a main door and then the bays are inside. Mr. Weise stated on the north and east side you enter the building and then the stalls are all internal inside the building and the cars circulate. All the bays are internal. Mr. Schwartzman stated that most of the noise will be in-house. Mr. Weise stated yes.

Planning Commissioner Jones asked with regard to the compromise would that be 50% of the doors closed and 50% open. Mr. Weise stated the least number possible because it will get hot. For concern for the residents the east side is an easy one to do and the timing suggestion (9:00 a.m.) will help. The top point is the west side and that is where the majority of the bays are and that is where the detailing and painting of the cars will take place. The second level is the east side and this is just the one door and the next one below is looking north and the last one is from the north looking south.

Planning Commissioner Pauley stated that where she takes her car they do open and close the doors. She asked if they are required to keep their doors closed at their other locations during operating house. Mr. Weise stated in Omaha no. The question is if they are air-conditioned because if they are they will keep the doors closed. Ms. Pauley stated that they are close to residential and they have to make sure they keep the doors closed except for going in and out.

Planning Commissioner Jones asked staff about modifying a stipulation of keeping the doors closed for a certain period because the Commission is concerned about the noise and aesthetics. Planning Director Richardson stated that at the minimum the north

and east should be closed. They have to open and close for people going in and out. The ordinance is created to protect the less intensive uses next to them. If this was in an industrial park it would be different but it is located next to residential zoning. Some of the area many eventually develop and if it did that stipulation could be looked at in the future. While it is adjacent to residential the staff feels the doors should be closed. He is still concerned about the term of this and if he had a more precise number that he could work from, he would like to have that for future determinations because there will be more people requesting this. He stated that he will revise his stipulation that if they provide a more specific number the stipulation could be for ten (10) years and if not it would be two (2) years and they would have until the Board of Commissioners meeting to produce that.

Planning Commissioner Connelly asked if the doors will be open during the winter. Director Richardson stated no. Mr. Connelly stated then they are only talking about four (4) months or so. Director Richardson stated that sometimes there are hot days in February or March.

Planning Commissioner Carson asked if staff is agreement to the proposed revisions under Landscaping and Screen of #8 and #10. Director Richardson stated that the staff is going to have them provide sight line plans from the public streets to show that the area cannot be seen over the fence and that will be done at final plan review.

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application #3119 with the doors closed:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

General Planning:

- 1. Subject to approval, a \$50.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department following the Unified Government Board of Commissioners meeting.**

2. The property lines between Lots 3 and 4 on the Legends Auto Mall final plat do not match the revised site plan included in this submittal. Please revise the preliminary site plan.
Staff Response: The applicant has revised the preliminary site plan.
3. Any wind turbines must comply with the wind turbine ordinance.
4. Because 99th Street is part of the trail network, specifically the On-Street Bike Route Connections (Share the Road), all new trails shall subscribe to the following:
 - Provide at least 10 feet wide and will include enhanced pedestrian amenities including wayfinding and interpretative signage, benches, litter receptacles and generous landscaping.
 - All trails will be illuminated with pedestrian lights with a consistent spacing.
 - All sidewalk and trails should meet the requirements of the American with Disabilities Act Accessibility Guidelines (ADAAG).
5. Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted street right-of-way abutting the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided.
6. Any making or assembly of products to be sold, including raw materials and any servicing or repair activities shall be totally within an enclosed building.
7. All overhead doors shall be closed when automobiles are being serviced.
8. Sixty-five (65) of the seventy-two (72) spaces on site are required for customers based on the 16,177 square foot building. The seven (7) remaining spaces can be used for vehicles that are in for disrepair provided they are screened from public view.

Landscaping and Screening:

1. Based on the landscaping requirements in the CP-3 Planned Commercial District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), the number of trees that are required to be planted is twenty-five (25).
This total does not include the street tree requirement or trees to be planted in parking lot islands.
2. Sec. 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets.

Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.

3. 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:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. 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 street trees.
4. All landscaping must be irrigated.
5. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the site and 3 gallons internal to the development when planted.
6. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are permitted.
7. All lighting, whether mounted on the building or in the parking lot shall have 90 cutoff fixtures.
8. The dumpster will be integrated into the site fence.
9. All roof mounted units shall be screened by the parapet of the building.
10. Sec. 27-467(c) 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 percent of the area of the main building and not in a required yard.
11. The wood privacy fence around the perimeter of the property, abutting residential property shall be 6' in height and have masonry columns every 32' on center.

Building and Architectural Design:

1. Submit a material palette for the auto body repair shop.
2. Provide color renderings of the building.
3. Sec. 27-576(e)
 - (1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality pre-stressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided.
 - (2) Exterior building materials shall not include the following:
 - a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;

- c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
- d. Field painted or prefinished corrugated metal siding;
- e. Standard single-tee or double-tee concrete systems; or
- f. EIFS at the ground level or comprising more than 15 percent of any facade.

On sheet A3.0, one of the proposed exterior materials is smooth masonry. Smooth-faced grey concrete block is not permitted.

- 4. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.
- 5. Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened and all downspouts shall be internalized.
- 6. Overhead doors shall be painted to match the building.

Signage:

- 1. Shall comply with the sign ordinance.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) A Replat of the Final plat shall be submitted and approved with final development plans, to show the relocated property line between Lots 3 and 4, and all applicable changes for drainage, ingress/egress, and utility easements.
 - 2) Approval from Corps of Engineers and copy of 404 permit for the proposed drainage channel, box culvert, and re-alignment improvements will be required prior to UG approval of final development plans.
 - 3) Final development plans will have to be approved before going to planning commission with approval to obtain construction permits. This will include complete drawings with construction notes and details.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Staff Conclusion:

The applicant has acknowledged and addressed staff's comments and will be required to submit a final development plan for the auto body repair shop. The initial term for mechanic shops under the new ordinance has been for two (2) years. The term length ensures that the operator is being a good and responsible neighbor. Whether the length of a permit is two (2) years or indefinite, a special use permit may be revoked by the Unified Government Board of Commission at any time. Subject to approval, this special use permit shall be valid for two (2)

years.

On motion by Mr. Connelly, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-64 for two (2) years unless the applicant provides the value of the project within a quarter million dollars by the Board of Commissioners meeting and then the recommendation will be for ten (10) years and the doors are to remain closed:**

Carson	No
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	No
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 6 to 2

Subject to the above stipulations

Neighborhood Meeting Minutes

Project: Rezoning and Special Use Permit for auto body repair shop and Plan Review for auto body shop, car wash/commercial development, Legends Honda and convenience store.

Date of Meeting: July 21, 2016

Location: Legends Toyota Conference Room

Meeting Called to Order: 6:05 p.m.

Attendance:

Curt Petersen, Polsinelli PC

Amy Grant, Polsinelli PC

Tony Wiese, Owner BStreet Collision Center

Kevin Quinn, Baxter Auto

Caleb Flake, BHC

See attached sign in-sheet for neighborhood attendees.

Curt Petersen began the meeting by introducing the development team and then briefly explained the planning approval process and provided the Planning Commission and Board of County Commissioner hearing dates.

Mr. Petersen walked through the site plan in general and showed the proposed locations of the auto body shop and the car wash as well as pointing out the access points to the site. Mr. Wiese then explained the history behind the family owned BStreet Collision business and that he hoped to bring at least three locations to the KC Metro area over the next few years.

Question: Will ownership of the auto body shop be separate from the Legends car dealerships?

Response: Yes, Mr. Wiese will own the auto body shop.

Question: Do the dealerships have their own body shops on site?

Response: No, not at this location. We do at other sites.

Question: Will the car wash serve the general public or only be used for the dealership's vehicles?

Response: The car wash will only be used for the dealership's vehicles and may eventually offer washes to dealership customers only.

Discussion: There was some general discussion about the fact that there is a proposed retail car wash to be located south of 99th Street.

Question: What is the plan for the proposed c-store?

Response: The preliminary plan that was previously approved for Honda showed the c-store so we are required to show that on our proposed preliminary plan now. We have not identified a c-store user or alternative use for the site yet.

Discussion: There was some general discussion about the fact that there will be a c-store located south of 99th Street with Phillips 66 as the gasoline provider for that c-store.

Mr. Petersen then took a few minutes to explain the operations of the proposed auto body shop. Mr. Petersen explained that the building would be approximately 16,000 square feet in size and indicated the access points for the building. Mr. Petersen stated that the applicant would install a 6 foot tall,

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wood privacy fence with masonry columns along portions of the east and west property lines and along the entire north property line with significant landscaping. Mr. Petersen stated that the hours of operation would be from 7:00 a.m. to 5:30 p.m. and that the applicant expects very little traffic to be generated by this use with only approximately 10% of the traffic being tow trucks. Finally, Mr. Petersen explained the storage area located at the northwest corner of the site. This storage area will include three items: trash dumpster, bumpers and metal. At any given time, there will be approximately three inoperable vehicles located behind the building to the north. These vehicles will be removed from the site within one week of arrival.

Question: Will the auto body shop have access to 99th Street?

Response: No.

Question: Will ownership of the auto body shop be separate from the Legends car dealerships?

Response: Yes, Mr. Wiese will own the auto body shop.

Question: How many work bays will there be in the building?

Response: We don't have traditional work bays. The building has internal circulation/flow. There are two service doors facing 99th Street.

Question: How much grading will be done on the site?

Response: There is a big hole in the site now so we will move around dirt to level the site. We are working with the Corps of Engineers to pipe the storm water.

Question: How much room is there between the building and the proposed fence?

Response: We don't have an exact calculation but there are parking stalls and a drive aisle in this area.

Question: What is the finished grade for the car wash?

Response: The car wash sits higher than the auto body shop with retaining walls located near the property line.

Discussion: One neighbor commented that they own the property adjacent to the car wash lot and that they believe they have lost property in the past due to platting and right-of-way dedication. Mr. Petersen indicated that the aerial photograph being shown tonight is not a scaled drawing and the BHC will make sure that they only plat property owned by the applicants.

Question: Will the road located in-between the two dealerships ever be extended north?

Response: We are not aware of any plans to extend the road.

Question: Will the proposed fence be located on the property line? Will landscaping be provided on the north or south side of the fence?

Response: The fence is located approximately 10 feet south of the property line. We are still working on the proposed landscape plan but believe some of the proposed trees will be located on the north side of the fence.

Question: Will the carwash property have the same fence?

Response: Yes.

Question: Who will utilize the overflow lot until the car wash is built?

Response: Employee and excess stock of vehicles for dealership.

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Question: Will the proposed storm water pipe be big enough to handle all of the storm water?

Response: Yes. As of right now the City has requested the pipe to be 6 feet by 8 feet in size and will carry 1,000 cubic feet of water per second. We are working with the City to see if the size of the pipe can be reduced to a smaller size, which would be more than sufficient.

Question: Will the pipe be level with the ground?

Response: Yes, it will look very similar to the pipe that is there today.

Question: How many cars will the auto body shop service in one year?

Response: We don't have specific information for each site but our company as a whole services approximately 500 total vehicles a month.

Question: What kind of noise can we expect to hear?

Response: There are a few items that make noise: paint booth, air compressor and air tools. Most of the tools make a humming noise with others making a crackling sound. I do not believe you will be able to hear much of anything when standing approximately 50 feet from the building.

Question: What are the addresses of your other locations?

Response: Mr. Wiese distributed several photographs of other locations and provided the addresses for each building.

Question: Will you hire employees from the KC area?

Response: Yes. I may bring one or two employees from the Omaha area.

Question: If we start to have problems with noise or junk collecting on the site can we report that to the City?

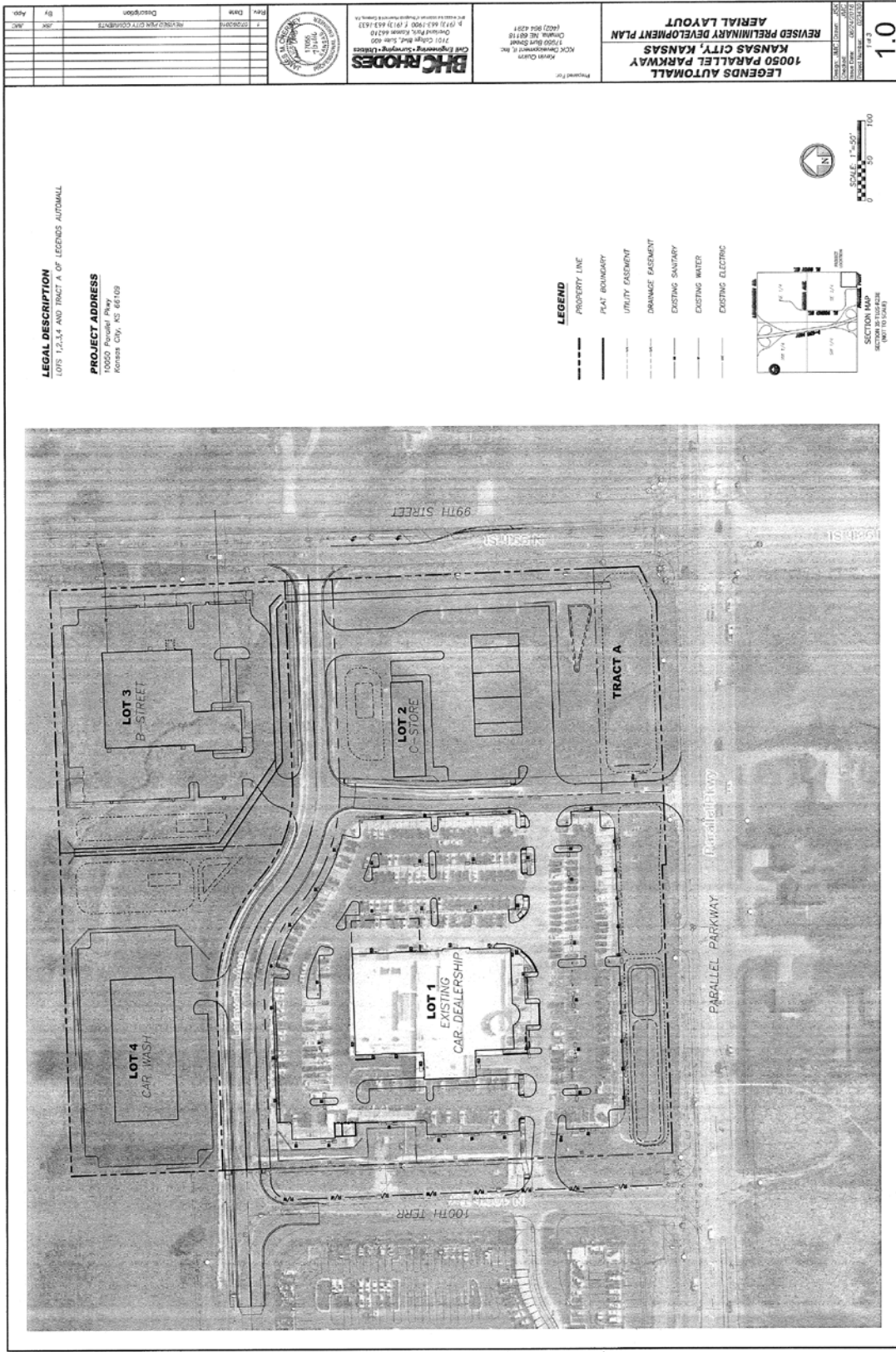
Response: Yes, complaints can be filed with the City.

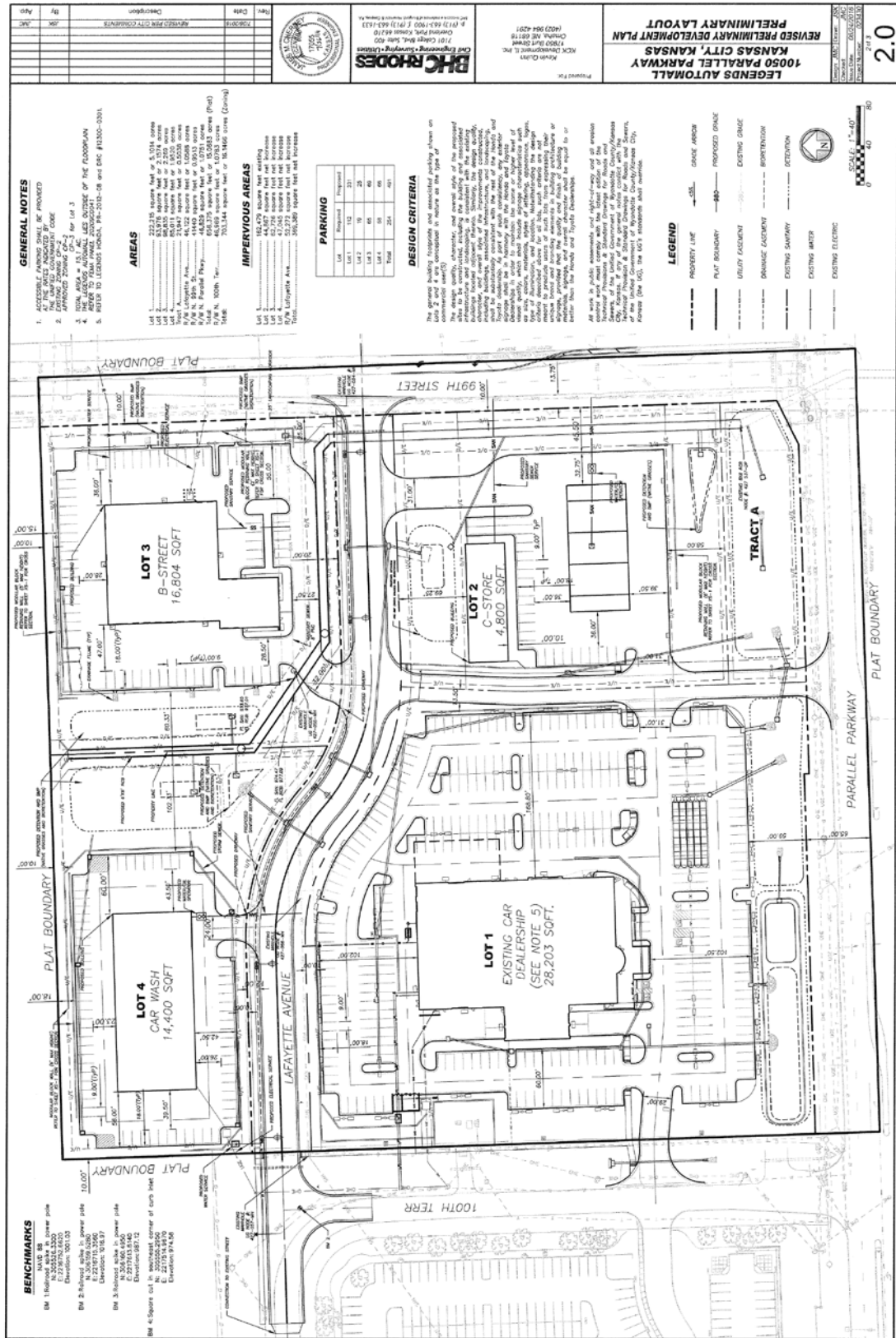
Meeting adjourned at: 7:30 p.m.

Minutes taken by: Amy Grant

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Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: August 25, 2016
Re: Change of Zone Petition #3119, Petition #SP-2016-64

GENERAL INFORMATION

Applicant:
Kevin Quinn

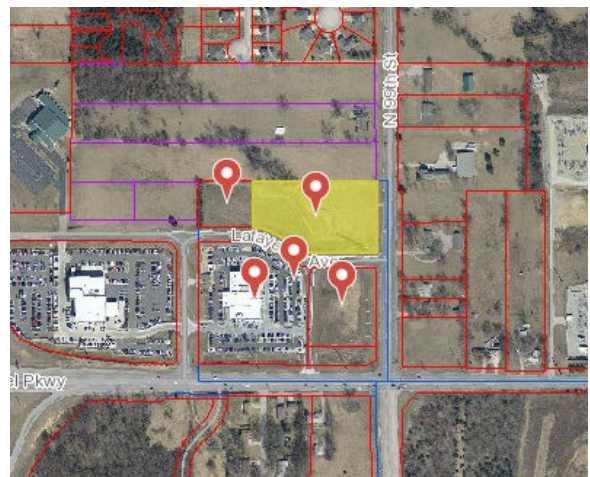
Status of Applicant:
Representative
Caleb Flake with BHC Rhodes
7101 College Boulevard, Suite 400
Overland Park, KS 66210

Requested Actions:
Change of Zone from
CP-2 Planned General Business District
to CP-3 Planned Commercial District

Special Use Permit to build an auto body
repair shop

Date of Application:
Change of Zone: June 24, 2016
Special Use Permit: June 24, 2016

Purpose: To build and operate a car wash, auto body repair shop and, Legends
Honda (existing) and convenience store



Property Location: 10050 Parallel Parkway, 10000 Lafayette Avenue, 2220 North 99th Street and 2200 North 99th Street

Existing Zoning: CP-2 Planned General Business District

Surrounding Zoning: **North:** A-G Agriculture District
 South: CP-2 Planned General Business District
 East: A-G Agriculture District
 West: CP-2 Planned General Business District

Existing Uses: **North:** Undeveloped land and a large lot single family home
 South: Auto dealerships and commercial development (under construction)
 East: Single family homes
 West: Legends Toyota automotive dealership

Total Tract Size: 13 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Regional Commercial

Major Street Plan: The City-Wide Master Plan classifies Parallel Parkway as a Class A Thoroughfare, North 99th Street as a Class B Thoroughfare and Lafayette as a local street.

Advertisement: The Wyandotte Echo – Change of Zone – July 14, 2016 and Special Use Permit – July 14, 2016
 Letters to Property Owners – July 14, 2016 and August 18, 2016

Public Hearings: August 8, 2016 and August 25, 2016

Public Opposition: At least one adjacent neighbor called in opposition to the auto body land use. No one appeared in opposition at the August 8, 2016 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Kevin Quinn with KCK Development II, Inc. has filed a change of zone from CP-2 Planned General Business District to CP-3 Planned Commercial District and a special use permit in order to build and operate an auto body repair shop at 10000 Lafayette Avenue. A preliminary and final plan review have been filed to amend a previously approved preliminary plan review for the Legends Auto Plaza, which also includes a car wash/commercial development, Legends Honda (existing) and convenience store in addition to the repair shop at 10050 Parallel Parkway, 2220 North 99th Street and 2200 North 99th Street.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VII Sections 27-245 – 27-339 and Article VIII Sections 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

This site is at the eastern edge of commercial development on Parallel Parkway.

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

The zoning and their uses are set out above. The proposed uses with the exception of the auto body repair shop are compatible with them.

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

The removal of the restrictions could affect nearby property if the auto body repair shop does not comply with regulations and stipulations.

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

The property has been vacant since 2013 as zoned.

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 of the public for those who will use these services. If these buildings are properly designed, architecturally and landscape materials effectively screen equipment, storage areas and soften the appearance of the building, the proposed use will not substantially injure the appropriate use, visual quality or marketability of adjoining property.

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 uses in this development will increase traffic in ways that it could impact the current volume of traffic travelling on North 99th Street and Parallel Parkway.

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

The proposed uses conform to the Master Plan.

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

The proposed use will not enhance the environment.

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

a. *Water service*

Available

b. *Sanitary sewer service*

Available

c. *Storm water control*

To be designed to meet City Code

d. *Police*

Police service is provided by West Patrol, District #223

e. *Fire*

Fire service is provided by Station #6

f. *Transit*

Kansas City ATA provides transit along Parallel Parkway, the closest transit stop is at the intersection of 106th and Parallel Parkway, Route #116

g. *Schools*

Kansas City, Kansas USD 500

h. *Streets*

See item #6 above

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

The proposed uses will have a positive economic impact on the community.

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

With revisions the proposed use is capable of meeting applicable ordinance requirements.

12. 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 will increase the amount of vehicular traffic on Lafayette Avenue and North 99th Street, especially with the addition of a convenience store at the northwest corner of the intersection.

13. 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 that is normally generated from a repair shop can cause issues for adjacent homeowners. The applicant will need to keep their overhead doors closed when servicing vehicles as not to cast noise from air hose compressors and/or machinery towards neighbors.

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

If proper measures are taken during construction and in the daily operation of the repair shop and convenience store, the proposed use should not pollute the land or water.

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

The proposed use will not damage or destroy an irreplaceable natural resource.

16. 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 applicant will need to change the scope of the project for Lot 3.

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

The proposed use will not result in overcrowding of land or cause undue concentrations of population.

PREVIOUS ACTIONS

These properties, known as Legends Auto Mall were approved for a change of zone by the City Planning Commission and Unified Government Board of Commissioners on June 11, 2012 and June 28, 2012, respectively.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 21, 2016. According to the applicant, no one who attended the meeting appeared in opposition.

KEY ISSUES

Compliance with the Commercial Design Guidelines

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Change of Zone Application #3119, subject to:

Urban Planning and Land Use Comments:

General Planning:

1. Subject to approval, a \$50.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department following the Unified Government Board of Commissioners meeting.
2. The property lines between Lots 3 and 4 on the Legends Auto Mall final plat do not match the revised site plan included in this submittal. Please revise the preliminary site plan.
Staff Response: The applicant has revised the preliminary site plan.
3. Any wind turbines must comply with the wind turbine ordinance.
4. Because 99th Street is part of the trail network, specifically the On-Street Bike Route Connections (Share the Road), all new trails shall subscribe to the following:
 - Provide at least 10 feet wide and will include enhanced pedestrian amenities including wayfinding and interpretative signage, benches, litter receptacles and generous landscaping.
 - All trails will be illuminated with pedestrian lights with a consistent spacing.
 - All sidewalk and trails should meet the requirements of the American with Disabilities Act Accessibility Guidelines (ADAAG).
5. Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of the major street system shall have

- sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted street right-of-way abutting the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided.
6. Any making or assembly of products to be sold, including raw materials and any servicing or repair activities shall be totally within an enclosed building.
 7. All overhead doors shall be closed when automobiles are being serviced.
 8. Sixty-five (65) of the seventy-two (72) spaces on site are required for customers based on the 16,177 square foot building. The seven (7) remaining spaces can be used for vehicles that are in for disrepair provided they are screened from public view.

Landscaping and Screening:

1. Based on the landscaping requirements in the CP-3 Planned Commercial District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), the number of trees that are required to be planted is twenty-five (25).
This total does not include the street tree requirement or trees to be planted in parking lot islands.
2. Sec. 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.
3. 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:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. 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 street trees.
4. All landscaping must be irrigated.
5. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the site and 3 gallons internal to the development when planted.
6. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are permitted.
7. All lighting, whether mounted on the building or in the parking lot shall have 90 cutoff fixtures.

8. The dumpster will be integrated into the site fence.
9. All roof mounted units shall be screened by the parapet of the building.
10. Sec. 27-467(c) 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 percent of the area of the main building and not in a required yard.
11. The wood privacy fence around the perimeter of the property, abutting residential property shall be 6' in height and have masonry columns every 32' on center.

Building and Architectural Design:

1. Submit a material palette for the auto body repair shop.
 2. Provide color renderings of the building.
 3. Sec. 27-576(e)
 - (1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality pre-stressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided.
 - (2) Exterior building materials shall not include the following:
 - a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tee or double-tee concrete systems; or
 - f. EIFS at the ground level or comprising more than 15 percent of any facade.
- On sheet A3.0, one of the proposed exterior materials is smooth masonry. Smooth-faced grey concrete block is not permitted.
4. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.
 5. Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened and all downspouts shall be internalized.
 6. Overhead doors shall be painted to match the building.

Signage:

1. Shall comply with the sign ordinance.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) None
- B) Items that are conditions of approval (stipulations):
- 1) A Replat of the Final plat shall be submitted and approved with final development plans, to show the relocated property line between Lots 3 and 4, and all applicable changes for drainage, ingress/egress, and utility easements.
 - 2) Approval from Corps of Engineers and copy of 404 permit for the proposed drainage channel, box culvert, and re-alignment improvements will be required prior to UG approval of final development plans.
 - 3) Final development plans will have to be approved before going to planning commission with approval to obtain construction permits. This will include complete drawings with construction notes and details.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Staff Conclusion:

The applicant has acknowledged and addressed staff's comments and will be required to submit a final development plan for the auto body repair shop. The initial term for mechanic shops under the new ordinance has been for two (2) years. The term length ensures that the operator is being a good and responsible neighbor. Whether the length of a permit is two (2) years or indefinite, a special use permit may be revoked by the Unified Government Board of Commission at any time. Subject to approval, this special use permit shall be valid for two (2) years.

The Planning Commission voted 6 to 2 to recommend **APPROVAL** of Special Use Permit Application #SP-2016-64, for two (2) years unless the applicant provides the value of the project within a quarter million dollars by the Board of Commissioners meeting and then the recommendation will be for ten (10) years and the doors are to remain closed and subject to the above stipulations.

UPDATE: The applicant has indicated the investment will be well over 2 Million Dollars which is sufficient to be a major investment and qualify for the longer initial Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 Change of Zone Petition #3119, Petition #SP-2016-64 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

August 8, 2016 City Planning Commission Minutes
Neighborhood Meeting Minutes
Final Plat
Site Plan
Landscape Plan
Building Elevations

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	August 8, 2016	August 25, 2016
Rezoning	Approval	

Public Hearing	August 8, 2016	August 25, 2016
Special Use	Approval	

STAFF CONTACT: **Byron Toy, AICP**

MOTIONS

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition #3119 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 #**3119** 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.

Special Use Permit

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2016-64** 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 #**SP-2016-64** 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.

AUGUST 8, 2016 CITY PLANNING COMMISSION MINUTES:

CHANGE OF ZONE APPLICATION #3119 – KEVIN QUINN WITH KCK DEVELOPMENT II, INC. - SYNOPSIS: Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District for an auto body shop, car wash/commercial development, Legends Honda and convenience store at 10000 Lafayette

SPECIAL USE PERMIT APPLICATION #SP-2016-64 – KEVIN QUINN – SYNOPSIS; Special Use Permit for an auto body shop at 10000 Lafayette Avenue

Recording Secretary Parker stated that PR-2016-20 was to be heard with these two cases, but the final plan review will be heard in September and the Preliminary Plan Review is part of the change of zone

Recording Secretary Parker stated that the following items should be 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 August 8, 2016;
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 dated July 14, 2016 for the change of zone and special use permit; and
7. The Notices to property owners dated July 14, 2016.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. (No one responded in the affirmative.)

Mr. Curtis Peterson, 6201 College Boulevard, Overland Park, Kansas, and Mr. Kevin Quinn, applicant and one of the principles with KCK Development II, Inc., appeared in support of this application. Mr. Peterson stated that Mr. Quinn and his group (Baxter) are based in Omaha and own several dealership and they actually started the car dealership several years ago with Toyota and then Honda. They are also the owners of all of the land being discussed tonight. He stated that Tony Weise with Omaha Collision LLC and he is the contractor of Lot 3 and proposes to construct and build a collision center. He further stated that there is also a representative present from BHC Rhodes. This was residential and agricultural land until 2012 until Mr. Quinn and his group came in and it was platted into four lots. Lot 1 is Legends Honda, Lot 2 is for a convenience store/gas station (still undeveloped), Lot 3 was for a third auto dealership and Lot 4 was meant to be an overflow lot for the dealerships. What has happened is that a Honda dealership has gone in. They have worked very hard with Mr. Quinn to try to get a convenience store there and they were unsuccessful. There is a plan review submitted for the convenience store right across the street at 98th and Parallel. Since they have talked to so many people, they question as to whether or not that will go in. Tonight they are discussing a replat for Lot 3 and Lot 4 would be bigger. They are requesting the change of zone, revised preliminary plan and also a special use permit which would allow the collision center. On Lot 4 Mr. Quinn is proposing a car wash which is allowed under CP-2 and it is only part of the revised preliminary plan. The car wash is only to be used for the two dealerships unless they have a special promotion for existing customers. It is not a retail car wash. They had a nicely attended neighborhood meeting and there were very good questions and they talked to all of the questions that he had asked the client as well. There may be some neighbors present this evening and they can speak for themselves but he believes that they were satisfied. Mr. Petersen stated that he is going to ask Mr. Weise to discuss his operation. As the Commission knows special use permit are for the applicant and not the land so if he would decide in two years to sell the property to someone else for the same use, they would have to come forward for their own special use permit.

Mr. Tony Weise appeared in support of this application. He stated that he and his brothers operate in Omaha, Nebraska and do over 500+ cars a month and have around 50 employees. They are a growing facility and they are looking to come to the Kansas City market and do a handful of shops depending how this project works out. They are not a typical shop with a steel building and cars parked all over. They are in business for repair of late model vehicles and work with insurance companies on direct repairs. This is a very clean and organized operation like the dealerships across the street. It is

not what would typically be expected. They never leave cars outside at night unless they are a total loss and will be thrown away.

Chairman Huey stated that from the neighborhood meeting they were asked if they would hire employees from Kansas City, Kansas and they stated yes but they may bring 1 or 2 employees from Omaha. She stated that the KCKCC has a very strong auto program and asked if they would cultivate a relationship with the college to hire graduates from their program. Mr. Weise stated that it is in the works. Ninety percent of their work force is under the age of 35. They train most of their technicians in-house; they have a very specific program. He is looking for the tech graduate that is looking for a job. It takes 4 or 5 years to get them into higher positions. Chairman Huey asked if he would also team up with USD 500 or does he want someone with some training. Mr. Weise stated that he is open to both. He stated that the 1 or 2 people that would come from Omaha would bring their operating style and model to make sure that it runs smoothly. The people in the facility would almost all be Kansas City, Kansas residents. Chairman Huey stated that there are some amazing students in Kansas City, Kansas not only in the USD 500 area but also Turner, Piper and Bonner Springs.

Planning Commissioner Carson stated that he made the statement that cars would not be outside unless they were a total loss and as a resident in that area those are the cars that he is concerned about being outside and not the new Camaro that is outside. What is the time frame for a car like that being out before it is hauled off. Mr. Weise stated that a facility of this size would have 1 to 3 of those vehicles and they would be in the northwest corner of the facility which is fairly hard to see. On average that vehicle would sit no longer than 7 to 10 days. Mr. Carson stated that he would assume that is for the insurance company to come out and see if the vehicle is going to be a total loss. Mr. Weise stated that is right. Once they do their part and determine the car to not be repairable the insurance company does its due diligence. He stated that they begin to build storage after 14 days. They have a lot of motivation to hurry up and get it out of there.

Mr. Peterson stated the building is 16,000 to 17,000 square feet and the one entrance point lines up with the undeveloped Lot 2 and Honda on the west side. The entire north side and east side down to the corner of the parking lot and on the west side is a 6' wood privacy fence on 32' center masonry columns. The landscaping will be on three sides outside the fence. There will be deciduous trees. The property right now is a big hole and there will be a lot of fill that comes in to level it out. There will be a retaining wall and it will be 6' and tamper down to 0 (he showed the Commission on the slide.) On the north side the grade drops and it is a maximum of a 5' retaining wall. To the north there will be the deciduous trees and on the east there will be shrubbery included in addition to the deciduous trees. He showed the Commission on the slide the traffic circulation. The hours of operation would be 7:00 a.m. to 5:30 p.m. and there will be 10 cars per hour which is less than the dealership that is approved now. There will be 1 in 10 that are tow trucks. The vast majority will be picking up cars.

Planning Commissioner Schwartzman stated that he lives at the top of the hill and sees this and drives by it every day. There are cars parked on the "feeder street" and asked if they will be off the street. Mr. Peterson stated that they heard this at the neighborhood meeting. Lot 4 will eventually be the car wash to service the dealerships

but that would not be immediate. The plan is to put overflow cars there. The manager and operator do not want the cars there either.

The Planning Commission granted Mr. Peterson an additional 5 minutes.

Mr. Peterson stated that there is an enclosure (and he showed the Commission where it is on the slide) that has three types of waste: trash, bumpers and plastic and metals. It is fully enclosed and masonry. Right next to it will be a maximum of 3 inoperable vehicles so they cannot be seen; the privacy fence will be around there. With regard to the staff report Item 4 in speaking with staff they have agreed that it can be removed. It deals with on-street bike route connections. The next item is number 7 that the overhead doors shall be closed when automobiles are being serviced. Mr. Peterson stated that is not the way that any of Mr. Weise's buildings function because for operational efficiency the doors are open so air can pass through and there is not a need for a HVAC system trying to pump cool air through a big building. Mr. Peterson stated that there are only three things that make very loud noises: air hoses, air hammer and ratchet. He stated that they will only be open from 7:00 a.m. to 5:30 p.m. Also about 5% of the time those noises are being made. Mr. Weise's did a test at his current facility and went to the general distances it would take to get to the surrounding property owners (200 to 250 feet) and with 6' fence and landscaping, the noise will not be heard; it is barely heard at the property line as they are inside the building. He stated that 6 of the 8 doors would be on the west facing the car wash and on the south facing commercial. Two would be on the north and one on the east and the two on the north have about 250' feet before it gets to the neighbor. It would be their request to delete that stipulation (number 7.) The next one is number 8 which states that 65 of the 72 spaces on the site are required for customers based on the 16,000 square foot building. The 7 remaining spaces can be used for vehicles that are in for disrepair provided they are screened from public view. He stated that they will always place the 1 to 3 inoperable cars in this area so they will only be seen by someone that does deliveries and comes to the back of the building. That would be a clarification in the record for stipulation number 8, he would like to talk about landscaping and screening in the staff report. Number 1, they would like to add or clarify that their buffer and screening trees may be planted in the utility easement as listed on the pending plat. It is a ten foot utility easement and that is how they make this site work. He stated that the staff is in agreement. Under number 8 regarding the dumpster in the northwest corner, they are showing it as a masonry enclosure and the stipulation ends saying that it will be plushy landscaping and they were struggling to understand that as there is masonry and inoperable vehicles. The staff had a great suggestion that they would like to adopt and that is that the fence will terminate into the masonry wall so there is not a masonry enclosure and north boundary and a fence next to it. They will incorporate those into it. They want to strike the plush landscaping.

The Planning Commission voted unanimously to extend Mr. Peterson's time by 5 minutes.

Number 10 regarding storage, they found it to be confusing when it ends that outside storage shall be limited to areas directly adjacent to the main building..." they would ask that it be modified to say enclosure and inoperable vehicles next to it would be ok notwithstanding the stipulation because there is some distance between the area and

the building. Planning Commissioner Serda asked if they are agreeable to the 20 percent. Mr. Peterson stated yes. Mr. Peterson stated that the next stipulation is the duration of the special use permit. Given that this is a several million dollar investment and they have the lender on board, who asked what is meant by it is at the discretion of the UG after 2 years that the special use permit for this building that is several million dollars could be pulled. Mr. Peterson stated that they said they would be more comfortable if it was 10 years. He stated that they are requesting ten (10) years knowing that it could be pulled at any time if the owner did not follow suit. He stated that on page 17 of the packet the retaining wall that he talked about getting shorter as you go up the hill, it is listed as a maximum of 2' wall; that is a typo and it will be 6'. He stated that the actual special use permit will need to be in the name of Mr. Weise's company, Omaha Collision Company, LLC.

No one appeared in opposition to these applications.

Planning Director Richardson stated that that he would like to go through Mr. Peterson's comments regarding specific staff stipulations:

General Planning:

#7 (All overhead doors shall be closed when automobiles are being serviced.) Director Richardson stated that they are directly adjacent to residential use and residential zoning on the north and directly across the street to the west. This is a stipulation that he cannot remember not including in an automotive use. He had a long phone conversation with a neighbor across the street to the east who is very opposed to this in general. He thinks that the doors need to be kept down especially on the north and east where they face residential. Planning Commissioner Carson asked if Toyota and Honda have the same stipulations as well. When he goes for servicing those doors are open all the time. Chairman Huey stated that the same is true of NTB. Director Richardson stated that in January he will have a zoning enforcement officer that will be looking at these things. He stated that he could be wrong about this. However, on the north and east side this is a big issue when they are adjacent to the residential zoning. One of the primary purposes of the zoning ordinance is to establish buffers between uses that are not necessarily compactable. Any recommendation for a body shop next to a residential home is questionable to him so anything that can be done to make that buffer effective and real is very important and he thinks that the doors are one of those issues.

#8 (Sixty-five of the seventy-two spaces on site are required for customers based on the 16,177 square foot building. The seven (7) remaining spaces can be used for vehicles that are in for disrepair provided they are screened from public view.) He stated that the applicant is not proposing any other screening except for the 6' fence and the staff is amenable to that but during the final plan review he wants to check the sight lines to make sure from the public streets they cannot be seen. He will ask their architect to supply plans for that and if it cannot be seen from the public streets he is fine with the fence the way that it is. If you can see in during the final plan review staff will request additional screening.

Landscaping and Screening:

#8 – (The dumpster will need to be screened with an architectural wall that matches the building and plushy landscaped) Director Richardson asked where the retaining wall is in relation to the bottom of the retaining wall; is the top of the dumpster the same as the bottom of the retaining wall. Mr. Peterson stated that the enclosure is 7' and then to the north you will go 3' to the retaining wall and that will be a maximum of 5'. The retaining wall faces the neighbors and the trees will be on the other side of the retaining walls. Director Richardson stated that the landscape issue around the dumpster is that the additional landscaping would be around this corner and that can be worked out at final site plan review.

#10 – (Section 27-467(c) 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 percent of the area of the main building and not in a required yard.) Director Richardson stated that the staff is approving the dumpster and additional storage at these locations but the gates are to be kept closed and he noted earlier about the sight line.

With regard to the duration of the special use permit, longer special use permits for this scale of operation have not been given. Director Richardson asked what the long-term value of this property will be and what will this be on the tax rolls every year. He wants to make sure we are not putting ourselves in a position that if someone wants to come in and build a fancy bar they have to get a 10-year special use permit. There have been claims of \$1 million and #2 million bars. Mr. Peterson stated that he knows that it is a multi-million dollar project. He would see as a general rule he does not think that staff/commission will see a typical bar/night club as a multi-million dollar investment. He stated that they do not have their bids back so he does not have an exact number. Multi-million to him means more than \$2 million. Director Richardson asked if it is more than \$4 or \$6 million; they have to have an idea of how much it is going to cost. Mr. Peterson stated that he can say that it is more than \$2 million but he cannot be more precise than multi-million. Director Richardson stated that with his previous comments, the staff recommends approval for a two-year permit.

Planning Commissioner Connelly asked if there is any EPA regulation as to why the doors need to be open. Mr. Weise stated no.

Planning Commissioner Jones asked if there would be an additional expense to the owner with the doors being closed. Mr. Weise stated that it would be fairly substantial because it gets hot and in order for his employees to work with the doors closed in the summer time it is not practical without air-conditioning to keep it a workable environment. He would estimate that it would be an additional \$40,000 to \$50,000 of AC equipment, insulation and whatever the utility bill would be every month.

Planning Commissioner Carson asked about restrictions that the doors could be open such as not having the residential doors open until 9:00 a.m. Director Richardson stated that it is up to the Planning Commission but the one neighbor that he talked to is

home all day long. Mr. Carson stated he is looking at an area that has substantial traffic with substantial noise. He does not think that there is any noise that comes out of that garage that is louder than I-435 or Parallel Parkway. That is the nature of the beast of living there so he is trying to come up with a compromise.

Planning Commissioner Jones asked if they are talking about total drive-through when the doors are up. Would a compromise be to have one side up and one side down? Mr. Peterson stated that the circulation for the building is internal so there are not cars driving in and out all these doors. It is about being efficient and letting the air cool the building. If there was a limitation that the 2 doors could not be open until 9:00 a.m. (north and east) that would be an interesting compromise. He stated that if it Mr. Richardson is talking about the neighbor he is thinking about (and they have talked to a lot of the neighbors) he is across from Lot 2 which is an empty lot. Mr. Jones stated that she does not know how that would affect requirements for having to do an HVAC type situation at what threshold. Mr. Weise stated that the whole building has a vacuum system through it for all of their sanders so everything is being extracted and there is no dust even in the shop. Hand tools are extracting their dust as they use them. They do not spray anything unless it is in the paint booth which is fully filtered. In addition to that the one thing that is important is the actual body shop is that they are using the loud tools are on the east side of the building so they would have no opposition to keeping the east door and north door closed for a certain period of time to muffle that. The main doors that he would prefer to keep open are on the south side and the north side all the way to the west. Those would bring the maximum air flow so they can work around that.

Planning Commissioner Schwartzman asked if there are individual bays where the people work; do people enter through a main door and then the bays are inside. Mr. Weise stated on the north and east side you enter the building and then the stalls are all internal inside the building and the cars circulate. All the bays are internal. Mr. Schwartzman stated that most of the noise will be in-house. Mr. Weise stated yes.

Planning Commissioner Jones asked with regard to the compromise would that be 50% of the doors closed and 50% open. Mr. Weise stated the least number possible because it will get hot. For concern for the residents the east side is an easy one to do and the timing suggestion (9:00 a.m.) will help. The top point is the west side and that is where the majority of the bays are and that is where the detailing and painting of the cars will take place. The second level is the east side and this is just the one door and the next one below is looking north and the last one is from the north looking south.

Planning Commissioner Pauley stated that where she takes her car they do open and close the doors. She asked if they are required to keep their doors closed at their other locations during operating house. Mr. Weise stated in Omaha no. The question is if they are air-conditioned because if they are they will keep the doors closed. Ms. Pauley stated that they are close to residential and they have to make sure they keep the doors closed except for going in and out.

Planning Commissioner Jones asked staff about modifying a stipulation of keeping the doors closed for a certain period because the Commission is concerned about the noise and aesthetics. Planning Director Richardson stated that at the minimum the north

and east should be closed. They have to open and close for people going in and out. The ordinance is created to protect the less intensive uses next to them. If this was in an industrial park it would be different but it is located next to residential zoning. Some of the area many eventually develop and if it did that stipulation could be looked at in the future. While it is adjacent to residential the staff feels the doors should be closed. He is still concerned about the term of this and if he had a more precise number that he could work from, he would like to have that for future determinations because there will be more people requesting this. He stated that he will revise his stipulation that if they provide a more specific number the stipulation could be for ten (10) years and if not it would be two (2) years and they would have until the Board of Commissioners meeting to produce that.

Planning Commissioner Connelly asked if the doors will be open during the winter. Director Richardson stated no. Mr. Connelly stated then they are only talking about four (4) months or so. Director Richardson stated that sometimes there are hot days in February or March.

Planning Commissioner Carson asked if staff is agreement to the proposed revisions under Landscaping and Screen of #8 and #10. Director Richardson stated that the staff is going to have them provide sight line plans from the public streets to show that the area cannot be seen over the fence and that will be done at final plan review.

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application #3119 with the doors closed:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

General Planning:

- 1. Subject to approval, a \$50.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department following the Unified Government Board of Commissioners meeting.**

2. The property lines between Lots 3 and 4 on the Legends Auto Mall final plat do not match the revised site plan included in this submittal. Please revise the preliminary site plan.
Staff Response: The applicant has revised the preliminary site plan.
3. Any wind turbines must comply with the wind turbine ordinance.
4. Because 99th Street is part of the trail network, specifically the On-Street Bike Route Connections (Share the Road), all new trails shall subscribe to the following:
 - Provide at least 10 feet wide and will include enhanced pedestrian amenities including wayfinding and interpretative signage, benches, litter receptacles and generous landscaping.
 - All trails will be illuminated with pedestrian lights with a consistent spacing.
 - All sidewalk and trails should meet the requirements of the American with Disabilities Act Accessibility Guidelines (ADAAG).
5. Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted street right-of-way abutting the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided.
6. Any making or assembly of products to be sold, including raw materials and any servicing or repair activities shall be totally within an enclosed building.
7. All overhead doors shall be closed when automobiles are being serviced.
8. Sixty-five (65) of the seventy-two (72) spaces on site are required for customers based on the 16,177 square foot building. The seven (7) remaining spaces can be used for vehicles that are in for disrepair provided they are screened from public view.

Landscaping and Screening:

1. Based on the landscaping requirements in the CP-3 Planned Commercial District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), the number of trees that are required to be planted is twenty-five (25).
This total does not include the street tree requirement or trees to be planted in parking lot islands.
2. Sec. 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets.

Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.

3. 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:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. 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 street trees.
4. All landscaping must be irrigated.
5. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the site and 3 gallons internal to the development when planted.
6. Only decorative lighting can be used on the exterior of the building. No pack lights or flood lights are permitted.
7. All lighting, whether mounted on the building or in the parking lot shall have 90 cutoff fixtures.
8. The dumpster will be integrated into the site fence.
9. All roof mounted units shall be screened by the parapet of the building.
10. Sec. 27-467(c) 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 percent of the area of the main building and not in a required yard.
11. The wood privacy fence around the perimeter of the property, abutting residential property shall be 6' in height and have masonry columns every 32' on center.

Building and Architectural Design:

1. Submit a material palette for the auto body repair shop.
2. Provide color renderings of the building.
3. Sec. 27-576(e)
 - (1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality pre-stressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided.
 - (2) Exterior building materials shall not include the following:
 - a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;

- c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
- d. Field painted or prefinished corrugated metal siding;
- e. Standard single-tee or double-tee concrete systems; or
- f. EIFS at the ground level or comprising more than 15 percent of any facade.

On sheet A3.0, one of the proposed exterior materials is smooth masonry. Smooth-faced grey concrete block is not permitted.

- 4. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.
- 5. Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened and all downspouts shall be internalized.
- 6. Overhead doors shall be painted to match the building.

Signage:

- 1. Shall comply with the sign ordinance.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) A Replat of the Final plat shall be submitted and approved with final development plans, to show the relocated property line between Lots 3 and 4, and all applicable changes for drainage, ingress/egress, and utility easements.
 - 2) Approval from Corps of Engineers and copy of 404 permit for the proposed drainage channel, box culvert, and re-alignment improvements will be required prior to UG approval of final development plans.
 - 3) Final development plans will have to be approved before going to planning commission with approval to obtain construction permits. This will include complete drawings with construction notes and details.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Staff Conclusion:

The applicant has acknowledged and addressed staff's comments and will be required to submit a final development plan for the auto body repair shop. The initial term for mechanic shops under the new ordinance has been for two (2) years. The term length ensures that the operator is being a good and responsible neighbor. Whether the length of a permit is two (2) years or indefinite, a special use permit may be revoked by the Unified Government Board of Commission at any time. Subject to approval, this special use permit shall be valid for two (2)

years.

On motion by Mr. Connelly, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2016-64 for two (2) years unless the applicant provides the value of the project within a quarter million dollars by the Board of Commissioners meeting and then the recommendation will be for ten (10) years and the doors are to remain closed:**

Carson	No
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Pauley	Aye
Schwartzman	No
Serda	Aye
Wing	Not Present

Motion to recommend APPROVAL Passed: 6 to 2

Subject to the above stipulations

Neighborhood Meeting Minutes

Project: Rezoning and Special Use Permit for auto body repair shop and Plan Review for auto body shop, car wash/commercial development, Legends Honda and convenience store.

Date of Meeting: July 21, 2016

Location: Legends Toyota Conference Room

Meeting Called to Order: 6:05 p.m.

Attendance:

Curt Petersen, Polsinelli PC

Amy Grant, Polsinelli PC

Tony Wiese, Owner BStreet Collision Center

Kevin Quinn, Baxter Auto

Caleb Flake, BHC

See attached sign in-sheet for neighborhood attendees.

Curt Petersen began the meeting by introducing the development team and then briefly explained the planning approval process and provided the Planning Commission and Board of County Commissioner hearing dates.

Mr. Petersen walked through the site plan in general and showed the proposed locations of the auto body shop and the car wash as well as pointing out the access points to the site. Mr. Wiese then explained the history behind the family owned BStreet Collision business and that he hoped to bring at least three locations to the KC Metro area over the next few years.

Question: Will ownership of the auto body shop be separate from the Legends car dealerships?

Response: Yes, Mr. Wiese will own the auto body shop.

Question: Do the dealerships have their own body shops on site?

Response: No, not at this location. We do at other sites.

Question: Will the car wash serve the general public or only be used for the dealership's vehicles?

Response: The car wash will only be used for the dealership's vehicles and may eventually offer washes to dealership customers only.

Discussion: There was some general discussion about the fact that there is a proposed retail car wash to be located south of 99th Street.

Question: What is the plan for the proposed c-store?

Response: The preliminary plan that was previously approved for Honda showed the c-store so we are required to show that on our proposed preliminary plan now. We have not identified a c-store user or alternative use for the site yet.

Discussion: There was some general discussion about the fact that there will be a c-store located south of 99th Street with Phillips 66 as the gasoline provider for that c-store.

Mr. Petersen then took a few minutes to explain the operations of the proposed auto body shop. Mr. Petersen explained that the building would be approximately 16,000 square feet in size and indicated the access points for the building. Mr. Petersen stated that the applicant would install a 6 foot tall,

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wood privacy fence with masonry columns along portions of the east and west property lines and along the entire north property line with significant landscaping. Mr. Petersen stated that the hours of operation would be from 7:00 a.m. to 5:30 p.m. and that the applicant expects very little traffic to be generated by this use with only approximately 10% of the traffic being tow trucks. Finally, Mr. Petersen explained the storage area located at the northwest corner of the site. This storage area will include three items: trash dumpster, bumpers and metal. At any given time, there will be approximately three inoperable vehicles located behind the building to the north. These vehicles will be removed from the site within one week of arrival.

Question: Will the auto body shop have access to 99th Street?

Response: No.

Question: Will ownership of the auto body shop be separate from the Legends car dealerships?

Response: Yes, Mr. Wiese will own the auto body shop.

Question: How many work bays will there be in the building?

Response: We don't have traditional work bays. The building has internal circulation/flow. There are two service doors facing 99th Street.

Question: How much grading will be done on the site?

Response: There is a big hole in the site now so we will move around dirt to level the site. We are working with the Corps of Engineers to pipe the storm water.

Question: How much room is there between the building and the proposed fence?

Response: We don't have an exact calculation but there are parking stalls and a drive aisle in this area.

Question: What is the finished grade for the car wash?

Response: The car wash sits higher than the auto body shop with retaining walls located near the property line.

Discussion: One neighbor commented that they own the property adjacent to the car wash lot and that they believe they have lost property in the past due to platting and right-of-way dedication. Mr. Petersen indicated that the aerial photograph being shown tonight is not a scaled drawing and the BHC will make sure that they only plat property owned by the applicants.

Question: Will the road located in-between the two dealerships ever be extended north?

Response: We are not aware of any plans to extend the road.

Question: Will the proposed fence be located on the property line? Will landscaping be provided on the north or south side of the fence?

Response: The fence is located approximately 10 feet south of the property line. We are still working on the proposed landscape plan but believe some of the proposed trees will be located on the north side of the fence.

Question: Will the carwash property have the same fence?

Response: Yes.

Question: Who will utilize the overflow lot until the car wash is built?

Response: Employee and excess stock of vehicles for dealership.

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Question: Will the proposed storm water pipe be big enough to handle all of the storm water?

Response: Yes. As of right now the City has requested the pipe to be 6 feet by 8 feet in size and will carry 1,000 cubic feet of water per second. We are working with the City to see if the size of the pipe can be reduced to a smaller size, which would be more than sufficient.

Question: Will the pipe be level with the ground?

Response: Yes, it will look very similar to the pipe that is there today.

Question: How many cars will the auto body shop service in one year?

Response: We don't have specific information for each site but our company as a whole services approximately 500 total vehicles a month.

Question: What kind of noise can we expect to hear?

Response: There are a few items that make noise: paint booth, air compressor and air tools. Most of the tools make a humming noise with others making a crackling sound. I do not believe you will be able to hear much of anything when standing approximately 50 feet from the building.

Question: What are the addresses of your other locations?

Response: Mr. Wiese distributed several photographs of other locations and provided the addresses for each building.

Question: Will you hire employees from the KC area?

Response: Yes. I may bring one or two employees from the Omaha area.

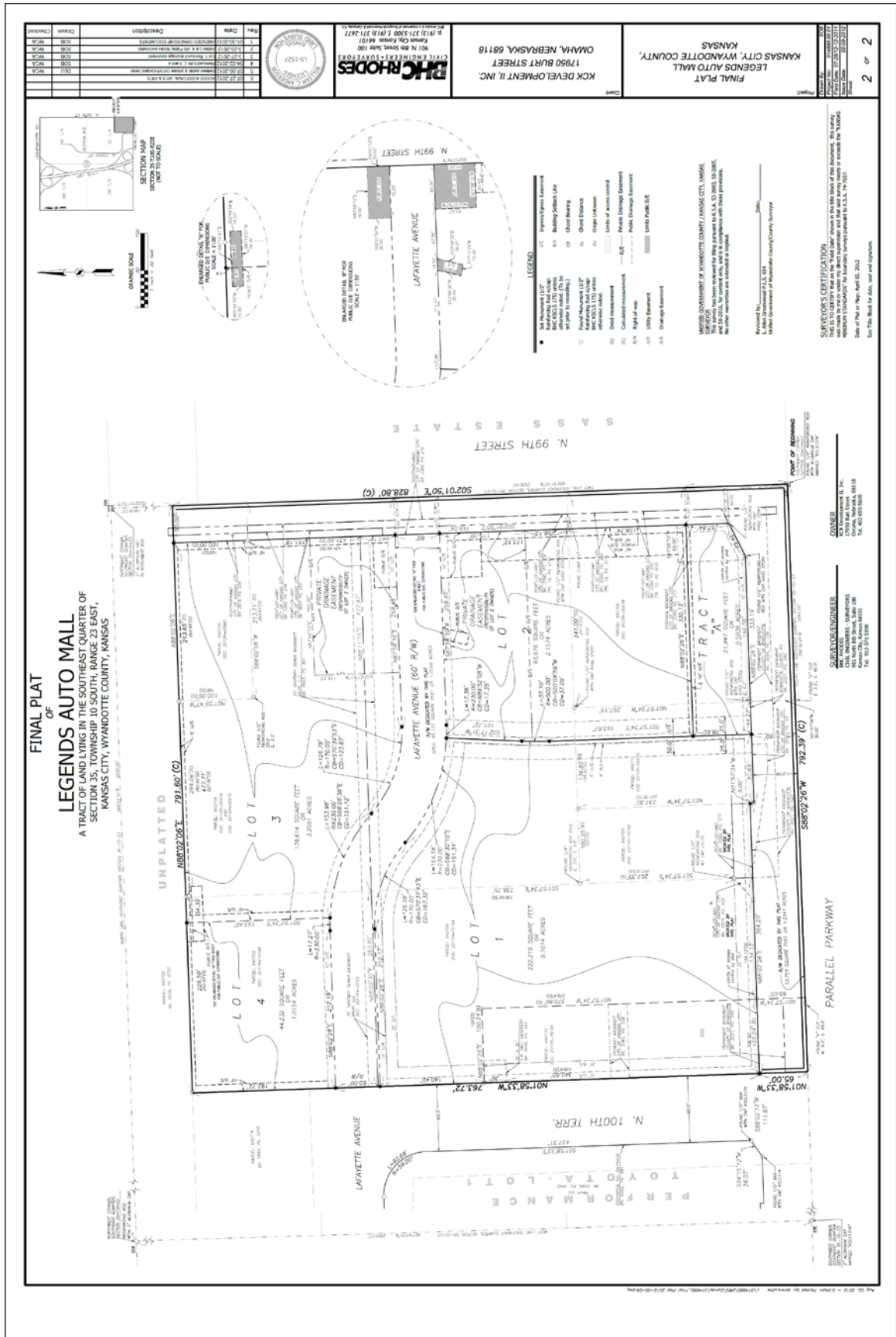
Question: If we start to have problems with noise or junk collecting on the site can we report that to the City?

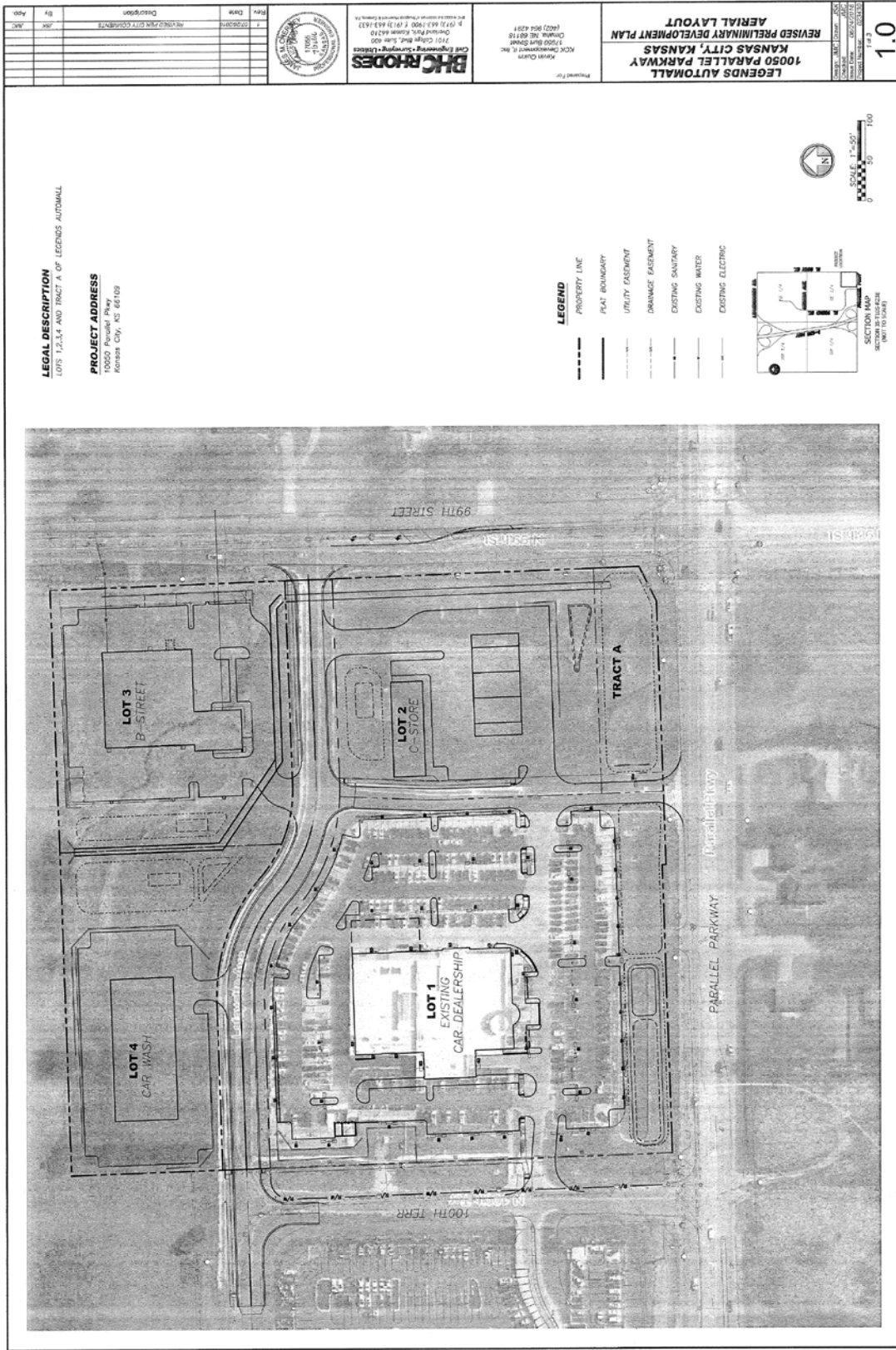
Response: Yes, complaints can be filed with the City.

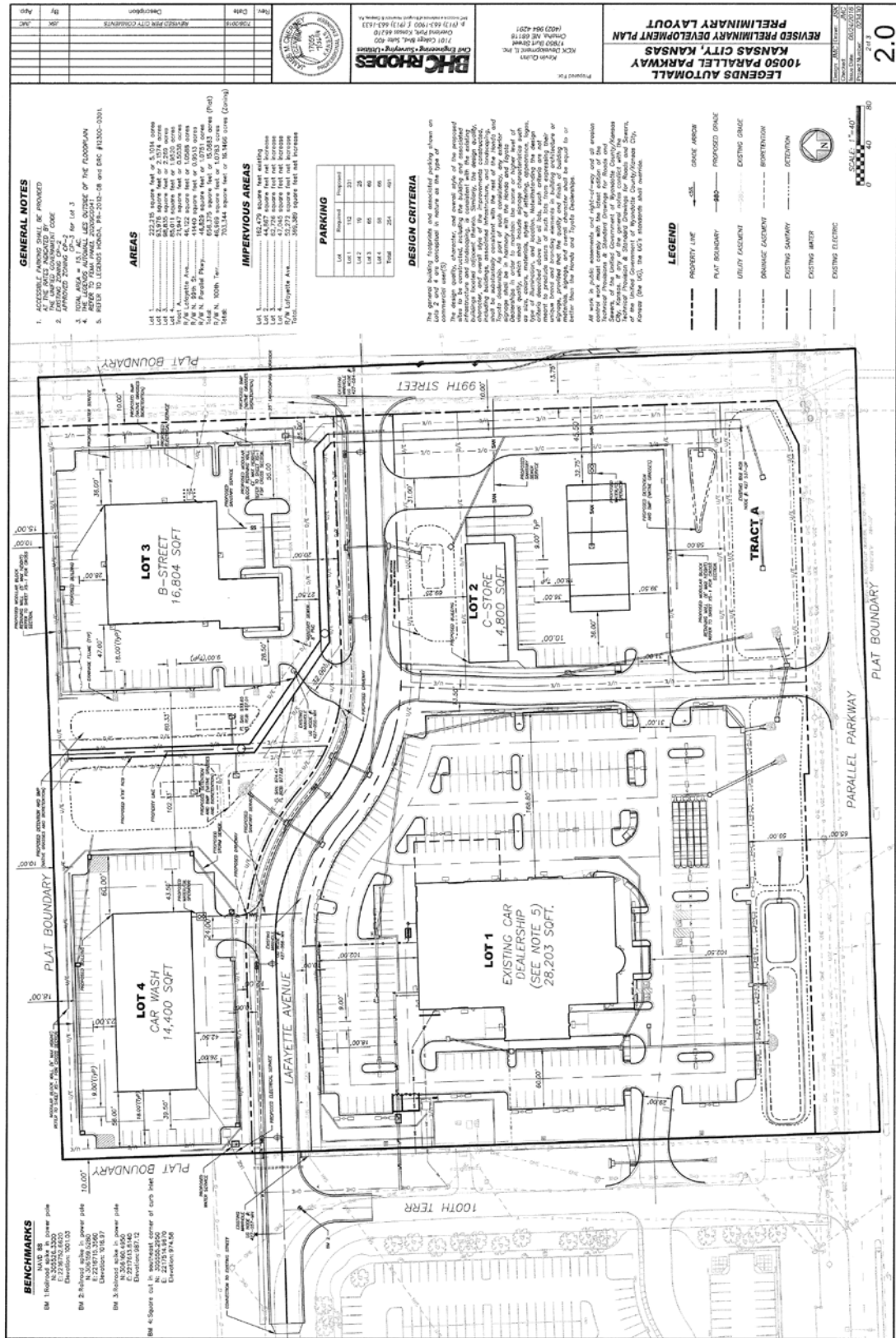
Meeting adjourned at: 7:30 p.m.

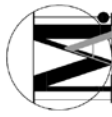
Minutes taken by: Amy Grant

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Meyer & Associates, Architects
1970 New Center, Inc.
2000 N. 99th St.
Kansas City, MO 64116
913.231.1148
www.meyer-associates.com

B STREET AUTOBODY NEW BUILDING CONSTRUCTION

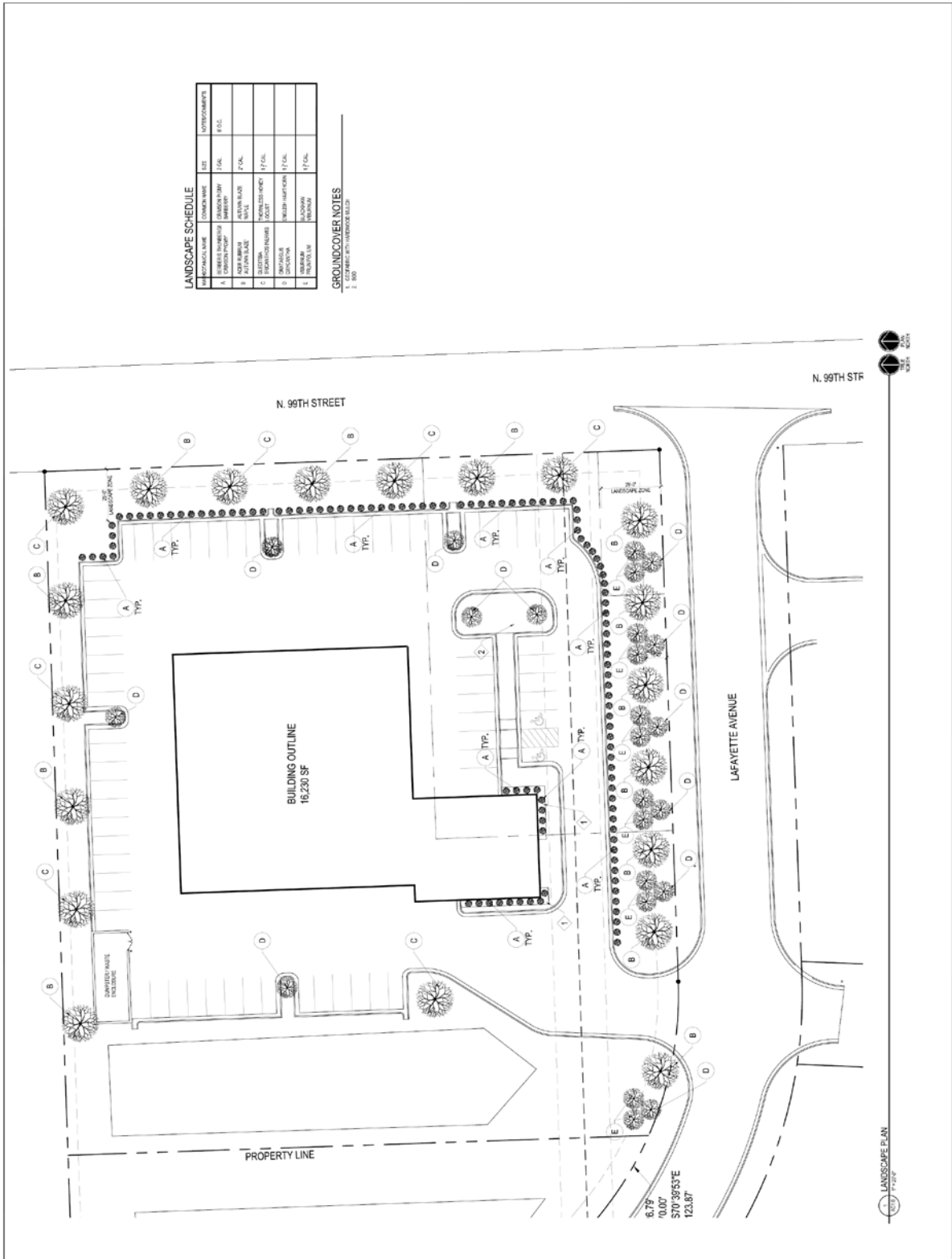
CONSTRUCTION DOCUMENTS FOR:
LAFAYETTE AVENUE
KANSAS CITY, MO 64109

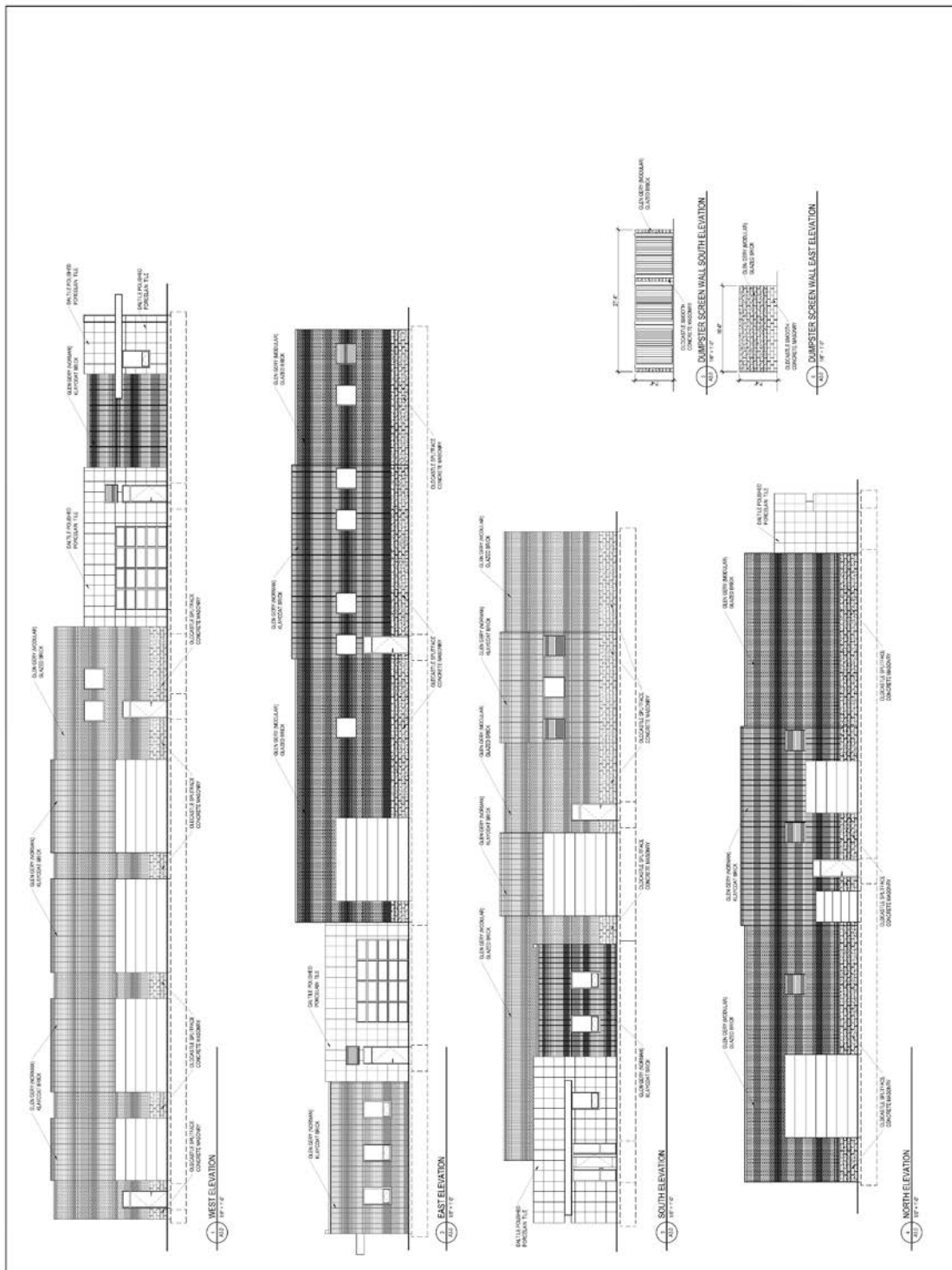
Project No. 16-001
Drawing No. 16-001-01
Scale: 1/8" = 1'-0"
Date: 08/25/16
Project Name: B Street Auto Body
Project Location: 1970 New Center, Inc.
2000 N. 99th St.
Kansas City, MO 64116
Project No. 16-001
Drawing No. 16-001-01
Scale: 1/8" = 1'-0"
Date: 08/25/16
Project Name: B Street Auto Body
Project Location: 1970 New Center, Inc.
2000 N. 99th St.
Kansas City, MO 64116

REVISIONS:

DATE: 08/25/16
DRAWN BY: JLM
CHECKED BY: JLM
DESIGNED BY: JLM
PROJECT NO.: 16-001
SHEET NO.: 01

AC1.0
ARCHITECTURAL SITE PLAN







Staff Request for Commission Action

Tracking No. 16752

Full Commission Meeting Date: 8/25/16

Committee:

Date of Standing Committee Action:

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
08/16/2016	Marlon Goff	x5545	mgoff@wycokck.org	Economic Development

Item Description:

An ordinance authorizing the issuance of \$12M in industrial revenue bonds for Rainbow Legacy Investors, LLC as part of the Rainbow Village Hotel Project.

A resolution of intent (R-59-16) to issue \$12M in IRB's for the Rainbow Village Project was approved on 7/28/16.

Action Requested:

Adoption of an ordinance authorizing the issuance of \$12M in industrial revenue bonds for Rainbow Legacy Investors, LLC, as part of the Rainbow Village Project.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Ordinance

ORDINANCE NO. O-__-16

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS OF NOT TO EXCEED \$12,000,000 AGGREGATE PRINCIPAL AMOUNT OF TAXABLE INDUSTRIAL REVENUE BONDS (RAINBOW VILLAGE PROJECT), SERIES 2016, TO PROVIDE FUNDS TO ACQUIRE, CONSTRUCT AND EQUIP A PROJECT FOR RAINBOW LEGACY INVESTORS, LLC, AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Issuer”) is a municipal corporation and political subdivision duly organized and validly existing under the laws of the State of Kansas as a consolidated city-county having all the powers, functions and duties of a county and a city of the first class; and

WHEREAS, the Issuer is authorized by K.S.A. 12-1740 to 12-1749d, inclusive, as amended (collectively, the “Act”), to issue revenue bonds, the proceeds of which shall be used for the purpose of paying all or part of the cost of purchasing, acquiring, constructing, reconstructing, improving, equipping, furnishing, repairing, enlarging or remodeling facilities for agricultural, commercial, hospital, industrial, natural resources, recreational development and manufacturing purposes; and

WHEREAS, pursuant to the Act, the Issuer proposes to issue its Taxable Industrial Revenue Bonds (Rainbow Village Project), Series 2016 (the “Bonds”), in an aggregate principal amount not to exceed \$12,000,000, for the purpose of (a) acquiring, constructing and equipping a commercial facility for Rainbow Legacy Investors, LLC, a Kansas limited liability company (the “Company”), and (b) paying certain costs of issuance, all as further described in the hereinafter referred to Bond Indenture and Lease Agreement; and

WHEREAS, the Bonds will be issued under a Bond Trust Indenture dated as of the date set forth therein (the “Bond Indenture”), by and between the Issuer and Security Bank of Kansas City, as Bond Trustee (the “Bond Trustee”); and

WHEREAS, the Company will lease the Project to the Issuer pursuant to the Base Lease Agreement of even date herewith (the “Base Lease”) between the Company and the Issuer; and

WHEREAS, simultaneously with the execution and delivery of the Bond Indenture, the Issuer will enter into a Lease Agreement dated as of the date set forth therein (the “Lease Agreement”), by and between the Issuer, as lessor, and the Company, as lessee, pursuant to which the Project (as defined in the Bond Indenture) will be acquired, constructed and equipped and pursuant to which the Issuer will lease the Project to the Company, and the Company will agree to pay Lease Payments (as defined in the Bond Indenture) sufficient to pay the principal of and premium, if any, and interest on, the Bonds; and

WHEREAS, the Issuer further finds and determines that it is necessary and desirable in connection with the issuance of the Bonds that the Issuer execute and deliver certain documents and that the Issuer take certain other actions as herein provided.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. Findings and Determinations. The Issuer hereby makes the following findings and determinations with respect to the Company and the Bonds to be issued by the Issuer, based upon representations made to the Issuer:

(a) The Company has properly requested the Issuer's assistance in financing the costs of the Project;

(b) The issuance of the Bonds for the purpose of providing funds to finance the costs of the Project is in furtherance of the public purposes set forth in the Act; and

(c) The Bonds are being issued for a valid purpose under and in accordance with the provisions of the Act.

Section 2. Authorization of the Bonds. The Issuer is hereby authorized to issue the Bonds in the aggregate principal amount of not to exceed \$12,000,000, which shall be issued under and secured by and shall have the terms and provisions set forth in the Bond Indenture. The Bonds shall bear interest at an interest rate not to exceed 2.00% per annum, and shall mature not later than the year 2018, and shall have such redemption provisions, including premiums, and other terms as set forth in the Bond Indenture. The final terms of the Bonds shall be specified in the Bond Indenture, and the signatures of the officers of the Issuer executing such Bond Indenture shall constitute conclusive evidence of their approval and the Issuer's approval thereof.

Section 3. Limited Obligations. The Bonds shall be limited obligations of the Issuer, payable solely from the sources and in the manner as provided in the Bond Indenture, and shall be secured by a transfer, pledge and assignment of and a grant of a security interest in the Trust Estate (as defined in the Bond Indenture) to the Bond Trustee and in favor of the owners of the Bonds, as provided in the Bond Indenture. The Bonds and interest thereon shall not be deemed to constitute a debt or liability of the Issuer, the State of Kansas (the "State") or of any political subdivision thereof within the meaning of any State constitutional provision or statutory limitation and shall not constitute a pledge of the full faith and credit of the Issuer, the State or of any political subdivision thereof, but shall be payable solely from the funds provided for in the Lease Agreement and the Bond Indenture. The issuance of the Bonds shall not, directly, indirectly or contingently, obligate the Issuer, the State or any political subdivision thereof to levy any form of taxation therefor or to make any appropriation for their payment. No breach by the Issuer of any such pledge, mortgage, obligation or agreement may impose any liability, pecuniary or otherwise, upon the Issuer or any charge upon its general credit or against its taxing power.

Section 4. Authorization and Approval of Documents. The following documents are hereby approved in substantially the forms presented to and reviewed by the Issuer (copies of which documents, upon execution thereof, shall be filed in the office of the City Clerk), and the Issuer is hereby authorized to execute and deliver each of such documents (the "Issuer Documents") with such changes therein (including the dated date thereof) as shall be approved by the officials of the Issuer executing such documents, such officials' signatures thereon being conclusive evidence of their approval and the Issuer's approval thereof:

(a) Bond Indenture;

(b) Base Lease Agreement;

- (c) Lease Agreement; and
- (d) Bond Purchase Agreement.

Section 5. Execution of Bonds and Documents. The Mayor/CEO of the Issuer is hereby authorized and directed to execute the Bonds by manual or facsimile signature and to deliver the Bonds to the Bond Trustee for authentication for and on behalf of and as the act and deed of the Issuer in the manner provided in the Bond Indenture. The Mayor/CEO of the Issuer is hereby authorized and directed to execute and deliver the Issuer Documents for and on behalf of and as the act and deed of the Issuer. The Unified Government Clerk of the Issuer is hereby authorized and directed to attest, by manual or facsimile signature, to the Bonds, the Issuer Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 6. Further Authority. The Issuer shall, and the officials, agents and employees of the Issuer are hereby authorized and directed to, take such further action, and execute such other documents, certificates and instruments, including, without limitation, any credit enhancement and security documents, arbitrage certificate, redemption notices, closing certificates and tax forms, as may be necessary or desirable to carry out and comply with the intent of this Ordinance, and to carry out, comply with and perform the duties of the Issuer with respect to the Bonds and the Issuer Documents.

Section 7. Effective Date. This Ordinance shall take effect and be in full force immediately after its adoption by the Governing Body of the Issuer and publication in the official newspaper of the Issuer.

PASSED by the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas this 25th day of August, 2016.

Mayor/CEO of the Unified Government of
Wyandotte County/Kansas City, Kansas

(Seal)

ATTEST:

Unified Government Clerk

[SUMMARY ORDINANCE FOR PUBLICATION]

(PUBLISHED IN *THE WYANDOTTE ECHO* ON _____, 2016)

SUMMARY OF ORDINANCE NO. O-__-16

On August 25, 2016, the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas passed an ordinance entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS OF NOT TO EXCEED \$12,000,000 AGGREGATE PRINCIPAL AMOUNT OF TAXABLE INDUSTRIAL REVENUE BONDS (RAINBOW VILLAGE PROJECT), SERIES 2016, TO PROVIDE FUNDS TO ACQUIRE, CONSTRUCT AND EQUIP A PROJECT FOR RAINBOW LEGACY INVESTORS, LLC, AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

The bonds approved by the Ordinance are being issued in an aggregate principal amount not to exceed \$12,000,000 for the purpose of acquiring, constructing, improving and equipping a commercial facility located approximately at 3440 Rainbow Boulevard in Kansas City, Kansas and paying certain costs of issuance of the bonds. The bonds shall be limited obligations of the Unified Government payable from lease payments to be made by Rainbow Legacy Investors, LLC, in amounts sufficient to pay the principal of and premium, if any, and interest on the bonds. The bonds and interest thereon shall not be deemed to constitute a debt or liability of the Unified Government, the State of Kansas (the "State") or of any political subdivision thereof within the meaning of any State constitutional provision or statutory limitation and shall not constitute a pledge of the full faith and credit of the Unified Government, the State or of any political subdivision thereof, but shall be payable solely from the funds provided for in the Lease Agreement and the Bond Indenture. The issuance of the bonds shall not, directly, indirectly or contingently, obligate the Unified Government, the State or any political subdivision thereof to levy any form of taxation therefor or to make any appropriation for their payment. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the Unified Government Clerk, 701 North 7th Street. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at www.wycokck.org.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: August __, 2016.

Kenneth J. Moore
Unified Government 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

August 17, 2016

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for: Ethiopian Orthodox Tewahedo Church first plat

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of ETHIOPIAN ORTHODOX TEWAHEDO FIRST PLAT, located at 31st and Barnett Avenue and being developed by. Ethiopian Orthodox Tewahedo Church first plat.

At this time, 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.
Engineering Division Manager
/County Surveyor

Wayne Moody, P.E.
Interim County Engineer

FILED
AUG 19 2016
UNIFIED GOVERNMENT CLERK

Attachments

16753



County Administrator's Office
Douglas G. Bach, County Administrator

701 North 7th St., Suite 945
Kansas City, Kansas 66101-3064

Phone: (913) 573-5030
Fax: (913) 573-5540

NOTICE OF PENDING APPOINTMENT

DATE: 8/18/16

BOARD POSITION: Planning & Zoning Commission

INCUMBENT REPLACED: Timothy DeWitt

TERM EXPIRATION DATE: 10/1/17

APPOINTING COMMISSIONER: Commissioner Philbrook

REVIEW DATE (7 business days): 8/16/16

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Allison Rank

ADDRESS: _____

CELL NUMBER AND EMAIL ADDRESS: _____

TERM OF OFFICE: 8/25/16 - 3/31/18

D. Philbrook / (SS)

SIGNATURE OF APPOINTING COMMISSION MEMBER

* NOTICE: IF THERE ARE NO CONCERNS RAISED IN THE INITIAL 7 BUSINESS DAYS REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

REGULAR SESSION
THURSDAY, JULY 7, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, July 7, 2016, with nine members present: Bynum, Commissioner At-Large First District; Townsend, Commissioner First District; McKiernan, Commissioner Second District (via conference call); Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. Walker, Commissioner At-Large Second District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Joe Connor, Gordon Criswell and Melissa Mundt, Assistant County Administrators; Kathleen VonAchen, Chief Financial Officer; Maureen Mahoney, Asst. to Mayor/Chief of Staff; Reginald Lindsey, Budget Manager; Wilba Miller, Director of Community Development; Debbie Jonscher, Deputy Finance Director; Sheriff Don Ash; Deputy Chief Tyrone Garner; Major Michael York; Major Curtis Nicholson; and Captain Dustin Dungan, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Holland.

INVOCATION was given by Reverend Harold Johnson, Jr., Faith Deliverance Family Worship Center, Church of God in Christ.

Mayor Holland asked if there were any revisions to the agenda. **Bridgette Cobbins, UG Clerk,** said a blue sheet has been distributed. Under the Administrator's Agenda, we have an additional item for Item No. 1 and that's for the Police awards; it contains the program. We have a new item, No. 2, which is a presentation for the Distinguished Budget Award.

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 16686....PRESENTATION: POLICE AWARDS

Synopsis: Police Awards presented by Chief Terry Zeigler, KCKPD.

Terry Zeigler, Police Chief, said tonight we're doing something a little bit different. We did a survey in the Police Department to try to figure out how we can be doing a better job of recognizing the good work our officers do. So we sent out a survey and the officers would like to see awards given more quickly so we are revising it. We're going to try to do quarterly awards ceremonies. Then we thought about the Commission Chambers here tonight, the fact that doing it here its broadcast on UGTV as well as the fact that it's going to be put on YouTube so any of our officers' family members who can't be here then, they can go back and watch or they can watch it from home. So this is a little bit different than what we've done in the past. If it doesn't work, we'll try something else, but we are pretty optimistic about this.

So I'm going to turn this over to Major Nicholson. He is going to be the MC for tonight and Major York will be handing out the awards. We have Colonel Garner who will be up front with me as well as FOP President Scott Kirkpatrick.

Major Curtis Nicholson said I'm the Awards Chairman Committee person for tonight. I want to thank the Mayor, Mr. Bach and the Council for allowing us to have this ceremony this evening and thank everyone for being in attendance.

Tonight, we'll be honoring fourteen officers and one civilian police employee for outstanding service to our community. In many of these incidents the officers were facing certain danger.

Before I get right into the awards ceremony, what I would like to do is just describe the awards process to everyone and describe the award categories. So, the awards process, the way that works is any officer or civilian employee may nominate an officer for awards set by the criteria that's within our policy. The Awards Committee receives the nominations. They meet monthly and discuss the awards and discuss the merits of the awards as well. This committee is made up of two police commanders and two union members. After the awards are recommended by us, they go to the Chief for final approval. This is not a rubber stamp process, and many of the awards are turned down if they don't fit the criteria. To protect the integrity of the awards, we take this very, very seriously.

July 7, 2016

Tonight's categories are going to be in the order of least to most significance. The first category tonight is going to be the Safety First/Courtesy Always Award. This is a program that was recently created by Chief Zeigler to track how we are doing in the public's eye. In this category, officers are distributing surveys to people in the field when they're handling calls for service. The officer who has the most positive responses throughout the year will be recognized for this award.

The next award that we will be giving out tonight is the Distinguished Service Award. This is an award that is given to any officer who performs an act worthy of merit such as saving a life but there's no actual danger that existed for the officer.

The award after that that we will be giving is called the Meritorious Service Award. This isn't designed for any officer who performs an exceptional act while unaware of great personal danger, but performs commendably upon being aware of the danger.

Then the last award that we will give this evening, which is the highest award of the KCKPD, is our Award for Valor. This award is designed as any officer who displays bravery or heroism and is aware of the possibility or likelihood of great personal danger and or death. Any officer who gives his life in the line of duty is eligible for this award.

So, we will get straight to the awards. Will Officer Dustin Dierenfeldt, Officer Jeff Jacobs and civilian Police employee Deidra Block, please come forward. Again, this is a new award category that was created by the Chief of Police. It's kind of a new program. Although this award is newly implemented, which sometimes meets resistance within an organization, these individuals took the Chief's directive to heart and not only issued the survey cards, but took great pride in serving the community by doing the best job they could do on a daily bases. The results of the survey card showed that each of these individuals received dozens of positive feedback from the citizens of our community. For their efforts, these officers and Deidra are receiving the Safety First/Courtesy Always Award.

The next award tonight will be the Distinguished Service Award. Would Officer Phil Schwery, Officer Michael Steele, Officer Mark Wilcox, who normally has a K9 partner, please come forward. As you can see, Officer Wilcox has a nice little plaque. We were going to give him a bone for his dog, but I forgot to go to the store. Officers responded to a call of a suicidal subject who was armed with a large caliber revolver. The subject was distraught because she had recently lost her home, lost custody of her kids and was in significant crises due to a long history of drug abuse. She repeatedly asked for officers to kill her while pointing the gun at her own head and often waiving it at officers in their direction. Although deadly force might have

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been justified, officers used a less lethal option, K9 Dax, to momentarily separate the subject from her gun and rushed in before she was able to reacquire the gun. This action could have ended in many different ways; many of them would have been tragic obviously. For their action, these officers are receiving the Distinguished Service Award.

The next award we'll give out this evening is the Meritorious Service Award. Would Officer Daniel Sachen, Officer Rodney Ashley, please come forward. Officer Steven Solis was also getting this award but he could not be in attendance tonight. After a fresh carjacking at 68th and State Ave., officers relocated the vehicle and four suspects and attempted to stop it. The vehicle fled and a pursuit was initiated which ended at 148th and State in Leavenworth County. While fleeing on foot, several of the suspects began firing shots at the pursuing officers. Reportedly, the rounds were impacting near the officers and the officers had no cover to hide behind. Because of their courageous actions committed by these officers, all four suspects were captured and no one was injured. For their actions, these officers are receiving the Meritorious Service Award.

The next award is another Meritorious Service Award for Officer Sara Janeczko and Officer Lewis Edwards. Would you please come forward? These officers worked the midnight shift and they took a report of a carjacking at 10th and Orville. The subjects were reportedly armed with an AR15 rifle. Two and one-half hours later, these same officers saw the suspect vehicle at 2nd and Walker and attempted to stop it. The vehicle eventually fled and went into Kansas City, Missouri, where the suspect was arrested. During his arrest, he was found in possession of an AR15 type rifle and many shell casings were found inside of the vehicle as well.

At about the same time, a walk-in shooting was reported at Children's Mercy Hospital as well. It was determined that the suspect not only carjacked the vehicle, but also shot a rival gang member in the area of 9th and Ella the same evening. Through the diligence of these officers, a dangerous gang member was taken off the street which potentially saved many lives that evening. For their actions, these officers will receive the Meritorious Service Award.

The last award that I'll be giving out this evening is the Award for Valor to Officer Joe Caiharr and Deputy Max Sybrant. Officers were attempting to capture a stolen, fleeing vehicle that was being tracked by OnStar in the area of 76th and Leavenworth Road. Stop sticks were deployed but the driver swerved into a business parking lot in attempt to avoid the stop sticks. The driver lost control, hit a barricade, hit a building and then the vehicle burst into flames. A natural gas line that was connected to the building also caught on fire as well. The driver lost consciousness from the crash and was trapped inside of the vehicle. Officer Caiharr and Deputy

July 7, 2016

Sybrant put their own fears aside knowing they placed their lives in immediate danger and pulled the driver from the burning vehicle. Without their swift and heroic actions, the driver would certainly have died or burned to death. For their actions, these officers are receiving the Award for Valor.

Chief Zeigler said the final award is a Valor Award we're giving to Detective Brad Lancaster. Tonight, we have Jamie Lancaster, his wife with us; Carolyn Lancaster, his mother; Brianna and Jillian, his two daughters with us. On May 9, 2016, at approximately 1217 hours, a call was put out regarding a suspicious person near the Hollywood Casino. Officers responded to the call and Detective Brad Lancaster was in the area. Detective Lancaster decided to start heading that way, which is typical when a call goes out and somebody's freed up. As Detective Lancaster drove toward the casino, he came around the corner and this time the suspect had taken off running from the officers and the officers were in pursuit. Detective Lancaster took his vehicle and began to come around and cut the suspect off so he couldn't flee from the officers. As the suspect continued running toward Detective Lancaster's vehicle, he pulled a gun and opened fire striking Detective Lancaster. Detective Lancaster was shot several times, and at approximately 1530 hours that day, Detective Lancaster lost his life. He lost his life serving his fellow officers and the citizens of this community. For his heroic acts, we present the Valor Award to Jamie Lancaster tonight.

Also tonight, the International Association of Chiefs of Police also want to recognize Detective Lancaster's sacrifice. They have sent a prepared statement as well as a tribute that we will be presenting to Jamie Lancaster, Detective Lancaster's wife. Today the International Association of Chiefs of Police acknowledge the death of Detective Brad Lancaster and the service of his community. Detective Lancaster died doing a job he loved, serving the community he loved even more. Detective Lancaster represents all that is descent, honorable and intrepid about America. But to think that Detective Lancaster is heroic because of his death is to miss the significance of this tribute. What was so noble about Detective Lancaster was not how he died but how he lived. Detective Lancaster did not lose his life, he gave it. That is what we are honoring here tonight. A police officer pledges to keep our todays safe, knowing full well it could cost the officer his tomorrows. Today the International Association of Chiefs of Police presents its tribute to the family of Detective Lancaster.

I am going to read the inscription on the tribute. The tribute says, "The wicked flee when no man pursueth but the righteous are bold as lions," Proverbs 28:1. Brad's name is now deeply

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engraved on the IACP tribute. Please know that law enforcement agencies from around the world share in your loss. May this tribute serve as a reminder that Detective Brad Lancaster will never be forgotten.

Mayor Holland said I think you have one other special presentation. Is that right? After the meeting? Okay. **Chief Ziegler** said it's a big announcement. **Mayor Holland** said I'd ask everyone to please remain in place. We have only about seven minutes of business. If we could do that before everyone leaves, that would save us about fifteen minutes. If you would sit tight for us, we will wrap up.

ITEM NO. 2 – 16688....PRESENTATION: DISTINGUISHED BUDGET AWARD

Synopsis: Presentation of the Distinguished Budget Award received from the Government Finance Officers Association (GFOA).

Doug Bach, County Administrator, said in keeping with the awards recognition that's going on this evening, we would also like to recognize our Budget staff, who this year received the Distinguished Budget Award from the Government Finance Officers Association. At this time, I would like to ask Reginald Lindsey and the rest of the Budget staff to come forward including our Chief Financial Officer Kathleen VonAchen and Debbie Jonscher. I'll have everyone come on up. The Mayor will present the Award.

This award is given out for several factors that go through the analysis of how they give the award for, but it's based the presentation of the fiscal policy. Department information is found throughout the document, both capital equipment and budget information. Also, and probably most important that we see in our community, fiscal transparency. Congratulations.

Mayor Holland said it takes quite a village to prepare our budget document. A \$350M budget that's presented in a three-inch binder at about a million dollars a page; a daunting task.

CONSENT AGENDA

Mayor Holland asked would anyone in the audience tonight like to remove an item from the Consent Agenda. Any item not removed will be voted on by a single vote.

Action: Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the Consent Agenda. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum.

Item No. 1 – 16651.....RESOLUTION: ASSESSMENT OF FAIR HOUSING COLLABORATIVE AGREEMENT

Synopsis: A resolution authorizing the approval of a collaboration agreement between the Unified Government, the City of Kansas City, Missouri, the City of Independence, Missouri, the City of Blue Springs, Missouri, and the City of Leavenworth, Kansas. The agreement will allow the cities to work together and with the Mid-America Regional Council to develop and submit an Assessment of Fair Housing (AFH) to HUD as required by federal law, submitted by Wilba Miller, Director of Community Development. On June 27, 2016, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-58-16**, “A resolution supporting and authorizing the approval of the collaboration agreement between the Unified Government of Wyandotte County/Kansas City, Kansas, the City of Kansas City, Missouri, the City of Independence, Missouri, the City of Blue Springs, Missouri, and the City of Leavenworth, Kansas, to work together in developing and submitting an Assessment of Fair Housing (AFH) to HUD.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum.

Item No. 2 – 16653....COMMUNICATION: KAW RIVER BIKE/PEDESTRIAN BRIDGE GRANT APPLICATION

Synopsis: An abandoned railroad bridge near Kemper Arena has been leased to a private group that is exploring the concept of a bike and pedestrian trail over the Kansas River by the City of Kansas City, MO, owner of the bridge. Interestingly, the bridge is physically located in Kansas

City, KS. In order to further explore this connection opportunity between the Heritage Trail and the Kaw Valley Levee trails, as a public-private partnership, a detailed engineering analysis needs to be completed as well as community engagement around the concept of other uses with the bridge that include not only the trail, but potential enterprises such as a restaurant or other commercial uses. KCMO and UG have each recommended \$15,000 be committed by each entity to support the items in the grant that will benefit this major trail initiative for the urban core.

The request is for \$150,000 of Planning Sustainable Places federal funds, submitted by Melissa M. Mundt, Assistant County Administrator. On June 27, 2016, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum.

Item No. 3 - MINUTES

Synopsis: Minutes from regular sessions of June 9 and 23, 2016; and special session of June 9, 2016.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum.

Item No. 4 - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated June 23, 2016.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to receive and file.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum.

PUBLIC HEARING AGENDA

No items of business.

STANDING COMMITTEES' AGENDA

No items of business.

July 7, 2016

COMMISSIONERS' AGENDA

No items of business.

LAND BANK BOARD OF TRUSTEES' AGENDA

No items of business.

PUBLIC ANNOUNCEMENTS

No items of business.

MAYOR HOLLAND ADJOURNED

THE MEETING AT 7:25 P.M.

July 7, 2016

mbb

Bridgette D. Cobbins
Unified Government Clerk

July 7, 2016

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

SPECIAL SESSION, MONDAY, JULY 25, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in special session, Monday, July 25, 2016, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. Murguia, Commissioner Third District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Carol Godsil, Deputy UG Clerk; Ken Moore, Chief Legal Counsel; Gordon Criswell, Asst. County Administrator; Joe Connor, Asst. County Administrator; Melissa Mundt, Asst. County Administrator; Kathleen VonAchen, Chief Financial Officer; Debbie Jonscher, Asst. Finance Director; Reginald Lindsey, Budget Manager; Mike Tobin, Interim Public Works Director; Patrick Waters, Senior Attorney; Wilba Miller, Community Development Director; Mike Taylor, Public Relations Director; Rocki Mayes, Executive Asst. to County Administrator; Budget Staff, and Officer Jake Dent, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley, Walters, Philbrook, Holland.

AMENDED NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Monday, July 25, 2016, at 5:00 p.m. in the Commission Chambers of the Municipal Office Building for the final 2017 Budget Public Hearing. Immediately following in the 5th floor conference room will be the Public Works & Safety Standing Committee meeting followed by the Administration & Human Services Standing Committee meeting. Immediately following, a budget workshop will be held in the 5th floor conference room.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Holland said tonight is our final budget hearing.

Pre-July Budget Calendar

- ❖ October 19, 2015 – Commission Strategic Planning Session
- ❖ February 25, 2016 – 2017 Budget Public Hearing
- ❖ March 10, 2016 – Special Session – 2015 Financial Year End Review
- ❖ April 2016 – Commission Strategic Planning Session
- ❖ May 5 & May 26, 2016 – CMIP/DCBF – Committee of the Whole Workshops
- ❖ April/May 2016 – 2016 Citizen Survey Results
- ❖ June 23, 27, & 28 – Administration 3x3 with Commission

July Budget Calendar

- ❖ July 7 – 5PM – Administrator’s Presentation to Commission
- ❖ July 11 – Budget Workshop (Immediately following Standing Committee)
Set Maximum Mill Levy
- ❖ July 18 – Budget Workshop – 5PM
- ❖ July 21 – Budget Workshop – 5PM
- ❖ July 25 – Final Public Hearing; Standing Committee; Budget Workshop
- ❖ July 28 – Budget Adoption

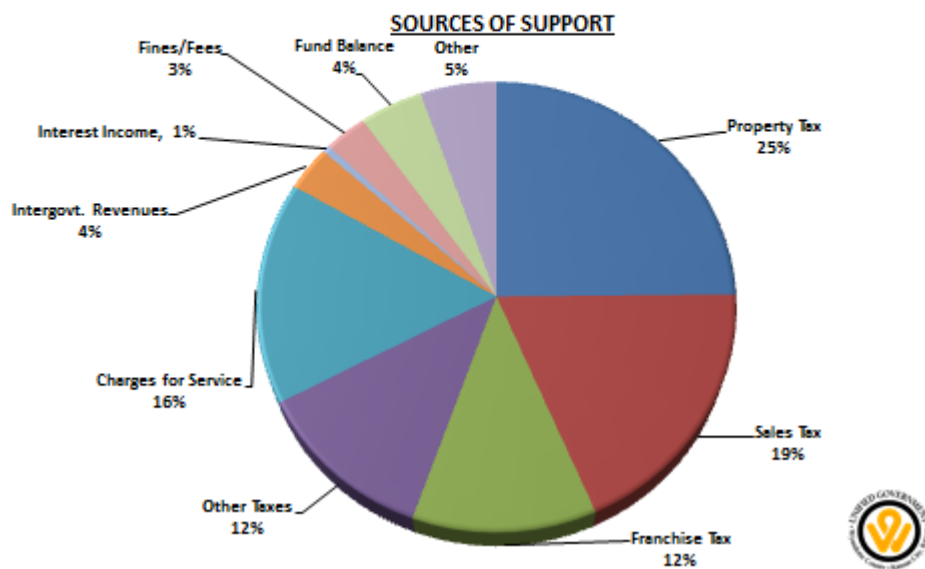


Doug Bach, County Administrator, said just to say a few things before we move into tonight’s session I think the first thing is kind of a look back over the sessions we’ve had leading up to tonight’s budget. We really got started on this last year. I think that has been a commitment by the governing body that we would kind of work budget throughout the year and would not just dive in and try to do everything in a couple of weeks. We started our Strategic Planning in October so currently we’re starting to think about what our Strategic Planning will be for the 2018 Budget cycle. Then we moved into February. We really did our first public hearing and I will say the way this budget is set out that’s our main public hearing that we get into, listen to comments from the public and be able to work through that and take some written sessions that come in. We go through the Yearend Review and then work through workshops leading through

the month of June and then which led up to the proposed presentation of the budget that I put forward on July 7th, and then we've had a few workshops since that time leading up to today. The Commission has put a lot of time and effort into strategizing as to what would come into this year's budget to put you in a position to adopt what comes forward this week and then continue to look forward for long-year plans.

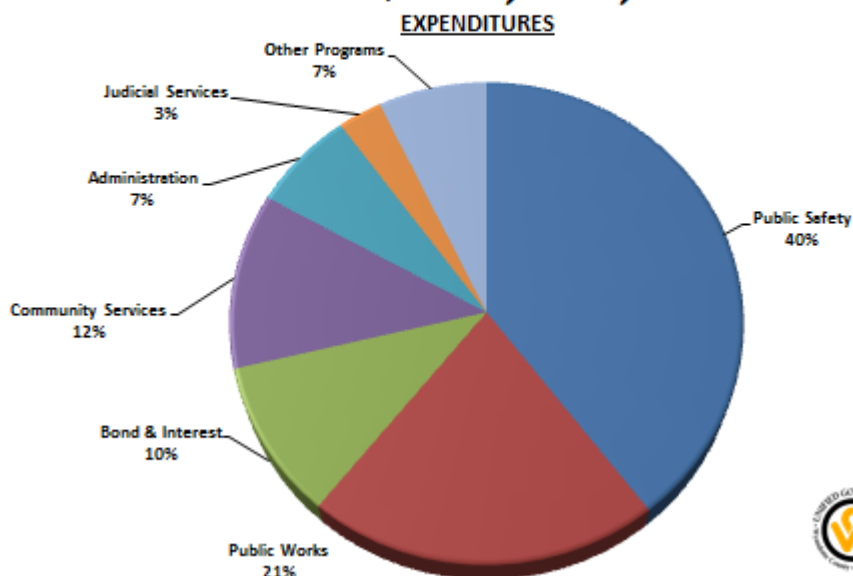
Tonight I'm going to ask Reginald Lindsey, our Budget Manager, and Wilba Miller, our Community Development Director, to come forward and give different parts of the presentation before we move into the public hearing.

2017 Proposed Budget Overall: \$345,751,474



Reginald Lindsey, Budget Manager, said our 2017 Proposed Budget at \$345M is balanced both on the Revenue side and Expenditure side. This budget funds 31 state certified funds and through these state certified funds, we fund over 200 services. The main sources of support are Property Tax at 25%, Sales Tax at 19% and this year's sales tax at 19%. It's 4% higher as far as this piece of the pie than it has been in the past. Last year it was 14%. Our other major sources of revenue are Franchise Tax and Charges for Services.

2017 Proposed Budget Overall: \$345,751,474



On the Expenditure side of the house where we have funds going out, Public Safety is our major source of expenditures going out at 40% and Public Works at 21% and then Community Services at 12% of the pie.

CDBG – Examples of Eligible Activities

- Planning & Administration
- Public Facility Improvements
- Rehabilitation of Housing
- Clearance and Demolition
- Acquisition, disposition, and relocation
- Public Services
- Economic Development
- Historic Preservation



Wilba Miller, Community Development Director, said as you know, the Unified Government of Wyandotte County receives an annual allocation of Entitlement Funds from the U.S.

July 25, 2016

Department or HUD for the following programs: Community Development Block Grant, the HOME Investment Partnership Program and the Emergency Solutions Grant Program. In order to receive the funds, the Unified Government must submit a 5-Year Consolidated Plan which includes an assessment of housing needs for both affordable and special needs housing, a housing market analysis, housing priorities and strategies to address those needs, a 5-Year Strategic Plan and an Annual Action Plan. The 2016 Action Plan is the second year of our current 5-Year Plan.

The Annual Action Plan consolidates the three grant programs into a single application which includes a description of the projects and activities expected to be undertaken using grant funds and any expected program income.

Examples of eligible activities for the CDBG Program are shown on the current slide. The plan also includes actions that the Unified Government expects to take during our program years to pursue strategies described in the 5-Year Plan.

The Unified Government must hold two public hearings to inform the community about the plan, the process, and to obtain community input. As Doug said, the first public hearing was held on February 25, 2016, prior to our developing the Annual Action Plan. We are fulfilling the second public hearing requirement tonight.

The Unified Government requested applications for 2017 Community Development Block Grant funding, and a community forum was held on April 7th to describe the process. Applications were accepted from April 7th until April 29th. The applications recommended for funding were brought forward to the full Commission and approved on June 9, 2016. Those approved applications are included in the draft Annual Action Plan which was published on June 16th and citizens were given 30 days to comment. The Plan budget is summarized by the following slides and is shown by categories and activities.

COMMUNITY DEVELOPMENT FY 2016 GRANT BUDGET

DEMOLITION	339,478
REHABILITATION	687,781
PUBLIC FACILITIES & IMPROVEMENTS	300,100
PUBLIC SERVICES	270,575
SECTION 108 REPAYMENT	280,000
ADMIN	407,232
TOTAL	2,285,166



You can see the Community Development Block Grant budget is \$2,285,166.

HOME FUNDS FY 2016 GRANT BUDGET

HOME CHIP	241,226
REHAB/NEW CONSTRUCTION	270,000
ADMIN	56,802
TOTAL HOME	568,028



The HOME Funds are \$568,028.

EMERGENCY SOLUTIONS FY 2016 GRANT BUDGET

FEDERAL ALLOCATION	182,274
TOTAL ESG FUNDS	182,274



Emergency Solutions Grant is \$182,274 in total funding.

The Plan must be submitted to HUD 45 days prior to our fiscal year that starts October 1st which means submission can be no later than August 15th. Failure to submit by that date will result in an automatic loss of funds.

The submission of the Annual Action Plan will also include this year the Amended Citizen Participation Plan which has been revised to include the new requirements of the new federal Affirmatively Furthering Fair Housing Final Rule. The amended Citizen Participation Plan was also made available on June 16th for a 30-day citizen comment period. The Unified Government has joined a collaborative of communities in the metropolitan area to develop the nation's first regional fair housing assessment and strategy which is currently underway.

A resolution calling for the adoption of the Annual Action Plan and the Amended Citizen Participation Plan will be presented for Commission approval during the July 28, 2016 adoption of the Unified Government budget. This concludes my portion of the presentation.

Mr. Bach said that concludes the information we wanted to present tonight. At this time, I would recommend that we forward to the public hearing.

July 25, 2016

Mayor Holland said I will now open the public hearing. I will ask the Clerk to read the statement governing this public hearing. (Ms. Godsil read the statement)

Dennis L. Harris, 5926 No. 123rd St., said I don't know how many years I've been here for a hearing of this nature on behalf of the Wyandotte County Fair Board. I've been a member of the Fair Board for some 15 to 20 years. Time gets by as you advance to my age. I have unsuccessfully tried to convince this board that the Fair Association and the Wyandotte County Fair Foundation is worthy of budgetary funding equal to or greater than what was received by this organization prior to Schlitterbahn moving in on our old fairgrounds and the new fairgrounds at 13700 Polfer.

We just completed our sixth county fair at the new fairgrounds for which I call where we're occupied now from the 12th to the 16th. The grounds prior to the fair were probably in the best shape and the best looking that they had been in the six years we have been there thanks to volunteers. We have no employees except during the fair. Everything that we did in preparation for the fair was done by volunteers. Board members volunteering their equipment, their time and their effort to ensure that this annual county function was successful. I believe it was very successful this year. We grew after the mud on Tuesday, through a little less mud on Wednesday and Thursday it was almost dry in the majority of the places. By Friday we had a few mud puddles and a couple of wet spots. By Saturday the midway and the areas of the ground were pretty dry. The crowds grew as the weather and our conditions improved from Tuesday through Saturday.

Ms. Godsil notified Mr. Harris he had one minute left of the three minutes speaking time. **Commissioner Walker made a motion, seconded by Commissioner Kane, to extend the speaking time to five minutes.** **Mayor Holland** said we just had a motion. We have three people speaking. Can we award those three people if they want to five minutes each? Motion carried.

Mr. Harris said I am very pleased with the manner in which the fair happened this year and the results of the fair, but the fair isn't the only thing that we do at the fairgrounds. The fairgrounds have been utilized for many, many community activities. This past June, Crosslines held the first barbeque contest that I'm aware of that's been since the old fairgrounds. We used to have a lot of them at the fairgrounds. It wasn't huge this year but it's the potential of growing.

There were 35 teams that entered. They paid entry fees in excess of \$300 to be there and so much per class that they entered a product in. They prepared food that was subsequently served in the Crossline kitchen down at 7th & Kansas Ave. or just off of 7th & Kansas Ave. They are now planning on another event next year at the fairgrounds.

Numerous wedding receptions and weddings have taken place in the major building that we have available on the fairgrounds although, in retrospect, had we known at the time we built that building what we know today, that building would have never been built. It was built as a horse facility and animal facility. It was not heated, it was not air-conditioned and two bathrooms are in the building. At that time, we anticipated funding through either bonds or other means to build an exhibition hall with meeting rooms and facilities for our 4-H'ers to have club meetings, etc. We never received the bonds or that funding, and that building is still in phase five of the development of the fairgrounds and we're in phase two.

We've had antique shows, we have antique shows planned, we've had gun shows, we've had gun and knives shows, we've had wedding receptions. We've worked to develop use of the building as best we can. We still do not have heating or air-conditioning but we've generated some income. We have thanks to members of this panel, at least three of them, funding for the five trap fields that were authorized by this body in perpetuity in 2011. The funding that we received is approximately 40% of what was needed, but through donations, hard work of volunteers, donation of equipment and materials, we're going to build all five of them. We've got two that we're in the process of running electricity to and opening them hopefully by the middle of September. The other three we hope will be completed by October of this year.

The Kansas Trap Association is already planning the possibility of one more event—**Mayor Holland** said you are out of time, sir. I appreciate you coming today. **Mr. Harris** said northeast Kansas this spring.

Marcia Rupp, 2816 No. 46th St., said I want to talk about our emergency units, our knights in shining armor, the Fire Department and the Police Department. I want to make sure if they can to get all the material and equipment that they need to keep us safe and new fire departments out west. I watched a segment on TV and I believe it was the Overland Park Fire Department and they talked about how the new houses now are made of cheap and lightweight material. If you go out to 130th & Polfer Road and you look northeast, wow, I mean that's all you see is new

homes, all the building we're doing, the training center coming in; we really need a fire department out west. I don't know if you have ever looked into this but we had some help with building a Police Department at midtown with the federal and you know we don't have a Homeland Security Office in Kansas City, Kansas; not in Kansas at all. We work out of the one in Missouri is what we use so that might be somebody that we could go in to partner with just to bring up some suggestions.

I also want to talk about Parallel Parkway. I know we did a really good job of paving—and I see that Mike Tobin is in the audience—and I know we did a really good job of paving the Leavenworth Road and also State Avenue. It's beautiful and people were traveling Parallel when all that was being done and Parallel is just a mess. It needs to be grind and overlaid. If we can't afford it right now, someone needs to go along where that pavement has moved. You know, when it gets warm, the pavement moves and it causes a seam and protrudes up and you know as well as your car going down and hitting a pothole it's just as bad when your car hits one of those. From like about 82nd Street down Parallel clear through down to 47th, it's really bad. It's going to tear up a lot of cars so if we could just do something about Parallel Parkway.

While I'm up here I want to thank, and I really meant to do this tonight, this is one of the things I wanted to do; I want to thank the people that really help the Neighborhood Watch leaders. I know that if they were here with me, and a lot of them know I'm going to talk about this, they would say so too. I want to thank the guys that do all the abatement mowing, Lance and his group are wonderful, God bless them. They make our neighborhoods look better.

I want to thank the guys that come out and fix our signs when they're bent. Our Neighborhood Watch signs, the other signs on the roads; they never get thanked and I want to thank them. I love them.

I want to thank the Street Department for all the work they do plowing and paving our streets, fixing the potholes whenever they can and we hope they can fix up Parallel Parkway and all the other ones that I haven't mentioned; the worker's that are out there doing those jobs every day that never get noticed, a big thank you.

A thank you to all the commissioners that help the Neighborhood Watch leaders because I know a lot of you do, and also I've had a lot of help from Gordon, our Assistant Deputy Administrator, thank you so much.

Daniel Welch, 6221 Armstrong, said those who know me know I came to talk about parks, Proposed 2017 UG Budget for parks is generally satisfactory. I found the Fire Department Study very interesting. Yes, the Fire Department Study. It proposes combining eight fire stations into four superior and better located fire stations thus affecting our parks. The four parks affected are Parkwood, Klamm, Kensington and Emerson. Only one park fire station located in the corner of Bethany Park is not affected. The fate of these four old stations as well as our parks is yet undecided, but at least we know through the magic of the internet that the fate of these stations as well as our parks is readily in view for public discussion. I can only hope that the current study of our public parks by Vireo Associations due next spring is published on the internet as well.

I cross my fingers as it appears our Park Department access to the internet is limited by UG bureaucracy. Park facility data often is very limited and many park event postings are often old as well as incomprehensive. Some important information about our parks is completely missing such as the recent Marshall Creek Dam Inspection Report. I mention this report; it is the fourth inspection of the dam since the Army Corps of Engineers 1978 inspection. The first inspection included a complete recalculation of dam water flow capability which insured us the 1930's calculations were correct. However, the first and subsequent inspections recommended certain actions as well as more detailed inspections. A few of these action inspections have been performed and then only after concerned citizens asked the State of Kansas for assistance. Without publication of the latest inspection, it appears the Marshall Creek Dam remains in continual uncorrected and unmonitored deterioration and that this deterioration is hidden from the public view.

Mayor Holland closed the public hearing.

Mayor Holland said we will reconvene upstairs on the 5th floor. The five commissioners who have the Standing Committee, we will start that at 5:40 p.m. Immediately following that Standing Committee, we will have about a ten minute break and we will begin our budget workshop.

The public hearing concluded at 5:27 p.m.

Mayor Holland reconvened the Special Session for the Budget Workshop at 6:15 p.m.

AMENDED NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Monday, July 25, 2016, which is a continuation from the 5:00 p.m. meeting to be held in the 5th floor conference room.

With the exception of Wilba Miller, Community Development Director, the same officials were present that were present at the 5:00 p.m. final Budget Hearing.

ROLL CALL: Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley, Walters, Philbrook, Holland.

Mayor Holland said I'm going to ask the County Administrator to walk through the agenda and the main topic tonight is we need to resolve the decision we're going to make on how many mill levy's we're going to reduce this year. One was the proposal in the Administrator's budget. We asked him to look at what two and three would look like and we have that before us tonight.



Doug Bach, County Administrator, said first, just as you noted, we have three items really on the agenda. The first item will be the yellow sheet so we will jump right into that. We also have any Commission meeting action items, the different actions you will take Thursday night. That came out in your agenda packet today, but I will review those with you later on so we can go

through and know specifically what you will be taking action on. Then any clerical corrections that Reggie and his staff have found in the budget document that needed to be cleaned up and clean pages of that will be put in your document.

Budget Changes (Yellow Sheet)			ADDITIONAL PROPOSED W/CHANGES (M)		2MILL		3 MILL	
Department/Project	City/County	Reduction Item	2016	2017	2016	2017	2016	2017
Revenue								
MILLAGE						1,300,000		2,300,000
Expenditures:								
Communications	City	Media Relations Specialist (new FTE 11 mos)						(75,000)
Communications	City	2nd Newsletter						(10,000)
Parks and Recreation	Consolidated	Arboreal Specialist (new FTE 5 mos)						(50,000)
Parks and Recreation	Consolidated	Park Manager (new FTE 5 mos)						(50,000)
Parks and Recreation	Consolidated	Park Ranger (new FTE 5 mos)				(50,000)		(50,000)
Not on the Original \$12M List	City	Human Resources Analyst (new FTE 5 mos)						(50,000)
Not on the Original \$12M List	City	Animal Control Officer (new FTE 11 mos)						(50,000)
SCAR	City	Zoning Enforcement Officer (new FTE 5 mos)						(40,000)
SCAR	City	CAO Intern (new FTE 5 mos)				(50,000)		(50,000)
SCAR	City	Inspector (new FTE 5 mos)				(50,000)		(70,000)
Fire/EMS	City	Fire Aerial (leased)						(110,000)
Community Services	City	6-Stop Extension				(50,000)		(50,000)
SCAR	City	Animal Control Vehicle						(27,000)
Fund Reimbursement	City	Water Pollution Control Fund (WPCF)	(400,000)		(500,000)		(500,000)	
SCAR	City	Remediation Public Grounds/Mowing (\$500K)						(125,000)
SCAR	City	Event/Match Funding		(500,000)				(100,000)
Street Repair, Curb & Sidewalks	City	Neighborhood Street Repair & Resurface (\$700K)						(50,000)
Red Tide Remediation	City	City Hall 8th Floor Remodel						(50,000)
Argentine Recreation	City		250,000	250,000		250,000		250,000
Commission Special Fund	City/County		20,000		20,000		20,000	
Quarantine Project Management	City/County		20,000		20,000		20,000	
Police Body Camera	City		30,000	250,000		400,000		-
Home Repair Funding				50,000		-		-
AAA Supplies	County			50,000		-		-
Net Change to Proposed Revenues			50	50	50	(2,300,000)	50	(2,300,000)
Net Change to Proposed Expenditures			50	50	(150,000)	(240,000)	(500,000)	(2,300,000)
MIR Rate (City General Fund)			27.093	25.093	27.093	25.093	27.093	24.093

What we did was sit down and I worked with one and started off the base of what my Administrator's Proposed 2016-2017 Budgets were. The first column in the green is one where I incorporated in a few of the different changes we had and, of course, that has a one mill reduction in it for 2017. Then I worked in a reduction to cut another \$1.1M out of the budget or make it an overall two mill reduction and present that. The third scenario is a three mill reduction to go through and cut another \$2.2M out of what was proposed. I will walk through each of these at this point and give you the opportunity to ask any questions. I will go through and just kind of layout the scenario as they're proposed.

In the green section, the first one I will say the big change or add back in—probably if I start at the bottom it kind of explains what I've added into it and then we can work over the deducts from this budget. Chief Zeigler had appeared at one of our first workshops and we talked about body cameras. That's a \$1M project. What we did over the last couple of weeks, we have gone through this with his staff. By utilizing the system we put in place last year that Sheriff Ash is using, we think we can make a complete migration from the camera system that's

in the cars now and the police over to what the Sheriff's Department is using. This will allow us to do a phase implementation. Its project cost but total implementation will be about \$1M, a little under that; however, we can start with about a \$400K implementation in 2017. We would still bid this and determine, but we found that this option does exist this way. This would enable us to change out all of our in-car cameras and then put in different car—into our districts and I believe into our traffic units. It gets us out there with about 56 cameras and then we can move onto the next phase. That cost is \$400K. I have that broke out and it's a little bit unique. We had to do some balancing between fiscal years based on what we published as the maximum budget that we would spend, and that's why you see the number different for the same project between what's in the Proposed and what's in the two mill change. It's a \$400K cost. In this one it shows \$50K in 2016 and \$350K in 2017.

I put in \$50K for the Home Repair Funding Program. This was the initiative discussed last Thursday. Commissioner Bynum, I know you had presented that at about \$200K. I realize there is a lot of policy development around that figuring out how the program could work. If we could find a program, ideally one similar to the Shepherd's Center or something like that that we could fund or somebody that could do it where we could put money into it. I put that in as more of a pilot to go after that. Then I believe I heard quite a few comments saying let's try to get money back into AAA for the supplies for the seniors in terms of diapers, dentures, such like that that they were looking for.

This budget essentially takes those three items, which is a half million dollar add, come in. In order to get there, I made the steps of reducing the repayment to Water Pollution Control by \$400K and this one is consistent across the next one and that's Grant Matching Fund. When we were building the budget for SOAR, we go out for a lot of grants and we kind of put this as an aggressive line so we budgeted \$100K to be able to match into other money so that's not really a loss of anything. That's just match money that we held out there so I cut that out of it.

It reflects the movement of the Argentine Rec Center from 2017 into the 2016 Budget so that's a net wash between the two years so it makes that funding for that project this year.

The Quiet Zone, the discussion there was how could we move forward with a project management. I don't really have a specific number on that. The discussion around that was how do we do that and could use the Commission Special Fund Project, which is funded at \$100K, so we moved basically \$20K from that budget. I just wanted to make that formal into \$20K here.

That's not a net new cost to the budget but it specifies that's where money would be available for that noting that we were going to move forward with that and then we would have to figure out what the project management total cost would be.

That's how this budget's out with what's in place. Everything else that's above would continue to be funded in the budget as originally proposed.

In the two mill scenario, which starts off the line with a \$1.1M deduction from the loss of a mill rate, additional mill, the new item added to this is the body cameras are in place.

We would still do the Quiet Zone Project Management moving that money from the Special Fund into that, but I would remove from the Proposed Budget the Park Ranger position, the Intern position, one of the Inspectors, the additional funding to K-State Extension, would not repay \$500K to the Water Pollution Control Fund. If you will recall, that was budgeted at \$1M. I do believe we need to show effort to continue to make funding repayments on that particularly as we're going through different issues with the consent decree on that but that would cut that in half.

It eliminates the Grant Matching Fund and then it takes \$315K away from the Street Repair where we put in an additional \$700K to cash fund additional street repair in 2017. We would pull out \$315K from that. Take away some remodeling work that's here in City Hall and removes the funding to the Argentine Rec Center Project. That will allow that to balance out between the two years.

The three mill reduction or an additional \$2.2M over in the orange, it's kind of brown on the screen for those watching on TV. I don't add anything back into it so there would not be any body cameras or any other additional ones added to it. The Quiet Zone is still there because that's a net wash between how that works with the Special Fund.

Basically what I've done here is removed most of the new positions added back in. A lot of these directed toward SOAR but one is the Communications Media person. There was some offset to that but it would basically take it so we're working enough to try to get the two newsletters and we will be doing this letter so I just went ahead and removed the third newsletter if we're not going to have that person because I can't seem to get Mike and Edwin freed up enough to work on those so I removed both those items, the Media position and the newsletter.

It takes out the Horticulturalist position in Parks, the Parks Manager position was there to work through their programming and such for us, the Park Ranger, Human Resources Analyst position, the Animal Control Officer, the Zoning Enforcement Officer, the Intern position, both the Inspectors, the fire aerial removed that out and that's an ongoing, K-State Extension money, one of the Animal Control vehicles, reduce the demolition mowing money by \$125K; that grant match money is gone, the Neighborhood Street Resurfacing, reduce that by \$350K, and then remodel money by \$69K and then the Rec Center money by \$350K which takes that project out.

Really that's a lot of the new initiatives that were put forth in this year's budget. When I went with the one mill scenario, I was more apt to say I'm a little more comfortable with one-time scenario costs to cut those out of the budget. When I go to the three mill scenario, I felt that second million I needed to take out personnel costs and ongoing costs. If I'm going to reduce my overall operational costs, I can't have obligated money that's going to be there from year to year. I need to take that back out of the budget because I also look at those when I look at straight mill rate reductions. Personnel is affected by that and as we will move into next year contract negotiations, that will have a direct impact on how much money we're able to put on the table with any of our union groups. When we cut a couple of million dollars out of our future revenue streams, then I want to be able to prepare for that and be able to have serious conversations with you all after the first of the year about how much money we would or would not have, and I can't have ongoing obligations of personnel expenses.

I built you three scenarios and I guess this is where we get into. I would be willing to stand for any questions about decisions, thought process and you know it's only a week to work on it. We went through and tried to work on it and really targeted what would be newer type initiatives coming in and how to balance this.

Commissioner Walker said first of all, when does the budget actually have to be approved by; not our arbitrary schedule. When is the date that we have to conclude it and have it certified? **Mr. Bach** said we have to send it to the State toward the end of August, like August 25th. **Commissioner Walker** said so we have plenty of time to work on it. We set this up next Thursday as being the date—**Mr. Bach** said it takes us a couple of weeks to finalize once we get it all in-hand and clean it all up.

Secondly, you know I'm having a hard time when people call me at home and I'm looking here that you're taking out virtually everything that we put in. If I'm not wrong, isn't that \$1.7M that we've increased it? **Mr. Bach** said yes. **Commissioner Walker** said and yet we've gotten—and I would ask this question, we've gotten an additional \$12M to spend. That's what I've been told all along. I don't know what the true dollar and cents number is. I've had people tell me that our sales tax is actually running above the projected \$12M. Is that true? **Mr. Bach** said yes, I think we're looking at a number that hits right over that.

Commissioner Walker said so for the public that's watching and for my edification because, as a Commissioner, I don't really have anybody working for me that can come up with an alternative scenario to your proposals here. You've got one mill, two mills, three mills and you've made the choices of these various things. Now, there are probably other choices a person could make to cut out of the budget so that we could cut the three mills and believe me the three mills is a bottom of the barrel thing for me and I've talked to you about this.

I'm trying to be reasonable about looking down the road. I'm looking at people and they know we've got \$12M. We've got an additional \$1.7M in expenses that we've added in and we've got no money. I would like for somebody to explain to me how it is that anybody ever thought we were going to reduce taxes with \$12M additional money and that was all just a joke on all of us. I'm very unhappy as you can tell. I mean you're cutting little-bitty departments let alone things we ought to be doing that we haven't been doing. I mean you've given us three scenarios. I certainly would like to have someone that was working for the Commission coming up with some other scenarios because I don't believe these are the only three possibilities. I'm sorry, I just don't.

Mayor Holland said, Commissioner, I would have to take issue with that. Mr. Bach works for this Commission and so he works for me and he works for this Commission. He is our professional employee who we have asked to prepare the budget. So, I do think he works for us and I think his scenarios are legitimate. I hear you're unhappy and I think we need to take that into consideration. I do want to hear from other commissioners in terms of what you think. I have thoughts on the three proposals. This is the first time I've seen them as well and that's why we're here tonight to discuss them.

Commissioner Bynum said I see that the cuts were made to the new items basically. I'm just curious, are there no other savings to be found in other pieces of the budget? I think I understood your explanation but you know it's a big budget book and I'm just curious if there were other places to look so we could retain some of both what you brought to us and what we had put forward at the two and three mills. **Mr. Bach** said yes, there are a lot of different scenarios. I didn't take it from a perspective that I was to go back—I mean you asked me to go back and come back with a scenario and I guess I try to listen to what I get input on from eleven different people. I didn't go back into core areas of our operations. That's why I targeted more toward what were new things that we're not doing today and if there are things that we are currently doing that we would rather not do or—there are other Capital Equipment items that I guess I felt like we heard on for a while. I mean we're buying four pieces of fire apparatus this year. I feel really good about that, but four is one more than I really thought we were really going to get to when I was trying to do it so that's where I looked at one of those. I mean I can hit stuff like that and cut a couple or I could have went after the dump trucks or I could have went into a specific operating department. I looked and considered some of those.

Commissioner Bynum said you're helping me at least understand where that other \$9M is or \$6.8 if you will. There are other additional new expenses in the 2017 Budget beyond these items that are on the chopping block in order to bring the three mill reduction and as you state, they are large expenses. It might be helpful just to be reminded of here's everything that we were doing new and these are the items we're going to have to let go of in order to have three mills. Because I, like Commissioner Walker, was struggling a little bit because I'm going but its \$12M and where is it.

Mayor Holland said I'll weigh in here. I think one mill, and I've said this from the beginning, was too little. I think we need to go higher than that. The Listening Tour said clearly 2.5 mills was what people looked at over the \$12M. The survey, again, came in around three mills and so my commitment is to get to three mills. I think that's a legitimate goal. I think that's something we should do. Three mills will reduce the city mill rate to the lowest in 25 years. I think that's a very nice mark. I think it's fitting with the commitment to lower taxes. I think it's fitting with the information we've received from the public, and I think three mills is where we need to go. I have said from the beginning, I would rather see us do two mills now and do another mill next

year because I think doing three mills all at once—three and then zero, I just don't think that's as good. I think we could do two mills now and I think we have to do these police cameras. I think that's something that the public wants, that's something I'm passionate about and I think losing that is unacceptable so I think we need to do that. I think lowering by two mills this year is an excellent start and next year we can lower it another mill.

The Administrator's proposal in green is a three mill reduction. It's one mill now and two mills next year. I don't like that. I prefer to do it two mills now and one mill next year. We're all—and I hear Mr. Walker saying three mills is rock bottom for you in terms of what you would be willing to do. I think the question is, do we do all three now. Do we do one now or two now? My personal perspective is I think we need to do two mills this year out of the box. We're restoring Fund Balances which is fiscally responsible. We're not spending all the money. We're putting a lot of it into the bank and I think that's very responsible. We're lowering it two mills which is significant if you look at this. I can't do the math in my head, two mills out of 27, that's what a 7% reduction; 7% or 8% reduction in the City General Fund Mill Levy reduction which I think is legitimate. Then next year we do an additional one so the consensus from the Administrator, from this group has been three is the number out of the twelve that we should use to reduce taxes. That's 25% of the money. I think that's a legitimate give.

The question remains all three now, one now or two now. I would certainly push for two now, the yellow one, I think that's the best model and I think it gets us to where we want to go and I have some suggestions around that too. I'm committed to getting to three and I think we need to take that seriously.

Commissioner Kane said you know, Doug, I hate to keep beating the old horse and I agree with you, Mayor, that we need those cameras; we needed them yesterday. Doug does work for us. He and I get along probably 98% of the time. I don't see it in here, just refresh my memory; is there a fire station in here anywhere? **Mr. Bach** said no, there's not a separate—well fire stations are in there based on, and we had that whole discussion on it, but they are based on how we put together the savings that we generate back within the Fire Department budget and that would allow us the revenues to be able to pay it.

Commissioner Kane said okay, so somebody else outside the box is going to have to answer this one. Don't you after so many buildings or whatever, shouldn't there be some sort of

study that says you have to put a fire station right here because somebody decided to put some over here and some over there. What I would like before Thursday is how many people have moved from 99th Street out west since 1990. We don't need a study to say we're underserved, but I think we need a plan to where we need to set some money aside for whether we build one fire station, two or whatever it is. We need to start doing this now instead of saying we're going to combine two over in Turner and two over here in the First District because the longer we do this, the more growth is going to happen out there. I even forgot about the new apartments out there.

I've been bringing this up for 11 years and I have yet to have either Administrator, either Mayor say boy we really ought to do that. **Mayor Holland** said I have said clearly, I think we ought to do that. **Commissioner Kane** said then let's do it. **Mayor Holland** said I think it has to come out of the implementation of the study and the savings in personnel. **Commissioner Kane** said we knew this before any kind of study came around, Mayor. **Mayor Holland** said sure, but the study gives us the path to fund it and I think it's great. **Commissioner Kane** said I'm not sure the path to fund it is there. I think we have a path but there is no funding in the path. The path is there; it is what it is. I didn't make that up the other day about how many brand new homes are out there. When I talked with the Chief the other day, the newer homes go up faster than the older ones because the older ones are built better. I'm going to bring this up every day if that's what it takes because I don't think anybody is listening. If I had to vote for the budget today, I would vote no.

Commissioner Walters said when we were here last time, I liked the three mill option but I don't like the contents of this proposal in that it cuts so much of what I thought were pretty good ideas out of the budget. I'm kind of on the same page with Hal. If we had not had the \$12M, we still would have had to stay in business; we still would have had to run the government. One of my fears was that the \$12M would just get absorbed into operations and we would never see a benefit from it that is tangible. As many people have mentioned, tax relief was the number one goal and I don't think three mills is overly aggressive. It's about 25% of the revenue. I think some people would have suggested we could have done more than that.

I will bring up one thing. The 2015 Budget that we approved projected an \$8.6M ending Fund Balance. The 2015 Actuals had an ending Fund Balance of \$14.7M. That's over \$6M of

exceeded Fund Balance than what we were budgeting. I would hate if we actually did the three mills and cut all these programs and then at the end of the year found we really had the money to pay for them anyway through whatever methods; conservative, revenue projecting or some projects that just couldn't be executed as quickly as possible and, therefore, the money didn't get spent. That would be a real failure I think on our part if we accepted the three mills, we cut all these good ideas out of the budget and then at the end of the year we found we could have afforded them anyway even with the three mills.

My last point is we're talking a lot about mill reduction on the City side. There is no mill reduction proposed on the County side but the County project that I was proposing, the Quiet Zone, is not funded. Similarly to the other information regarding Actual Performance, 2015 we projected an ending Fund Balance of 2.7. Our Actual ending Fund Balance was \$5.5M and that is approximately 10% of the County budget so we have a good Fund Balance. We have a modest request for expenditures for the Quiet Zone; I believe \$65K for three years and then \$160 something for the permanent financing. It's well within the budget, and I don't see any reason not to give that more consideration.

Commissioner Townsend said I think Commissioner Walters kind of hit it more succinctly what I was looking at. It goes to what we have to give up in terms of the programs that were put forward for this new budget cycle. For instance, and the people at home may not be able to see in detail the small writing, and I want to commend the Budget staff and the Administrator for this; it seems easy to follow here but I'm concerned that when we start getting into the two mill, let alone the three mill, so many of the good programs that we were focusing on are going to pay the cost. For instance, SOAR would take quite a few hits. We heard a good presentation about how the internal workings of that program were going to help eradicate blight. With this mill levy reduction, proposals we have itemized here, certain specific things would not happen if we go to the two mill let alone the three mill like Code Inspectors, a couple of them.

Also, high on the list in almost every district on the Listening Tour were the improvements of street repair, curbs and sidewalks and so that's going to take a big hit. Those are things that people can see. Even though mill reduction was a big request, the issue remains, how much people are really going to see even if we do a three mill reduction. They're going to see potholes that aren't repaired, they're going to see grass that is not cut, they're going to

continue to see blight so I have some misgivings with more than a two mill reduction. As I said earlier, I like the graduation of it. The one mill is a good faith start with progression, but as I look at what we would have to give up, I am uncomfortable with not having a lot of the new things that were included like the SOAR Project and not being able to move forward with Code Enforcement, Street Repair; those very type of basic visible things that people will see.

Commissioner Johnson said I said this at the last meeting that we had that there are a lot of requests. There are more requests that we need for our county and our city than the \$12M will allow for. For me, I guess I'm pulling back on my banking background, I like to try to mitigate as much volatility one way or the other whether that's going up or whether that's going down. I've said it before and I'm probably not going to get a lot of traction on it but I think it still needs to be said, we need to take a more disciplined, deliberate approach to lowering the mill rate whether that be by—I think I probably prefer somewhere in the middle at 2% but I'm not even saying that three mills is enough. We might be able to do more over an extended period of time if we have a plan in place that we can be held accountable to to make sure those things happen which also allows us to mitigate the volatility and not have to cut so much on the frontend.

Whether we do two this year and one next year, I don't have a problem with that, but maybe we do two this year and two next year. Whatever we decide, I think you need to look at the fact that this is going to be—we can expect the benefit of the \$12M going forward. Is that correct? Is that a correct assumption? **Mr. Bach** said yes. **Commissioner Johnson** said so that means that in years two, three, four and five, if you want to look at it that long or that short, we will have the wherewithal if we stay focused and stay committed to this to be able to mitigate the volatility and be very disciplined about our approach in that. That is what I will offer to this Commission for your consideration as well.

Commissioner Markley said I also feel most comfortable with the two mill option for a couple of reasons. One is that, as you all know, Commissioner McKiernan and I have been deeply involved in this blight issue. I would like to see those positions be funded, at least the bulk of them, because I think as Commissioner Townsend said, those are the issues we all get calls about most often are those blight related issues and I think we could see a big impact there.

Also, regardless of my own feelings about whether body cameras are a good idea or a bad idea, based on statistics as we see them now, I think our Chief was very clear in that he felt that was his highest priority. If three mills is going to leave us without an avenue to get those cameras and we're already, as I hear it, only getting half of those cameras or some smaller amount of cameras under the proposed \$400K, you know particularly in light of the last few months, I think that we need to take the Chief's professional advice into account. As I said, regardless of my own feelings on whether that should be the highest priority, it's clearly his. That's my feeling. I'm not happy about the Argentine Community Center situation, but as I understand it, perhaps the original fish isn't on the line anymore anyway or may not be on the line anymore anyway. Obviously, she's not here and I'm not sure how she would feel about that. I assume we will be giving ANDA back their \$70K based on this budget proposal. I guess if I had to pick between these three, two mills would be my choice as well for this year just to clarify.

Commissioner Philbrook said number one, I am very privileged to be on a Commission with people that understand a lot of this stuff sometimes better than I do, of course. I will tell you, I look at this and I feel like yes, we have come up with a lot of really good ideas to help our community with the funds that we have. I wish that I were a mathematical genius because I would find a way to do the three mills and still keep all the stuff we want. I don't care if I had to pull it out of the heavens but that's the way I feel about it. I appreciate your work that you've done; the work that you guys have done. Three is not enough, but if our only choices are to help keep most of these good ideas that we all have come up with that our community wants to help improve living in this county and city, then I would have to go with the two at this point.

Mr. Bach said I just felt—I had called Commissioner Murguia to let her know that my scenarios were not funding up the Argentine Rec Center. She obviously did not get to see this whole sheet. No one saw it until we passed it out tonight. She did know that was not going to be on the list. She asked me about other things and I told her many of the new initiatives we were working on were going to be removed from the budget. She just asked me to respond back that she did not support that. She was supportive of the original Proposed Budget and would be good with the one mill reduction going forward and allow for the new initiatives that were put forth to be

included into the budget. I wanted to make sure the rest of you had her words since she at least asked me to bring those forward to you.

Commissioner Bynum said to Commissioner Walters's point of the Fund Balance at the end of '15 being higher than anticipated, I would like us to consider a conversation around the two mill reduction, restoring the cuts and living with the \$1.1M difference in the Fund Balance. I would ask—it seems like it was right about this time last year that we were paid the \$1M fine from Hollywood Casino for not breaking ground on a hotel. **Commissioner Philbrook** said \$1.4. **Commissioner Bynum** said \$1.4M so it just strikes me that they're probably going to be writing that check again at some point. **Mr. Bach** said I will say that's an area that we've probably been conservative in our estimates. The \$1.4M, I believe we budgeted that through the middle of next year so we only have half of it in our budget. That is one of those projects that the day they start is the day it ends. It's not like they have to build the project; it's to move forward with it. I'm reluctant to say I believe 100% 18 months from now that they will still not have started that, but 12 months I was comfortable in giving Kathleen the direction. We talked about it that not through half of next year, but we only built the penalty in for half of 2017 so those are areas where we work conservatively as to how we estimate those revenues.

Commissioner Bynum said I'm just asking the Commission to consider two mills, restoring the things that have been cut and living with a lower Fund Balance. I would be really interested in what Commissioner McKiernan has to say.

Commissioner McKiernan said those of you who I talked to, and it was many, know that my original pie in the sky vision for this was a much deeper mill rate reduction than we ever even began to envision with this budget. I think the reality is as we try to restore service to the level of excellence and coverage that we really want for our city and county, we realize that we can't get that immediate reduction in the mill rate and still—it's a point that Commissioner Murguia made the other night that if we provide excellence in customer service and if we provide those services that make people's lives tangibly better in their neighborhoods and in their communities, that does mitigate somewhat the lack of a mill rate reduction. I am definitely comfortable—as a matter of fact, I think Commissioner Bynum's proposal of the two mills and then living with a slightly lower fund balance is a good, thoughtful way to move forward.

I think Commissioner Johnson is right, and I will go back to something Commissioner Markley and I have talked about before. Commissioner Johnson really asks us to be much more strategic, not only in terms of what initiatives we want, but how we fund the fundamental operations of government going forward to do more priority-based budgeting types of the things where we consider the what if's scenarios: if we had this much, if we spent this much, what would the impact be? I think we should commit ourselves.

Commissioner Walker has certainly been an advocate of doing priority-based budgeting for the last several years. I think that we would do well to take him up on that and to begin to be very thoughtful about the actual dollars of our initiatives and not this week before or these three days before the budget is due, but truly start now looking for next year's budget and start the process of asking what if, what if we spent this much.

Another thing that I think we really should do because we don't have time nor the resources to come to this last day and to say are there some fundamental savings that we could make within the basic operations of government, to review our procedures, to review our staffing levels, to review our personnel, to review our equipment buying and leasing policies; those are things that would have to be accomplished over a full year and that should start today for next year.

Again, it goes back to—Commissioner Markley had asked about the Comp & Class Study. We have it but my question would be, have we taken the information from that and used it to help refine our operation in any way. It speaks to what Commissioner Johnson said a moment ago about being much more forward-looking and strategic and thinking years ahead and not a year ahead and doing that not with just CMIP but with our regular operations as well.

I would be comfortable with two this year with the pledge for more in coming years and that that pledge could be one or more. I think Commissioner Bynum has hit on an interesting solution to accept a lower fund balance in the short run to get some of those community enrichment initiatives moving forward.

Commissioner Walker said I would like to ask the Finance Director, do you have the Second Quarter Reports preliminary? **Kathleen VonAchen, Chief Financial Officer**, said I just got a draft of it but I haven't looked at it. I just got it this afternoon. **Commissioner Walker** asked what is our surplus running at. **Ms. VonAchen** asked surplus. **Commissioner Walker** said

well, excess Fund Balance. You call it Fund Balance, I call it surplus. **Ms. VonAchen** said I don't know off hand but at the end of the fiscal year, it's what's shown in the budget at the end of last fiscal year six months ago. **Commissioner Walker** said what I'm getting at is we don't have the ability independently to look at how the numbers are coming in progressively throughout the year to see where we're at right now. Now I have been told we have more sales tax that has come in so far this year than was anticipated. **Mayor Holland** asked don't we do a quarterly presentation to the Economic Development Standing Committee. **Commissioner Walker** said yes, that's why I just asked if she has the quarterly numbers ready so we should have those numbers ready. **Ms. VonAchen** said you know we don't reconcile all the books until about 15 or 20 days after the end of the month so that just came in and that's why. We've been looking at the sales tax figures through the middle of the year, and they pretty much are in line with what Lew projected and what we've got in the budget. I'm not sure where you're hearing that and I would like to know.

Commissioner Walker said, again, I guess I don't understand how money comes into this organization and we put it down the rabbit hole and we don't get it again. I've been either stupid or grossly naive to believe that we would consider a six or eight mill cut with an extra \$12M. I knew all along that there would be a thousand ways to spend this money, but I thought there was this general concurrence somewhere with all of us that we would keep the pledge that was made to do a significant reduction in taxes.

I will tell you that 20 years ago, they didn't say they were going to reduce eight mills or ten mills or whatever number. They really sold the public the whole idea of the Village West and western development of retail on the idea that one day, one day this was going to bear fruit and that fruit is going to be plentiful and we're going to reduce your taxes. I think it has been stated repeatedly that in reality whether we reduce your taxes one mill or two mills, most everybody that is looking at us on TV or maybe even sitting in this room, you're not really going to notice very much of a bump. It is your bump. You know if it's \$25, it's your \$25.

I really thought we were going to be able to do something really good for this community. I'm not saying by spending the money for the things we're doing; these aren't good things. I'm going to tell you, I've been around—you are all probably tired of how long I've been around here. Maybe the people won't let me be around here much longer next year, but I've got to tell you, I have witnessed budgets 32 times at least and, you know, this budget does what other

budgets have done. It goes your ox. Things you want are the things that are looked at. That's not unusual. That's new spending.

I am extremely disappointed on a personal level not because I think any of you aren't making sense, all of you are making sense, but I really don't think we've kept faith with the public by a two mill. I really don't think we kept faith with a three mill, but I have to be realistic because I'm only one vote. This is not what I expected two years ago with the promise of a windfall and you know new money. We have found a way to spend it. I will conceive that everything on this list is ideally something we ought to be doing. You know, I don't work for Doug. I'm not hired by Doug. I'm hired by the people that elect us, elect me like you, and my bosses are not calling me up and say spend this money on curbs and sidewalks, spend this money on more demolition and mowing, spend this money on a new Inspector. I haven't gotten one phone call telling me to spend this on anything but tax reduction. Maybe you guys are hearing something different. Maybe sometimes we have to disregard what the public tells us and do what we think is best because we're in a position to know maybe more. You know, I'm going to end up voting, I guess, with the majority on this not because I want it. I'm certainly not happy and I'm not going to brag about this budget to anybody. I don't think this is nearly enough. I've made my speech and I'm done.

Commissioner Kane said I had the luxury of being around here when we had money and when Mark first got here we had money. **Mayor Holland** said just one year. **Commissioner Kane** said and then Kathleen Sebelius came in and eliminated the Machinery & Equipment which is I don't know how many millions of dollars that's been, and then the State has cut us from one end of this county or city to the other. I don't think anybody foresaw when this \$12M was coming our way that we had lost monies before it had got here; in fact, we never know what's going to happen. Hopefully, the election will change some of this.

Hal, I would have loved to drop it three or four percent where people could really see a difference, but I think Commissioners Johnson, Bynum, McKiernan and Markley all of them are right. I'm not the academium around here but when something happens at your house and you lose \$100 a month of income or \$200 a month of income, then you adjust accordingly until you find out ways to be more prudent with your monies. I've been there with layoffs and stuff like that. Why don't we take a straw poll for two percent, Mayor?

Mayor Holland said alright. One of the things I would like—I think we need to do that. We need to leave tonight with a consensus and I do want to take a straw poll. One of the things I want to think about before we do that is something that Commissioner Bynum said and just to test the Commissions will on this. We have a pretty aggressive in this fiscal year repayment of about \$5M of accounts that our Administrator feels passionately is the responsible thing to do and I agree with that and the bulk of it is going to—all of it's going to that. I think that taking \$315K out of Street Repair and Resurfacing is too high. I think we could look at splitting that \$600K loss of revenue in 2017 in the middle line with half of that coming from reducing the repayment this year of some of those funds. We're putting almost \$5M into those funds. If we took \$300K out of that repayment in addition to the 500 he is considering, we would have half of that; and if we reduced our fund balance by \$300K, we could do, I think, a responsible budget with a two mill reduction this year and keeping the aggressive priorities that our community has said or our priorities through our survey and through our Listening Tour. The community wants streets and they want the weeds cut and they want the blight removed and they want some things approved. I think we have to be on a path to increasing our Fund Balance. I think we're on that path. I think Commissioner Walter's point is well taken. I know the bulk of our increase in '15 though was land repayment that is a one-time thing, but I do agree that we are conservative in our budgeting and have been smart with our budgeting that I think we could do with a little bit lower Fund Balance.

I also think that the request for the Quiet Zone is a small reduction in Fund Balance on the County side. It will be the first major Capital investment we've made on the County side in a long time and I think it would be worth doing. Those are some proposals that I think we could get done tonight. We could keep the innovative things that are going to make our city better and make our people feel better about the city. At the end of the day, you know, people have said what's the real impact on the Legend's. What is that? I've said you know it's hard to quantify the impact of a positive morale of people feeling good about their city. I think the blight reduction; people want to see the weeds cut in the urban areas. How do you quantify that morale boost of seeing the impact?

I was surprised going on the Listening Tour across all eight districts everybody wanted property tax reduction, but it was right at two to three mills. There wasn't any group that we met with and even the survey that said use half of it or three quarters of it. I know what was said

years ago but I think as we've talked to the city, we had a good process and I think the two mills is the right message. I think we can get there with living a little tighter on the Fund Balance side, both the restoration and the bottom line Fund Balance.

That's a suggestion I would like to put out there, but I want to see if there is consensus around that and then we can move to a straw poll to make sure we have everybody and at least—consensus is not the same as unanimity. Everybody has the right to stand outside the majority and I don't disrespect anyone. Every view I've heard tonight is legitimate. I can't disagree. Commissioner Walker, I can't disagree with you. You're spot on. I think the statements that Commissioner Kane and everybody have made are completely valid. I don't think we're at a point where we've got horrible ideas on the table. I think we've got good ideas on the table and we've just got to come to a consensus.

Commissioner Bynum said we did hear through the Community Survey and the Listening Tour that these were things people wanted so I'm comfortable and I appreciate putting them in. People said they wanted them and people also said they wanted a mill levy reduction although we did hear from some of the groups during the Mayor's Listening Tour, as they reported out they were actually—I don't know if you all remember, but some of those groups were willing to forego a tax reduction to get stuff. Nonetheless, I think we are committed to tax reduction here. I want to clarify what you're asking us to take a straw poll on. Two things, restoring the cuts, and

I just want to understand, are you specifically talking about the Water Pollution Control or are you talking about all the Fund Balances? **Mayor Holland** said I think if we said—Mr. Bach has already taken \$500K out of the Water Pollution Control for this orange budget or the yellow suggestion. I would suggest \$300K more and let him decide which of those funds he would take it out of. **Commissioner Bynum** asked in order to restore the cuts—I want the cuts restored. **Mayor Holland** said that would restore half the cuts. If we put another \$300K from Fund Balance, which is a modest reduction in our Fund Balance, it would restore the other half of the cuts.

Commissioner Philbrook asked do you have certain ones in mind. **Mayor Holland** said no, I think if he says \$600K is the miss down below that if we did \$300K out of those funds that we're

restoring this year and carried over and \$300K from the Fund Balance in 2017, \$300 and \$300 would get us to \$600K.

Commissioner Walker said maybe Commissioner Bynum said this, alright, everything in this orange column, brown on the television, is shown as a cut. We're moving all of these over into the green with the two mill plus the maneuvering of funds from—whatever it's called; transfer of funds. If I go down this list and I ask you we're going to have a new Media Relations Specialist, 3rd Newsletter, Horticulturalist, Park Manager, Park Ranger, Human Resources, etc., etc., K-State Extension, Animal Control vehicle; all these things are going to be restored to the way they were and we're going to take part of it from Fund Balance and also by taking—repaying less money. Is that correct? I don't want to come in on Thursday and find that any of these things right here are still being cut. That's what you're telling me and that's what you're telling me. **Mr. Bach** said if you like, I will restate I believe what I'm hearing for you all to have and that way it will help me as well.

Essentially, what I'm understanding is you want the proposal in green as far as what's in the budget so all the stuff that's on here; you don't see any cuts there. We would add back in the Argentine Rec Center is going to be there, the body cameras will be there, the Home Repair Funding, the AAA and so those are all adds that are going to be built into it.

We're going to accomplish this by taking an additional \$300K away from fund repayment. Now, you know this has \$400K not going to it now so you're wanting to add an additional \$300K that goes away and then take the balance of that out of Fund Balance so I would be reducing the Fund Balance by about 800—actually about \$760K because the technicality on the mill rate exact amount. Then I believe the Mayor said, you haven't commented, but we would add then \$65K a year in on the County budget for the Quiet Zone and reduce the Fund Balance on the County budget by \$65K. It's essentially the green budget, all the add in, another mill rate deducted from that side and then that accounted for by the Fund Balance repayment—or fund repayment, Fund Balance and then the \$65K on the Quiet Zone piece. **Mayor Holland** said I think that's what we're saying.

Commissioner Markley said this is just me personally; I'm just going to say what I think. I like the idea of restoring some of what's going on. Personally, I would take out the Home Repair

Funding and the AAA supplies that are brand new expenditures. I wouldn't fund those. I wouldn't fund the Park Ranger and I wouldn't fund the Grant Match Funding, even though I would like to have that for SOAR; I wouldn't that. Personally I wouldn't fund the Quiet Zone in this budget, but I would restore the other things. That would be me if it were me designing the budget. **Mr. Bach** said just for clarity, that Grant Funding is gone in the green proposal.

Mayor Holland said the green proposal shows reductions in Water Pollution Control, it shows reduction for the Rec Center, the Grant Match Fund—**Commissioner Markley** said it just moves the Rec Center. **Mayor Holland** said it just moves it yes, and the same with the others. The \$20K is just a wash. **Mr. Bach** said yes, the green takes out money for fund repayment for Water Pollution and it takes out the money for the Grant Match. The Argentine is just a wash one year to the next and the Quiet Zone is a wash between where it was budgeted and then it adds back in the body cameras, Home Repair and AAA. Commissioner, you said the AAA, the Home Repair, the Ranger—**Commissioner Markley** said I'm just saying what my priorities would be if I had to kind of pick and choose and then we talked about the Grant Funding. **Mr. Bach** said okay, I'm just making sure I caught that.

Commissioner Johnson said in essence, we want our cake and eat it too, Doug. I want to just add this because I think it kind of ties into what Commissioner Walters is saying. If we see that revenues are trending better than projected, could it be that the modifications that we are suggesting now will be changed and that those things may be we will be able to accomplish everything, if not more, as we see the actuals coming in and now performing. It sounds like what I was interpreting from what you were saying was that over the last couple of years, maybe revenues may have been outperforming what we may have budgeted. I'm just putting that on the table.

Mayor Holland said there is a proposal on the table. Let's take it in bite-size pieces. Let's check first with a straw poll of folks who are willing to go with a two mill this year, a two mill reduction this year. If you're in favor of that, show of hands. Alright. If you're in favor of leveraging our Fund Balance and our payment of things back to bring back the cuts from orange to green, is there willingness to do that? I'll just take a straw poll. **Commissioner Bynum** asked

the stuff on green stays. **Mayor Holland** said the stuff on green stays. **Commissioner Markley** asked all of it or are we just doing generally at this point. **Mayor Holland** said I think we're just looking generally at this point. Are we willing to do it generally to take the cuts from this and move it—restore the green—to the green with the additional cuts that came out of the yellow? Does that make sense? Generally speaking, I would just like to see a show of hands, just a straw poll of people generally willing to do that. Alright, so we have a general agreement on two mills this year and I'm going to advocate I'm telling you coming next year, I'm looking for another mill reduction next year. I think we need to do it and I'm going to push for it.

Commissioner Walker said let's set our goal a little higher. Why don't we look for three mills next year and settle for one if we have to. **Mayor Holland** said I support that. We do have in October, we're going to have our next Strategic Planning and we're going to start with Strategic Planning in October and this is the conversation we need to continue to have. **Commissioner Johnson** said we need to continue to look at over—not just next year but two years out, three years out; what would that look like over time. I'm going to continue to suggest this because I believe I'm committed that this is the right way we need to proceed over a period of time. I won't be popular about it, but I think it's the right way for us to do it. **Commissioner Philbrook** said you're popular with me.

Mayor Holland said the next piece is we've had discussion about the Quiet Zone. The proposal is to take it out, the \$65K and it's an ongoing expense, 65, 65, 65 and then it grows to 165 or so in the out years to do the first phase implementation which would basically take out—it would make all of Edwardsville a Quiet Zone. There was a discussion in this group that we wanted to ask Edwardsville to contribute to that and to partner with us in that. I think the position is on the table to add that into the County side budget looking at reducing Fund Balance a little bit and I want to get to that consensus.

Commissioner Philbrook asked does that mean that we're asking them to or we are requiring them to, two different concepts. **Mayor Holland** said I think at this hour we need—if we don't have it in the budget there is no point in doing anything and then I think we can go—**Commissioner Philbrook** said I agree with that, but the intent. I need to know the intent. **Mayor Holland** said I think the intent is to go talk to them about it and bring it back to this

group. If they say no, then we're going to need to decide if we're going to fund it entirely on the Unified Government County side and what percentage would be an acceptable percentage from this group. I think that's going to take a Project Manager working that to do some work.

Commissioner Kane asked how much money are you talking about. **Mayor Holland** said I think it would be \$2.2M over 20 years. It would be—I think the formula we have is about \$65K in the first three years because its temp notes and then that would push it out—it would go up from there to about \$165K for the remaining years. **Commissioner Kane** asked so if we talk to Bonner and Edwardsville and they say no, we're still going to have another crack at this. **Mayor Holland** said I think from a policy perspective, we need to embed this in the budget if there is a possibility of doing it. If Edwardsville comes back and says we're not putting a nickel in it, then I think this group is going to have to decide what to do at that point. Fair enough? **Commissioner Philbrook** said yes, as long as we revisit it.

Commissioner Townsend said so as I'm looking at the green version, the Quiet Zone shows \$20K in 2016 so it would go to 65 in 2017. Is that what we're talking about? **Mr. Bach** said it would be, I believe, an additional \$65K to be added to that. **Commissioner Townsend** said so the number in 2017 would be 85. **Mr. Bach** said yes. **Commissioner Townsend** said okay, just so I understand.

Commissioner Walker asked is the proposal then that if Edwardsville and Bonner say yes, go ahead but we're not contributing—I guess what are we voting on? If they're not in, we're not going to be in? **Commissioner Kane** said I talked to Tiny the other day. They're not—**Commissioner Walker** asked if they're not in it, the deal is dead. Is that what we're saying here tonight? **Mayor Holland** said this is my view and, Commissioner Walters, see if you're agreeable to this. If we don't put budget authority in, we can't do it. We've got to have the budget authority for it to keep the conversation alive. If we put the budget authority in and plan to do it, then the project, as it comes forward, obviously we would have to vote on the project. We would have to see the scale of it. We would have to see how it works. There is some hope that there is some value engineering and some possible grants that could go into it. I think the key is to put the authority in it now and then to work it and to continue the conversation with—at this point we would be talking to Edwardsville because it would not be in Bonner Springs' jurisdiction. I think we could put it in pending conversations with Edwardsville and then we can

decide. We can have that vote then if we decide—if Edwardsville is against it, then I think we have to decide that.

Commissioner McKiernan said I would agree with that. I have no problem with short term budget authority to move the ball forward and see if they are agreeable to a partnership, but as I said the other night, I'm really concerned if we don't have partnership and if they are going to benefit from it and yet expect us to take the full burden of the cost, then I'm not sure that is a wise investment. **Commissioner Walters** said I might just say they are Wyandotte County residents also so when we meet as a Commission, we are representing those folks. **Commissioner McKiernan** said so all of the money for this would come County side only. **Commissioner Walters** said that's what's proposed. **Mayor Holland** said that's what's proposed. **Commissioner Philbrook** said I thought we were moving it around.

Commissioner McKiernan said so in the short run—so we're committing then to—what's our total payout then over time? **Mayor Holland** said I think it's 2.2. **Commissioner McKiernan** said over 20 years or 2.2 bonded. **Mayor Holland** said yes, 2.2 bonded over 20 years. **Commissioner Walters** said the actual payment is, over time, 2.2 would be the projected cost of the project. **Commissioner McKiernan** said okay, that's interesting. So we're saying that because it's not being paid out of our City side then we're not asking for any City side out of Edwardsville and we're not asking any City side out of Bonner Springs. It will all be funded by the County. We are the County, therefore, we choose to do it or we choose not to do it and it really doesn't matter if we have a partnership. **Commissioner Walters** said no, I think what is being proposed is that we talk to Edwardsville about them funding part of it also and that would be from Edwardsville's City side. **Commissioner McKiernan** said from the City side because the City of Edwardsville would yield the benefit from this if it were executed. **Commissioner Walters** said well, Wyandotte County residents would in my opinion. **Commissioner McKiernan** said but again you're saying you are going to go talk to Edwardsville and so the reason to talk with Edwardsville is to see if they would commit some of their City to it. **Commissioner Walters** said that's what I sense is the will of the Commission that they would like Edwardsville to put some money into the project in addition to what the residents are already putting in—**Commissioner McKiernan** said as residents of the County.

Commissioner Walker said I'll be honest, Commissioner Walters, I have not got a lot of positive feedback on this project. Maybe the people that support it aren't the kind to wave the

flag and write you emails or post on your Facebook. I agree with your concept that as the Unified Government, it's kind of been my opinion that, and this goes back to 1998, that from day one, because they wanted to retain autonomy, independence, for whatever reasons they did; they have kind of received the short stick on attention, just my opinion. We had CIFI Funds and it wasn't really a lot of money. I guess I'm willing to let it go to Edwardsville and see if they will participate. I would urge you frankly if we're going to spend this kind of money, I would like to do a partnership with Edwardsville where Edwardsville and/or Bonner, I'm not excluding Bonner, decided how we spent the money over 20 years or 10 years. If you want to call it CIFI, I mean obviously we're issuing County debt probably to do it, but you know it's hard for me to get a real handle on what the people of Edwardsville want. I assume they want the same things we do, curbs and sidewalks, new roads, new housing, some retail development; those kinds of things. I'm perfectly willing to entertain proposals that meet the needs of Edwardsville and Bonner and cost money. If it's the Quiet Zone and that is a benefit to the redevelopment or the development of the K-32 Corridor through that section, I'm in the boat with you. If that's not what is the best vehicle for Edwardsville, I'll still be in a boat with you, it will just be a different one.

I represent that district and I think we owe them something. Now, we may widely vary on what we think that is, but them having a decision in how we spend money in their jurisdiction is critically important to me. I'm going to rely on whatever comes out of that dialogue. If this is not what they want, I would hope all of you would still be in the boat with Commissioner Walters to develop a funding mechanism in Edwardsville and Bonner, to be a partner with them in developing their communities. They are Wyandotte County, as Jim says, and what's good for them is good for us as what's been good for us has been good for them i.e. the agreement on the Casino. That's where I'm sitting on the Quiet Zone. I would agree to go ahead with the embedding of funding with what I just said that if Edwardsville does not want to do that, then I think we need to sit down with them and say what can we do to make your community better and how can we fund that and what will you participate in or will you participate. Either way, I think we have, as a Commission, some duty to improve parts of Edwardsville. I have my own ideas but I don't live there and I don't vote there in their community.

You know, I've thought for years a sewer running from the top of I-70 all the way down through the middle of Edwardsville to connect it up and spread out would be a tremendous asset,

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but that's just me so that's where I'm at right now tonight and hopefully—I know you believe in this idea, Jim, and hopefully Edwardsville will see the wisdom of this idea. I'm not precluding other alternatives to help Edwardsville prosper as a community.

Mayor Holland said we've had a good discussion about this. **Commissioner McKiernan** said I just want to agree with Commissioner Walker. It really reframes, and I have to confess I wasn't thinking of this as totally County money, but if we reframe it from the County fund perspective then effectively what we're asking to do is to spend a sum of money, 2.2 or whatever it is, for the benefit of county residents who happen to be in three different cities. What I would like to do is what Commissioner Walker said, is allocate it now and then have a thoughtful strategic discussion with the representatives of those other cities, those other city governments, and have a collective visioning as to whether or not this particular project is the best source or yields the best benefit of investing County money on behalf of the county residents who happen to live in three different cities. I would say let's budget it in, let's get budget authority for this, let's have a thoughtful discussion and if it appears that those other local governments do agree with us that this would be a benefit to the people who live in their cities who are also county residents, then I think we can come back and revisit it to move forward.

Commissioner Walker said I also think Commissioner Walters should be, I'm volunteering him for work, I think when these strategic discussions go on, I don't want this to be staff to staff entirely. Staff needs to be there but the Commission representative that has the most knowledge of this project and can articulate the benefits the best is Commissioner Walters. I have a general idea the whistles stop blowing as they go through town, but I want somebody from the Commission meeting with their representatives and partake. Now, if Jim doesn't want to—**Commissioner Walters** said I will be glad to. **Commissioner Walker** said I'm not going to make him do it obviously, but I think I want somebody from the Commission there involved intimately in the details of the discussion.

Mayor Holland asked is there consensus to embed this in the budget as described and I will just take a straw poll. If you're willing to embed this in the budget—alright, so it's in the budget on the County side.

Mayor Holland said Commissioner Markley also made some recommendations. We can walk through those and see if we want to do individual ones like that. Commissioner, you suggested the ones you were willing not to fund included the—refresh my memory. **Commissioner Markley** said I wouldn't do the two new ones, the Home Repair and AAA supplies and then personally, I would say the Park Ranger is not my highest priority. I don't know the other two, the Intern and the Inspector, my sense was that those were sort of enter role to that whole SOAR package so I left those alone. At some point, we've got to stop spending money. **Mayor Holland** said so your suggestion on the bottom is Home Repair Funding and AAA supplies. **Commissioner Markley** said and then that offsets the extra so in the green budget, as Doug mentioned, the Water Pollution Control Fund, he only took it down—there is only \$400K there where in the orange budget there is \$500K. If we add back in that extra \$100K, I'm not making sense—**Mayor Holland** said I get it. Let's take these separately. The Home Repair Funding and the AAA supplies, are people willing to forgo those two new spending items? No? **Commissioner Townsend** said the ask, as I recall, it for the Home Repair funding was like \$150K. Was it \$200K? **Commissioner Bynum** said the ask was \$200K. This at least starts a pilot program and gets us started on a potential Home Repair Program for those citizens. **Commissioner Townsend** said okay, that's what I needed.

Mayor Holland asked is there a consensus. I'm just going to do a straw poll because it's on the table. If you would like to remove those two items, raise your hand. **Commissioner Kane** said wait a second. Could we reduce that down to \$50K? **Commissioner Bynum** said it's sitting at \$50K to save it. **Mayor Holland** said the AAA is Area Agency on Aging in case people wonder. The Home Repair funding and the Area Agency on Aging, those two areas are \$50K each in the green; they're the last two lines on the green. If you would like to remove those two, let's just take a straw poll; just a show of hands if you would remove those funding's. **Commissioner Markley** said it's just me. I hate spending money, sorry guys. **Mayor Holland** said, Commissioner Markley, thank you.

Commissioner Markley said I also, and you guys know this, we've had this discussion a million times. I just have a problem with funding things at the last minute and we do it every year. Every year I vote no on them and every year I get overruled but its fine. I understand but the whole point in starting the budget in February is so we're not funding things the week of the budget. I always have a problem with it. **Mayor Holland** said we do appreciate the consensus.

I will vouch for Commissioner Markley. She votes no every year on additional funding at the last minute.

Commissioner Philbrook said, Angela, would you please hold our feet to the fire this fall when start on this. **Commissioner Markley** said I try. **Commissioner Philbrook** said you have done a wonderful job of that. Look where we would be if you guys hadn't of worked at it this hard but you know it's always going to happen. **Commissioner Markley** said I just bang my drum and you guys can keep banging yours.

Mayor Holland said the last item is the Park Ranger. Commissioner Markley suggested not funding the Park Ranger. Is there any discussion about the Park Ranger? **Commissioner Walker** said can I ask you to explain that. **Commissioner Markley** said when we first sat down and looked at this and I was going okay, what is the thing I'm saddest about losing, I said okay, I would really like to still have that Inspector. I didn't really care about the Intern but I understand the idea is for the Intern to help manage that whole process so I was like okay. **Melissa Mundt, Asst. County Administrator**, said actually the Intern is not to manage the whole process. It's very clear (was not talking into a mic). **Commissioner Markley** said well to participate in the process; its part of that whole group. As I was going down the list, I was saying what am I going to be saddest to lose and all that I noticed was that I didn't particularly go oh my God we're going to lose the Park Ranger. In thinking of how can we not spend money, that was my thought. **Mayor Holland** asked is there a ground swell to not have the Park Ranger. If you would be willing to eliminate the Park Ranger, raise your hand. I will say that falls short of a consensus.

Commissioner Townsend said so I know what we're losing the possibility of, what would this Park Ranger do if hired? **Mr. Bach** said, Joe, you want to go ahead and describe how that initiative was put forward and what they would be doing. **Joe Connor, Asst. County Administrator**, said Jeremy and the Park staff really would like to have more of a presence especially in the signature parks. They see increases in vandalism; they see increases in just kind of violations in general. This would be really a supplement to what the Sheriff already provides. The Sheriff does it by district so they are in and out of the parks and they don't focus on the parks. They were really looking for a person that would focus on our signature parks: Bonner,

the lake, Pierson and City Park and be there when they're busy, be there to be the ambassador for the parks and be there to help curb vandalism and increase the customer service experience.

For those of you that do remember, the Parks Department did have their own Rangers at one point and those were transferred over to the Sheriff's Office. They miss the ambassador piece of that, they miss the customer service that they get and they miss the additional eyes in the parks. This would be a way to start to bring that back into focus for the Parks Department. **Commissioner Townsend** said so we're talking about like Wyandotte County Lake as opposed to Parkwood or Kensington. Is that what we're talking about? **Mr. Connor** said I guess I was trying to say that we wanted the focus to be on the signature parks. It's not that we want to ignore the other ones but, again, the vandalism and it's where the people are at more of the time than not and that's the signature parks. **Mayor Holland** asked can you list those again please. **Mr. Connor** said we are talking about City Park, Wyandotte County Park in Bonner Springs, Pierson Park and the County Lake.

Commissioner Walker said aside from the fact that I never understood why when we transferred them into the Sheriff's Department, we don't have jobs that they bid there that are Park Rangers. That is, if it's necessary for them to wear a different uniform than a Deputy Sheriff or be more of an ambassador or greeter, I don't understand why a Deputy Sheriff is not capable of doing that. They were capable of being Park Rangers and then became Sheriff Deputies. I'm not really sure why you can't say, Sheriff Ash, assign some people to these parks and their job is not to go out there and necessarily enforce the law but be a greeter, be a person that is knowledgeable about the parks, drives around the parks, stays right in the park all the time.

It seems like to me that we did miss the boat. I didn't have any problem changing them because there was no reason for the disparity in salary between a Park Ranger and a Sheriff Deputy. That was driving when it was done but I still don't understand why the Sheriff can't have three or four bid positions. It probably would be a junior, well it wouldn't be junior because you have to be in the jail ten years, I think, before you actually get out of the jail into the office. I suppose you would have to have some seniority before you could actually bid these jobs, but I don't understand that.

Commissioner Walker said then I wanted a clarification. The fire station that we're talking about presumptively located in Mike Kane's district, you're planning to build this from savings that we accrue from the Administration of the union contract. Is that what you're telling me? **Mr. Bach** said yes, sir. **Commissioner Walker** said so an example of that would be we have \$1.7M in overtime. If we didn't have that \$1.7M, I assume that \$1.7M would be a pretty good down payment on the beginning of a fire station, correct? So that's the plan. **Mr. Bach** said yes, that can work within it definitely. **Commissioner Walker** said okay. I just wanted it clear.

Mayor Holland said the Park Ranger, so if you would like to remove the Park Ranger, please raise your hand and let's see if there is consensus to remove the Park Ranger. Okay, so we have—**Commissioner Walker** said I have an alternative. **Mayor Holland** said you did offer an alternative so we have four, that's short of a consensus or even a majority to remove the Park Ranger, but I think, Mr. Bach, taking the suggestion of Commissioner Walker back to the Sheriff is a good one just in terms of looking at broadening our base of how we support our parks. **Mr. Bach** said and maybe I will offer too, I think that's a specific area we can discuss as we're doing our Law Enforcement Study that is really underway next week. As they get into it, they could do a little bit of focus on where we were with the parks and the Rangers Program, what has changed from that and are we missing something in regard to that, and maybe open up part of that conversation to make sure they're visiting with the Parks Director and that staff about how we feel the services are being covered.

Mayor Holland said I think we've reached some consensus around the yellow sheet on all the issues that have been brought up thus far. I do want to take about a ten minute break and then we will come back and wrap up the remainder of our meeting tonight and look ahead to Thursday. (The break started at 7:43 p.m.)

Mayor Holland called the meeting back to order at 7:53 p.m.



Mayor Holland said we need to walk through Commission Meeting Action Items. This is for Thursday night and unless we hear something different than what we have tonight, I do not believe we need a budget session at 5:00 p.m. on Thursday. We do have room for that but I think we have consensus on all the items before us so I don't think we need that 5:00 p.m. session. We will have a 6:00 p.m. executive session on litigation and then at 7:00 p.m. we will have Planning & Zoning and Budget. **Commissioner Markley** said will you make sure we all get an email to make sure our calendars are correct on that. **Mayor Holland** said yes, because it has moved a little bit. We will make sure to get the corrected information out that no budget hearing 5:00 p.m. Thursday unless something unravels before adjournment tonight. A 6:00 p.m. executive session on Thursday for litigation and then 7:00 p.m. we have Planning & Zoning and we also have our final budget approval which includes, as we all know now, because we've all been through a couple of these, a number of action items. I'm going to ask Mr. Bach to lead us through the action Items so we will know what we are voting on specifically on Thursday.

Mr. Bach said as in past years, there are several actionable items that don't have anything really related closely to what you've all put your time and work into but they are ones that are put before you as the governing body of Wyandotte County/Kansas City, Kansas. There are six actionable items. These all came out in your budget today.

Budget Actions – Library Mill Rate

•1. RESOLUTION

- A resolution expressing the property taxation policy of the Unified Government with respect to financing of the 2017 annual budget for the Wyandotte County Library; approving and adopting the 2017 budget of the Wyandotte County Library; levying a tax for the Library to fund the budget set by the Wyandotte County Library Board within the Wyandotte County Library District (Piper, Edwardsville, and Turner); and appropriating the funds on behalf of the Wyandotte County Library.



The first one is going to be regarding the Library Mill Rate. That was submitted as a statuesque mill rate so as you all painstakingly go through how you can reduce increases that have come in from different things, this one was coming in as a statuesque mill rate.

Budget Actions – SSMID Mill Rate

•2. ORDINANCE

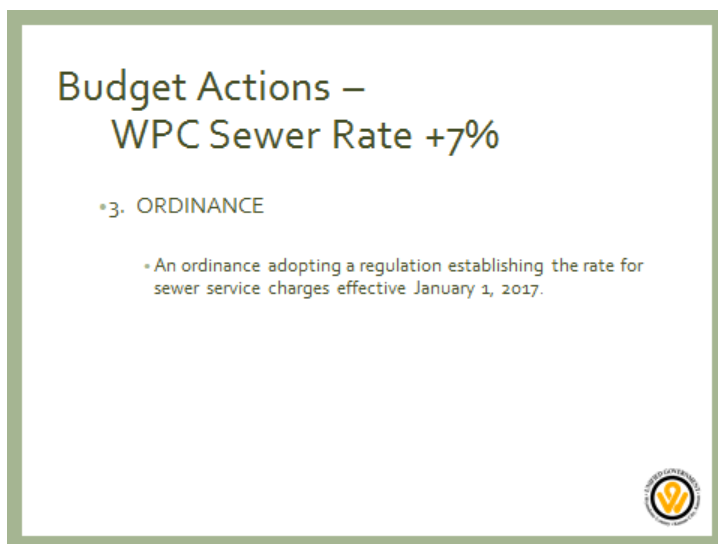
- An ordinance expressing the property taxation policy of the Unified Government with respect to financing of the 2017 annual budget for the Self-Supported Municipal Improvement District (SSMID) and approving, adopting, and appropriating the budget of the SSMID and levying a tax for the year beginning January 1, 2017.



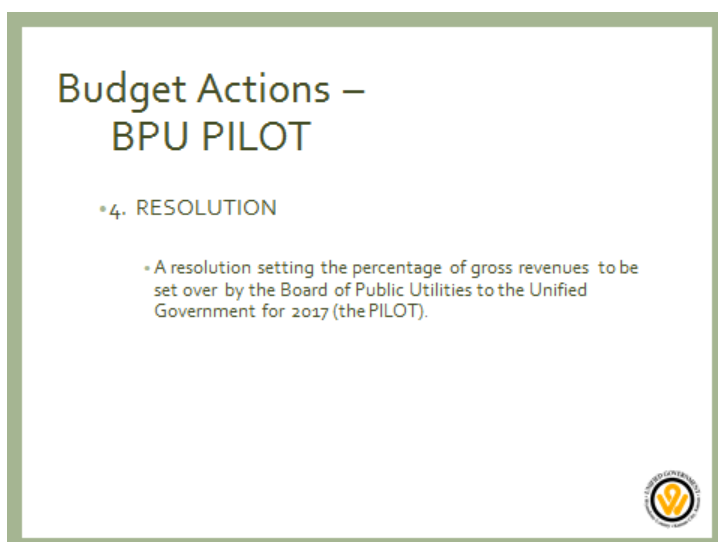
Another one will be the SSMID Mill Rate. We've had a lot of information go through on that so that is being set forth to allow that jurisdiction to collect the revenues as that was just previously adopted to go forth. **Commissioner Markley** asked is that with the same boarders or with different boarders. **Mr. Bach** said that's a good question. What you will have earlier on the agenda is the reduction in the size of the boarder so you will officially adopt that before we get to the budget approvals. The actual approved budget that you're approving was done based on

what the amount of budget would be for the whole area, but the mill rate is going to be still the same so they will just collect less than what we advertised as that number.

Commissioner Philbrook asked back on the Library Mill Rate, is this based on what was recommended by the Library Board themselves. **Mr. Lindsey, Budget Director**, said yes. **Mr. Bach** said we, as staff, don't do anything to that.

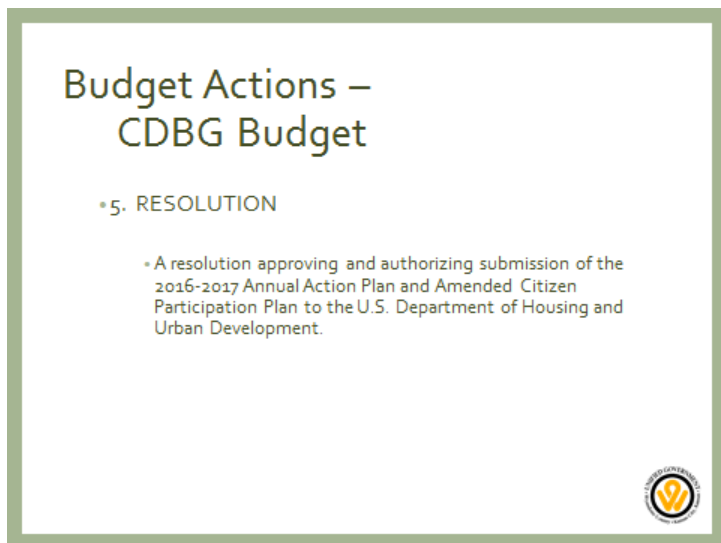


The third item on the list will be the Water Pollution Control Sewer Rate. Last year we were at the 7% increase as we are moving toward our consent decree and collecting the money necessary in order to follow those guidelines going forward. That would go into effect on January 1.

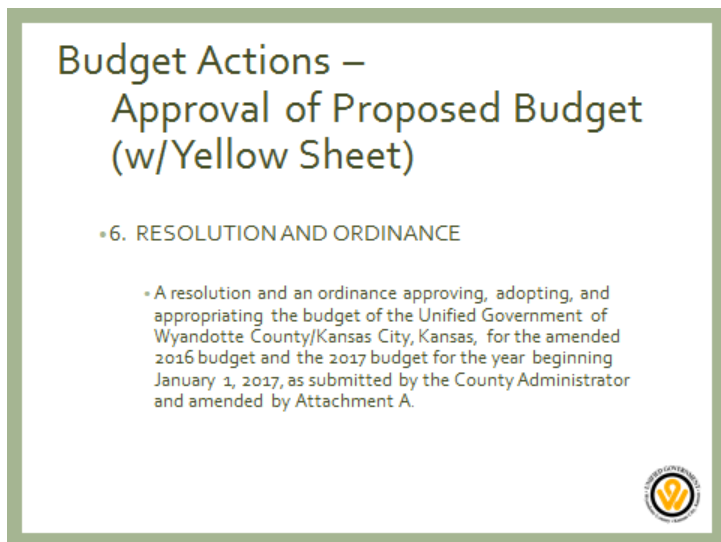


Item 4 is the resolution that adopts our PILOT with the BPU. This PILOT rate stays flat as what it has been the previous year.

Commissioner Walker said it will come as no surprise to those of you that will recall, I have voted against this for three straight years. I intend to vote against it again and will continue to vote against it until we show some good faith in keeping the pledge that was made when it was raised. I may not recall it exactly, but when we raised it—we didn't raise it, most of us that are on here didn't raise it; when it was raised, we were told a couple of years later we were going to start reducing it at a percent a year. Now that we've got the money, we don't want to give it up. Whether you realize it or not, everybody who is a taxpayer is a ratepayer almost virtually. There may be a few hundred people that don't use utilities that we haven't found. (Someone said something about Edwardsville and Bonner that was inaudible.) **Commissioner Walker** said I meant within the city, within the BPU jurisdiction. When you put 1% on them, it's the same as hitting them with a 1% tax because everybody is paying it. We're not doing anything to reduce it and I think we should be. I thought that since the beginning and so when I vote no, don't any of you be surprised.



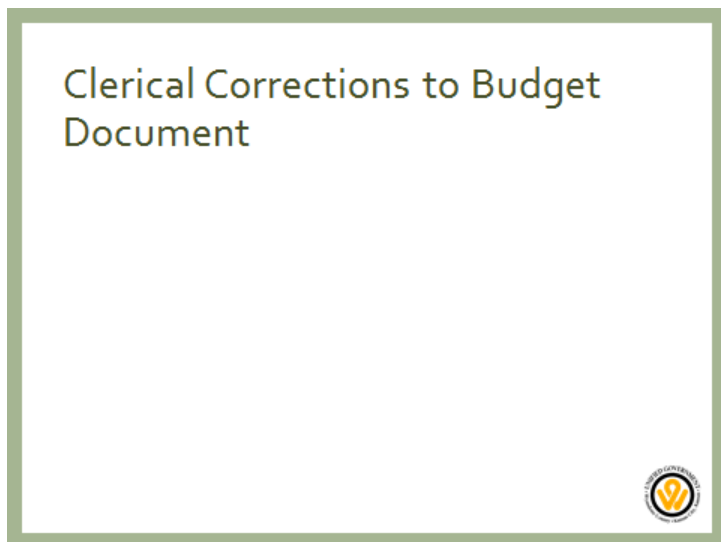
Mr. Bach said Item 5 is the resolution that's the Community Development Block Grant Budget that has been presented. I will say this is probably one of the better budget seasons we've had in working that as you focused your time on that outside of the \$345M Budget and put forth a good budget plan to move that forward and that will be adopted according to that.



Item 6 is what we've all been here for and that's the approval of the Proposed Budget. Assuming the items above are all done in accordance with how they've been presented, that allows us to approve the budget which contemplates all those sources of revenue that come into it. We will have the appropriate yellow sheet as a blue sheet to attach to the agenda on Thursday night to allow for the changes that you've made tonight to account for that.

I'm also going to note in this year's resolution for this, Ms. VonAchen has submitted additional language regarding the Capital Projects. As you all recall as we go through and we approve what we're doing for projects now and say this is what we want to buy as were going forward, Kathleen is of the belief and has seen this in many other jurisdictions where we can adopt the appropriate resolutions now so then we don't have to keep continuing to approve those two or three times more later in the year for the same projects you have already approved. We can come back and update you and say this is what we're doing but we don't have to go through those. We have a few things we have to work through with Bond Counsel to get their final blessings on that, but we're hopeful this will get it done one time instead of having to do it three more times later in the year in order to move forward with your action Thursday night.

That will complete all the Budget Action Items.



The last item on our list is the clerical corrections to the budget document and I will turn this over to Reginald Lindsey and let him step through. I think Reggie is going to have all the corrected pages—they will be submitted to the Commission Office and they will be able to put them in place, but I'm going to have Reggie walk through those now.

Reginald Lindsey, Budget Director, said there are five clerical corrections in the budget document this year. The first two were in the Financial Overview, Summary of Budget & Expenditures; we replaced that page. The Dedicated Sales Tax read wrong so we replaced that. The Alcohol Fund Summary had the wrong column as far as reading the 2016 Amended, it read 2015 Amended. In the Department Programs, we changed the Special Community Grants Department to read Wyandotte Economic Development Grants as one of the divisions on that page. Also, in CMIP Projects, we replaced the key that described what was going on. We had a misspelling on there. In some of the Debt Projects, some of the lines were missing but the total tallied up to what they should have equaled so what we did was unhide those columns. We have updated the actual budget document on the website, internet and intranet so it is up-to-date for you all now. We also have hard copies for you to put into your documents.

Mayor Holland said it's not surprising that in a 300 plus page document you might have clerical errors. We appreciate your diligence in getting those corrected for us and getting them into the document.

Mayor Holland asked are there any further questions about the budget because this wraps up our 2017 Budget Session tonight. I think we should commend Doug and his staff for a terrific job. **Commissioner Philbrook** said I don't understand how you guys can do it with all of us commissioners throwing up boundaries and all kinds of extra stuff your way, but I really do appreciate the hard work.

Mayor Holland said I will reiterate one last time, we do not have a Budget Session at 5:00 p.m. Thursday. We start at 6:00 p.m. with an Executive Session for litigation and 7:00 p.m. will be Planning & Zoning and then we will adopt our budget as we just rehearsed tonight.

**MAYOR HOLLAND ADJOURNED
THE SPECIAL SESSION AT 8:04 p.m.**

dt

Carol Godsil
Deputy Unified Government Clerk

July 25, 2016

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

SPECIAL SESSION, THURSDAY, JULY 28, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, July 28, 2016, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. Murguia, Commissioner Third District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Misty Brown, Senior Attorney; Henry Couchman, Senior Attorney; Mike Tobin, Interim Public Works Director; and Ryan Denk, Outside Counsel.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Bynum, Walker, Townsend, McKiernan, Johnson, Kane, Markley, Walters, Philbrook, Holland.

REVISED NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, July 28, 2016, at 6:00 p.m. in the 9th floor conference room of the Municipal Office Building for an executive session regarding Litigation and Land Acquisition. The Commission will convene in the Commission Chambers and will recess to the 9th floor conference room for the executive session. The Commission will reconvene to the Commission Chambers at 7:00 p.m. for a Planning & Zoning and Full Commission Meeting.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

MAYOR HOLLAND asked do we have a motion for an Executive Session for consultation with our attorney to discuss confidential matters related to Litigation and Land Acquisition.

Commissioner Markley made a motion, seconded by Commissioner Philbrook, to go into executive session until 7:00 p.m. to discuss confidential matters related to pending Litigation under the attorney-client privilege and confidential matters regarding purchase price and property locations related to land acquisition both of which are exceptions to the Kansas Open Meetings Act; and that staff designated by the County Administrator be present to participate in the discussion. Motion carried unanimously.

Mayor Holland said the Commission will reconvene in open session at 7:00 p.m. in the Commission Chambers.

**MAYOR HOLLAND RECONVENED INTO SPECIAL SESSION
AND ADJOURNED THE MEETING AT 6:45 P.M.**

dt

Bridgette D. Cobbins
Unified Government Clerk

July 28, 2016

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

SPECIAL SESSION, THURSDAY, AUGUST 11, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, August 11, 2016, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. Murguia, Commissioner Third District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell and Melissa Mundt, Asst. County Administrators; Carol Godsil, Deputy Unified Government Clerk; Ken Moore, Chief Legal Counsel; Jeremy Rogers, Director of Parks & Recreation; Chief Zeigler, Police Department; Rodney Smith, Deputy Police Chief; Kathleen VonAchen, Chief Financial Officer; Maureen Mahoney, Executive Coordinator to the Mayor; and Officer Chris Blake, Sergeant-at-Arms.

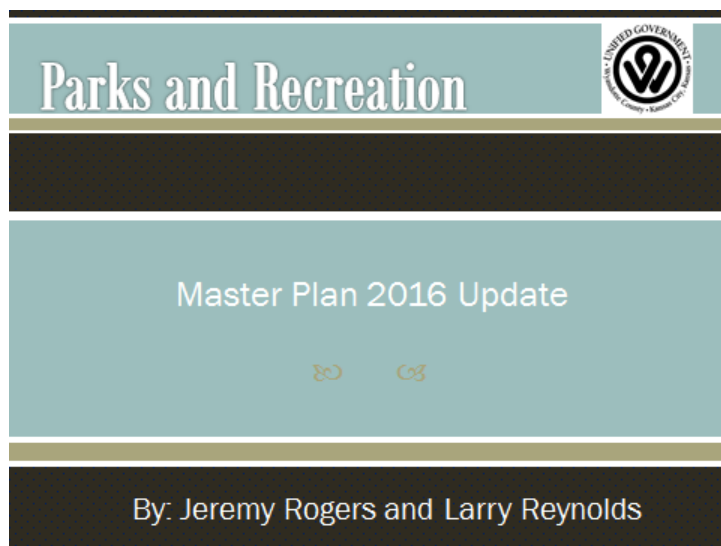
MAYOR HOLLAND called the meeting to order.

ROLL CALL: McKiernan, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, Holland.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, August 11, 2016, at 6:00 p.m. in the 5th floor conference room of the Municipal Office Building for an update on 1) the Parks and Recreation Master Plan and 2) the Police & Sheriff's Operational Efficiency Study.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Doug Bach, County Administrator, said tonight we have two presentations. These are really updates on a couple of the studies that are going on. The second one we will be doing is really the Law Enforcement Study that we're looking at for Police & Sheriff Department operations. The first presentation we have is our Update on the Master Plan we're working on for Parks and Recreation Services which you've all directed us to move forward with. We have our contractor under service for this and is really getting into it.



Jeremy Rogers, Director of Parks & Recreation, said I am here to update you on our Master Plan.



August 11, 2016

Last year about this time in July 2015, you guys voted to approve the funding for a Comprehensive Master Plan for the Parks & Recreation Department. After the funding was in place, we worked with Purchasing to go through the selection process to hire a firm. There were several firms that applied for that. We did interviews and narrowed it down and finally we selected the company of Vireo. I'm going to turn it over to Larry Reynolds from Vireo to discuss more with you.

Initial Focus Group Meetings



Focus Groups	Attendees
» Twelve meetings were held at the Neighborhood Resource Center over the course of two days. » Hosted by Vireo, a set of questions were asked of the attendees and their answers were documented.	» In total, we had 48 people attend. These people ranged from having lived in Wyandotte their entire life to new residents. » A number of groups were represented from within the U.G., as well as the general public ○ Health Department ○ Geospatial Services ○ Neighborhood Groups ○ Volunteer organizations

Larry Reynolds, Vireo, said I'm happy to talk to you about where we're at on the Parks Master Plan. Right now we're going through our community engagement piece of the project and recently, last Wednesday and Friday, we had 12 meetings over the course of those two days. We had 48 members show up and participate in the process. They represented various organizations throughout the community. There were also a few residents that showed up as well.

Initial Focus Group Meetings



20 Vireo, along with the Parks and Recreation department, compiled a list of opinion questions that were asked of attendees. These questions are:

- 1) *How long have you been a resident of Wyandotte County\KCK?*
- 2) *What park do you or your family use the most?*
- 3) *In 10 years, what ONE WORD OR PHRASE would you like to be able to use to describe the Wyandotte County Parks and Recreation system?*
- 4) *What are the BEST ASPECTS or STRENGTHS of the Wyandotte County Parks and Recreation system?*
- 5) *What are the WEAKNESSES of the Wyandotte County Parks and Recreation system?*
- 6) *What types of recreational PROGRAMS or ACTIVITIES would be most important to include within the county's future Parks and Recreation system?*

These are the questions that we asked and I will go through them briefly. We asked if they were residents. How long they had been a resident. We asked which park they used the most. We asked about the future and in one word or phrase, how they would like to be able to describe the Wyandotte County park system. We asked about the best aspects and strengths of the Wyandotte County parks and we also asked about the weaknesses. We asked what types of recreational program activities would be most important to include in the future.

Initial Focus Group Meetings



20 Questions continued:

- 7) *What elements NEED IMPROVEMENT in the Wyandotte County Parks and Recreation system?*
- 8) *Do you feel that the community is ADEQUATELY SERVED by the Wyandotte County Parks and Recreation System?*
- 9) *Should ADDITIONAL PARKS or FACILITIES and/or AMENITIES be added to the Wyandotte County Parks and Recreation system? If so what?*
- 10) *Are there FACILITIES, AMENITIES or PROGRAMS that should be eliminated from the Wyandotte County Parks and Recreation system?*
- 11) *Who would you consider to be PARTNERS for the Wyandotte County Parks and Recreation system?*
- 12) *Do you feel like the department is adequately funded? Are there other sources of funding the Department should pursue?*
- 13) *If you could select ONE PRIORITY for the Wyandotte County Parks and Recreation system, what would it be?*

We asked what elements needed improvement. We asked if they felt the community was adequately served by the Parks Department. We asked if there are additional parks or facilities

and/or amenities that should be added. We also asked if they're any that should be eliminated. We asked who folks felt should be partners of the Parks Department and if they felt the Park Department was adequately funded. Then, if folks could select one priority for the Wyandotte County Parks & Recreation system, we asked what that would be.



We would like to ask you to take the same survey and give us your thoughts, but we've kind of tailored that a little bit differently. We would like to hear specifically about your district, the parks that are in your district, what your thoughts are.

As we collect all this information then we have scheduled a parks tour that I would like to schedule with each of you to go to the parks in your district and talk about each of them. At that time, we will have information that we've heard throughout this process, community engagement.

We learned about a few other folks that we should be talking with through last week's meetings. We're reaching out to them now. As we walk around each park with you all, we will be able to kind of report on what we've been hearing. After that process, we will be able to go to the community with specific questions about various parks.

What's Next?



- » On-Going:
 - More focus group meetings with organizations
 - Inventory of parks, facilities, and amenities
- » Fall 2016:
 - Community meetings in each district
 - Meetings with Parks and Recreation staff
 - Recreation Program and Services analysis
- » Winter 2016/2017:
 - Gould Evans will evaluate Community Centers
 - Findings presentation
 - Visioning workshop with Parks and Recreation staff
- » Spring 2017
 - Finalization of implementation, recommendations, and budget
 - Finalization of strategic Master Plan
 - Commission Approval

It is an on-going process that will extend to July of next year. We will be looking at a variety of different aspects of the Parks Department. We will be looking at recreation programs, services, operations and maintenance. We will be looking at the facilities. Gould Evans will be taking a look at our various architectural pieces of the park system. We will have a visioning workshop with Park and Recreation staff. We will finalize implementation, recommendations and budget and finish up the late spring, early summer of next year.

Thoughts and Reactions



» Questions?

Mayor Holland said alright, so a pretty comprehensive look. We have had—how many years ago was the old study, ten years ago? **Mr. Rogers** said yes, fairly close to that. **Mayor Holland** said we had a study and it did more of an inventory about for a city of this size you need x

number of tennis courts, x number of pools, and x number of fields. I've been assured this will be a little more sophisticated than that; if you want to speak to that. **Mr. Reynolds** said while we're in this community engagement piece, we are also out in the parks. I was out there this morning and most of the day today as well. We're taking inventory of all the amenities that are in the parks. We're looking at the parks themselves from a variety of different aspects and we will have a full report on that to establish a level of service throughout the community.

We will be able to break it down by district too so you will have a level of service number. We can see who is doing better and be able to then establish—in the end, at the level of service, we'll be able to say we want our parks to look like this park. It gives your community something that they can gage that they see and know within the community if we want the rest of our parks to be able to look like this park. Yes, Mayor, it will be more comprehensive in that sense.

Commissioner Kane said I hate to bring this up. **Mayor Holland** said you hate to point out you have the largest park in the whole system in your district. **Commissioner Kane** said if you could walk there, it would be great.

Just a thought here. I don't know if you guys are familiar, but west of 435; and if I say north of Parallel, please don't get mad, we don't have any parks. We have some property down there off of 5 Highway that Doug and I have talked about that I would wish that you guys would take a serious look at because it's big enough to make a small park with very little money.

It's in the floodplain so I don't think we can stick any permanent structures down there, but we could stick a Johnny on the Spot and a small gazebo on wheels or something like that. That's just a suggestion if you would look west of 435. Maybe you could add, as the Mayor would like a bike trail, maybe we could start working on the bike trail from out west going east instead of east going south of 72nd Street where the district starts. **Mayor Holland** said I like it.

Commissioner Markley said you said you created a slightly different survey for, we commissioners. Is there any reason we can't have a survey online with those questions that were asked of the residents that other residents can take? Because 48, although pretty good for a neighborhood turnout, it's kind of a small sampling of our community as a whole. **Mr. Reynolds** said let me clarify that, it's not a citizen survey. They were focus groups with key

stakeholders of the community, various organization groups. We did have some residents show up; we didn't turn anybody away obviously. These questions are broad that we will be focusing them down as we go out in the community with more of a statistically valid survey which RRC, one of our consultants, will be carrying out. When I say that this is different, it's only different in that the specific questions, it's the same questions; they're all the same; however, I reworded one just to say in your district.

Commissioner McKiernan said so this is something I've already emailed and asked about. I want to make sure that you're going to engage neighborhood groups in each of the districts, maybe getting the list through Liveable Neighborhoods. I have several neighborhood groups that have expressed explicit interest in giving input into the park that is closest or is in their local area neighborhood. I want to make sure, are you going to engage neighborhood groups as a part of this? **Mr. Reynolds** said we are. **Commissioner McKiernan** said so you've got the list, or do we need to provide contact information for all those groups? **Mr. Reynolds** said I think we have it. **Commissioner McKiernan** said and you're going to engage the NBRs, the Neighborhood Business Revitalization Organizations, as well. A lot of them have already invested quite a bit of time and thought and planning into this. Then you mentioned some other constituent groups like Dot Agency and some of those folks and you're going to engage them as well. There's a lot of grassroots work that has been done by a lot of agencies. I want to make sure that not only you capture it, but that it is requested from them so that they don't feel as if they have been working in vain in our community. So, all of those are on the schedule? **Mr. Reynolds** said yes.

Mr. Bach said I just want to clarify on your procedure. The survey that's designated for the commissioners, and then your timeline in meeting with the commissioners, what's that? Are you going to schedule with them and then give it to them then or are you sending it out to them specifically for the survey and then when are you meeting with them individually? **Mr. Reynolds** said this survey that we're talking about we will email this tomorrow morning. **Mr. Bach** asked when will you start engaging—**Mr. Reynolds** said we will start scheduling as we get through the rest of these groups and discussions, we will be scheduling times to meet out in the parks with the districts. **Mr. Bach** asked is that a couple of weeks, months. **Mr. Reynolds** said probably in September or October.

Commissioner Townsend said I think Commissioner McKiernan has already covered what was in my mind as well as Commissioner Markley touched on it. The 48 seemed like such a small sampling. If you're going to engage the neighborhood groups and all the other groups that Commissioner McKiernan mentioned, then I'm fine with that. There might be one other group. I get calls, questions, people imploring us to do x, y, z at certain parks that they frequent. I would like to pass on the names of those individuals to you also. They may not be affiliated with a particular neighborhood group, but they are active users of the parks. **Mr. Reynolds** said okay.

Commissioner Philbrook said I've been to a couple of their meetings because I wanted to see what it was going to be like. At both meetings they had people that were very, very active in the parks and already they're groups of people that would go in and do a lot of work in our parks because they like to use the trails and that sort of thing. They are already getting those folks engaged. Those folks are reaching out to other groups that they know of that are doing that. I was real excited when I saw those folks there to talk about what they think we need to do and how their groups can help us with our parks.

There is one couple that has done an extensive study of all of our parks as to the attributes and negatives and all that kind of stuff. You've really touched some great people, but as the rest of the commissioners say, we would like to make sure that a lot of other people in the community get to and I know that in District 8, they will be there to talk to you.

Commissioner Walker asked, Jeremy, will this Master Study include the future placement of the park we've been working on for challenged, special children. I'm assuming you are including both, our Park Board; the appointed group that we appoint in the Park Foundation as participates in this dialogue. **Mr. Rogers** said I will answer that question first. Yes. Vireo came and met with our Park Board last night. We had our monthly meeting and so they were able to answer these same 13 questions. We went around the room and they were able to give their input and then expand on a little bit more of what's in their area in the parks that they frequent. Yes, the Park Board and then the Park Foundation will be another group that Vireo will meet with at their next—they meet quarterly so they will be at their next meeting.

Commissioner Walker asked will this take a look at land that we have that has been accepted either by the Unified Government or the predecessor governments over the years.

There was a time if you had a piece of ground you didn't want; you donated it to the city of Kansas City, Kansas, for a park. I've got not far from where I live, actually closer to Commissioner Markley off of Miami, there is a dead-end, the railroad property, and there is a huge area of land that is dedicated for park purposes. I say dedicated, I'm not sure of the status; it's listed as unused park land. It's probably never going to be used as park land. Will this study embrace an examination of how much land we actually have that in some way is encumbered by the idea that someday in the future it's going to be a park, that inventory of park land and what we should do with it now if we should do anything with it?

Mr. Bach asked about accessibility playground. **Mr. Rogers** said yes, I will address that one. This particular plan won't address the location of that playground. Unlimited Play is doing a separate; I'm not involving the two. Yes, they've talked and they know about each other and they're communicating; however, we're leaving that up to the expertise of Unlimited Play.

Commissioner Johnson asked will this study look at all the parks in each district regardless of size and scope. I know in my district I have some rather large ones like City Park, but I also have some very small ones as well. I wanted to know if you will look at all parks regardless of the size and scope. Even in my driving around looking at the parks I realize I have a park in my district that seems to have been forgotten. That leads me to another question.

Will this study offer any thoughts regarding consolidation or repurposing of existing parks which tend to make me a little nervous, I will tell you that. I would like to see all of my parks being brought to their best and fullest capacity. I just wanted to get a general sense of the overall direction that you all are going in terms of this scope of this study. **Mr. Rogers** said that came up last night within the Park Board was consolidation of parks. Anytime a park is consolidated or land is moved between entities, that would have to go before this board. This plan will give suggestions as it relates, but its suggestions based on community input.

As the community tells Vireo and the Parks & Recreation Department what is wanted for their particular area, that will be noted within the plan. If in that plan it does suggest for a consolidation of some sort, that would have to be sorted out. It doesn't necessarily mean that's going to be accomplished. That will be something that will be sorted out among this group.

Mayor Holland said I have a question and then two points. Will you also be evaluating operations of our parks? I have two reasons for asking that. One, at consolidation, the Park Department was one of the largest departments that was kind of smerged together during unification. The Parks Board and the legacy, the three big signature parks in our community, and the 49 or 50 city parks plus the recreation program were all kind of pushed together rather unceremoniously. Then we have gone through with the recession. The Parks Department has been cut more than any other department in terms of almost 25% cuts during the recession.

Do you do any evaluation of the operations in terms of staffing levels that would be required to maintain this level of parks? Do you evaluate the kind of annual investment it would take to properly maintain our parks? Do you dig into the operations and suggest staffing levels of our parks? **Mr. Reynolds** said we do and we will.

Mayor Holland said you do that as well. **Mr. Reynolds** said correct. **Mayor Holland** said okay. My two statements are, and one I think Commissioner Townsend talked about other groups that use our parks that aren't necessarily neighborhood groups. I would say there are a couple of baseball groups that use our parks that I think it would be helpful like RBI, and Mr. Tab's organization as well, both use our parks extensively in getting feedback. I would hope that you would get feedback from the organizations that count on our parks as well.

Finally, I want to make sure that you have a conversation with the Drainage Districts. The Drainage Districts in our community hold the keys to dozens of miles of levee trails and we're one of the only communities in the region—Manhattan, Topeka, Lawrence, Parkville, Riverside and Kansas City, Missouri, all allow hike and bike on their levees. Only Kansas City, Kansas, does not. We've been working with our levee boards.

The Kaw Valley Levee District has opened a starter section which has been great in partnership with the Parks & Rec. We're working with Fairfax to try to get that area open, but in terms of already built trail, opening our levees is a high priority of mine. I would hope you would have some conversation with the Levee Districts about how that—not if, but when, those will be open to the public.

I'll just say to repeat my often repeated mantra, these levees were all built with federal tax dollars; they belong to the people. We're not the owners of them; we're stewards of them. We should have the right to hike and bike on our levees and will one day. If you could engage that in your study, I would appreciate that as well. Keep hope alive.

Commissioner Bynum said the timing of the end report, the Master Plan, July of '17; is that in time for budget guidance for us for the 18 year—will there be budget guidance for us as a result of the plan? **Mr. Rogers** said the plan will be adopted, but before the plan is adopted, I'll have a good idea of where we stand and what we're looking at. The formalities of adopting it, hopefully, there won't be too many changes to be made; but I will have a good idea in order to make those requests prior to the actual adoption. I will make those requests assuming its being adopted.

Mayor Holland said the next step, and I will be sending an email out to the Commission shortly asking for your input on topics for our Strategic Planning time. One of them is certainly going to be, how do we take all the studies we're doing, because we're doing all kinds of studies, and making sure we have an implementation strategy for each of them to make sure that as we study it, we also move forward with implementation. Certainly, the Parks one is going to be important even though we're several months out from getting the final product, making sure we have an implementation plan. The last thing I want is a study that sits on a shelf and isn't implemented for the benefit of our community.



*Introduction to the Police and Sheriff Organizational
and Operational Efficiency Analysis*

*Unified Government of Wyandotte County and
Kansas City, Kansas*

matrix #
consulting group

Doug Bach, County Administrator, said the next item is the Public Safety Study. This was one we were directed to do. It's really been held back somewhat from a timeframe from what we—

originally we were hoping to get into this last year. However, with all the other studies that were being done and really effectively, as the Mayor said, and for us to be thorough in the studies we were doing and then be able to move into some type of implementation plan with each one, we had to put them in more of a practical order.

This is one that is to study all of law enforcement. It wasn't just Police. It was supposed to study Sheriff and then crossover things that happen between these units.

With that I'm going to turn it over to Melissa Mundt and Gordon Criswell who both interact with both of these departments to provide an update as to where we are with this process as we start.

The Matrix Consulting Group

- ♦ The leaders of our firm have provided a wide range of consulting services to local government since 1980.
- ♦ The project team has conducted over 300 law enforcement studies around the country and internationally.
- ♦ We are independent and objective – our recommendations are based on the unique service environments of our clients.
- ♦ Our project team combines experienced public safety analysts and former police chiefs.
- ♦ Our approach is 'fact-based' emphasizing extensive data collection on site, maximizing stakeholder input and detailed implementation strategies.
- ♦ We are a national company with a reputation for responsiveness to each of our clients.



Gordon Criswell, Asst. County Administrator, said the Matrix Consulting Group was the company that was selected by the Review Team. I believe we had more than five RFPs that were reviewed and the Selection Committee selected this group.

A couple of highlights on this slide that I would like to point out, the Matrix's Group has completed over 300 law enforcement studies around the country and internationally. This project team is composed of public safety analysts and former police chiefs. The last highlight on this slide is their approach is fact-based utilizing extensive data collection, which you will all see through the study.

Study Objectives

- ◆ To evaluate if the needs of citizens are being met at appropriate levels of service.
- ◆ To evaluate staffing, deployments and scheduling in each Police Department and Sheriff's Office law enforcement functions.
- ◆ To compare Police Department and Sheriff's Office staffing and operations to 'best practices' in law enforcement.
- ◆ To ensure that operations management contributes to the effective and efficient use of Police Department and Sheriff's Office personnel.
- ◆ To understand how data is used to effectively utilize staff and provide service to the community.
- ◆ To determine if there are duplications in service which should be addressed and/or better coordinated.



Melissa Mundt, Asst. County Administrator, said the RFP took a lot of time and development to ensure that the study objectives that are following would be able to be sought out by the consultant. We're looking at level of service and how our citizens' feel about that. They will be meeting with folks in the community. They will be looking at how we, staff, deploy and schedule both our Police and Sheriff functions. Looking at best practices and how we're employing them or if we're not employing them, what we might benefit from employing other practices. Ensuring that we have efficient operations management from the Police and Sheriff's personnel, and then also looking how we're using the data that we're collecting in our systems and through this process to best utilize staff to serve the community. The last component is to look at where services are possibly duplicated and how they could be addressed or coordinated better for the community as a whole. That's a big one for us as well.

Methodological Overview

- ◆ Extensive input from Police Department and Sheriff's Office personnel through many face-to-face interviews and surveys.
- ◆ Extensive input from policy makers and external 'stakeholders'.
- ◆ In-depth data collection and analysis of workloads, service levels, resource needs and the costs of service delivery alternatives.
- ◆ Comparison to the Police Department and Sheriff's Office to 'best practices' in law enforcement.
- ◆ Implementation planning, including timetables, roles and responsibilities, etc.
- ◆ Collaboration with staff and project steering committees to review findings, assumptions and alternatives.



Mr. Criswell said this is really the meat of the study. This is what I call the how. This is how the consultants will go about conducting their analysis. The RFP basically states that the consultants have 90 days from the time that we initiate the 16 weeks to complete the study. Although we got started a little late, they are on the ground now. They have initiated some of the discussions with both the Police Department and the Sheriff's Office with their face-to-face interviews. They are seeking the input from the external stakeholders.

They have started working on the analysis of the workloads, the service levels; all of that information they have requested from the two departments. They will be putting that together and analyzing it, just moving down the line with their methodology of doing a good analysis of our operations between the two departments.

Project Task Plan

Task	Issues	Products
1 Initial Interviews	What are the principal service and management issues driving the study?	Project kick-off, interviews and data collection.
2 Employee Input	What do employees think are the principal issues in the study?	Summary of the employee survey and staff perceptions of key issues.
3 Descriptive Profile	How are services provided? What are workloads and resource deployments?	Summary profile of services, operations, costs and workload.
4 Best Practices Assessment	How do services compare to best practices in law enforcement?	Comparative assessment of issues based on best practices.
5 Staffing Analysis	What are the police staffing and operational needs in the County?	Analysis of alternative deployment and staffing approaches.
6 Organizational Analysis	Analysis of the current organizational structure and spans of control.	Assessment of the organizational structure and command staffing.
7 Management Systems	How are operations managed? Are there training issues? Policies issues?	Assessment of key department and HR management systems.
8 Final Report	Development of a draft and final report of the project.	Detailed set of recommendations addressing each of the study areas.



Ms. Mundt said the next part is sort of how they intend to move through what Gordon was talking about from a methodological standpoint. They were onsite last week for initial interviews and kind of a project kickoff. They met with our staff in our office, as well as Police and Sheriff staff including Command staff.

The next phases they will be doing employee input so talking to staff. There is also a survey that will be included that will go out to every employee in both departments. They're also going to basically create a descriptive profile for us, a better kind of written understanding of all of our operations for us to look at and for folks in the future to use.

Of course, we mentioned the best practice assessments and also the organizational analysis. So looking at how we're structured and our spans of control, just as a couple of ways, they will be trying to provide us a better understanding of how we're doing.

This is going to take 16 weeks and you can see that some of these steps will take longer than others. They don't have that broken out for us, but that's where we're at right now as we're starting into Step 2.

Project Schedule

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1. Initial Interviews	■															
2. Employee Survey		■			■											
3. Descriptive Profile		■	■	■	■											
4. Best Practices Assessment						■	■									
5. Staffing Analysis								■	■	■	■					
6. Organizational Analysis											■	■	■			
7. Management Analysis											■	■	■			
8. Final Report														■	■	■



Mr. Criswell said the project schedule sort of takes the 16 weeks and plots out what will happen in each of the phases that Melissa just articulated. I would call your attention to actually week 11. Week 11, the consultants will provide you all with their draft study, findings and recommendations. You will get a chance then to see the study, review it, and ask them questions when they are here then make any changes or recommendations before they offer up the final study and the final recommendations.

Role of the Project Committee

- ◆ To ensure that the UG's objectives in commissioning this study are met by the consultants.
- ◆ To help facilitate the resolution of issues that may develop (such as accessibility to external stakeholders).
- ◆ To review the materials developed by the consultants and to help guide the project toward a completion that meets the UG's needs.
- ◆ While the consultants will be available after the study is over, to 'represent' the study and ensure that accepted recommendations are implemented.



Ms. Mundt said the last area we want to cover is the role of the Project Committee that's being developed as part of this. Right now I believe the Mayor's Office has asked for folks that would be interested in serving on this, and if they haven't, they will be. This will include staff as well as community representatives. It will help us work through probably some of the sticking points as we look at our organization, structures and how they're functioning to develop solutions for the community. While they're doing that, they will also help us establish a process to check in with them to move forward with implementation after, much like we did with the Fire Study.

That is all we have on this. If you have any questions, we will be happy to answer them and I believe we have representatives here from the Police Department.

Commissioner Johnson said I just want to repeat what I've said even in times with the Fire Department. It is my hope, and my opinion, that as it relates to staffing and management, that we would incorporate diversity measures into those elements. I really took to our policies and our best practices. I think we, again, are such a diverse community that all of our important departments such as Public Safety, in particular, need to reflect the community. Not only just in staffing, but also as we look at procedures for management and things in place of that nature as well.

I'm going to continue to harp on this. This is vitally important. I don't think we need to overlook this.

Ms. Mundt said, Commissioner Johnson, just to speak to what you just stated, we have actually provided them with a copy of the DOJ Joint Taskforce recommendations. They are aware of those. Of course, as we get out and meet with the different community groups, they have been made aware that is something we are really keenly focusing on this community, to make sure that we move forward with a bright and vibrant community.

Commissioner Walker said I agree with Commissioner Johnson. I have a different, not a different, a supplemental take on this. I would tell you to get the Human Relations Commission involved in the process of this study, but we don't have a Human Relations Commission which I find deplorable. In fact, I find it beyond deplorable. It hasn't met in what—the last time I talked to you, Gordon, it hadn't met in eight months. **Mr. Criswell** said that's correct. **Commissioner Walker** said I'm assuming since then, it hasn't met. **Mr. Criswell** said that is also correct.

Commissioner Walker said this is disgraceful. In a city our size, as diverse as we are, there should be an active citizen participation already available to be involved in this kind of study and every other study. In the end, I don't care how many—the fingers are all going to point back at us and they are going to say, why didn't you do something about it. Why aren't we doing something about it? They have a role to play in almost every city in this country. Sometimes positive, sometimes neutral; but at least there is a source of community input involvement. I think we're to blame. We're responsible.

There are plenty of people out there willing to serve on a committee. I know we have this dialogue going on about what committees are useful and which ones we should keep and which ones we shouldn't. A Human Relations Commission, in a city our size, is one that has a viable purpose and could be viable in being an asset to this. I will just say it, and keep saying it, until somebody listens. It's disgraceful that nobody is doing anything about getting this commission reignited.

Mayor Holland asked any other comments or feedback at this time. This study is just getting underway. Sixteen weeks, when is that completion time? **Ms. Mundt** said we are looking at the middle of November that this will wrap up.

Mayor Holland said that will be timely in that we start our budgeting right after that. We will have plenty of time to incorporate into our budget what to do with the savings we find and how to spend it. Right, Chief?

Let me just point out, so far we have not done a study that has shown savings. They have shown us how to spend additional money. The Jail Study is at about \$20M. The Fire Study is a lot. At the same time we're also finding that we spend about 60% of the taxpayers' dollars on Public Safety. They are our most important priority and making sure we do them right is key. I appreciate this study being underway and we will keep the Commission posted.

That concludes our Special Session for tonight. We will reconvene downstairs at 7:00 p.m. in the Commission Chambers.

**MAYOR HOLLAND ADJOURNED
THE MEETING AT 6:41 P.M.**

dt

Carol Godsil
Deputy Unified Government Clerk

August 11, 2016

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

SPECIAL SESSION, TUESDAY, AUGUST 16, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Tuesday, August 16, 2016, with eight members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; and Holland, Mayor/CEO, presiding. McKiernan, Commissioner Second District; Murguia, Commissioner Third District; and Philbrook, Commissioner Eighth District, were absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Henry Couchman, Senior Attorney; Rodney Smith, Deputy Police Chief; and Ryan Denk, Outside Counsel.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Bynum, Walker, Townsend, Johnson, Kane, Markley, Walters, Holland.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Tuesday, August 16, 2016, at 5:30 p.m. for an executive session regarding Litigation. The Commission will convene in the Commission Chambers, Lobby Level, and will recess to the 9th floor conference room for the executive session.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

MAYOR HOLLAND asked do we have a motion for an executive session for consultation with our attorney to discuss matters related to Litigation.

Commissioner Walker made a motion, seconded by Commissioner Markley, to go into executive session until 6:30 p.m. to discuss confidential matters related to pending Litigation under the attorney-client privilege, which is an exception to the Kansas Open Meetings Act; and that staff designated by the County Administrator be present to participate in the discussion. Motion carried unanimously.

Mayor Holland said if there is further business to conduct, the Commission will reconvene in open session at 6:30 p.m. in the Commission Chambers located on the 1st floor. If there is no further business, the Commission will adjourn the meeting at the conclusion of the executive session.

The executive session started at 5:40 p.m.

**MAYOR HOLLAND ADJOURNED
THE MEETING AT 6:08 P.M.**

dt

Bridgette D. Cobbins
Unified Government Clerk

August 16, 2016



Suite 323
Kansas City, Kansas 66101-3070

Unified Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: August 11, 2016

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.

mbb

Attachment

Weekly Business Material for August 11, 2016

1. ELECTION ABSTRACT:

Abstract of votes cast in Wyandotte County, State of Kansas, at the Primary Election held August 2, 2016.

Action: Received and filed.

2. BPU REPORT:

Board of Public Utilities of KCK 2016 Second Quarter Unaudited Financial Statement Reports for the period end June 30, 2016.

Action: Received and filed.

3. PUBLIC NOTICE:

Alandon Tow, 6224 Kansas Ave., listing vehicles sold at a public auto auction on August 9, 2016.

Action: Received and filed.

4. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received on August 10, 2016, for Project ID #B26555 – McGuire Electric, Mark One Electric Company, Inc., City Wide Electric, Inc.

Action: Received and filed. Copies previously forwarded to the County Administrator, Emma Scovil, Legislative Auditor, and Emergency Management.

5. COMMUNICATION:

Dennis A. Degner, Solid Waste Permits Section, KDHE, to Chad Bergmann, Stericycle, Inc. – Kansas City, Kansas, 3140 N. 7th St., KCK, renewing incinerator, solid waste processor permits and transfer station for the period of August 16, 2016, through August 15, 2017, Permit No. 0831.

Action: Received and filed.

6. COMMUNICATION:

Charlotte (Angel) Fitzgerald, District Office Coordinator, KDOT, to Mark Frank, AT&T – Kansas City, 500 E. 8th St., Room 1152, KCMO, approving Highway Permit 1-16-341 to bore and bury fiber optic cable in the utility corridor on K-32 at S. 55th Street, at RP: 29.3 in Wyandotte County.

Action: Received and filed.

7. COMMUNICATIONS:

Kathleen VonAchen, Chief Financial Officer, regarding warrant cancellations:

<u>WT. NO.</u>	<u>ISSUED</u>	<u>AMOUNT</u>	<u>FUND / VENDOR</u>
795621	7/22/2016	\$ 482.70	225/Community Development
791776	5/20/2016	\$ 32.69	790/Tax Collection Fund
796139	7/22/2016	\$ 148.85	750/Payroll Deduction Clearing

Action: Received and filed.

8. PERSONNEL ACTION COMMUNICATION, DATED AUGUST 11, 2016:

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Nichole M McIntosh	Transportation	8/10/16	Transit Operator
Joyce Y Small	Health	8/5/16	Public Health Nurse
Mykael A Stacker	Sheriff/Detention	8/3/16	Deputy

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Devin T Baird	Sheriff/Detention	OC code change effective 7/29/16
Kimberly Coby	Aging	ACD code change effective 7/28/16
Jessica Harper	Aging	ACD code change effective 7/28/16
Carlos R Ulloa	Sheriff/Detention	OC code change effective 8/5/16

Action: Received and filed. Copy previously forwarded to Payroll.

9. CLAIMS FOR DAMAGES:

Barbara Clark-Banks, 612 N. 82nd Terr., alleging damages to property due to city workers leaving a water line on.

Julio Cesar Gutierrez Chavez, 2244 Troup Ave., alleging damages to property due to the machines used by Alex Plumbing (City Employee). Work done through the Community Development Program.

Richard DaSilva, 407 Hillcrest St., Lansing KS, alleging damages to vehicle due to a tree branch hanging down in the travel lane.

Steve Hale, 430 N. 81st Terr., alleging damage to basement due to sewer back up.

Action: Received and filed. Copies previously forwarded to Legal.

10. NOTICE OF SUIT:

Ditech Financial LLC fka Green Tree Servicing LLC vs. Olivia M Salazar a/k/a Olivia Salazar; Frances E. Rodriguez; Unified Government of Wyandotte County, Kansas City, Kansas; Unknown spouse, if any, of Olivia Salazar; Jose Zuniga, Case No. 16CV528.

Action: Received and filed. Copy previously forwarded to Legal.

11. TRAVEL REQUESTS:

Shanee C. Davis, Zachary Hitzelberger, Brendan McEvoy, James Vogel, KCKPD, travel to Hutchinson, KS, October 13 – 28, 2016, to attend KLETC Supervisor School, SLETF.

Joe Connor, County Administrator's Office, travel to Topeka, KS, July 11, 2016, to attend the Board of Tax Appeals Hollywood Casino hearing.

Joe Connor, Gordon Criswell, and Melissa Mundt, County Administrator's Office, travel to Kansas City, MO, September 25 – 28, 2016, to attend the ICMA Conference, Training/Travel.

Ryan Haga, Legal Department, travel to San Diego, CA, September 27 – 29, 2016, to attend IMLA Conference, Training/Travel.

Theresa King, Sheriff/Ops/Court Transport, and Ernesto Terrazas, Sheriff/Detention, travel to Camp Dodge, IA, July 31 – August 5, 2016, to attend Crisis/Hostage Negotiation Level II, Training/Travel.

Melissa Mundt, County Administrator's Office, travel to Baltimore, MD, September 28 – 30, 2016, to attend Reclaiming Vacant Properties Conference, Training/Travel.

David A. Shost, Fire/EMS, travel to Jefferson, NC, August 8 – 10, 2016, inspect new ambulance at AEV, Training/Travel.

Ron Starbuck, Health Dept./Emergency Preparedness, travel to Omaha, NE, September 27 – 29, 2016, to attend NETEC Emerging Infectious Disease Preparedness Training, Ebola Funds.

Ron Starbuck, Health Dept./Emergency Preparedness, travel to Emmitsburg, MD, October 23 – 28, 2016, to attend the Master Exercise Practitioner Program, Federal funds.

Grant Williams, Legal, travel to Austin, TX, September 13 – 16, 2016, to attend the 2016 National Animal Cruelty Prosecution Conference, Training/Travel.

Terry Zeigler, Police/Chief's Office, travel to Plano, TX, November 13 – 19, 2016, to attend Ziglar Legacy Certification Program, SLETF-State.

Action: Approved by Administrator's Office and received and filed.

12. APPLICATION FOR CMB LICENSE (PKG):

Four B Corp/Marvin Custer DBA Sunfresh #44, 241 S. 18th St.

Action: Referred to License.

13. APPLICATIONS FOR DRINKING ESTABLISHMENT:

Dallas Wolf DBA Big D's on The Hill, 2139 S. 34th Street
Chipotle Mexican Grill of Kansas, LLC/Thomas Rehorn DBA Chipotle Mexican Grill, 1813 Village West Pkwy.

Dan Pratt DBA To The Hoop Bar and Grill, 7912 State Ave.

Juan Carlos Falcon/Herman Chavez DBA Jarocho, 719 Kansas Ave.

Action: Referred to License.

14. APPLICATION FOR CATERER/DRINKING ESTABLISHMENT:

Charles Martynowicz DBA Casino Bar, 1100 Osage Ave.

Action: Referred to License.

15. APPLICATIONS FOR CMB TEMP. LIC:

LAO Buddhist Association of Olathe/Sanith Souvanh for a temporary permit for May 13 – 16, 2016, from 10 a.m. to 12 p.m., 1315 N. 139th St.

Willie Fields/David Snyder DBA Wave Lounge and Grill, 16 N. James St.

Wyandotte County Fair Association, Inc./Jim Knetter for a temporary permit for July 11 – 17, 2016, 13700 Polfer Rd.

Action: Referred to License.

16. APPLICATION FOR PRIVATE CLUB CLASS B:

Charles Martyowicz /Strawberry South Club d/b/a Strawberry South Club, 48 S. 7th St.

Action: Referred to License.

17. APPLICATION FOR MASSAGE THERAPIST LICENSE:

Lacey Patton DB/with Chateau Avalon, 701 Village West Parkway
Michelle Gallardo DB/with Beauty Brands, 1811 Village West Parkway

Action: Referred to License.



Unified Government Clerk's Office

Bridgette D. Cobbins

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: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: August 18, 2016

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.

tpl

Attachment

Weekly Business Material for August 18, 2016

1. COMMUNICATIONS:

Charlotte (Angel) Fitzgerald, District Office Coordinator, KDOT, to Jeff Skarda, Google Fiber Kansas, LLC, 1600 Amphitheater Pkwy, Mountain View, CA, approving Highway Permit 1-16-360 to bore conduit encase fiber optic cable on the north side of Victory Road under the I-635 overpass at RP: 6:14 in Wyandotte County.

Charlotte (Angel) Fitzgerald, District Office Coordinator, KDOT, to Jeff Skarda, Google Fiber Kansas, LLC, 1600 Amphitheater Pkwy, Mountain View, CA, approving Highway Permit 1-16-361 to bore conduit encased fiber optic cable on the south side of Leavenworth Road under the I-435 overpass at RP: 15:5 in Wyandotte County.

Charlotte (Angel) Fitzgerald, District Office Coordinator, KDOT, to Jeff Skarda, Google Fiber Kansas, LLC, 1600 Amphitheater Pkwy, Mountain View, CA, approving Highway Permit 1-16-362 to bore conduit encased fiber optic cable on K-5 from the I-435 Cloverleaf east to 59th Street between RP: 6:6 and RP:12.0 in Wyandotte County.

Action: Received and filed.

2. COMMUNICATIONS:

Richard Mikesic, Accounting Manager, regarding warrant cancellations:

WT. NO.	ISSUED	AMOUNT	FUND / VENDOR	Reason	Name
754919	12/19/2014	\$81.20	162/County Elections	Stale Date	King
785187	2/26/2016	\$36.51	790/Tax Collection Fund	Stale Date	Nunez
786854	3/11/2016	\$8.00	790/Tax Collection Fund	Stale Date	Henry
		\$13.33	160/County General		
788245	4/1/2016	\$100.00	113/Parks & Recreation	Stale Date	Sachen
790725	5/6/2016	\$100.00			
792804	6/3/2016	\$100.00			
793282	6/3/2016	\$145.24	790/Tax Collection Fund	Lost Warrant	Cifuentes
795023	7/7/2016	\$450.00	113/Parks & Recreation	Lost Warrant	Hale
797390	8/12/2016	\$138.50	110/General Fund	Garnish Cancelled	Whitsitt

Action: Received and filed.

3. PERSONNEL ACTION COMMUNICATION, DATED AUGUST 16, 2016:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Pear C Howard	Sheriff/Juvenile	8/11/16	Juv Det Officer
Jack Xiong	PW/Engineering	8/11/16	Engineering Specialist

Section III - Separation

Name	Department/Division	Eff. Date	Job Title
Jarrold B Robinson	Appraiser	8/9/16	Appraiser

Section V - Increase per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Daniel T Flanders	Transportation	8/11/16	Transit Operator

Section VII - Reclassification

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Jennifer L Stewart	Police	8/25/16	Admin Supt Sup	Admin Coordinator

Action: Received and filed. Copy previously forwarded to Payroll.

4. PERSONNEL ACTION COMMUNICATION, DATED AUGUST 18, 2016:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Dalton A Alas	Fire	8/11/16	Trainee
Martin Cervantes Jr	Fire	8/11/16	Trainee
Maritza A Gordillo	Police	8/25/16	Prof Progs Asst
Blake R Hachinsky	Fire	8/11/16	Trainee
Kaisone Inthavong	Fire	8/11/16	Trainee
Jeremy M Martin	Parks/Rec	8/28/16	Caretaker
Marco A Sanchez-Gonzalez	PW/Street	8/25/16	Custodian
Mark A Singleton	Fire	8/11/16	Trainee
Anthony J Tucker	Fire	8/11/16	Trainee
Gary D Wayne	Fire	8/11/16	Trainee
David J Whaley	Fire	8/11/16	Trainee

Section II - Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Tara N Brown	Sheriff/Detention	8/4/16	Deputy	Deputy
Eric J Nobert	PW/Street	8/11/16	Eng Supt Supervisor	Oper Supervisor
Max A Sybrant II	Sheriff/Admin	8/18/16	Deputy	Deputy

Section III - Separation

Name	Department/Division	Eff. Date	Job Title
Leslie K Stumpff	Comm Corr	8/12/16	Prob Violation Director

Section IV - Leave of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Darryl L McCoy	PW/Street	7/27/16	8/26/16	unpaid

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Donna L Bradley-Criss	Sheriff	9/24/16	Deputy
Sergio Espinoza-Loeza	Sheriff	9/24/16	Deputy
Amber A Freeman	Sheriff	9/24/16	Deputy
Jonathan N Hainje	Sheriff	9/27/16	Deputy
George H Holt	Sheriff	9/24/16	Deputy
Samuel M Muder	Sheriff	9/24/16	Deputy
Steven R Nelson	Sheriff	9/27/16	Deputy
Dallas J Shalz	Sheriff	9/24/16	Deputy
Jonathan D Strader	Sheriff	9/27/16	Deputy
Carlos R Ulloa	Sheriff	9/24/16	Deputy
Tomas Zamora	Sheriff	9/24/16	Deputy

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Ashley Brown	Comm Corr	ACD code change effective 8/11/16
Tyrone Garner	Police	ACD code change effective 8/18/16
Greg Stephenson	Health	ACD code change effective 8/11/16
Christina Van Cleave	Health	ACD code change effective 8/11/16
Solomon Young	Police	ACD code change effective 8/18/16

Action: Received and filed. Copy previously forwarded to Payroll.

5. CLAIM FOR DAMAGES:

Nicholas Fisher, through attorney, Ryan Clark, P. O. Box 379, Belton, MO, alleging damages to property due to flooding and sewer back-up.

Action: Received and filed. Copies previously forwarded to Legal.

6. SUMMONS:

Jacqueline Ramirez-Mendoza vs. City of Kansas City, Kansas, et al., Case No. 16-CV604.

Action: Received and filed. Copy previously forwarded to Legal Department.

7. TRAVEL REQUESTS:

Jose Capalla, Health Department/Emergency Preparedness, travel to Omaha, NE, September 27 – 29, 2016, to attend the NETEC Emerging Infectious Disease Prep, Ebola Funds.

Kari Neill, Health Department/Emergency Preparedness, travel to Atlanta, GA, October 9 – 11, 2016, to attend NETEC Emerging Infectious Disease Prep, Ebola Funds.

Action: Approved by County Administrator's Office and received and filed.

8. APPLICATIONS FOR DRINKING ESTABLISHMENT:

Vickie Lowe DBA Dad's Hole in the Wall, 1111 N. 50th Terrace
Andrea Behrman DBA Jerry's Sports Pub, 8048 Leavenworth

Action: Referred to License.

9. APPLICATION FOR LIQUOR TEMPORARY LICENSE:

Anita Fox DBA Christ the King, temporary permit for August 27, 2016 from 4:00 p.m. to 10:00 p.m., 3024 N. 53rd St.

Action: Referred to License.

10. APPLICATIONS FOR MASSAGE THERAPY BUSINESS LICENSE:

Jean Price DB/with Chateau Avalon, 701 Village West Pkwy.
William Hutton/DBA Chateau Avalon, 701 Village West Pkwy.

Action: Referred to License.

11. CERTIFICATE OF INSURANCE:

Thermo Electron North America, LLC/Thermo Fisher Scientific Inc.

Action: Referred to License.

12. CANCELLATION NOTICES:

Electrical Contractor's Bonds:

AD's Team Electric, LLC
Norman Chase DBA Chase Electrical Services
Deane Scott DBA Deane Electric
William Greenleaf
Herman Electric, Inc.
JNP, LLC
OnHome Systems, LLC
Tyrone A. Williams DBA Shaker Electric

Mechanical Contractor's Bond:

Smart Heating & Cooling, LLC

Miscellaneous Bonds:

Mike Busby DBA Total Home Service
Gordon L. Graham

Plumber's Bond:

Northern Pipeline Construction Company

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 16740

Full Commission Meeting Date: 8/25/16

Committee: Administration & Human Services

Date of Standing Committee Action: 8/22/16

(If none, please explain):

Publication Required: No

<u>Date:</u> 08/19/2016	<u>Contact Name:</u> Wilba Miller	<u>Contact Phone:</u> x5112	<u>Contact Email:</u> wmiller@wycokck.org	<u>Department/Division:</u> Community Development
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Item Description:

The UG Commission approved a resolution authorizing a collaboration agreement between the Unified Government, the City of Kansas City, Missouri, the City of Independence, the City of Blue Springs, and the City of Leavenworth, Kansas. The agreement allows the cities to work together and with the Mid-America Regional Council (MARC) to develop and submit an Assessment of Fair Housing to HUD as required by federal law.

HUD requires that each city hold a public hearing to consider and receive comment prior to the publication of the Assessment of Fair Housing (AFH). The public hearing will also open a 30 day public comment period during which a draft copy of the AFH will be available for public comment and inspection.

Public Notice to be published in the Echo on August 11, 2016. The notice will also be published in the Call, Globe, Dos Mundos, KC Hispanic News and will be on the UG website.

Action Requested:

Approve request to hold Public Hearing on affirmatively furthering fair housing for the Assessment of Fair Housing on August 25, 2016

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

AFFH PUBLIC HEARING NOTICE, AFH Timeline, Draft AFH Housing Goals, AFH Public Meeting Handout

PUBLIC HEARING

ATTENTION

ALL RESIDENTS OF KANSAS CITY, KANSAS

YOU ARE INVITED TO ATTEND a public hearing to be held on Thursday evening, August 25, 2016 at 7:00 p.m. in the Unified Government Board of Commissioners Chambers in the Lobby of the Municipal Office Building 701 North 7th Street to consider and receive comment on an Assessment of Fair Housing (AFH).

The Assessment of Fair Housing (AFH) is a legal requirement that the Unified Government must complete in order to continue receiving federal housing and community development funding from the U.S. Dept. of Housing & Urban Development (HUD). Specifically, the AFH is a study undertaken pursuant to 24 CFR Part 5.154 that includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals specific to Kansas City, Kansas and the region. Examples of fair housing issues include regional demographics, segregation, racially and ethnically concentrated areas of poverty, access to opportunity, disproportionate housing need, publicly supported housing, access to persons with disabilities, and fair housing enforcement and outreach capacity.

The hearing will also open a 30 day public comment period during which a draft copy of the AFH will be available for public inspection and comment. Copies of the document will be available beginning August 26, 2016 and ending September 25, 2016 in the Community Development Department, Room 823 and the Unified Government Clerk's Office, Room 323 at Municipal Office Building, 701 N. 7th Street, Kansas City, KS, 66101. The draft copy will also be available online at www.wycokck.org. Please submit all comments to Community Development Department, 701 North 7th Street, Room 823, Kansas City, Kansas 66101

WE LOOK FORWARD TO SEEING YOU THERE!

The Unified Government of Wyandotte County/Kansas City, Kansas will make reasonable accommodations to qualified individuals with disabilities. If accommodations are needed for a disability, contact the Human Services Department 48 hours in advance at 913-573-5024.

**UNIFIED GOVERNMENT'S
ASSESSMENT OF FAIR HOUSING (AFH)
2016 TIMELINE FOR APPROVAL**

August 22 – Administration and Human Services Standing Committee

August 25 – Public Hearing (Full Commission)

August 26 – AFH Published and 30 day public comment period begins

September 19 – Administration and Human Services Standing Committee

September 26 - Public Comment Period Ends

September 29 – Final approval of AFH (Full Commission)

The entire draft Regional Assessment of Fair Housing can be found on the MARC website at www.marc.org/fairhousing, or at <http://www.marc.org/Regional-Planning/Housing/Related-Projects/Affirmatively-Furthering-Fair-Housing-Assessment>. It will also be available on the Unified Government website www.wycokck.org on August 26, 2016 or at the Community Development Department, 701 North 7th Street, Room 823, Kansas City, Kansas.



Fair Housing Assessment

- I. Executive Summary
- II. Community Participation Process
- III. Assessment of Past Goals, Actions and Strategies
- IV. Fair Housing Analysis
 - A. Demographic Summary
 - B. Segregation/Integration
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 - A. Education
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- VIII. Publicly Supported Housing Analysis
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- X. Fair Housing Enforcement, Outreach Capacity and Resource Analysis
- XI. Fair Housing Goals and Strategies**



Produced by the Mid-America Regional Council on behalf of the cities of Blue Springs, Independence and Kansas City, Missouri; the city of Leavenworth, Kansas; and the Unified Government of Wyandotte County/Kansas City, Kansas. This assessment is required to meet Community Development Block Grant obligations for Affirmatively Furthering Fair Housing as established by the U.S. Department of Housing and Urban Development. The full document is available online at www.marc.org/fairhousing and at libraries and city halls in participating communities.

Section XI

Fair Housing Goals and Strategies

Note: This draft section lists broad goals and strategies that will be further refined in the final document, after receiving input from stakeholders and the public, to specify short-term and long-term goals and specific strategies for each participating community.

The following goals and strategies are intended as a starting point for discussion among our plan stakeholders — representatives from the five participating local governments, the Housing Authority of Kansas City, Missouri, and the Regional Equity Network. The assessment required by HUD suggests that solving the problems of racially segregated poverty and moving disadvantaged residents and families to opportunity is both a mobility and community development challenge.

According to Dr. Kirk McClure, professor at the University of Kansas, an important national debate underway in housing and community development which strategy best serves our nation's urban poor, mobility or community development. Those who favor mobility strategies tend to promote **people-based programs**. One of the best examples of a mobility strategy is the Housing Choice Voucher program, which provides a rental subsidy to the very low-income household, giving that householder the spending power to compete for housing in neighborhoods that offer access to good schools, stable employment and freedom from exposure to crime. Those who favor community development strategies tend to promote **place-based programs**. The best example of a place-based strategy is the Community Development Block Grant (CDBG) program which funds various locally designed, initiatives to improve the quality of life in primarily low-moderate income neighborhoods.

The Comprehensive Housing Affordability Strategy (CHAS) grew out of the Housing Act of 1990 which sought greater coordination and planning for housing and community development. Specifically, the CHAS called for all jurisdictions receiving federal housing or community development funds to examine the supply and demand conditions within their markets and to design strategies appropriately. Given that some markets have shortages of units and some markets have surpluses of units, the strategies should vary accordingly. The CHAS was replaced by the Consolidated Plan in an effort to expand the reach of the CHAS to better incorporate issues of poverty concentration and fair housing. The current Affirmatively Furthering Fair Housing (AFFH) initiative is, in part, a manifestation of research indicating the success of these mobility strategies. However, this does not mean that place-based strategies are being rejected. Rather than choose between the two strategies, most policy analysts suggest that entitlement cities should plan and implement programs that affect both strategies.

The objective of the AFFH plan is to offer goals and strategies that, if implemented, could provide to the protected classes (such as minorities and the elderly) access to good housing in high-opportunity areas. In theory, this objective can be accomplished by improving the quality of the neighborhoods where low-income and minorities are concentrated. As a practical matter,

these place-based approaches have not been sufficient in the 40-year history of the CDBG program. The question is whether the AFFH plan should focus on those strategies that are people-based and are serving the direct goal of promoting greater racial and income integration.

PROPOSED GOALS AND STRATEGIES

The following pages outline barriers to fair housing identified by HUD, with contributing factors for each; regional goals to address each of these barriers; and strategies to achieve these goals, including both strategies identified by HUD and at the regional level. *Note: High priority factors are shown in bold letters.*

Barrier 1: Address discrimination

Contributing Factors: Land use and zoning laws, lending discrimination, private discrimination, **lack of local private fair housing outreach and enforcement**, lack of local public fair housing enforcement, lack of resources for fair housing agencies and organizations, lack of state or local fair housing laws, unresolved violations of fair housing or civil rights law, quality of affordable housing information programs.

Goal 1: Increase awareness and increase resources that result in a reduction of discriminatory actions by landlords, realtors, lenders or others; and enable residents to recognize discrimination if it occurs and understand the resources available to them and how to access them so residents are able to meet their housing needs.

Strategies	Action Steps/Timeline
1. Local governments and nonprofit organizations work to establish a central location where information is available on federal, state and local fair housing laws, how residents can recognize discriminatory actions, and how to secure assistance. Local governments and agencies providing information and referral services, including 3-1-1 call centers and United Way 2-1-1, would have trained call takers and the information about fair housing displayed on their websites with a link to the central resource.	MARC will work with local governments to explore use of www.kcmetrohousing.org as a central location for fair housing information and to secure commitments for local governments and agencies to promote the website as both a site for information on affordable housing and fair housing. Timeframe: Begin exploration in fourth quarter 2016.
2. Local governments and nonprofit organizations work together to develop an ongoing educational program for landlords,	KCMO Human Relations and MARC will convene local governments, state agencies and nonprofit agencies to discuss ways to better coordinate educational programs. Local governments

Realtors and lenders on the Fair Housing Act and local fair housing laws.	advocate with HUD to be allowed to spend more of their CDBG funds to support housing counseling services. Timeframe: Begin convening in fourth quarter 2016.
3. Evaluate the potential of enhancing local fair housing services to help those affected by discrimination with pooled local government or other resources, support education of those targeted in strategies 1 and 2, and conduct periodic testing.	KCMO Human Relations and MARC will convene local governments, state agencies and nonprofit agencies to discuss ways to enhance fair housing services, including increased financial resources for fair housing investigation and testing, including support for a private fair housing organization. Timeframe: Begin evaluation in first quarter 2017.
4. For those communities that do not have a human relations commission or have one that is inactive, establish a human relations commission or task an existing commission with a meaningful role in reviewing city policies and actions to address discrimination.	The participating communities with existing commissions/committees will review the role and responsibilities of those bodies and identify steps to use the analysis from this plan and its recommendations as the agenda to guide the groups' meeting discussions and actions during 2017 and to provide input to preparation of new or amendments for Consolidated Plans. Timeframe: Consider changes in second quarter 2017
5. Local governments should advocate for changes to state laws in Missouri regarding eviction to require landlords to seek eviction of tenants for reasonable cause and give a minimum number of days of notice to enable tenants to secure and move their belongings to other housing.	Communities on the Missouri side will include this issue in the 2017 legislative agenda.

Barrier 2: Limited access for people of color and low-income households to live in opportunity areas.

Contributing Factors: **Location and type of affordable housing**, occupancy codes and restrictions, availability of affordable units in a range of sizes, admissions and occupancy policies and procedures including preferences in publicly supported housing, **impediments to mobility, siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs.**

Goal 2: Increase access to affordable housing in opportunity areas.	
Strategies	Action Steps/Timeline
1. Local governments should advocate that the Missouri and Kansas state housing agencies adopt policies for the use of Low Income Housing Tax Credits with priority for family housing and housing for individuals in both areas of concentration and opportunity areas, and if possible, in mixed-income developments. Local governments should establish “balanced” policies for their priority-setting process to both support LIHTC projects that meet the needs for families and individuals and are located in opportunity areas, while not limiting the creation of increased affordable housing units in areas of need. State agencies should award bonus points for LIHTC projects that serve 30 percent or less of AMI and which place projects in opportunity areas. Replacement, non-restricted housing financing needs to be identified by both state and local governments to incent the development of mixed income projects in areas of need.	Local governments participating in this plan will review current policies and work cooperatively with MARC and other area communities to develop a joint policy and strategy to seek state housing agency support for use of LIHTC resources at a greater extent and in opportunity areas. Partners will engage the Missouri Housing Development Commission and the Kansas Housing Resources Commission in discussions to gain their support for meeting housing needs of low-income households in opportunity areas. Local governments will review their local policies to give priority to projects that serve families in opportunity areas. Timeframe: January 2017 — review best practices from other locations and begin drafting joint policy. Local governments review, schedule meetings with state agencies and begin consideration of changes to their local policies.
2. Local governments should encourage the state housing agencies to incorporate visitability and universal design standards beyond HUD and ADA minimum requirements in their review criteria for project selection of LIHTC supported projects.	Local governments participating in the plan will work with MARC’s Kansas City Communities for All Ages program to develop information to support this recommendation and meet with state housing agencies. Timeframe: Begin October 2017.
3. Local governments should evaluate new models for rental housing that offer homeowner-like features, particularly in opportunity areas, and modify development codes as appropriate to enable more options to be available in concentrated areas and opportunity areas. These models include mixed-use and mixed-income housing, townhomes, cluster homes and low-rise multi-unit properties. Unit design should consider parking, play areas, laundry facilities, and sidewalks to connect residents to facilities and transit.	Local governments will review their development regulations to ensure that broader types of housing are available or encouraged in both redevelopment areas and in newly developing areas. Timeframe: Begin by June 2017.

4. Convene local public housing authorities and explore a regional housing voucher program that encourages the dispersal of households with vouchers to opportunity areas, particularly around job centers.	Five public housing authorities — Kansas City, Missouri, Liberty, Excelsior Springs, Lee’s Summit and Independence — have a cooperative agreement to enable the more flexible use of vouchers by clients. MARC, public housing authorities, and local governments will jointly meet to review current local approaches and approaches used in other regions to establish a regional housing voucher program and discuss steps to increase coordination, support voucher holders in selecting housing options in opportunity areas, and decrease administrative costs. Timeframe: Begin discussions in fourth quarter 2016.
5. Local governments that utilize tax incentives to support new rental housing, commercial (retail or office) or industrial development, particularly when low-wage jobs are created, should adopt a policy that every development is expected to help increase the stock of quality affordable housing either by a contribution to an affordable housing fund or, if residential units are being constructed, to set aside a modest number/percent for low- and moderate-income households. This is especially important in opportunity areas undergoing redevelopment that are near or easily accessible from areas of concentrated poverty, such as the streetcar corridor in Kansas City, Missouri. This policy could be supported at a regional level to ensure that one community is not at an economic development disadvantage from others.	Local governments will review current tax incentive policies that enable multi-unit housing development to receive financial benefits and modify policies that either require a dedication of units for households with limited incomes or payment in lieu of that requirement into an affordable housing fund. The fund would be used to establish a locally funded housing voucher program to enable very low income households to secure housing in opportunity areas. Timeframe: Begin review of local policies by June 2017.
6. Local governments should revise zoning regulations to allow for smaller homes on smaller lots in some locations and also facilitate the construction of small (4-12 units) multifamily projects in appropriate residential and commercial areas. Local governments should examine building codes to ensure that certain types of affordable housing are legal, increasing the supply of affordable housing.	Local governments will review and draft revisions to local development and building code regulations to allow for smaller homes and homes on smaller lots. Timeframe: Begin review in June 2017.

7. Local public housing authorities and other housing program managers should utilize a new regional housing locator service to help those with vouchers to identify the most appropriate housing to meet their household's needs, including units in opportunity areas closer to jobs, quality education and transportation.	MARC will convene appropriate stakeholders to examine the possibility for a regional housing program manager program. Timeframe: Begin discussions in first quarter 2017.
8. Local public housing authorities and social service agencies should examine their waiting lists and establish a "homelessness prevention" housing initiative to determine the needs of those on the waiting lists and attempt to divert them from public housing, vouchers or other publicly supported services.	MARC will convene appropriate stakeholders to examine the possibility for a homelessness prevention housing initiative that uses diversion from shelter principles to address households' problems more quickly and efficiently. Timeframe: Begin a pilot by September 2017.

Barrier 3: Limited resources to help low-income and elderly homeowners maintain their properties and their independent living.

Contributing Factors: Access to financial services; lack of affordable in-home or community-based supportive services; **lack of affordable, integrated housing for individuals who need supportive services; lack of assistance for housing accessibility modifications**

Goal 3: Improve housing conditions and options for homeowners, particularly elderly homeowners, in older neighborhoods and communities.

Strategies	Action Steps/Timeline
1. Target the use of CDBG funds to support minor home repair for low-income and elderly homeowners to enable them to maintain their properties.	Many local governments use their CDBG funds for this purpose. Local governments will work to secure additional funds to increase the number of homes that can be assisted annually. Timeframe: Begin review of use of CDBG and HOME funds in annual plan process beginning on or after January 2017.
2. Engage health care providers, the Area Agencies on Aging or other organizations to provide case management to connect elderly homeowners to community resources (e.g., use of Community Health Workers) or in-home care services.	KCMO will review the use of health levy funds granted to safety net providers and determine if a small allocation of the funds could support these services. MARC and local governments will look at other community resources to expand these services, including the use of EMS Community Paramedics.

	Timeframe: Begin review in January 2017.
3. Work with faith-based organizations to create “Villages” in neighborhoods with high proportions/numbers of older adult homeowners to provide volunteer support services to enable the older homeowner to remain living independently.	MARC and local governments will work with nonprofit organizations and neighborhood groups to identify opportunities to create “villages” to support older adult homeowners. Timeframe: Begin work to explore villages with faith-based and other organizations in June 2017.
4. Evaluate and if necessary provide resources to support low-income homeowners who may have property maintenance code violations.	Local governments will review property maintenance code regulations and identify support resources (technical assistance, volunteer services, possible grant funds) for low-income older adult homeowners needing property improvements to avoid property code violation citations and fines. Timeframe: Begin review in January 2017.
5. Local governments should assist low-income homeowners in gaining increased access to credit to support renovations/repairs of their homes. Local governments should establish programs that enable low-income households to gain access to vacant or foreclosed properties with modest resources and credit for sweat equity to build equity in homeownership.	Local governments will review existing programs and look for best practices in working with lending institutions to offer credit for home renovations or repairs, enabling owners to take advantage of equity in their homes. In addition, local governments will look at steps needed to establish a sweat equity program to address vacant and abandoned homes and lots. Timeframe: Begin review of existing programs and identify best practices on or after June 2017.

Barrier 4: Lack of quality affordable rental housing in neighborhoods with concentrations of persons of color and poverty.

Contributing Factors: Lack of funding to support community revitalization strategies, deteriorated and abandoned properties, displacement of residents due to economic pressures, **lack of private investment in specific neighborhoods**, lack of public investment including services and amenities, access to financial services, location of environmental hazards

Goal 4: Improve housing conditions and options for rental households in older neighborhoods and communities.	
Strategies	Action Steps/Timeline
1. Work with Local Initiatives Support Corporation, MARC, and other organizations to create a rental housing maintenance reserve fund for agencies serving homeless and other disadvantaged renters with the promise to cover damages by tenants so they may access a wider range of rental units.	Local governments participating in this plan will meet with MARC, LISC, and other community representatives to explore a rental housing maintenance reserve fund to encourage small landlords to rent units at affordable costs to disadvantaged renters. Timeframe: Begin exploring in fourth quarter 2016.
2. Expand current use of www.kcmetrohousing.org as a resource for landlords to post vacancies of rental units and for the public and social service agency case managers to find affordable units for households with limited incomes.	MARC will work with local governments and agencies to expand the use of the website and its promotion. Timeframe: Begin October 2016.
3. Expand use of federal, state, and local government and private philanthropic dollars, including Historic Tax Credits, as incentive grants or low-interest loans to support the renovation of rental housing in older neighborhoods and communities.	Local governments participating in this plan will work with MARC, LISC and others to convene an affordable housing roundtable to determine steps to implement this recommendation. Timeframe: Convene roundtable in first quarter 2017.
4. Expand use of Community Development Financial Institutions (CDFI) and New Market Tax Credits in older neighborhoods and communities, particularly in Kansas City, Kansas, Leavenworth, Independence, and Blue Springs.	Local governments participating in this plan will work with LISC, MARC, AltCap and others to determine how to expand the use of CDFI and NMTC resources in neighborhoods with concentrated poverty and persons of color and to create more affordable housing units. Timeframe: Begin work to expand use of CDFI by March 2017.
5. Expand the resources in LISC's new Pre-Development Fund to support new or renovated housing in more disadvantaged neighborhoods.	LISC has secured funding from private foundations and the city of KCMO. Local governments participating in this plan and LISC should discuss opportunities to expand this fund. Timeframe: Continue efforts in 2017.
6. Strengthen the capacities of local community development corporations to serve their neighborhoods and expand to other parts of the	UMKC's Center for Neighborhoods will be assisting KCMO organizations. Local communities should encourage this center to broaden its focus

region in renovating existing housing and supporting the development of new affordable housing options.	to provide capacity building services to CDCs throughout the region. Timeframe: Begin work with UMKC by June 2017.
7. Local governments should consider adopting (or strengthening existing) codes and implementing a rental housing licensing program that identifies problem landlords and properties and requires property maintenance and protects the rights of tenants.	Local governments participating in this plan should review their local ordinances regarding rental housing and either adopt policies or strengthen policies to ensure that rental housing contributes to neighborhood stability and protects the rights of tenants. Timeframe: Begin second quarter 2017.
8. Support a comprehensive strategy to renew the urban core of Kansas City and other older neighborhoods in the region block by block, with decisions made by neighbors, and all labor performed by the people from those neighborhoods, but with many partners supporting the effort.	Local governments participating in this plan should review opportunities to implement a model block program in select neighborhoods with active associations and seek funding to support implementation. Timeframe: Begin third quarter 2017.

Barrier 5: Limited supply of affordable accessible housing.

Contributing Factors: **Access to proficient schools for persons with disabilities;** access to publicly supported housing for persons with disabilities; **access to transportation for persons with disabilities;** inaccessible buildings, sidewalks, pedestrian crossings or other infrastructure; inaccessible government facilities or services; lack of affordable, accessible housing in a range of unit sizes; lack of affordable in-home or community-based supportive services; **lack of affordable, integrated housing for individuals who need supportive services;** **lack of assistance for housing accessibility modifications;** lack of assistance for transitioning from institutional settings to integrated housing; regulatory barriers to providing housing and supportive services for persons with disabilities; state or local laws, policies or practices that discourage individuals with disabilities from being placed in or living in apartments, family homes and other integrated settings; location of accessible housing.

Goal 5: Increase the supply of affordable accessible housing, particularly around public transit centers and stops.

Strategies	Action Steps/Timeline
1. Evaluate local building codes to consider changes that enable more than the federal	Local governments participating in the plan will evaluate their building codes to determine the

requirements for ADA compliance to be addressed in new housing construction.	extent to which the needs of disabled persons are addressed in new housing construction, and as needed, consider changes to the codes. Timeframe: Begin second quarter 2017.
2. Review local zoning codes to encourage the construction of accessible units in transit-oriented developments and to allow for a broader range of affordable housing options for older adults, including accessory dwellings and co-housing.	Local governments participating in the plan will evaluate their local development regulations to determine the extent to which a broader range of housing options including accessory dwellings and co-housing are permitted by right, and if accessible housing is encouraged/required as part of transit-oriented developments. As needed, consider changes to the codes. Timeframe: Begin first quarter 2017.
3. Local governments should adopt policies that require any housing construction that is receiving a public subsidy to require that every unit meet ADA standards and that a specified number of units meet universal design standards.	Local governments participating in the plan will evaluate their incentives for housing construction and draft changes to ensure that such units constructed meet ADA accessibility standards and encourage universal design. Timeframe: Begin first quarter 2017.

Barrier 6: Limited access to economic opportunity and quality education.

Contributing Factors: **Location of employers;** Location of proficient schools and school assignment policies, access to proficient schools for persons with disabilities

Goal 6: Increase access to economic opportunity for disadvantaged persons and families through quality education and workforce development services.

Strategies	Action Steps/Timeline
1. The community should provide services, including career exploration, mentoring, and experiential learning to enable middle and high school students to better prepare for careers. A number of school districts and nonprofit organizations are working to provide these services. The community should expand use of the College Advising Corps to help low-income and minority students gain access to college.	Local governments should encourage the delivery of these services and help promote their availability to their residents. Timeframe: Ongoing

2. The community should expand the campaign to help students in disadvantaged high schools to complete Free Assistance for Financial Student Aid (FAFSA) applications.	MARC's GradForceKC initiative is working with the KCMO School District on a promotional campaign to encourage high school seniors and their families to complete applications. MARC has recently received additional resources to broaden the campaign to other area high schools. Local governments should encourage their families to help their high school students complete this important financial aid application as a step toward postsecondary educational attainment. Timeframe: Begin in first quarter 2017.
3. The community should expand Literacy programs to help adults who have not completed a high school education to achieve a diploma.	Local governments participating in this plan should make residents aware of available adult literacy programs through libraries, social service agencies and community colleges, and encourage those needing help to pursue a high school diploma through traditional and online services. Timeframe: Expand services in 2017.
4. The community should implement the new KC Degrees and KC Scholars programs to help minority and low-income adults with some college but no degree to receive intensive counseling and financial help to return to college and complete a high quality credential or degree.	MARC's GradForceKC and the Ewing Marion Kauffman Foundation will launch two new programs in late September 2016 to help minority and low-income adults with some college but no degree to achieve post-secondary attainment. Local governments participating in the plan should assist in promoting the new programs to their residents, and as employers, consider helping employees increase their skills and career potential through the programs. Local governments participating in this plan should offer tuition benefits for employees to support post-secondary attainment. Timeframe: Begin October 2016.
5. Local governments should adopt hiring policies that support giving a second chance to disadvantaged residents (ban the box) and should advocate that other public sector agencies and the private sector do the same.	Johnson County, Kansas, recently adopted such policies and could be a model for other communities and private employers. Local governments participating in the plan should review their current policies and consider changes to allow ex-offenders to have an opportunity to be considered for employment. Timeframe: Begin second quarter 2017.

6. Local governments should continue to make sure their plans and policies clearly indicate to developers their desire for housing that serves all ages and a mix of incomes focused in activity centers along corridors served by multiple modes of transportation and near job centers.	Local governments participating in this plan should review their plans and policies, particularly in the development of new or amended Consolidated Plans, to address housing that serves all ages and those households with limited incomes along transportation corridors and around transit centers and at or near employment centers. Timeframe: As plans and policies are being developed.
7. Local governments should adopt economic development strategies that target development, retention and expansion of firms and industries that provide good jobs — ones that both have low barriers to entry and provide clear career paths to a living wage.	Local governments participating in this plan will review their economic development policies to give priority to investments that result in good paying jobs. Timeframe: Begin June 2017.
8. To maximize the synergy of civic efforts, local governments should focus on attracting, retaining, and expanding jobs in the sectors identified by KC Rising, a business-led effort to increase the region's economic competitiveness - life sciences, animal health, health IT, logistics, engineering, architecture, and construction. These sectors were chosen both for their importance to the regional economy and for their capacity to create good jobs as defined above.	Local governments participating in this plan should work with their economic development agencies to support human capital development in key industry sectors and work with community partners to increase skills of current residents. Timeframe: Ongoing
9. Local governments should encourage financial support for area school districts and community providers to offer voluntary universal pre-K as a step to provide access to high quality early education for all young children.	Local governments participating in this plan should work with their local school districts and other community partners to promote high quality early education in a variety of settings that best meet the needs of children and their families. Timeframe: Ongoing
10. Local governments should support efforts to increase subsidies for poor working families to be able to access quality early education, and to advocate to the states for an increase in the income eligibility from 138 percent of poverty to a market rate.	Local governments should advocate with the MARC Metropolitan Council on Early Learning for increased resources and increased eligibility thresholds to help low-income working families access quality early education to enable parents to be able to enter and stay in the workforce. Timeframe: January 2017

11. Local governments should support professional development for those working with young children in early learning homes and centers to improve the quality of early education offered.	Local governments participating in this plan should work with community partners to promote professional development for early childhood teachers and aides. Timeframe: ongoing
12. Local governments, particularly through health departments and health levy resources, seek to expand maternal health services to increase access to health care for young children.	Local governments participating in this plan should work with their local health department and other community agencies to ensure that low-income mothers receive support for their child's healthy development. Timeframe: Ongoing
13. Local governments should support the expansion of special K-12 programming in areas of concentrated poverty.	Local governments participating in this plan should work with community organizations to support the expansion of programming to help students attending schools in areas of concentrated poverty and persons of color. Timeframe: Ongoing

Barrier 7: Limited access to community resources

Contributing Factors: Inaccessible government facilities or services; lack of public investment in specific neighborhoods, including services and amenities

Goal 7: Increase access to community resources including healthy food for residents of older neighborhoods and communities.

Strategies	Action Steps/Timeline
1. Local governments will incorporate an evaluation of important community resources into their comprehensive planning processes, including availability of/or access to healthy food; recreational offerings, both indoor and outdoor; health services; and other resources.	Local governments participating in this plan will include availability of community resources in updates to their comprehensive plans. Timeframe: As comprehensive or area plans are updated.
2. Local governments will evaluate their local zoning codes and the availability of water to vacant lots to enable urban gardening in neighborhoods to support access to healthy food.	Local governments participating in this plan will review local development codes and utility policies to support access to healthy food in older neighborhoods and communities. Timeframe: Begin third quarter 2017.

Barrier 8: Limited transportation access to jobs and community services.

Contributing Factors: **The availability, type, frequency and reliability of public transportation; access to transportation for persons with disabilities;** inaccessible buildings, sidewalks, pedestrian crossings or other infrastructure.

Goal 8: Expand public transportation services, complete streets and related mobility services to connect residents in disadvantaged neighborhoods and communities to jobs and community services.

Strategies	Action Steps/Timeline
1. Form partnerships between local governments, private employers, and neighborhood organizations to develop transportation options to connect residents in concentrated poverty areas with jobs in opportunity areas.	Local governments participating in this plan should work with MARC, KCATA, and other transit providers to outline transportation options, and engage employers to support special transportation services and improvements to public transit services to best meet needs. Timeframe: Begin January 2017.
2. Local governments should work with transit agencies, MARC, and private industry to reconfigure public transit services to better connect locations with affordable housing to employment centers.	Local governments participating in this plan should work with MARC and area transit agencies to update the RideKC transit plan and to implement changes in public transit services to better serve employment centers. Timeframe: Work underway.
3. Expand complementary mobility options.	Local governments should adopt and implement complete streets policies and work with MARC, KCATA, developers, community organizations and businesses to provide safe and convenient mobility options such as walking, biking, bike-sharing, carpooling, car-sharing and van-pooling. Timeframe: Work underway.

Barrier 9: Address Discrimination and Community Opposition

Contributing Factors: **Community Opposition, quality of affordable housing information programs**

Goal 9: Raise understanding and awareness by the public of the need for affordable housing throughout the region with the publication of quality data and metrics and targeted advocacy, and encourage the participation in positive dialogue about the development of quality housing options that add to the value of neighborhoods. Create an advocacy agenda around affordable housing and establish metrics to measure progress.

Strategies	Action Steps/Timeline
1. Develop informational materials for local governments and community organizations to use to educate the public about the need for affordable housing, including but not limited to housing for teachers, police officers and retail workers in opportunity areas; housing for homeless families and youth; and older adults.	Local governments participating in this plan should work with MARC and convene others to outline an advocacy agenda around affordable housing and educational campaign. Timeframe: Begin second quarter 2017.
2. Provide informational materials on the variety of housing options available in other metro area communities that help to address the need for affordable housing in suburban locations.	MARC and LISC along with other community organizations will provide informational materials to local government officials and others around different housing models to support affordable housing in suburban locations. Timeframe: Begin second quarter 2017.
3. Local governments participating in this plan, MARC and other community partners should establish metrics to measure progress in meeting the affordable housing needs of the community and in affirmatively furthering housing choice.	Local governments participating in the plan and MARC will convene community partners and identify metrics that measure both the plan's progress and the outcomes of more affordable housing that gives low income households and persons of color greater access to opportunity. Use www.kcmetrohousing.org to monitor housing needs and resources. Timeframe: Begin discussions to establish metrics in the first quarter of 2017.

What's Your Idea of IDEAL HOUSING?

All residents should have access to affordable quality housing, whether they own or rent, regardless of race or color, family status, sex, religion, disability, or national origin. That's the vision for Furthering Fair Housing in the KC Metro, **but how do we make it happen?**

The Mid-America Regional Council, in partnership with the cities of Kansas City, Independence, Blue Springs, Missouri and the city of Leavenworth, Kansas and Unified Government of Wyandotte County-Kansas City, Kansas are beginning a community-focused study to help residents, particularly disadvantaged residents, meet their housing needs.

TELL US WHAT
YOU THINK



marc.org/fairhousing



How Can We MAKE IT HAPPEN?

We live in a metropolitan area with lots of choices for the type of community, neighborhood and housing we consider. Yet for a variety of reasons, **many of us have limited choices.**

To improve housing choices, we need a plan that affirmatively affirms “fair housing”, so it is about more than just housing. It is about whether everyone is able to live in a place that provides access to all the opportunities they need to be successful.

Step 1 Issues & Ideals

Hold community conversations during June and July 2016 to identify priority housing ideals, issues, and improvements

Step 2 Strategies

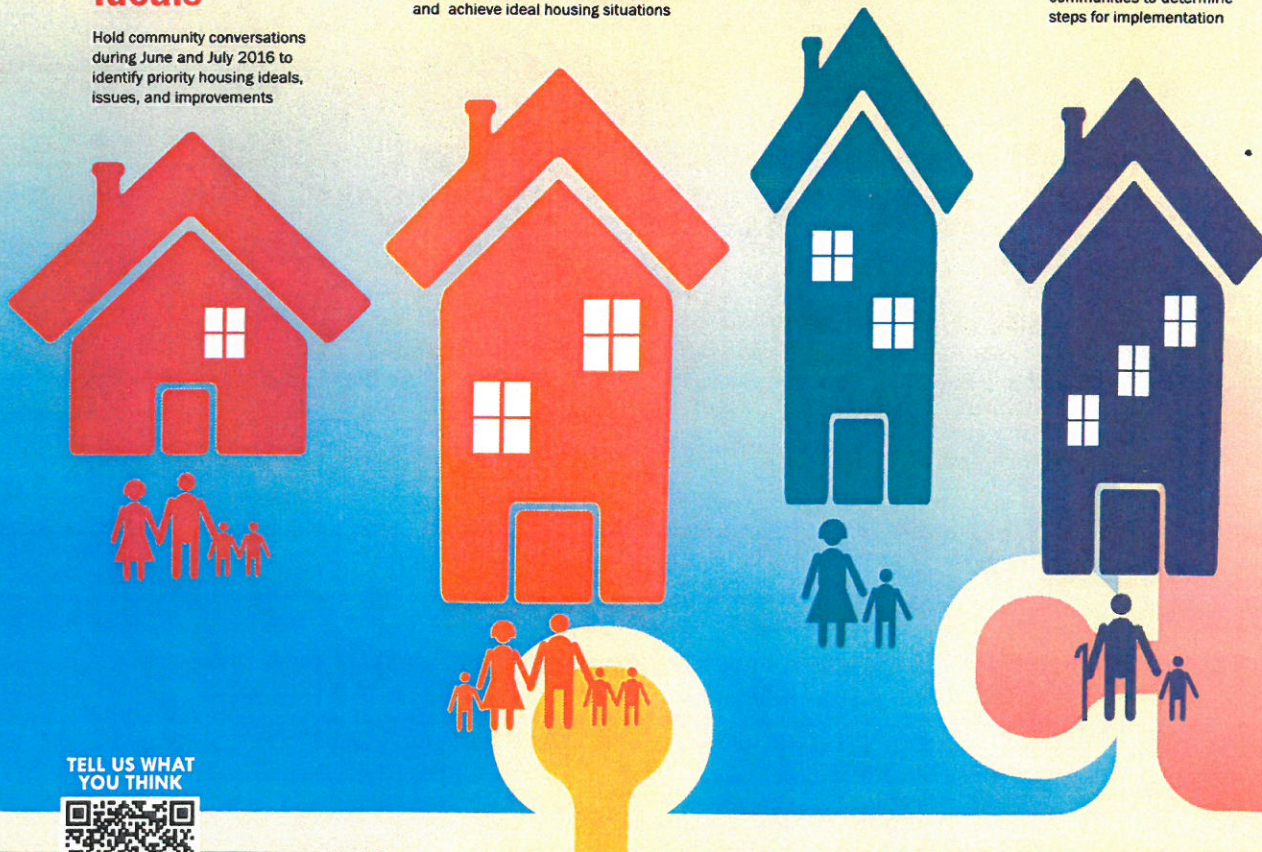
Hold community conversations during August and September 2016 to discuss strategies that could fix housing issues and achieve ideal housing situations

Step 3 Draft Plan

Develop the draft Fair Housing Plan through September to further fair housing opportunities for renters and homeowners in Independence, Blue Springs, KCMO, Leavenworth, and KCK

Step 4 Implementation

Submit the Fair Housing Plan to the Department of Housing and Urban Development and communities to determine steps for implementation



TELL US WHAT
YOU THINK



marc.org/fairhousing

What Can You **TELL US?**

Your input is essential to the successful development of the Fair Housing Plan. Please share your ideas with us.

Homeowners, renters, advocates, neighborhood groups, public housing authorities, landlords, developers, employers, transportation providers, schools, agencies, and governments are important stakeholders to engage in discussions and efforts to affirmatively affirm fair housing in the KC Metro.

Did you know?

Where you live affects your future.
All KC Metro zip codes are not identical.
Some offer more opportunities than others.

Where do you want to live?

Some Metro residents prefer the city, suburbs, and/or other areas. Each offers various benefits and drawbacks.

What's stopping you?

Unfortunately, the same housing options are not available across the Metro and accessing them can be a challenge.

What could be improved?

It's important that everyone's housing needs are met. Tell us how your community could improve housing opportunities for you and others.



TELL US WHAT
YOU THINK



marc.org/fairhousing

What Are YOUR RIGHTS?

Title VIII of the Civil Rights Act of 1968 (with 1988 Amendments) is called the **Fair Housing Act**. This law makes it **illegal to discriminate** in housing sales or rentals or in housing lending, advertising, insurance, appraisals and zoning on the basis of*:

Race and/or Color

Family Status

Sex

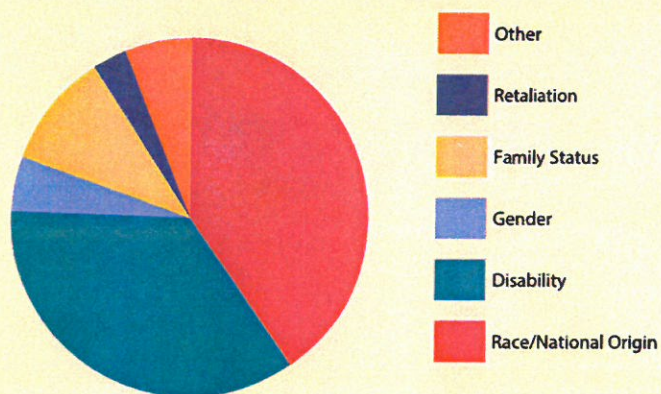
National Origin

Disability

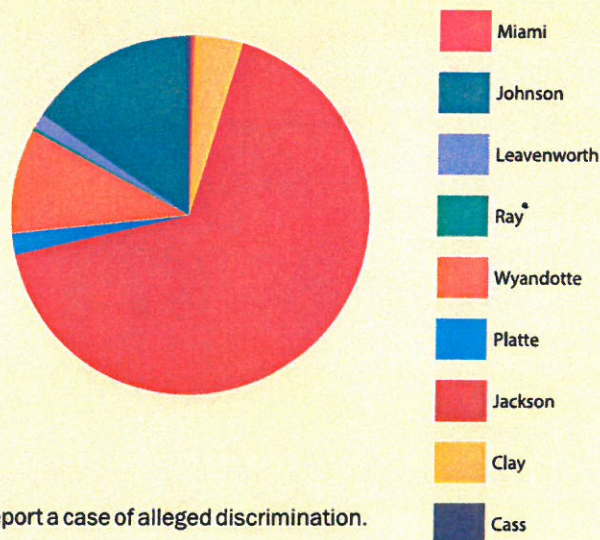
Religion

*In Kansas City, Missouri, you are also protected on the basis of sexual orientation, marital status and gender identity.

**Discrimination Complaints Filed in the
KC Metro Area by Type (2010-2015)**



**Discrimination Complaints Filed in the
KC Metro Area by County (2010-2015)**



Did You Know?

Residents in the Kansas City area, like the nation, are unlikely to report a case of alleged discrimination.

Discrimination complaints in the metro area are more likely to be based on issues of race and disability.

There is a lack of accessible housing units for persons with disabilities throughout the metro area.

A large proportion of the discrimination complaints are based on incidents in Kansas City, Missouri.

Diminished resources at the federal, state and local level limit opportunities for residents facing discrimination to receive help in filing a complaint.

TELL US WHAT
YOU THINK



marc.org/fairhousing

CONTACTS:

HUD

913- 551-6958

800- 743-5323

TTY 913-551-6972

**KCMO Human
Relations**

816-513-1313

**Kansas Human Rights
Commission**

785-296-0589

**Missouri Commission
on Human Rights
Complaint Hotline**

877-781-4236



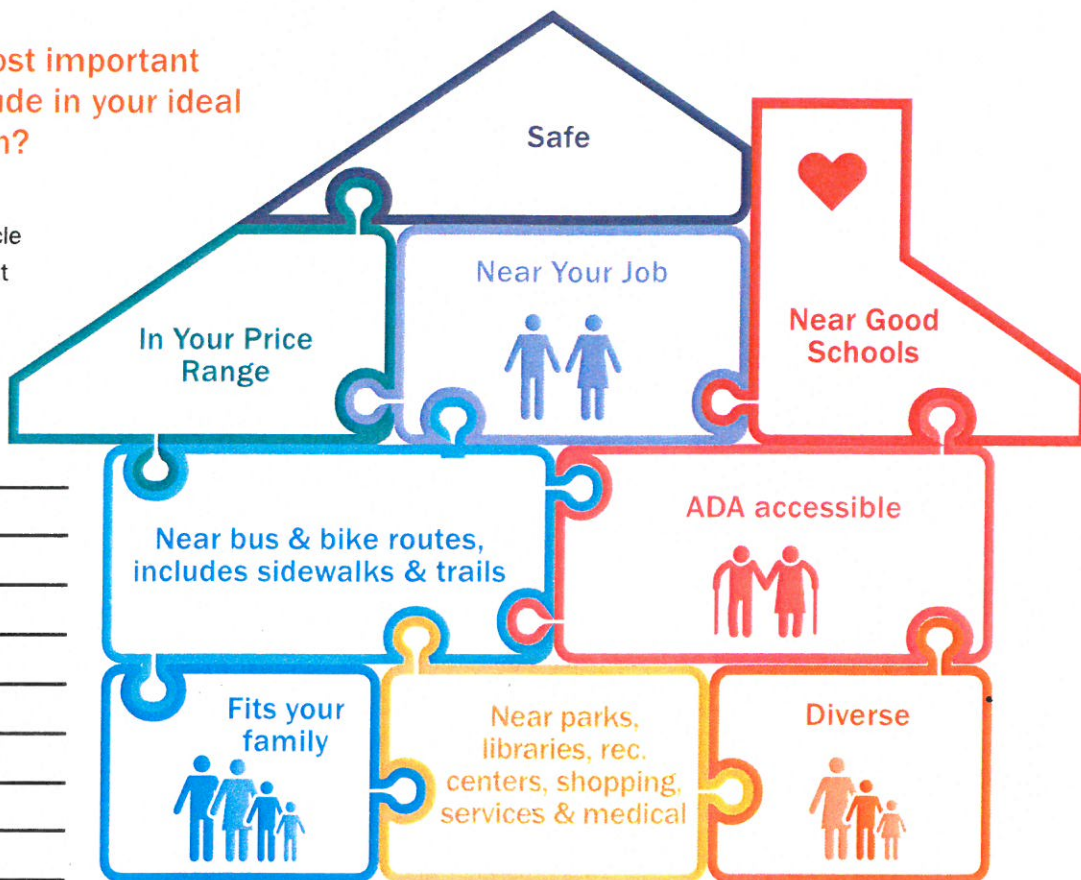
What Can You TELL US?

All residents should have access to affordable quality housing, whether they own or rent, regardless of race or color, family status, sex, religion, disability, or national origin.

That's the vision for Furthering Fair Housing in the KC Metro. Your input can help make it happen!

1 What are the most important features to include in your ideal housing situation?

Edit the house by adding or removing features. Then circle the top three most important features to you, your family, and friends. Use the space below to explain why they are priorities.



2 What are the top 3 obstacles stopping you from living where you want? Why?

3 How could your community fix the housing obstacles you, your family, and/or friends face? Why?



Select the Most Important Strategies FOR YOUR COMMUNITY

- **Goal: REDUCE DISCRIMINATION** from landlords, realtors, lenders or others and **HELP RESIDENTS** recognize discrimination and what's available for responding to it

Potential Strategies and Action Steps	Priority? If so, who should help?
Promote kcmetrohousing.org as the central location for fair housing information.	
Develop educational programs for landlords, realtors, and lenders on the Fair Housing Act and local fair housing laws.	
Enhance fair housing services , such as housing counseling, investigation, testing, and possible support for a private fair housing organization.	
Use the regional furthering fair housing plan to guide local plans and decisions made at existing commissions/committees.	
Advocate for a change in Missouri eviction laws , so landlords are required to give tenants reasonable cause and a minimum number of days notice.	

- **Goal: Raise public UNDERSTANDING & AWARENESS** of the need for **AFFORDABLE HOUSING** throughout the KC Metro, advocate for it, and measure progress

Potential Strategies and Action Steps	Priority? If so, who should help?
Advocate and campaign for affordable housing, including housing for teachers, police officers, and retail workers, in opportunity areas plus homeless families and youth, and older adults.	
Provide local government officials and others with information about the types and options of affordable housing that work well in suburban locations .	
Identify targets for measuring progress on affirmatively furthering fair housing and access to opportunities for low-income households and people of color.	

Select the Most Important Strategies FOR YOUR COMMUNITY

● **Goal:** Increase **ACCESS** to **AFFORDABLE HOUSING** in opportunity areas

Potential Strategies and Action Steps	Priority? If so, who should help?
Support greater use of the Low-Income Housing Tax Credits (LIHTC) and give priority to family housing and housing for people in areas of concentration and opportunity areas, and if possible, in mixed income developments that are located within those areas.	
Build accessibility standards into the selection of LIHTC projects.	
Evaluate new options for rental housing that offer homeowner-like features and change development codes to enable more options, such as mixed use and mixed income housing, cluster homes, townhomes, low-rise multifamily homes, and others.	
Explore a regional housing voucher program that enables voucher holders to select homes in opportunity areas, particularly around job centers.	
Require projects that receive financial incentives to help increase the amount of quality affordable housing or contribute to an affordable housing fund that helps finance vouchers. If residential units are being built, a portion should be set aside for low- and moderate-income households.	
Revise zoning regulations and examine building codes, so it will be possible for developers to build smaller homes on smaller lots .	
Examine the possibility of using a regional housing locator service to help voucher holders and others find affordable housing that meets their needs.	
Examine waiting lists and create a homelessness prevention effort that addresses household housing issues quickly.	

Select the Most Important Strategies FOR YOUR COMMUNITY

- **Goal:** Improve **HOUSING CONDITIONS** and **OPTIONS** for **HOMEOWNERS**, especially **ELDERLY** homeowners, in older neighborhoods and communities

Potential Strategies and Action Steps	Priority? If so, who should help?
Support the minor home repair needs of low-income and elderly residents by increasing funding so more homes can be fixed.	
Consider additional funding for case management, use of paramedics and other health workers so elderly homeowners are better connected to community resources .	
Create " villages " in neighborhoods with high numbers of older adults , so services can be provided to them and they continue living independently.	
Review property maintenance codes and identify resources, such as technical assistance, volunteer services, and possible grants, that low-income older adult homeowners can use to avoid property code violations .	
Help low-income homeowners gain access to 1) credit from banks and lenders for home renovations or repairs 2) vacant or foreclosed properties with limited resources, and 3) a sweat equity program to build investment in home ownership.	

Select the Most Important Strategies FOR YOUR COMMUNITY

- **Goal:** Improve **HOUSING CONDITIONS** and **OPTIONS** for **RENTAL** households in older neighborhoods and communities

Potential Strategies and Action Steps	Priority? If so, who should help?
Create a rental housing maintenance fund and encourage small landlords to use it and rent units at affordable costs to disadvantaged renters.	
Promote kcmetrohousing.org and expand its use to include vacancy postings that case managers can use to find affordable housing for households with limited incomes.	
Expand the use of grants, tax credits, or low-interest loans for rental housing renovation efforts in older neighborhoods and communities; coordinate an affordable housing roundtable discussion as part of the process.	
Expand financial services , such as credit and loans, to working people who have lower credit scores but have housing needs and live in older neighborhoods.	
Discuss how to possibly expand LISC's new Pre-Development Fund to support new or renovated housing in more disadvantaged neighborhoods.	
Encourage the University of Missouri-Kansas City's Center for Neighborhoods to help community development corporations development affordable housing in more areas.	
Consider adopting codes and building a rental housing licensing program to 1) identify problem landlords and properties that require maintenance, 2) protect tenants' rights and 3) ensure rental properties contribute to neighborhoods positively.	
Organize a model block program in select neighborhoods; decisions would be made by neighbors and all labor performed by people from those neighborhoods plus partners.	

Select the Most Important Strategies FOR YOUR COMMUNITY

- **Goal:** Increase access to **ECONOMIC OPPORTUNITY** for disadvantaged persons and families through quality **EDUCATION** and **WORKFORCE DEVELOPMENT**

Potential Strategies and Action Steps	Priority? If so, who should help?
Encourage and promote career prep opportunities , such as mentoring and other activities, to middle and high school students so they are better prepared for careers.	
Encourage and help families complete the Free Assistance for Financial Student Aid (FAFSA) application to help with college costs.	
Make residents aware of adult literacy programs that can help them pursue a high school diploma.	
Promote programs that help residents increase their skills and career potential and offer tuition benefits for employees.	
Consider giving a second chance to ex-offenders, so they may be considered for employment (ban the box).	
Provide housing that serves all ages and a mix of incomes and is located along transportation corridors , around transit centers , and at or near employment centers .	
Review economic development policies and give priority to investments that result in good paying jobs .	

Select the Most Important Strategies FOR YOUR COMMUNITY

- **Goal (CONTINUED):** Increase access to **ECONOMIC OPPORTUNITY** for disadvantaged persons and families through quality **EDUCATION** and **WORKFORCE DEVELOPMENT**

Potential Strategies and Action Steps	Priority? If so, who should help?
Keep and expand jobs in the KC Metro's growing industries and work with community partners to increase residents' job skills .	
Support high quality early education, such as preschool education for all families (universal pre-K), to meet the needs of all young children and their families.	
Expand the number of low-income working families that can access quality early education for their children through age 8.	
Promote training opportunities for early childhood teachers and aides to improve the quality of early education offered to children through age 8.	
Ensure that low-income mothers receive support for their child's healthy development.	
Support expanding special K-12 programs to help students attending schools in concentrated areas of poverty and persons of color.	

- **Goal:** Increase access to **COMMUNITY RESOURCES**, including **HEALTHY FOOD**, for residents of older neighborhoods and communities

Potential Strategies and Action Steps	Priority? If so, who should help?
Assess the availability of or need for community resources , such as access to healthy foods, recreational opportunities, health services, and other items in the cities' long-term planning documents.	
Review zoning codes and water access on vacant lots, so urban farming can happen and access to healthy foods can be increased in older areas.	

Select the Most Important Strategies FOR YOUR COMMUNITY

- **Goal:** Expand **PUBLIC TRANSPORTATION** services and provide **STREETS FOR ALL TRAVELERS** can use, so residents and disadvantaged areas are better connected to jobs and community services

Potential Strategies and Action Steps	Priority? If so, who should help?
Update the KC Metro's long-range transit plan (RideKC) and work on changes that will serve employment centers better.	
Discuss transportation options with employers to encourage their support for special transportation services and public transportation to increase access to jobs.	
Make streets safe for all travelers (including walkers, bicyclists, bus riders, carpoolers, taxi customers, motorists and others) and coordinate with developers and transportation providers to make it happen.	

- **Goal:** Increase the amount of **AFFORDABLE & ACCESSIBLE** housing, particularly around **PUBLIC TRANSIT** centers and stops

Potential Strategies and Action Steps	Priority? If so, who should help?
Review building codes to determine how the needs of disabled persons are addressed in new housing construction and consider changes to the code if necessary.	
Provide more types of housing , including a smaller house on the same property as the main home and co-housing (aka a community of private homes clustered around a shared space), in neighborhoods and transit-oriented developments through zoning codes.	
Make sure that housing units receiving financial incentives are built to meet ADA accessibility and design standards that benefit older people , those with disabilities, and people without disabilities (universal design).	

Additional Goals & Strategies

FOR YOUR COMMUNITY

● Goal:

Potential Strategies and Action Steps	Priority? If so, who should help?

● Goal:

Potential Strategies and Action Steps	Priority? If so, who should help?



Staff Request for Commission Action

Tracking No. 16747

Full Commission Meeting Date: 8/25/16

Committee:

Date of Standing Committee Action: NA
(If none, please explain): 8/25/16

Publication Required: No

<u>Date:</u> 08/10/2016	<u>Contact Name:</u> Misty Brown	<u>Contact Phone:</u> x5067	<u>Contact Email:</u> mbrown@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> A resolution of support of the Unified Government Integrated Overflow Control Plan and authorization of submittal of the plan to the EPA and DOJ as required by the 2013 Partial Consent Decree.				
<u>Action Requested:</u> 8.25.16				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Summary, IOCP Resolution				

Integrated Overflow Control Plan (IOCP)

Unified Government of Wyandotte County and Kansas City, Kansas

Integrated Overflow Control Program

Report or Revision Date--MM/DD/YYYY

EXECUTIVE SUMMARY

Summary

Pursuant to federal mandate, the Unified Government of Wyandotte County and Kansas City, Kansas (UG) has prepared a sewer system Integrated Overflow Control Plan (IOCP). The IOCP is designed to comply with federal requirements in a manner that meets goals supported by UG's stakeholders: protect human health, public safety, and customer property and make continued progress towards improving water quality. As required by a 2013 Partial Federal Consent Decree, in addition to developing and evaluating sewer overflow control options, the UG assessed the condition and operation of their sewer system infrastructure and identified significant repair, rehabilitation, and upgrade needs. Due to financial limitations of the economically-disadvantaged UG ratepaying community, initial investments will target continued repair and renewal of the existing sewer system and the construction of critically important early action projects. Such projects will preserve existing assets and are expected to deliver the greatest possible benefits from these critical early program dollars. The overall IOCP will require several decades to implement and must feature an iterative/adaptive process to ensure that it reflects the most affordable, cost-effective, and beneficial approaches.

Over the course of the next decade, the UG is committed to an aggressive \$200 million plan that reinvests available revenue in the higher priority existing sewer system improvements, makes continued overflow reduction progress, and grows the capability of the utility to implement and revise the overall IOCP. Once the existing system is renewed to a more sustainable condition and the early action projects are completed, the UG will reevaluate the community's financial capability, the benefits that have been achieved, and the identified goals and priorities to achieve additional sewer overflow reduction and water quality improvements. The recommended plan addresses the goals and priorities of local stakeholders including significant progress on system renewal, is an aggressive financial commitment and burden on the community, and reduces combined and separate sewer overflow volumes by 20% and 85%, respectively.

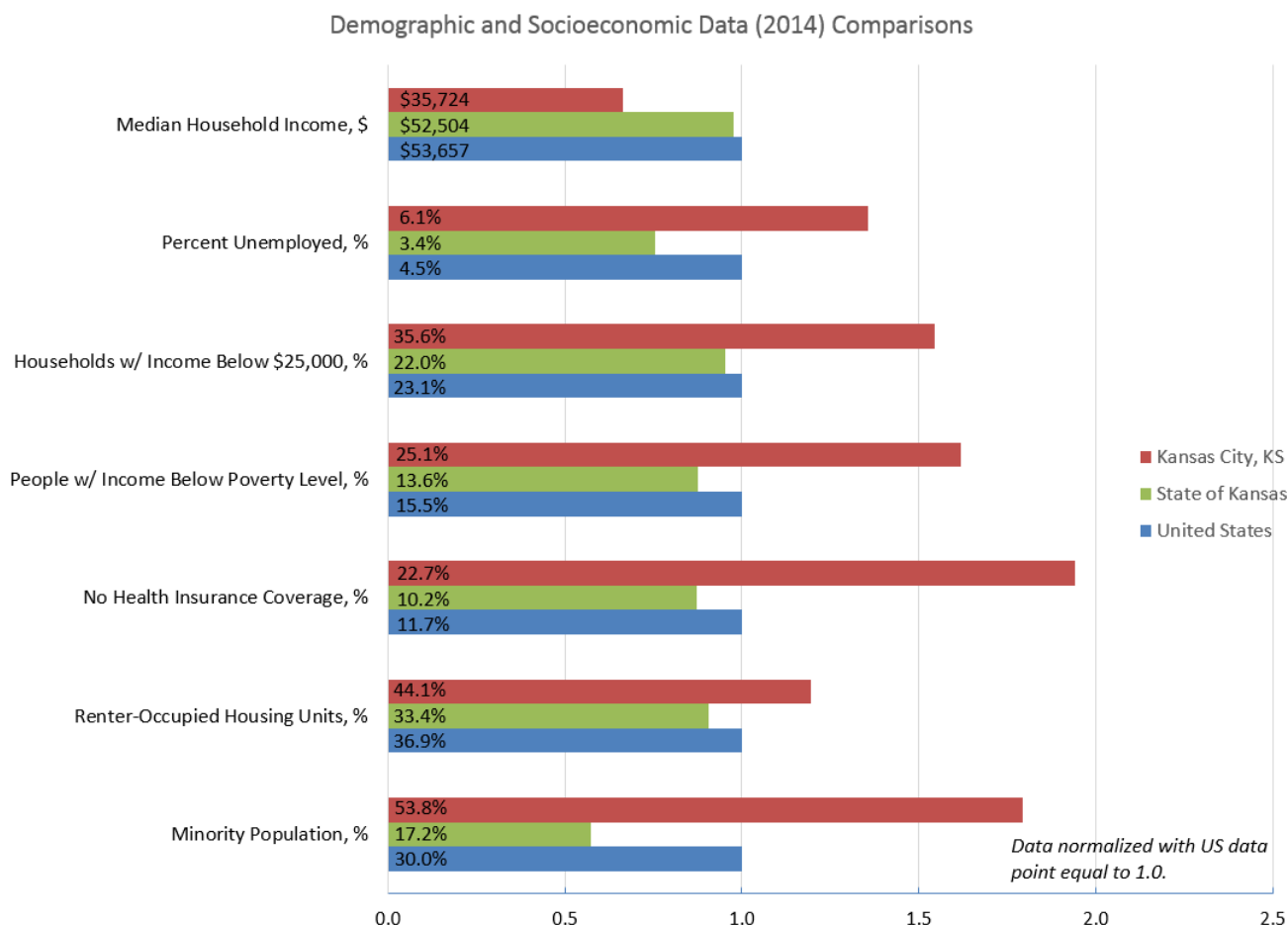
Introduction

The UG Water Pollution Control Division (WPCD) currently provides sewer service and local stormwater management to approximately 44,000 customers (approximately 150,000 residents) within Wyandotte County, Kansas. This relatively small rate base must support the operation and maintenance of a complex sewer system consisting of approximately 1,200 miles of combined and separate sanitary and storm sewer pipelines, five wastewater treatment plants (WWTPs), 70 wastewater pump stations, nine flood pump stations, as well as support local drainage districts that maintain almost 20 miles of flood control levees.

Approximately 40 percent of the 158 square mile UG service area is served by a combined sewer system (CSS). The remaining 60 percent is served by a separate sewer system (SSS). There is also significant area within the county that is currently not served by sanitary sewers. During some wet weather events, both combined sewer overflows (CSOs) and sanitary sewer overflows (SSOs) may result in sewage diluted with stormwater being discharged into the environment and potentially into one of four CSO receiving waters: Missouri River, Kansas River, Jersey Creek, and Mattoon Creek.

Residents in the UG service area are disadvantaged compared to the national population for a number of key socioeconomic metrics, including median household income, unemployment, and the portion of the population living below the poverty level. In the State of Kansas, Wyandotte County residents have the

lowest per capita income, highest rate of unemployment, and lowest overall health ranking compared to the remaining 104 Kansas counties. The financial reality of the service area creates substantial challenges to fund the utility adequately while maintaining tolerable rate burdens.



Kansas City, Kansas, residents are disadvantaged compared to the state and national populations for a number of key socioeconomic metrics.

Magnifying these challenges, there has recently been an unprecedented loss of management experience within the utility. Several key long-term senior staff have retired or left the organization since the Partial Consent Decree was issued, including the Public Works Director, WPCD Director, Kaw Point WWTP Plant Manager, County Engineer, and an experienced staff engineer. The utility has also experienced the loss of several experienced senior operators and maintenance staff during this time with several key retirements pending over the course of the next several years. These individuals have significant institutional knowledge related to the wastewater system and replacing them has proven to be difficult with several key positions still open. The staffing reality continues to make Partial Consent Decree compliance difficult and will exacerbate the already significant challenge of implementing the IOCP.

Early Progress (Pre-Partial Consent Decree)

Despite significant financial challenges, since 2000, the UG spent tens of millions of dollars on sewer separation projects and WWTP and pump station capacity improvement projects. Considerably more funds

were spent to inspect, upgrade, and renew the sewer system infrastructure. These improvements reduced the number of CSO diversion structures from 66 to 48 and are estimated to have reduced annual CSO overflow volume by almost 20%.

These 15 years of water quality and system reliability improvements required aggressive annual wastewater user rate increases between 3% and 15%, resulting in the average annual sewer and stormwater bill for served households being 1.23% of the community-wide median household income (MHI) in 2014, one common metric used by the EPA to assess a community's capability to implement overflow controls. Households in the second and lowest quintiles are paying 2.08% and 5.95% of their MHI, respectively. These are significant burdens for highly vulnerable populations that are masked by too heavy a focus solely on median household impacts.

Partial Consent Decree Early Action Projects and Programs

After several years of negotiations with the U.S. Environmental Protection Agency (EPA) and the Kansas Department of Health and Environmental (KDHE), the UG entered into a federal Partial Consent Decree (PCD) in March 2013. The major requirement of the PCD is UG's development of an Integrated Overflow Control Plan (IOCP), i.e., a comprehensive plan to upgrade the UG's sewer system to address sewer overflows. In order to inform and prepare the plan, the PCD required the UG to perform several underlying tasks and studies including:

- Perform sewer system infrastructure condition assessments.
- Characterize the existing physical characteristics and capacity of the sewer system through field inspections, monitoring, and modeling.
- Characterize receiving water quality and CSO impacts.
- Perform a financial capability assessment.
- Implement a public participation program.

The PCD also required the UG to construct a number of major capital projects to improve operations at the Kaw Point WWTP (the largest WWTP in the system) located at the confluence of the Kansas and Missouri Rivers, rehabilitate pump stations, and repair numerous sewers with known structural deficiencies. These projects included biosolids dewatering improvements to meet air quality regulations and construction of a disinfection facility to reduce effluent bacteria concentrations into the Missouri River. The identified sewer projects repaired pipes that were known to be at risk of structural failure and contributed to capacity limitations of the sewer system. These projects required substantial investments (totaling over \$35 million in construction, engineering, and other costs) with the result being reduction in bacteria loadings to the Missouri River and enhanced treatment plant reliability.



The new \$6 million ultraviolet disinfection facility has reduced typical bacteria concentrations in sampled plant effluent to the Missouri River from over 50,000 to less than 264 counts per 100 mL.

Concurrently, the UG also implemented and enhanced several programs designed to improve system operation and performance. These programs and processes were designed to reduce the amount of fats, oil, and grease (FOG) entering the system; improve response to system overflows to reduce impacts; update utility-wide information management systems; and improve capacity, management, operations, and maintenance (CMOM) activities to improve system performance and reduce overflows.



The WPCD has increased the annual quantity of maintenance activities performed internally, but also are performing these activities more effectively by using geographic information systems, hydraulic modeling, and mobile field devices.

The UG has made an increase in sewer utility funding, staffing, and program implementation effort in response to the PCD. To date, the UG has met all PCD required deadlines and in almost every instance done more than was required. These accomplishments are all the more significant given the unprecedented loss of institutional knowledge and associated staff turnover in recent years.

Sewer System Infrastructure Condition Assessment

The PCD acknowledged that the condition of the sewer system infrastructure was a fundamental concern and exacerbated the volume and frequency of system overflows. Reliability of the existing infrastructure not only impacts human health, public safety, and property, but in the SSS it also has a real impact on water quality as evidenced by a recent overflow caused by a pipe failure and worsened by a malfunctioning pump station valve. In addition, a majority of the collection system is over 50 years old largely composed of vitrified clay pipe beyond its intended service life. System reliability concerns have been determined to be so critical that local stakeholders have identified renewal of the existing system as the highest priority of the IOCP.

Accordingly, the UG has put increased focus on the investigation and condition and operation assessment of a large portion of their sewer system infrastructure including WWTPs, pump stations, and combined and separate collection system piping (including those considered high risk due to streambank erosion). As part of an integrated approach to maximize the UG's resources, investigations of the storm sewer system and flood control pump stations are also planned due to their potential impact on human health, public safety, and customer property.

Initial condition assessment efforts have identified substantial infrastructure upgrade, renewal, operation, and maintenance needs necessary to maintain and improve system reliability. Degradation of the existing infrastructure beyond its useful life has occurred over a half century. As a result, sustainable renewal of the system will require directing more funds to the effort than has historically been allocated and applying a logical, long-term approach that moves the utility from a reactive to a more proactive position.

Sewer System and Water Quality Characterization

Completed in 2015, the PCD-required CSS characterization identified a detailed plan of system improvements and corresponding costs to address CSOs at various levels of control. As previously indicated, sewer separation and capacity improvements have been made to reduce CSOs since 2000. Although this work has resulted in CSO outfall and overflow volume reduction in the eastern areas of the City, additional improvements are necessary to achieve more stringent levels of control. Capital improvements in the CSS to achieve 12 and 0 overflows per typical year levels of control were estimated to cost approximately \$200 million and \$980 million, respectively. These improvements include combinations of conveyance and pump station capacity improvements, storage facilities, and high rate treatment. This does not include costs for necessary infrastructure renewal and upgrade, SSO control, or program implementation.

Similarly in 2015, the SSS characterization identified improvements necessary to address SSOs. Capital improvements in the SSS to achieve 2-year and 5-year levels of service were estimated to cost \$80 million and \$93 million, respectively. These improvements, in the western two-thirds of the City, include replacement of the Wolcott Wastewater Treatment Plant (WWTP); gravity sewer, force main, and pump station capacity improvements; and storage facilities. These costs are on top of costs for necessary infrastructure renewal and upgrade, CSO control, or program implementation.

In conjunction with the sewer system characterization effort, receiving water quality was monitored and modeled to establish baseline conditions and evaluate the impacts of overflows on the attainment of water quality standards and uses. This effort concluded that water quality standards and uses cannot consistently be met in some receiving waters due to pollution sources other than CSOs. The demonstration approach (as defined in the *CSO Control Policy*) is met in Jersey Creek and Mattoon Creek under existing conditions, i.e., no additional CSO control is necessary. The recreation season geometric mean of 262 CFUs per 100mL is also met in the Kansas and Missouri Rivers under existing conditions when upstream source contributions are controlled to levels meeting the applicable standards.



Even elimination of all CSOs (at a cost of almost \$1 billion) would not result in attainment of water quality standards in the Missouri and Kansas Rivers.

Financial Capability Assessment

Utilizing EPA's 1997 guidance, an initial assessment was performed to evaluate the financial resources the UG has available to implement additional CSO and SSO controls. To achieve the levels of control identified in the characterization effort within a 25-year timeframe, a "high" financial impact to the already heavily burdened population would result. To meet even a 12 overflow events per typical year level of CSO control and two-year design storm level of SSO service, the cost per household as a percentage of the community-wide MHI would be 2.9%. The assessment found that the burden and level of debt required to meet this level of control would be unacceptable and unsustainable.

Wastewater and stormwater user rates are not the only burdens on this economically disadvantaged community. Consider the following:

- Between 2010 and 2013, base rates for electric and water services have each increased 7 to 8% annually.



Recent electric rate increases were primarily required to fund \$250 million in improvements at the 235 MW Nearman Power Plant in order to comply with EPA air emission standards, further burdening the community ratepayers.

- Many residents in the CSS area also pay a mill levy to fund drainage districts that provide flood control protection.
- The current property tax burden in Wyandotte County is 1.858% of assessed home value compared to 1.410% and 1.211% in the state and nation, respectively.
- Due to the extremely high number of vacant properties in the urban CSS area, there are fewer ratepayers per unit of sewer infrastructure to help fund maintenance and renewal.



"Allow me to address the blight. To understand the breadth of the problem, consider that 50 years ago, Wyandotte County had a population of 185,000. Over the next three decades, we lost nearly 30,000 people, largely due to "white flight." Fortunately, many new residents, mostly immigrants, have moved to our community, which has helped stabilize our population. Nevertheless, that initial exodus left behind roughly 10,000 empty homes and 6,000 vacant lots." KCK Mayor Mark Holland, June 22, 2016

In addition to heavily burdening the ratepayers, the utility would experience an unacceptable and unsustainable debt level and risk losing significant revenue bases if higher levels of control/service were implemented over a 25-year period. The UG is already one of the highest debt burden per capita communities in Kansas. It is well known that addressing CSOs is a national concern that can severely financially affect communities and recent CSO consent decree extensions related to financial capability reinforce this fact. For example, locally Johnson County, Kansas, and Liberty, Missouri, (two significant Kansas City, Missouri [KCMO] wholesale customers) have decided to move forward with new/expanded WWTPs partially in response to the higher rates being charged by KCMO to comply with overflow control requirements. This resultant reduction in customer base will further burden the KCMO community, another disadvantaged community that is experiencing financial difficulties associated with addressing CSOs.

The UG's proposed plan to address overflows is profoundly constrained by the community's capability to pay for the necessary improvements. Increasing the typical residential sewer rates to approximately 1.9% of the projected community-wide MHI is considered the upper level of burden achievable over the next 10 years due to the economic disadvantages already incurred by the community and the impact on the population already living below the poverty level. The underlying rate increases will generate approximately \$12 million annually for debt and cash funding for capital improvements.

Separate Sewer System Master Plan

The UG has worked diligently to strengthen the local economy, improve the quality of life, and increase the tax base of the community. These efforts have resulted in population shift/growth in the western areas of

the service area. Recent 20-year projections by the planning department indicate the sewered population in this western area may double. Based on these projections, a master plan for the western third of the service area was prepared to identify improvements to meet increasing service demands of the anticipated growth, but also to further efforts to address sewer overflows.

The master plan determined that the existing Wolcott WWTP in the SSS is near its design capacity based on current flows. Expansion of the Wolcott WWTP is needed by 2020 to accommodate projected growth/population shifts. Most importantly, these facilities are needed to expand the rate base to pay for needed investment in the existing system. At the same time, due to capacity restrictions a majority of the system SSOs occur upstream of Plant 20, also located in the SSS. Plant 20; however, serves a major portion of the Wolcott WWTP's natural watershed. Fortuitously, it was determined that decommissioning Pump Station 50 and redirecting flow by gravity to a new Wolcott WWTP reduces flow in the Plant 20 tributary area, which in turn will substantially reduce SSOs. At an estimated cost of \$33 million, these projects will:

- Substantially reduce SSO volume.
- Reduce capital needs for Plant 20 expansion.
- Meet NPDES Permit effluent requirements.
- Reduce the nutrient load to the Kansas River.
- Address future service needs (and increase the rate payer base to fund additional improvements).



The existing Wolcott WWTP (an interim package plant installed in 2009) has nearly reached its design treatment capacity, and has experienced recurring wet weather effluent discharge violations. It will be unable to meet future effluent ammonia limitations.

Additional Challenges and Unknowns

As discussed, the UG faces a number of challenges to meet CWA requirements and improve water quality. The UG is committed and has begun to aggressively make progress on improving infrastructure reliability

and reducing overflows. However, there are numerous uncertainties that cloud the anticipated effectiveness, schedule, and costs of planned improvements. These uncertainties require a recommended plan that is flexible and adaptive. Committing to a 20-year or longer plan is unwise and impractical for the UG and its ratepayers. Key uncertainties which support this conclusion include:

- The timing and magnitude of future regulatory compliance requirements, such as nutrient removal at the WWTPs and MS4 Permit requirements to address TMDLs, are unclear.



Compliance with nutrient removal regulations is anticipated to cost over \$90 million at the Kaw Point WWTP. Nutrient removal facilities would also be required at Plant 20.

- Effectiveness of overflow reduction related to improvements that are difficult to quantify, such as an enhanced FOG program, CMOM activities, SCADA system improvements, green infrastructure, and I/I reduction, are uncertain at this time and may affect capital spending.
- Local and regional engineer and construction contractor capacity and availability due to similar sewer system improvement efforts throughout the region are anticipated to result in unquantified (at this time) but likely construction cost escalation.
- Accuracy of current financial assumptions, such as changes in household MHI over time, impacts and degree of rate tolerance, and population growth trends (which have been negative), will affect residential affordability and UG's ability to generate additional revenue.
- Accuracy of current technical assumptions, such as capital cost estimates, infrastructure renewal costs determined by extrapolation, and wastewater treatment plant wet weather capacity, will affect the magnitude of capital projects.
- Although project costs have been determined based on actual inspections and hydraulic modeling, the amount of infrastructure that has not been inspected and modeled remains significant.
- Federal flood control levee improvement needs that are defined in a recent USACE study may exceed \$100 million (local share), but the timing and level of commitment are unknown. The magnitude of this obligation will affect residential and utility affordability considerably.



Kansas City's location at the confluence of two great rivers requires significant funding to maintain the flood control system.

- Local drainage issues that are priority concerns for stakeholders in relation to sewer overflow control due to their impact on public safety and private property.

Consequently, the recommended plan must be flexible and adaptive to ensure that the plan benefits are being achieved, priorities can be reevaluated, and community affordability is not exceeded.

Recommended Plan

The Recommended Plan meets the *CSO Control Policy* demonstration approach for the CSO receiving waters. Reducing the occurrence of SSOs and controlling CSOs to a level meeting the *CSO Control Policy* presumption approach, both within a typical 20 to 25 year timeframe is not financially feasible for the UG. The existing wastewater and stormwater infrastructure renewal needs are significant and must be addressed, followed by priority overflow control investments.

As a result of its financial challenges, the UG is proposing a 10-year, \$200 million IOCP that focuses resources on infrastructure renewal and priority capital improvement projects. Through these system reliability improvements, additional overflow reduction will be achieved while maintaining sustainable, yet aggressive, annual rate increases. Considerable improvements in the economically disadvantaged CSS area have been made since 2000 despite numerous challenges. The Recommended Plan will build on this progress. The major components of the Recommended Plan are as follows:

Infrastructure Upgrades and Renewal. Addressing the identified renewal needs of the existing wastewater and stormwater infrastructure will increase system reliability and performance. In addition, these improvements will have the benefit of reducing the potential for overflows related to equipment and pipe failure. To maximize limited financial resources, renewal priority will be given to assets that have failed and have higher probability and consequences of failure, including safety improvements to protect utility workers, the public, and property. Secondary priority will be given to projects that restore and upgrade WWTP and pump station capacity and renew pipes and manholes in areas with chronic, recurring SSOs. Examples of these projects include pipe and manhole repairs, rehabilitation of WWTPs and pump stations, providing secondary power at key pump stations, repairing and protecting exposed pipes along streambanks, and addressing stormwater infrastructure repair needs in areas of chronic flooding.



The UG experiences overflows due to various types of infrastructure failures, including collapsed pipe.

New Wolcott WWTP. Replacing the existing 0.288 mgd Wolcott WWTP with a new 2 mgd facility and rerouting flow by gravity with a new interceptor from Pump Station 50 to the new WWTP will provide numerous benefits. These projects will immediately and significantly reduce the volume of SSOs by almost 90% at Pump Station 6 (for the 2-year design storm) and improve effluent water quality at Plant 20 by reducing nutrient loads to the Kansas River. These improvements will also delay and decrease the magnitude of capacity improvements at these facilities and eliminate Pump Station 50 operation and maintenance costs. The new facility will be designed to meet more stringent ammonia effluent limits based upon EPA's latest national recommendation and implement nutrient controls to comply with the Kansas Nutrient Reduction Plan. The new facility also supports continued population shift to, and much needed, economic development, in the western service area resulting in a larger future customer base.

Operational Improvements and Asset Management. New utility leadership and better awareness of sewer system deficiencies has initiated a culture change within the utility to improve utility operations. Operational improvements to maximize flow through the WWTPs and continued refinement and enhancement of the NMC and CMOM Programs will reduce the potential for overflows. Continued development of an asset

management program will allow the continued evaluation of assets and lead to prioritized renewal of assets based upon probability and consequence of failure rather than reactive repair leading to a more effective and sustainable utility. Increased system investigations and evaluations to determine condition of existing assets to optimize the existing system performance, reduce system failures, and plan future improvements will also be performed.

Kaw Point WWTP Reliability Improvements. Improvements to the UG's largest WWTP include several operational changes and equipment upgrades and repairs to improve facility reliability and increase wet weather treatment capacity. Several unit processes and equipment, which have experienced service outages, are scheduled for repair including primary clarifiers.

SCADA System Improvements. SCADA system improvements are sorely needed to monitor and optimize the outdated existing system. Monitoring of pump stations and overflow locations allows the WPCD to respond to and reduce the amount of time overflows occur, gather additional information needed to refine technical assumptions and make smarter decisions on future improvements, and measure the overflow reduction achieved by future overflow control efforts. In the CSS, this upgraded technology will allow the UG to better maximize flow to the Kaw Point WWTP. Although difficult to quantify in the short term, the resultant improvement in operations attainable through SCADA system improvements is anticipated to facilitate efforts to reduce overflows over the long run.

Armourdale Basin Targeted Sewer Separation. Targeted sewer separation projects will not only relieve frequent street flooding and renew sewer infrastructure in the area, but also reduce overflow volume and frequency at CSOs 41, 42, 43, 44, 47, 48, and 66. Scheduled sewer separation is anticipated to reduce overflow volume to the Kansas River by 38% in the typical year.

CSO 19 Green Infrastructure. This CSS project will reduce CSO volume and frequency at CSO 19, provide some flood control benefit, and improve the water quality of Big Eleven Lake. An important civic resource, Big Eleven Lake is currently impaired due to increased nutrient loads. The proposed project will reduce nutrients and provide more baseflow to the lake which will improve water quality. This project is proposed to be integrated into a planned urban redevelopment program that will be highly visible in the downtown district and is anticipated to stimulate urban renewal. Consisting of bioretention, bioswales, wetland forebays, and wetlands, implementing green infrastructure in this basin will provide a great opportunity to showcase different types of green infrastructure and evaluate its performance. It will also be used to determine the cost of construction, operation, and maintenance for future green infrastructure efforts anticipated to be evaluated during future overflow control evaluations. Achieving this level of control utilizing green in lieu of gray infrastructure will save the community approximately \$7.8 million due to the reduction in size of downstream CSO control facilities. If the planned urban redevelopment plan changes, other green infrastructure projects that can provide equally significant overflow control have been identified and may be substituted for this project identified at CSO 19. We also see this project as an excellent opportunity to educate and engage the public regarding sewer overflow control issues and opportunities.

Plant 20 Capacity Upgrades and Reliability Improvements. Improvements to Plant 20 include increasing the peak flow treatment capacity from 14 mgd to 21 mgd, thereby reducing the volume and frequency of discharges through the Pump Station 6 constructed overflow. Several renewal improvements, including influent screening replacement and new disinfection equipment and controls, are scheduled to increase safety, reliability, and extend the life of the aging facilities.

The Recommended Plan:

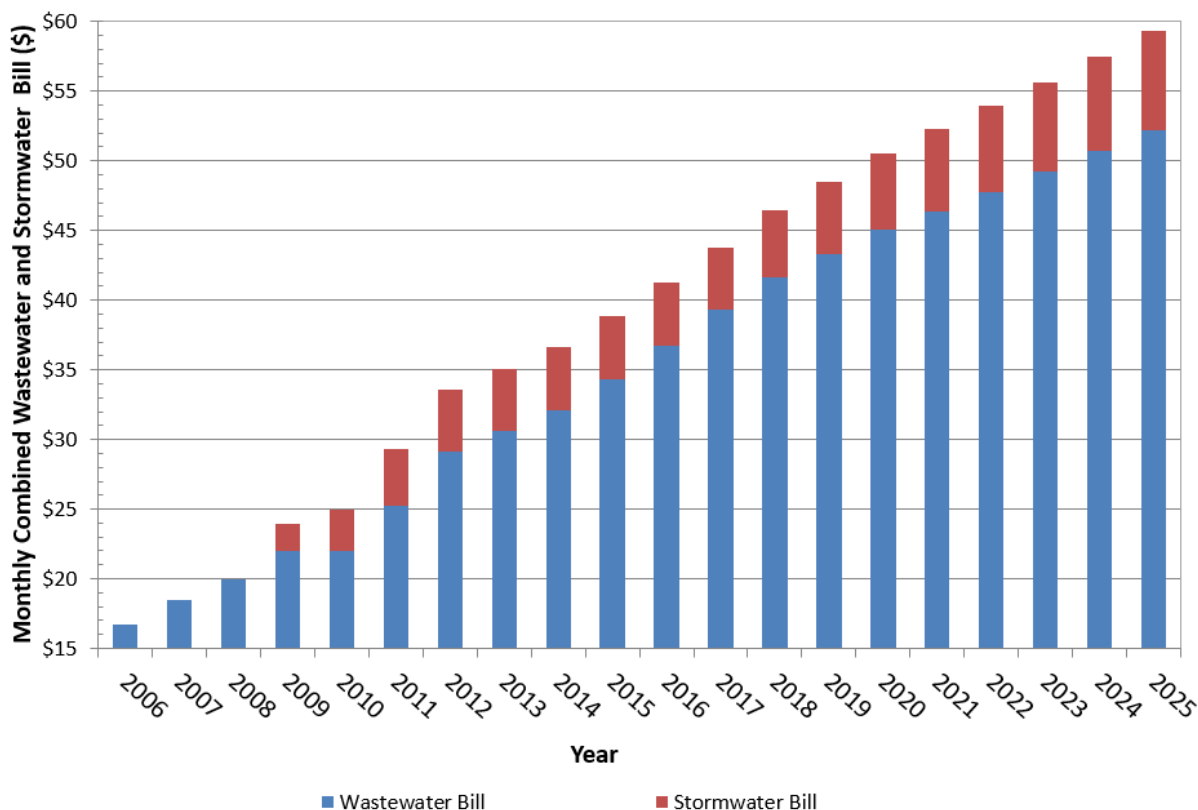
- Addresses the community's highest priorities of renewing the existing infrastructure and making progress towards meeting the CWA goals.
- Balances near term public investments and benefits with the UG's financial capability.
- Represents the best level of overflow control achievable with the available public investment.
- Incorporates input received from local stakeholder groups in 2015 and 2016, including a community task force consisting of local leaders selected by the Mayor and several UG Commissioners.
- Provides for the submission of a final measures plan for agency approval by July 1, 2024.

Financing and Implementation Schedule

The UG spent over \$35 million on previous CSO control efforts. This next phase is proposed to be an adaptive 10-year plan (2016 – 2025) that implements the most critical improvements to improve system reliability and performance while also providing overflow control reductions.

This latest aggressive commitment will total approximately \$200 million in integrated wastewater and stormwater capital improvements. It will require the UG to raise sewer user rates and stormwater fees annually up to approximately 1.9% of projected community-wide MHI in year 10. Debt financing will be a key part of the revenue to fund this commitment for projects such as the new, larger capacity Wolcott WWTP. State and/or federal financial assistance will be pursued for the Recommended Plan and the final control measures that will follow.

Historical and Projected Monthly Wastewater and Stormwater Bills



Proposed rate increases to implement the proposed plan will result in user rates being increased 250% since 2000 when direct overflow control efforts were initiated.

Due to financial and management challenges and uncertainties, the plan must remain flexible and allow the UG time to focus on their existing infrastructure and regather the institutional knowledge and capacity that has recently been lost. After the existing assets are in a more sustainable condition, future efforts which include an update to this IOCP in year 9 (July 1, 2024) of the Recommended Plan, are anticipated to create an approach to address the remaining overflows and achieve compliance with CWA requirements. The Recommended Plan reflects the input of our stakeholders as well as the financial realities and needs of the UG.

RESOLUTION NO. _____

WHEREAS, the United States of America (“United States”), by the authority of the Attorney General of the United States, acting at the request and on behalf of the Administrator of the United States Environmental Protection Agency (“EPA”), regularly conducts reviews of cities’ and counties’ compliance with the Clean Water Act, 33 U.S.C. § 1251, *et seq.* (“CWA” or “Act”);

WHEREAS, as a result of these compliance reviews, the United States of America has entered into approximately 300 settlement agreements with localities across the nation;

WHEREAS, the EPA conducted a review of the Unified Government’s compliance with the Clean Water Act;

WHEREAS, the Unified Government has long worked to meet this commitment and is committed to fulfilling its obligation under the Clean Water Act;

WHEREAS, the Unified Government, the State of Kansas and the United States have negotiated and entered into a Partial Federal Consent Decree in 2013 with the aim of resolving outstanding issues about the Unified Government’s compliance with 33 U.S.C. § 1251, *et seq.* of the Clean Water Act;

WHEREAS, as required by the 2013 Partial Federal Consent Decree, the Unified Government has assessed the condition and operation of their sewer system infrastructure and identified significant repair, rehabilitation, and upgrade needs and has prepared a sewer system Integrated Overflow Control Plan (IOCP);

WHEREAS, the IOCP is designed to comply with federal requirements in a manner that meets goals supported by the Unified Government’s stakeholders: protect human health, public safety, and customer property and make continued progress towards improving water quality;

WHEREAS, due to financial limitations of the economically-disadvantaged Unified Government ratepayers, initial investments will target continued repair, renewal, and optimization of the existing sewer system and the implementation of early action projects;

WHEREAS, the proposed IOCP will commit the Unified Government to an aggressive \$200 million plan that reinvests available revenue in the higher priority

existing sewer system improvements, makes continued overflow reduction progress, and grows the capability of the utility to implement and periodically update the overall IOCP; and

WHEREAS, once the existing system is renewed to a more sustainable condition and the early action projects are completed, the Unified Government will reevaluate the community's financial capability, the benefits that have been achieved, and the identified goals and priorities to achieve additional sewer overflow reduction and water quality improvements.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

1. That the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas thanks the UG staff for preparing the IOCP and the citizen committees and many individual citizens who provided extensive input to the staff in the IOCP development process.

2. That the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas endorses and supports the plan outlined in the Integrated Overflow Control Plan described in the attached Executive Summary.

3. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to submit the Integrated Overflow Control Plan, in a form materially consistent with the Plan dated August 18, 2016, in the name of the Unified Government of Wyandotte County/ Kansas City, Kansas, and to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS 25TH DAY OF AUGUST 2016.**

Unified Government Clerk