

Unified Government of Wyandotte County and Kansas City, Kansas



Planning & Zoning / Board of Commissioners

Commission Chambers

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

Mayor Tyrone Garner

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

AGENDA

Thursday, January 30, 2025

7:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. REVISIONS

6. MAYOR'S AGENDA

6.1 PROCLAMATION: MARTIN LUTHER KING JR. COMMITTEE DAY

Synopsis: A Proclamation proclaiming January 20, 2025, as Martin Luther King Jr. Committee Day.

Tracking #: 2190

6.2 PROCLAMATION: MICHAEL'S HERITAGE FLORIST DAY

Synopsis: A Proclamation proclaiming January 29, 2025, as Michael's Heritage Florist Day.

Tracking #: 2191

7. CLERK’S-STATEMENT

(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any “set-asides” on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)

PLANNING & ZONING COMMISSION

8. PLANNING AND ZONING CONSENT AGENDA

A. Change of Zone Application(s)

A8.1 COZ2024-036 - TIM WINKLER

Synopsis: Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District to operate a landscape company at 7301 State Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Tracking #: 2164

A8.2 COZ2024-037 - JOSH AND JENNA BEUERLEIN WITH 4J ENTERPRISES, LLC

Synopsis: Change of Zone from C-0 Non-Retail Business District to CP-1 Planned Limited Business District for a legal non-conforming mixed-use building at 8010 Parallel Parkway, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Tracking #: 2165

A8.3 COZ2024-038 - KALIN CALLEWAERT

Synopsis: Change of Zone from R-1(B) Single Family District to RP-5 Planned Apartment District, to convert a non-conforming duplex into a triplex at 4000 Adams Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0 FOR CHANGE OF ZONE TO R-2(B) TWO FAMILY DISTRICT.

Tracking #: 2166

A8.4 COZ2024-039 - STEPHONN ALCORN WITH ROSEDALE APARTMENTS LLC

Synopsis: Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District for three legal non-conforming duplexes at 4209, 4211, and 4213 Adams Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Tracking #: 2171

B. Special Use Permit Application(s)

B8.1 SP2024-061 - JESUS OSEGUERA

Synopsis: Special Use Permit for an event space at 735 Minnesota Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0 FOR 2 YEARS.

Tracking #: 2172

B8.2 SP2024-094 - TAMARA MCCONNELL WITH BREATHE BEVERAGE

Synopsis: Special Use Permit for a drinking establishment with events at 2724 North 13th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0 FOR 2 YEARS.

Tracking #: 2173

B8.3 SP2024-095 - RUBEN ROSALES

Synopsis: Special Use Permit for continuation of a short-term rental at 2924 Eaton Street, RECOMMENDED FOR DENIAL BY A VOTE OF 8 TO 0.

Tracking #: 2167

B8.4 SP2024-101 - NICK CHRISTIANSON

Synopsis: Special Use Permit for continuation of operation of a youth nature center with a campground at 2640 Woodend Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0 FOR 2 YEARS.

Tracking #: 2163

B8.5 SP2024-108 - JASON HUSSEY

Synopsis: Special Use Permit for an earthen fill at 732 North 57th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0 FOR 1 YEAR.

Tracking #: 2169

C. Master Plan Amendment Application

C8.1 MPL2024-014 - JOSH AND JENNA BEUERLEIN WITH 4J ENTERPRISES, LLC

Synopsis: Master Plan Amendment from Low-Density Residential to Mixed-Use at 8010 Parallel Parkway, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Tracking #: 2174

D. Miscellaneous

D8.1 AN ORDINANCE rezoning property at 810 North 10th Street, 1007 Armstrong Avenue, and 1013 Armstrong Avenue (COZ2024-031) from R-1(B) Single Family District to RP-2(B) Planned Two Family District, RECOMMENDED FOR APPROVAL.

Tracking #: 2156

D8.2 AN ORDINANCE rezoning property at 621 North 17th Street (COZ2024-035) from R-1(B) Single Family District to R-2(B) Two Family District, RECOMMENDED FOR APPROVAL.

Tracking #: 2157

D8.3 AN ORDINANCE authorizing a Special Use Permit (SP2024-089) for continuation of a Short-Term Rental at 535 Central Avenue, RECOMMENDED FOR APPROVAL.
Tracking #: 2158

D8.4 AN ORDINANCE authorizing a Special Use Permit (SP2024-102) for continuation of a Short-Term Rental at 2520 North 131st Street, RECOMMENDED FOR APPROVAL.
Tracking #: 2159

D8.5 AN ORDINANCE authorizing a Special Use Permit (SP2024-104) for continuation of a Short-Term Rental at 419 North 6th Street, RECOMMENDED FOR APPROVAL.
Tracking #: 2160

D8.6 AN ORDINANCE authorizing a Special Use Permit (SP2024-106) for operation of an emergency group home and event space at 901 North 8th Street, RECOMMENDED FOR APPROVAL.
Tracking #: 2155

9. PLANNING AND ZONING NON-CONSENT AGENDA

A. Special Use Permit Application(s)

A9.1 SP2024-105 - BRANDON THOMPSON

Synopsis: Special Use Permit for a short-term rental at 6429 Leavenworth Road, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 1 FOR 1 YEAR.
Tracking #: 2168

A9.2 SP2024-109 - TODD HUFFMAN WITH DENT AND DETAIL CLINIC

Synopsis: Special Use Permit for auto repair and detailing at 5015 Gibbs Road, RECOMMENDED FOR APPROVAL BY A VOTE OF 6 TO 2 FOR 2 YEARS.
Tracking #: 2170

REGULAR COMMISSION

10. REGULAR CONSENT AGENDA

10.1 RESOLUTION: AMENDING 2024 PARKS AND RECREATION DEPARTMENT BUDGET

Synopsis: A resolution amending 2024 Parks and Recreation budget.

*On January 13, 2025, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 21565

10.2 RESOLUTION: AMENDING PREVIOUS RESOLUTION OF INTENT TO ISSUE INDUSTRIAL REVENUE BONDS (AMERICAN ROYAL PROJECT)

Synopsis: Approval of a resolution amending Resolution No. R-52-23 previously adopted regarding intent to issue industrial revenue bonds in the amount not to exceed \$250,000,000 for the benefit of the American Royal Association and its successors and assigns for sales tax exemption only.

*On January 13, 2025, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 21643

10.3 MINUTES

Synopsis: Minutes from the Regular Session meeting on October 12, 2023, and from the Strategic Retreat meeting on January 11, 2025.

Tracking #: MINUTES

10.4 WEEKLY BUSINESS

Synopsis: Weekly business materials dated December 19, 2024, and January 2, 9, and 16, 2025.

Tracking #: WEEKLY BUSINESS

10.5 APPOINTMENT: BOARDS AND COMMISSIONS

Synopsis: **Community Benefits Advisory Board:** Appointment of Dr. Nozella Brown - Term 12/14/24 to 12/31/25, submitted by Mayor Garner.

Tracking #: 2192

11. PUBLIC HEARING AGENDA

12. STANDING COMMITTEES' AGENDA

13. ADMINISTRATOR'S AGENDA

13.1 RESOLUTION: AUTHORIZE COUNTY ADMINISTRATOR TO CALCULATE CERTAIN NEW REVENUE

Synopsis: A resolution to authorize the County Administrator to calculate certain new revenue for the purposes of recommending budgetary options to retire existing debt to the Board of Commissioners.

Tracking #: 2193

14. COMMISSIONERS' AGENDA

14.1 TRAVEL REQUEST: COMMISSIONER RAMIREZ

Synopsis: Request to travel for Unified Government business to Washington DC, to attend the National League of Cities (NLC) Congressional City Conference for 2025, submitted by Commissioner Ramirez.

Tracking #: 2136

15. ADJOURN

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

Location: Hybrid

We invite you to view the meeting in person in the Commissioner Chambers, Lobby Level of the Municipal Office Building, 701 N 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/84749950038>

Webinar ID: 847 4995 0038

Phone one-tap:

+12532050468,84749950038# US

+12532158782,84749950038# US (Tacoma)

Join via audio:

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877 853 5257 US (Toll Free) 888 475 4499 US (Toll Free)

International numbers available: <https://us02web.zoom.us/u/kcSay1u6O>



PROCLAMATION

- WHEREAS,** Dr. Martin Luther King Jr. devoted his life to advancing equal opportunity, social justice, and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and
- WHEREAS,** Dr. King’s teachings can continue to guide and inspire us in addressing challenges and inequities within our local community; and
- WHEREAS,** serving on the King Holiday is an appropriate way to honor Dr. King, meet local needs, bring our citizens together, and strengthen our communities and nation; and
- WHEREAS,** the King Day of Service is the only federal holiday commemorated as a National Day of Service, and offers an opportunity for Americans to give back to their communities on the holiday and make an ongoing commitment to service throughout the year; and
- WHEREAS,** each of us can and must contribute to making our communities better with increased opportunity for all our citizens; and
- WHEREAS,** as a collective, the Martin Luther King, Jr. Day Committee reaffirms the commitment of the community to advance the values and principles of Dr. King’s work through service, collaboration, and kindness.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim January 20, 2025, as:

“Martin Luther King Jr. Committee Day”

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

TYRONE GARNER, MAYOR/CEO



PROCLAMATION

- WHEREAS,** Michael Rebout gave Terry Gray her first job at Indian Springs Flower Boutique in 1972, Married in September of 1974, and on Sept 24, 2024, celebrated their 50th wedding anniversary; and
- WHEREAS,** in December of 1974 they bought Kassik's Flowers located at 44 S. 7th St. Kansas City, KS; and
- WHEREAS,** in 1980 they purchased their current building at 1900 Central Ave. Kansas City and renamed the shop to Michael's Heritage Florist; and
- WHEREAS,** they started a family and raised 3 children, Gretchen, Matthew, and Justin, who all helped in the flower shop. Currently, Gretchen and her son, Ian, play an active role in the daily operations of the business; and
- WHEREAS,** Family involvement, customer loyalty, and treating customers like family have been the driving force in their success as well as a diverse community of customers who have become family; and
- WHEREAS,** Michael, Terry, and Gretchen (Kelley) all have an active part in the daily operations of the business in ensuring a quality product and great customer service, doing what they love, creating beautiful designs for all occasions, and being a cornerstone on Central Ave; and
- WHEREAS,** the Rebout and Kelley families are proud to have served the community for the past 50 years. They plan on continuing here in Kansas City Kansas and take pride in growing their business at 1900 Central Ave in Kansas City KS celebrating the past and embracing the future; and
- WHEREAS,** Michael Rebout continues to work designing flowers as one of his FAVORITE thing to do and is entering his 75th year of life on January 29, 2025 Terry Rebout continues to design and manage the family business and has entered her 70th year of life on September 24, 2025.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim Friday, January 29, 2025, as:

“Michael’s Heritage Florist Day”

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

TYRONE GARNER, MAYOR/CEO



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: January 30, 2025
Re: **Change of Zone Petition COZ2024-036**

GENERAL INFORMATION

Applicant Information:

Luke Williams
Ravinia Farms, LLC
9317 Woodend Road
Edwardsville, Kansas 66111

Subject Property:

7301 State Avenue
Kansas City, Kansas 66112

Requested Action and Purpose:

Approval of a Change of Zone from CP-2 Planned General Business to CP-3 Planned Commercial District for a landscaping business.

Commission Districts:

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

Existing Zoning District(s):

CP-2 Planned General Business
District

Proposed Zoning District(s):

CP-3 Planned Commercial District



	Adjacent Zoning	Adjacent Uses
North	C-1 Limited Business and CP-2 Planned General Business Districts	KCK Community College and Retail Businesses
South	MP-2 Planned General Industrial District	Vacant Lot
East	CP-3 Planned Commercial and MP-2 Planned General Industrial Districts	Self-Storage Facility and Vacant Lots
West	R-1 Single-Family, C-1 Limited Business, and CP-2 Planned General Business Districts	Drive-Thru Restaurants and Vacant Lots

Total Tract Size: 10.06 Acres

Comprehensive Plan Area: PlanKCK Comprehensive Plan

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

Major Street Plan: The goDotte County-Wide Mobility Strategy designates State Frontage Road as a Local Street.

Parking Requirement: Section 27-466(e) states “Uses in this district require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building”.

The property contains approximately 17,700 square feet of floor area, which requires 70 spaces. The property currently proposes to provide 118 parking spaces.

Landscaping Requirement: Section 27-466(g) states “Trees are required to be provided at not less than one per 7,000 square feet of site area”.

Section 27-577(a)(5) states “Landscaping shall exceed the typical code requirements by at least 75 percent”.

There is 438,214 square feet of site area.
With the 75 percent multiplier, 110 trees are to be provided on the site.

Additional landscaping will be required on-site to provide proper screening.

Advertisement:	<u>The Wyandotte Echo</u> – December 19, 2024 <u>Letters to Property Owners</u> – December 20, 2024
Public Hearings:	January 13, 2025 and January 30, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Luke Williams, is requesting a Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District to relocate a landscaping company to 6909 State Avenue.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. There have been seven (7) notices of violation on the subject property since 1999.
 - a. 2023 – UNF23-0227 – Unfit Structure
 - b. 2015 – 15395-00067 – Stop Work Order – Remodel without Permit
 - c. 2009 – 09209-01478 – Environment – Parking in Grass
 - d. 2007 – 07208-01305 – Environment – Parking in Grass
 - e. 2004 – 04208-00962 – Environment – Parking in Grass
 - f. 2002 – 02212-00911 – Environment – Weeds and Trash
 - g. 1999 – 99208-00392 – Environment – Parking in Grass

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Victory Hills Statistical Neighborhood. The neighborhood consists of a variety of uses, including retail, drive-thru restaurants, a self-storage lot, and the KCKCC Campus. The property is located along the State Avenue mixed-use corridor, which runs east to Downtown KCK and West into Leavenworth County.

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

The zoning and uses are set out above. The proposed use is for a landscaping company, which will include storage of equipment and materials. This use will be of a higher intensity than the previous use as a car lot and more intense than the surrounding uses. Proper buffering and screening will be required. Additionally, all storage of materials and equipment must be contained within the building to prevent any impacts to nearby businesses or properties.

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

The property is suitable in terms of size for the use as landscaping company. There is the potential, however, for impacts on nearby property from both storage of equipment and materials, and on the stream and floodway on the property. If equipment is not stored properly, buffers are not instituted and maintained properly, or overall the property is not managed properly, there is the potential for significant impact.

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

The property has been vacant since 2022, when it was last used as a used automobile dealership.

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 not reasonably necessary for the convenience and welfare of the public. The use has the potential to negatively impact the visual quality,

marketability, and use of nearby property either if the site is not managed properly, or if proper buffering and screening is not integrated on site.

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 is not expected to result in an increase in traffic that would exceed the capacity of State Frontage Road, a local street.

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

The PlanKCK Comprehensive Plan designates the subject property as Corridor Mixed Use, which allows for medium scale, up to five story buildings that integrate complimentary land uses such as retail, office, small businesses and residential. The proposed use does not conform to the Comprehensive Plan, but, no changes are needed to the Comprehensive Plan designation, as the proposed use does not preclude a future, highest and best use of the property.

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

The proposed use has the potential to harm the environment if not managed properly. There is a floodway and floodplain present on the subject property, with a streamway running along the perimeter of the property. Outdoor storage of materials is prohibited as part of the zoning district, which should limit impacts. Proper buffering will need to be utilized on the subject property to further mitigate any potential impact.

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

a. *Electric and Water Service*

BPU provides electric and water service.

b. *Sanitary Sewer Service*

The UG provides sanitary sewer service.

c. *Storm Water Control*

The UG provides storm water control, with inlets along State Avenue.

d. *Police*

Police service is provided by West Patrol, District #221.

e. Fire

Fire service is provided by Station #4, which is one and one half (1 ½) miles away from the subject property.

f. Transit

Public Transit is provided by KCATA Route 101, with a stop at Campus Blvd and State Ave.

g. Schools

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

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

The economic impact of the proposed use is limited. The proposed use is repurposing a currently vacant commercial space, which will generate additional income for the city.

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

With revisions to provide adequate buffering from the floodplain and open space, as well as revisions to the site and landscape plan, the proposed use is capable of meeting ordinance requirements.

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

The relative gain to public health and safety is minimal. If denied, the applicant could not relocate their business to this property.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting on December 27, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Pedestrian Connection
Buffering and Screening
Obsolete Signage
Scope of the Business
Floodplain
Open Space

PLANNING COMMISSION RECOMMENDATION

The City Planning Commission voted 8 to 0 to recommend **APPROVAL** of Change of Zone Petition **COZ2024-036**, subject to:

1. **The applicant must file a Final Development Plan, and provide details of their proposed fueling island, upgraded fencing, and any additional improvements;**
 - a. **All improvements must be proposed according to conditions outlined in this report;**
2. **A sidewalk connection shall be provided to State Avenue, with a pedestrian pathway to the front door of the business;**
3. **To ensure proper buffering for the streamway and preservation of the open space in the rear, an open space easement shall be recorded. This space should include the entirety of the creek and surrounding open space, as well as the unimproved open space behind the building and south;**
4. **Per C-3/CP-3 District guidelines as well as FEMA regulations for floodplains, there shall be no outdoor storage of equipment or materials. All storage must occur within the building, or an additional building shall be constructed for this purpose;**
5. **Additional bushes, shrubs, trees shall be provided on portion of frontage located east of the driveway entrance;**
6. **The pole sign on the property shall be removed, as it is an obsolete sign, now prohibited by the sign ordinance;**
7. **All lights on property shall have a 90-degree cutoff, to prevent light from being cast on nearby property, or the roadway;**
8. **The applicant shall ensure that they have obtained all proper permits from the local, State, and Federal agencies accordingly, as well as the respective drainage districts, as applicable;**
9. **The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a building permit;**
10. **The Subject Property is within a 100-year Special Flood Hazard Area (SFHA). A SFHA is defined as the area that would be inundated by the flood event having a one (1) percent chance of being equaled or exceeded in any given year. Before the alteration to or construction of any new structure on the subject property, the applicant shall submit the following required information for review:**
 - a. **A Survey shall be provided showing the property lines, setbacks, proposed and existing building elevations, 100-year floodplain and/or floodway shall be designated, the base flood elevation provided, FIRM panel number, and effective date shall be included. The Survey is**

required to be signed and sealed by and Kansas licensed surveyor or engineer;

11. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for all new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other development:
 - a. Design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - b. Construction with materials resistant to flood damage;
 - c. Utilization of methods and practices that minimize flood damages;
 - d. All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - e. New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination from them during flooding; and,
 - f. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
 - i. All such proposals are consistent with the need to minimize flood damage;
 - ii. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 - iii. Adequate drainage is provided so as to reduce exposure to flood hazards; and,
 - iv. All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data;
12. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for Construction Elevation Inspections when the project is approved for construction:
 - a. Certificate of elevation shall be provided when the top of the first floor has been constructed.
 - b. Final certificate of elevation shall be provided when the structure is completed and prior to the request for a final inspection (TCO/CO);
13. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for the Storage of Materials and Equipment:
 - a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.

- b. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning;
14. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 15. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
 16. If approved, the applicant must file and maintain a current business occupation tax application with this office;
 17. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 18. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 19. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 20. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street.
 21. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
 22. A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;

- 23. Section 27-696(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;**
- 24. Section 27-573 acknowledges the use of the Commercial Design Guidelines and their use in this district as established by Ordinance O-50-06;**
- 25. Regarding BPU transformer screening, the following applies:**
- a. Gate doors are required for all types of screening that are placed in front of the transformers.**
 - b. Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet of clearance from pad when gate doors open.**
 - c. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.**
 - d. For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.**
 - e. Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking into account the growth of saplings).**
 - f. Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open**
- 26. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a final CO;**
- 27. A Temporary Certificate of Occupancy (TCO) shall not be issued unless all life/safety items have been addressed;**

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

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2024-036** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Floodplain Map
Neighborhood Meeting Materials
Applicant Response to Staff Comments
Site Plan
Landscape Plan
Site Photos, Taken by Staff, Dated December 18, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	January 13, 2025 (Approval)	January 30, 2025

STAFF CONTACT:

James Molloy
jlmolloy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-036** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to

resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-036**, 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.

ATTACHMENTS

JANUARY 13, 2025 CITY PLANNING COMMISSION MINUTES

Hearing starts at 1:17:02:

CHANGE OF ZONE APPLICATION COZ2024-036 – TIM WINKLER – SYNOPSIS:

Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District to operate a landscape company at 7301 State Avenue.

Detailed Outline of Requested Action: The applicant, Tim Winkler, is requesting a Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District to relocate a landscaping company to 7301 State Avenue.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Tim Winkler, applicant, 1010 Walnut Street, Suite 500, Kansas City, Missouri 64106

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:20:53: Planning Director Hand stated that this is for a Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District to operate a landscape company. This Change of Zone is primarily needed because outside storage is not allowed in the C-2 District, but is allowed in C-3 District. This property is located in the PlanKCK Area Plan in the Midtown Neighborhood. Staff received no letters in support or in opposition. There are old Notices of Violation on this property from the previous property owner. Staff recommends approval with conditions, including a Final Development Plan, an open space buffer, and a sidewalk connection to State Avenue. As it relates to Condition #8, the creek on the property was channelized, but the flood hazard zone was unchanged. Staff's reasoning for adding in that condition was that the property already had over the recommended amount of parking spaces and this reduction could also reduce impervious surfaces. There is

another condition that requires the applicant to record the open space that is not being used, primarily in the heavily wooded area to the south, and according to Director Hand, addresses the issue more than reducing the parking lot 40 spaces. Staff recommends approval with removal of Condition #8 as the intent is still reached by another condition.

The Planning Commission directed questions to Director Hand.

Motion starts at 1:24:33:

On motion by Ms. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to **recommend APPROVAL of COZ2024-036:**

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

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

- 1. The applicant must file a Final Development Plan, and provide details of their proposed fueling island, upgraded fencing, and any additional improvements;
 - b. All improvements must be proposed according to conditions outlined in this report;****
- 2. A sidewalk connection shall be provided to State Avenue, with a pedestrian pathway to the front door of the business;**
- 3. To ensure proper buffering for the streamway and preservation of the open space in the rear, an open space easement shall be recorded. This space should include the entirety of the creek and surrounding open space, as well as the unimproved open space behind the building and south;**
- 4. Per C-3/CP-3 District guidelines as well as FEMA regulations for floodplains, there shall be no outdoor storage of equipment or materials. All storage must occur within the building, or an additional building shall be constructed for this purpose;**
- 5. Additional bushes, shrubs, trees shall be provided on portion of frontage located east of the driveway entrance;**
- 6. The pole sign on the property shall be removed, as it is an obsolete sign, now prohibited by the sign ordinance;**
- 7. All lights on property shall have a 90-degree cutoff, to prevent light from being cast on nearby property, or the roadway;**
- ~~8. As the property provides an excess of 40 parking spaces, staff suggests that some spaces/pavement, particularly abutting the creek and floodway,~~**

be removed and returned to open space; (Removed by City Planning Commission)

29. The applicant shall ensure that they have obtained all proper permits from the local, State, and Federal agencies accordingly, as well as the respective drainage districts, as applicable;
30. The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a building permit;
31. The Subject Property is within a 100-year Special Flood Hazard Area (SFHA). A SFHA is defined as the area that would be inundated by the flood event having a one (1) percent chance of being equaled or exceeded in any given year. Before the alteration to or construction of any new structure on the subject property, the applicant shall submit the following required information for review:
 - c. A Survey shall be provided showing the property lines, setbacks, proposed and existing building elevations, 100-year floodplain and/or floodway shall be designated, the base flood elevation provided, FIRM panel number, and effective date shall be included. The Survey is required to be signed and sealed by and Kansas licensed surveyor or engineer;
32. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for all new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other development:
 - g. Design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - h. Construction with materials resistant to flood damage;
 - i. Utilization of methods and practices that minimize flood damages;
 - j. All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - k. New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination from them during flooding; and,
 - l. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
 - i. All such proposals are consistent with the need to minimize flood damage;
 - ii. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;

- iii. Adequate drainage is provided so as to reduce exposure to flood hazards; and,
 - iv. All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data;
33. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for Construction Elevation Inspections when the project is approved for construction:
- c. Certificate of elevation shall be provided when the top of the first floor has been constructed.
 - d. Final certificate of elevation shall be provided when the structure is completed and prior to the request for a final inspection (TCO/CO);
34. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for the Storage of Materials and Equipment:
- c. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
 - d. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning;
35. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
36. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
37. If approved, the applicant must file and maintain a current business occupation tax application with this office;
38. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
39. All existing and future driveways must feature curb cuts that are constructed to UG standards;
40. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;

- 41. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street.**
- 42. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;**
- 43. A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
- 44. Section 27-696(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;**
- 45. Section 27-573 acknowledges the use of the Commercial Design Guidelines and their use in this district as established by Ordinance O-50-06;**
- 46. Regarding BPU transformer screening, the following applies:**
 - g. Gate doors are required for all types of screening that are placed in front of the transformers.**
 - h. Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet of clearance from pad when gate doors open.**
 - i. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.**
 - j. For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.**
 - k. Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between**

each tree taking into account the growth of saplings).

- I. Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open
47. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a final CO;
48. A Temporary Certificate of Occupancy (TCO) shall not be issued unless all life/safety items have been addressed;
49. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



FLOODPLAIN MAP



NEIGHBORHOOD MEETING MATERIALS

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Illinois)
COUNTY OF St. Clair) SS:

Comes now Luke M Williams of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition #COZ2024-036.
2. That I conducted a neighborhood meeting on Friday, December 27, 2024, at 4:00 p.m. via Zoom.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

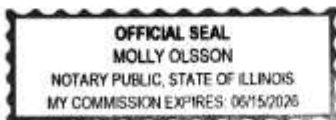
Further affiant saith not.

Luke M Williams
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 27th day of December, 2024.

My commission expires 15th of June, 2026

Molly Olsson
Notary Public



MEETING MINUTES:

Application Number: COZ2024-036
Date and Location: Friday, December 27, 2024, at 4:00 p.m. via Zoom:
<https://us02web.zoom.us/j/85153216632?pwd=4FeEnjw4lf8AfBYlqGmK0AtdXjU587.1>
Meeting ID: 851 5321 6632
Passcode: 300113

Meeting called to order at: 4:00 p.m.

Names of people in attendance:

1. Luke Williams (Ravinia Farms/Focal Pointe)
2. Curt Marchand (Ravinia Farms/Focal Pointe)
3. Tim Winkler (Lewis Rice)

Introductions: Only representatives of the applicant attended the meeting, and no questions or comments were submitted prior to the meeting.

Questions and answers (include the following): N/A

Meeting adjourned at: 4:32

Minutes taken by: Tim Winkler

Tim Winkler
816-472-2559
twinkler@lewisriceks.com

December 12, 2024

NFC Land & Cattle
1081 S. Glendale St.
Wichita, KS 67218

Re: Neighborhood Meeting

Dear Property Owner:

On behalf of Ravinia Farms, LLC, we have filed an application with the Planning + Urban Design Department #COZ2024-036. The purpose of this application is for a change of zone to allow for the operation of a landscape business at the following address: 7301 State Avenue, Kansas City, KS 66112. The meeting will be conducted virtually as set out below.

Meeting Date & Time: December 27, 2024 at 4:00 pm

Meeting Location/Link:

<https://us02web.zoom.us/j/85153216632?pwd=4FeEnjw4lf8AfbYlqGmK0AtdXjU587.1>

Meeting ID: 851 5321 6632 Passcode: 300113

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have. We look forward to seeing you at the neighborhood meeting. If you are unable to attend, or if you have questions, please contact:

Luke Williams	or	Curt Marchand
618-484-8205		913-602-2775
Luke.Williams@yourfocalpointe.com		CMarchand@yourfocalpointe.com

You may also contact me at the phone number and email listed above.

Sincerely,

Tim Winkler

Timothy A. Winkler

APPLICANT RESPONSE TO STAFF COMMENTS AND SUGGESTIONS

LEWIS RICE

1010 Walnut – Suite 500 Kansas City, Missouri 64106 t: 816-421-2500 f: 816-472-2500

Timothy A. Winkler
816-472-2559
tawinkler@lewisricekc.com

December 23, 2024

VIA EMAIL: EDR@wycokck.org

Unified Government of Wyandotte County & Kansas City, Kansas
701 N. 7th Street, Suite 423
Kansas City, Kansas 66101
Attn: James Molloy

Re: COZ2024-036 & 7301 State Avenue

Dear Mr. Molloy:

In response to your email dated December 18, 2024 and the draft Staff Report, I am providing a brief response to the Staff Comments and Suggestions below. As previously discussed, Applicant is engaging an engineer and will provide additional and revised plans as soon as possible. The revised plans may remove the additional driveway and make changes which could have an impact on which Staff Report and Comments are applicable. Accordingly, Applicant's responses to Staff Reports and Comments are subject to change based on the engineer's feedback, additional, revised plans, and modified Staff Reports and Comments.

Planning and Urban Design Comments

1-9, and 11. Applicant acknowledges it will coordinate with the engineer on the revised, additional plans, and will address these comments at a future date following preparation of the revised plans.
10. Applicant will not have a retail space for customers to visit.

Planning Engineering Comments

B. Applicant will respond to Engineering comments in a separate letter.

Floodplain Conditions

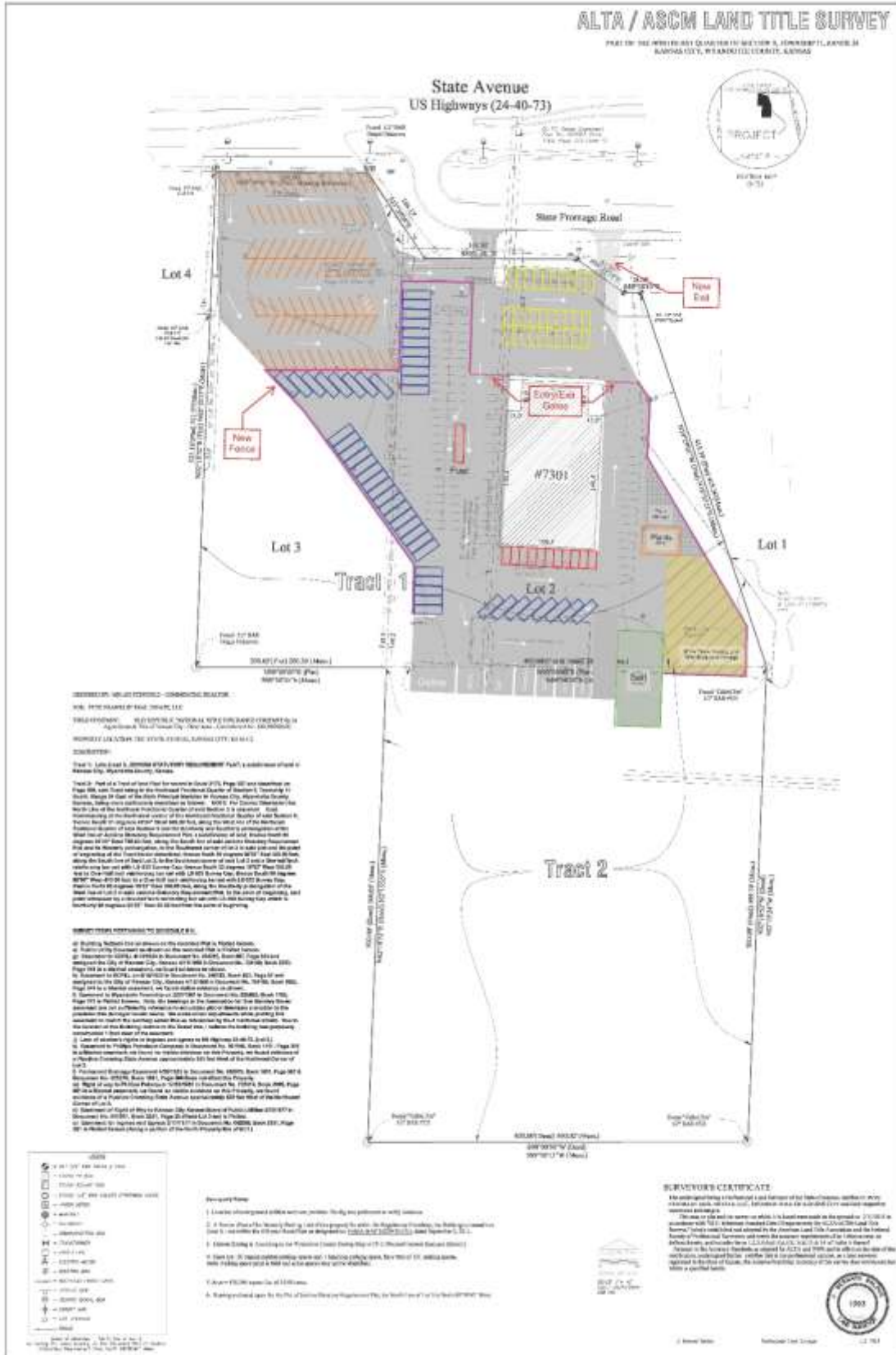
1-6. Applicant acknowledges it will coordinate with the engineer on the revised, additional plans, and will address these comments at a future date following preparation of the revised plans.

Standard Conditions

1-14. Applicant acknowledges it will coordinate with the engineer on the revised, additional plans, and will address these comments at a future date following preparation of the revised plans.

Established 1909

SITE PLAN



SITE PHOTOS, TAKEN BY STAFF, DATED DECEMBER 18, 2024





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: January 30, 2025
Re: Change of Zone Petition COZ2024-037 and MPL2024-014

GENERAL INFORMATION

Applicant Information:

Josh and Jenna Beuerlein
4J Enterprises
19537 174th Street
Tonganoxie, KS 66086

Subject Property:

8010 Parallel Parkway
Kansas City, KS 66112

Requested Action and Purpose:

Approval of a Change of Zone from C-0 Nonretail Business District from CP-1 Planned Limited Business District and Master Plan Amendment from Low-Density Residential to Low-Density Mixed Use (PlanKCK).

Commission Districts:

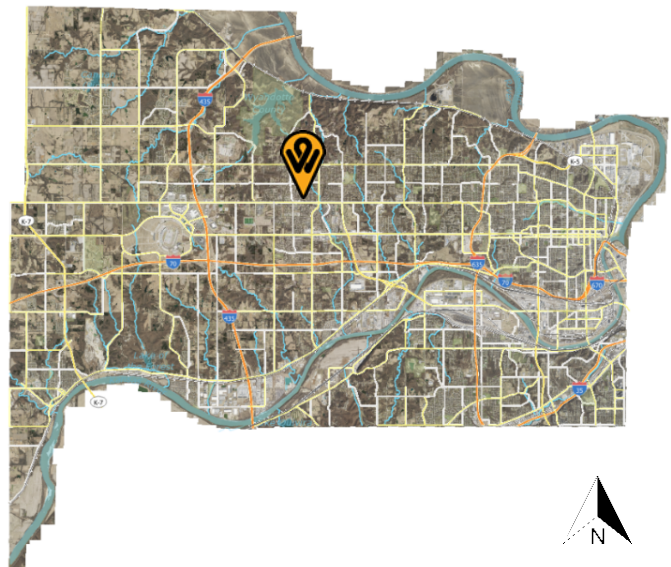
Commissioner At-Large, District #1:
Melissa Bynum
District #5 Commissioner:
Michael Kane

Existing Zoning District(s):

C-0 Nonretail Business District

Proposed Zoning District(s):

CP-1 Planned Limited Business District



	Adjacent Zoning	Adjacent Uses
--	------------------------	----------------------

North	C-0 Nonretail Business and R-1 Single Family Districts	Single-family homes
South	RP-4 Planned Garden Apartment District	Duplexes
East	C-0 Nonretail Business District	Single-family home
West	C-0 Nonretail Business District	Commercial offices

Total Tract Size: 0.63 Acre

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates this property as Low Density Residential. This designation allows single-family, detached residential development on the standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of the block and/or with frontage on a commercial, mixed-use corridor or neighborhood corridor is allowed.

A Master Plan Amendment application to Low-Density Mixed Use has been applied for, which allows mixed-use buildings with low-profile commercial, limited retail and/or office uses at the street level with residential and/or office uses above. Live/work units with commercial/retail at street level and residential above are allowed if the work units on the first floor contribute to the residential nature of the block.

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

Parking Requirement: Sec. 27-464(e) Uses in this district require paved off-street parking spaces at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. 10 spaces are required. 9 spaces are provided—the Applicant needs to provide three (3) additional parking space, two (2) of which shall be reserved for the residential

unit.

Landscaping Requirement:

Sec. 27-464(g) Trees are required to be provided at not less than one (1) tree per 7,000 square feet of site area. Screening or buffer plantings are to be provided along all side and rear property lines common to or across an alley from single-family or two-family zoned property.

Advertisement:

The Wyandotte Echo – December 19, 2024
Letters to Property Owners – December 20, 2024

Public Hearings:

January 13, 2025 and January 30, 2025

Public Support:

None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Josh and Jenna Beuerlein with 4J Enterprises, wants to rezone 8010 Parallel Parkway from C-0 Nonretail Business District to CP-1 Planned Limited Business District to operate a speech therapy business/office with one (1) apartment dwelling unit on the second floor.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. There are no building, zoning or code enforcement complaints on the subject property.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. Appeal #1126 – Variance for a reduction of the front yard and side yard, interior setbacks approved by the Board of Zoning Appeals on July 2, 1979.
2. Appeal #1159 – Variance for setback of ground signs and size of wall signage approved by the Board of Zoning Appeals on December 2, 1979.

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

This area is part of the Victory Hills Statistical Neighborhood, Census Block Group #0442013. The area along Parallel Parkway is a mixture of commercial businesses on the north side and single-family homes and duplexes on the south side of Parallel Parkway.

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 a speech therapy office, formerly a beauty salon that will provide parking for employees and customers in the rear of the building on the first floor and a residential unit on the second floor. This property is bordered by single-family homes to the north and east, duplexes to the south, across Parallel Parkway and commercial offices to the west.

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

Removal of the restrictions will not detrimentally affect nearby property because the proposed zoning district does not allow intense commercial uses/businesses. General, professional, and medical offices are permitted, which is not a noxious use when abutting residential zoning districts. Additional landscaping in the parking lot and along Parallel Parkway, maintaining of existing tree stands buffering this property from the single-family homes to the north are required as part of this proposal.

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

The property may be vacant now because there is a new applicant/property owner filing for a Change of Zone, but the Business Licensing Division records indicate various hair salon operators with licenses up to December 31, 2024. A rental license was applied for by the applicant, and is the only (residential) rental license associated with the property.

- 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 clients who need speech therapy. The site and building are not changing, other than making repairs to the parking lot, landscape plantings and obtaining the necessary permits to ensure compliance with the Building Inspection Division and KCKFD. The Change of Zone to CP-1 Planned Limited Business District allows office uses, limited commercial retail and mixed-use residential occupancy, which will not permanently injure the appropriate use, visual quality or marketability of nearby property because the use has been in commercial building in existence since 1980.

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

The proposed use will not increase traffic or parking demand in ways that will adversely affect road capacity, safety, or create parking problems because the commercial use of the building and its parking lot has been in existence since at least 1979. Additionally, the speech therapy will have a high-turnover and are typically, appointment-only and have a high-familiarity with clients.

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

The proposed use does not conform to the PlanKCK Comprehensive Plan, which designates this property as Low Density Residential. This designation allows single-family, which detached residential development on the standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of the block and/or with frontage on a commercial, mixed-use corridor or neighborhood corridor is allowed.

A Master Plan Amendment application to Low-Density Mixed Use has been submitted, allows mixed-use buildings with low-profile commercial, limited retail and/or office uses at the street level with residential and/or office uses above. Live/work units with commercial/retail at street level and residential above are allowed if the work units on the first floor contribute to the residential nature of the block.

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

If the site is properly managed and maintained, the proposed use will not cause environmental harm. There will be additional landscaping planted around the perimeter of the site that will enhance the streetscape along Parallel Parkway and buffering of neighbors to the east.

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

a. Electric and Water Service

To be provided by BPU Electric and Water Divisions.

b. Sanitary Sewer Service

UG provides sanitary sewer service.

c. Storm Water Control

To be designed to meet City Code.

d. Police

Police service is provided by West Patrol, District 225.

e. Fire

Fire service is provided by Station #4, located at North 81st Street and Leavenworth Road, which is one (1) mile from the subject property.

f. Transit

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

g. Schools

Public Education is provided by Bethel Elementary School, Eisenhower Middle School, and Washington High School, under Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

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

The proposed use will have a minimal economic impact on the community. The property owner will generate commercial property tax for the Unified Government due to the commercial office rather than residential property tax even as a mixed-use building.

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

With revisions to the site and floor plans and additional landscape plantings, the proposed use is capable of meeting applicable ordinance requirements.

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

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal as speech therapy is allowed in C-0 Nonretail Business District. If this application is denied, the applicant will need to convert the residential space to commercial office space or wait for one (1) year to re-apply for a Change of Zone to CP-1 Planned Limited Business District.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on December 30, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Parking (Variance may be required)
Building Use
Parking Lot Improvements
Buffering/Screening

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Change of Zone Application **COZ2024-037** and Master Plan Amendment Application **MPL2024-014**, subject to:

1. The following requirements of the Commercial Development Guidelines Overlay District *have not* been met, and from which Applicant is requesting a deviation for approval:
 - a. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.
 - i. Section 27-577(b)(3)(a) states that 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.

- ii. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them;
2. The ramp at the southwest corner of the building needs to have a handrail regardless if the doors are locked;
3. Section 27-463(g) Trees are required at not less than one (1) per 7,000 square feet of site area. Screening or buffer plantings are to be provided along all side and rear property lines common to or across an alley from single-family or two-family zoned property;
4. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.
 - a. Section 27-577(b)(3)(a) states that one tree with a minimum caliper of two (2) inches (ornamental evergreen trees must be at least six (6) feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them;
5. Maintain the existing tree stand around the rear of the property, primarily along the east and north property lines as a buffer from the single-family homes to the north;
6. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
8. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
9. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
 - a. Confirm with the Building Inspection Division that a building permit was obtained by the previous property owner. If a building permit was

not issued and thereby inspected, obtain a retroactive building permit from the Building Inspection Division to ensure that the dwelling unit is code compliant;

11. All existing and future driveways must feature curb cuts that are constructed to UG standards;
12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
14. Section 27-211(g)(9)b. Failure to fulfill the conditions within one (1) year of Unified Government Board of Commissioners approval shall necessitate the scheduling of a public hearing with requisite notice before the Unified Government Board of Commissioners. At this public hearing, the Unified Government Board of Commissioners shall consider all of the relevant factors and either approve, approve with conditions, or deny the rezoning application.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petitions **COZ2024-037** and **MPL2024-014** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Site Plan
Floor Plan
Site Photographs provided by the Applicant.
Site Photographs taken by Staff on December 30, 2024.

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	January 13, 2025 (Approval)	January 30, 2025

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

MOTIONS

MASTER PLAN AMENDMENT

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2024-014** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

- 1. _____;
- 2. _____; And
- 3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2024-014**, 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.

CHANGE OF ZONE

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-037** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

- 1. _____;
- 2. _____; And
- 3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-037**, 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.

January 13, 2025 City Planning Commission Minutes:

Hearing starts at 1:26:14:

CHANGE OF ZONE APPLICATION COZ2024-037 – JOSH AND JENNA BEUERLEIN
– **SYNOPSIS:** Change of Zone from C-0 Non-Retail Business District to CP-1 Planned Limited Business District for a legal-non-conforming mixed-use building at 8010 Parallel Parkway.

MASTER PLAN AMENDMENT MPL2024-014, Master Plan Amendment from Low-Density Residential to Mixed-Use at 8010 Parallel Parkway.

Detailed Outline of Requested Action: The applicant, Josh and Jenna Beuerlein with 4J Enterprises, wants to rezone 8010 Parallel Parkway from C-0 Nonretail Business District to CP-1 Planned Limited Business District to operate a speech therapy business/office with one (1) apartment dwelling unit on the second floor.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Josh Beuerlein, applicant, 19537 174th Street, Tonganoxie, Kansas 66086

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:30:16: Planning Director Hand stated that this is a Change of Zone from C-0 Non-Retail Business District to CP-1 Planned Limited Business District to allow for a rental apartment above an office. This property is located in the PlanKCK area in the Midtown neighborhood. Staff received no letters in support or in opposition. There are no Notices of Violation. Staff recommends approval with conditions. Director Hand noted that while the property was currently zoned C-0 for office, the land use has always been residential, so transitioning to a Mixed-Use project aligns the zoning with the historic intent of the original land use category.

The Planning Commission directed questions to Director Hand.

Motion starts at 1:33:51:

On motion by Ms. Jones, seconded by Mrs. Schwartz, the Planning Commission voted

as follows to recommend APPROVAL of MPL2024-014:

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

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

- 1. The following requirements of the Commercial Development Guidelines Overlay District *have not* been met, and from which Applicant is requesting a deviation for approval:
 - a. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.
 - i. Section 27-577(b)(3)(a) states that 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.**
 - ii. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them;******
- 2. The ramp at the southwest corner of the building needs to have a handrail regardless if the doors are locked;**
- 3. Section 27-463(g) Trees are required at not less than one (1) per 7,000 square feet of site area. Screening or buffer plantings are to be provided along all side and rear property lines common to or across an alley from single-family or two-family zoned property;**
- 4. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.
 - a. Section 27-577(b)(3)(a) states that one tree with a minimum caliper of two (2) inches (ornamental evergreen trees must be at least six (6) feet tall when planted) provided for every 30 feet of street easement or frontage.**
 - b. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them;****
- 5. Maintain the existing tree stand around the rear of the property, primarily along the east and north property lines as a buffer from the single-family homes to the north;**
- 6. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All**

- evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 8. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
 9. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
 - a. Confirm with the Building Inspection Division that a building permit was obtained by the previous property owner. If a building permit was not issued and thereby inspected, obtain a retroactive building permit from the Building Inspection Division to ensure that the dwelling unit is code compliant;
 11. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 14. Section 27-211(g)(9)b. Failure to fulfill the conditions within one (1) year of Unified Government Board of Commissioners approval shall necessitate the scheduling of a public hearing with requisite notice before the Unified Government Board of Commissioners. At this public hearing, the Unified Government Board of Commissioners shall consider all of the relevant factors and either approve, approve with conditions, or deny the rezoning application.

Motion starts at 1:34:53:

On motion by Ms. Jones, seconded by Ms. Schwartz, the Planning Commission voted as follows to **recommend APPROVAL of COZ2024-037:**

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

Motion to recommend APPROVAL Passed: 8 to 0
Subject to the above conditions.

ATTACHMENTS

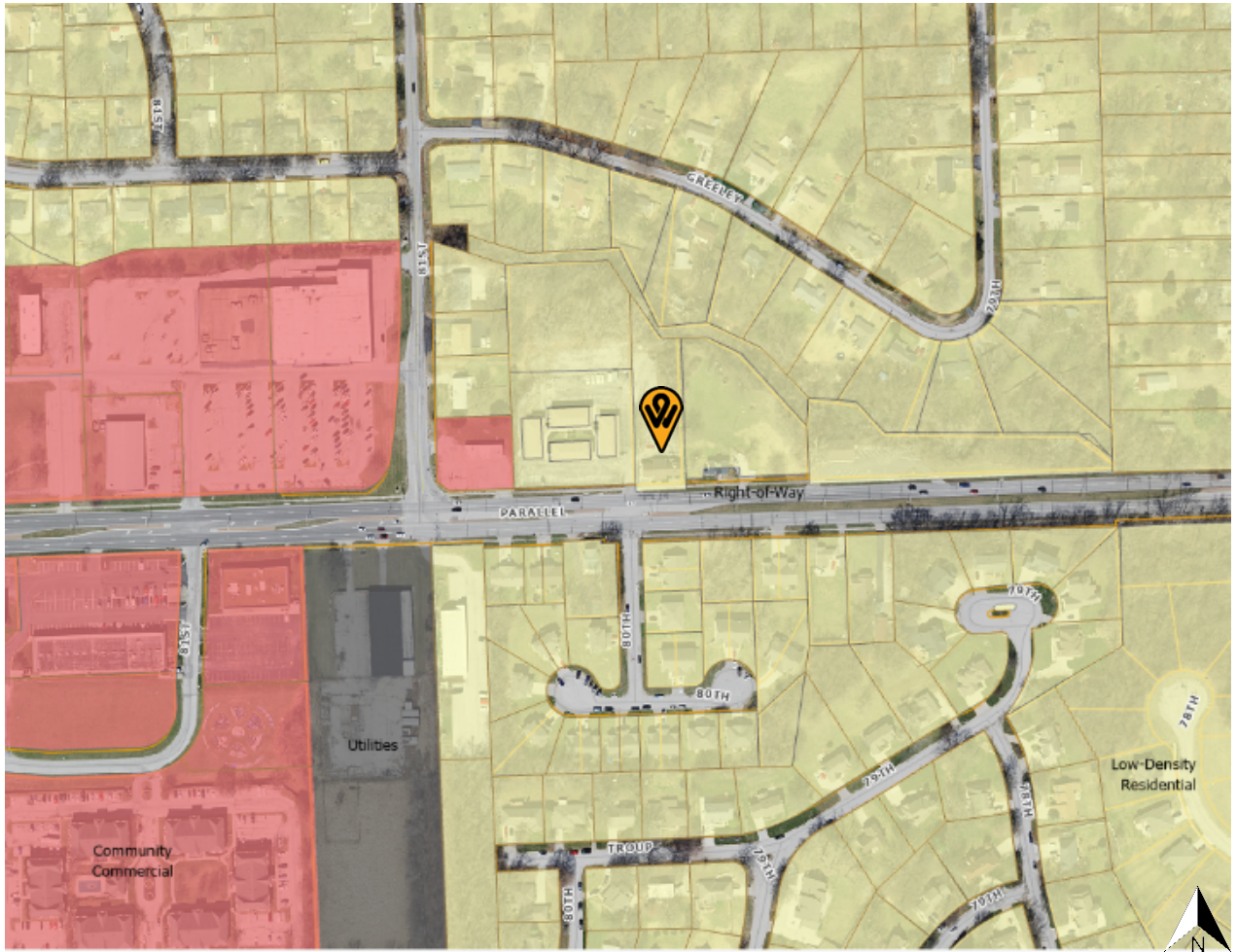
AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS

Planning and Urban Design Comments:

1. For reference, the building was used as a hair salon with multiple operators from 2018 - 2022, when the business license was terminated. The new applicant intends to operate a speech therapy office at this property, however, would like to have an apartment on the second floor. **To clarify, we already began operating the speech therapy clinic at this property. We moved from our prior location at 8247 Leavenworth Rd to this location in October, and already have a business license for it. License # OCC-002481-R24. That license is included as an attachment.**
2. Is this intended as the Applicant's live/work unit? **No, the tenant will not be related to the business.**
 - a. If so, shared parking between the apartment unit and the office may be a possibility. **We have identified a dedicated parking spot for the apartment tenant.**
3. The floor plan that was provided to Staff does not match the photographs that were submitted with the application. Revise the floor plans to show the bedrooms, bathrooms, kitchen, living room, etc. for the apartment unit and all other proposed space used for commercial businesses/office. **Updated floor plans for the apartment are attached.**
4. When was the second floor converted into a dwelling unit? There is no record of a building permit for an occupancy conversion or interior remodel. **We do not know when it was converted, as it was at some point prior to when we purchased the building. It was being used as an apartment by the prior owner, and they marketed it as such when selling. Additional pictures are included.**
5. Resurface as necessary, and restripe the parking lot along Parallel Parkway. **The parking lot has already been restriped. No resurfacing is necessary.**
 - a. Revise the site plan to depict 13 parking spaces. **Updated site plan attached.**
6. Provide ADA access – a direct walkway to the sidewalk. **The building already had a ramp to the entrance closest to Parallel Pkwy, but we've added a ramp to the primary entrance on the north side of the office. We are not planning any further changes.**
7. The ramp at the southwest corner of the building needs to have a handrail. **This door is not used as an entrance and remains locked at all times. We do not plan to add a handrail.**

8. Sec. 27-463(g) Trees are required at not less than one (1) per 7,000 square feet of site area. Screening or buffer plantings are to be provided along all side and rear property lines common to or across an alley from single-family or two-family zoned property. **We have plenty of trees on the north and east sides of the property.**

9. Plant one (1) tree in the parking lot island. **There is already one tree in the parking lot island, a picture is attached. We believe that an additional tree in the parking lot island would reduce visibility to the flow of traffic in and out of the parking lot and does not serve a functional purpose as it relates to allowing the upstairs to be an apartment. We do not plan to add a tree at this time.**

10. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.

a. Section 27-577(b)(3)(a) states that 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. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them.

We plan to maintain the existing landscaping on the south side of the building, pictures attached, but do not see a functional purpose to adding trees as it relates to allowing the upstairs to be an apartment. We do not plan to add a tree here.

11. Maintain the existing tree stand around the rear of the property, primarily along the east and north property lines as a buffer from the single-family homes to the north. **We do plan to maintain these tree lines, although we've already had to spend over \$3,000 to remove two trees that were dead and at risk of falling into the parking lot. That also informs our reluctance to add additional trees to the property.**

Application Number COZ2024-037

Date and Location: 12/30/2024 via Zoom

Meeting called to order at: 6:00 pm

Names of people in attendance: Josh Beuerlein on behalf of 4J Enterprises. No members of the public attended.

Meeting adjourned at: 6:15 pm

Minutes taken by: Josh Beuerlein

Additionally, no one reached out by email or phone to inquire about the meeting after the notice was sent.

Application Number COZ2024-037

Date and Location: 12/30/2024 via Zoom

Meeting called to order at: 6:00 pm

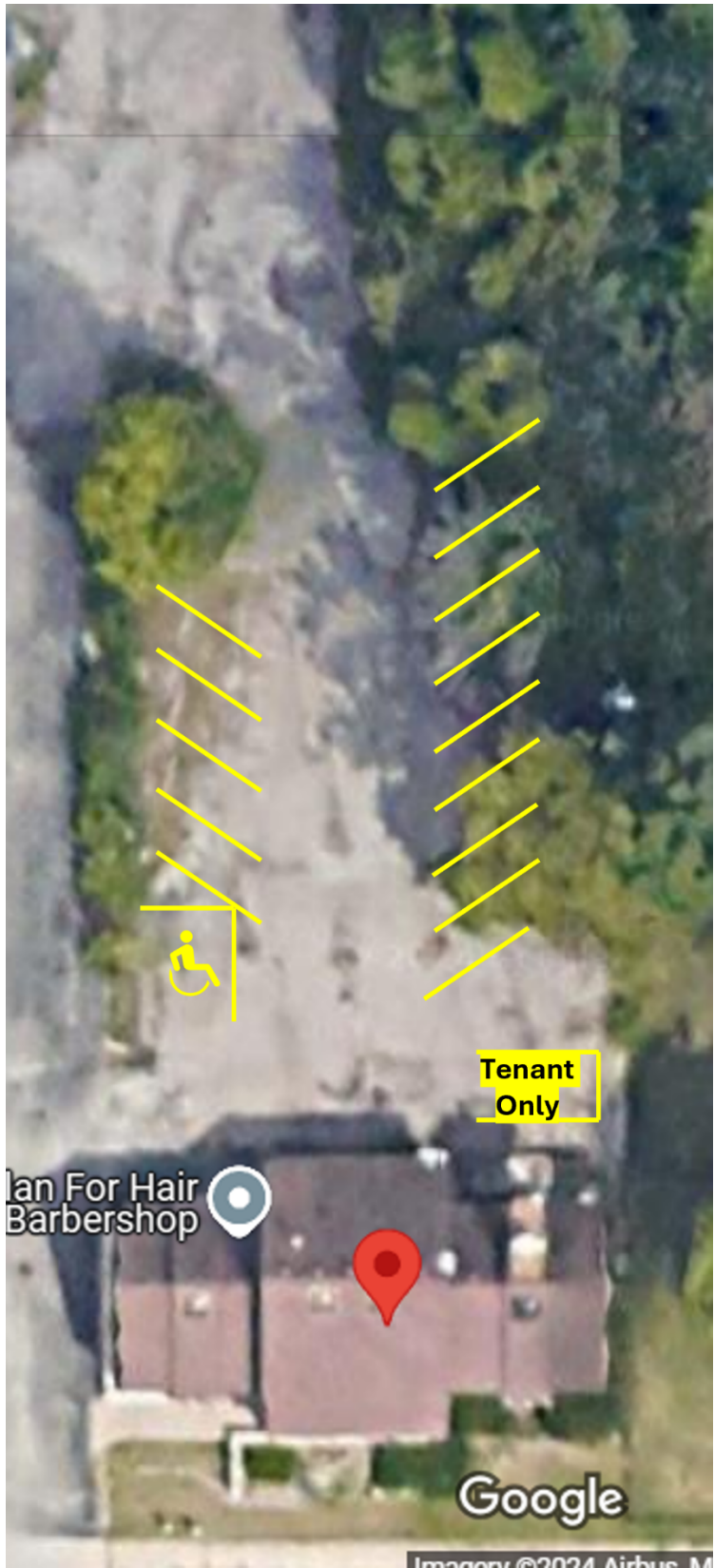
Names of people in attendance: Josh Beuerlein on behalf of 4J Enterprises. No members of the public attended.

Meeting adjourned at: 6:15 pm

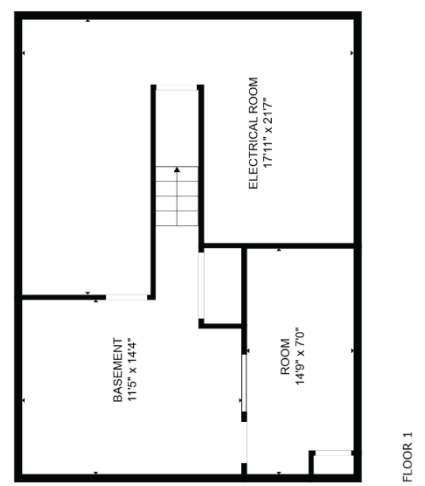
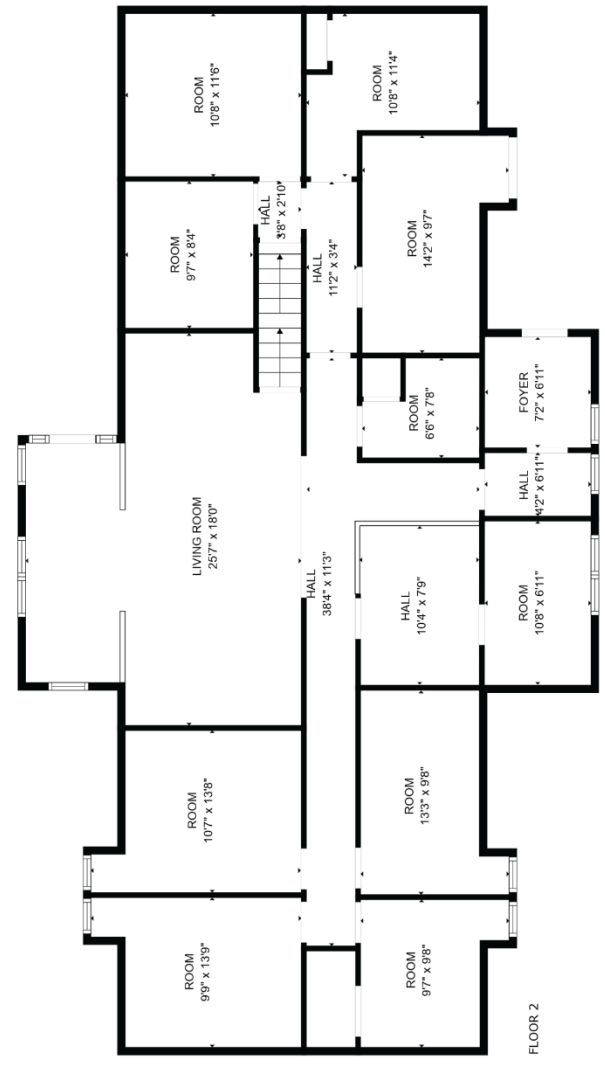
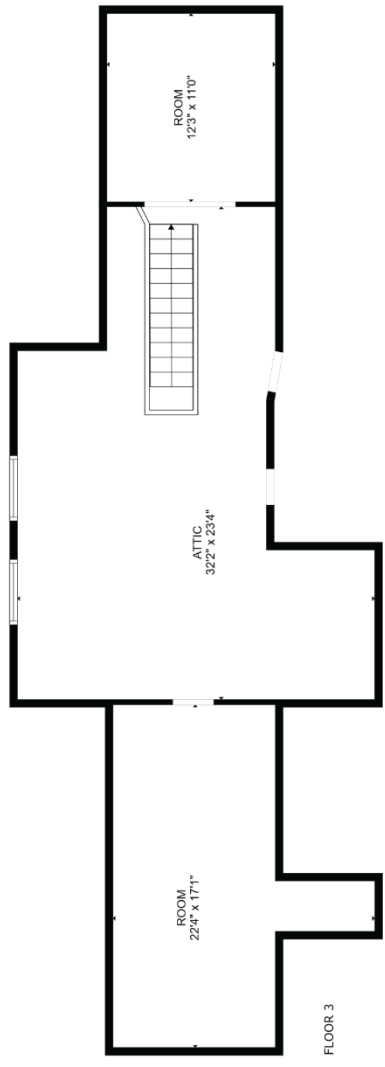
Minutes taken by: Josh Beuerlein

Additionally, no one reached out by email or phone to inquire about the meeting after the notice was sent.



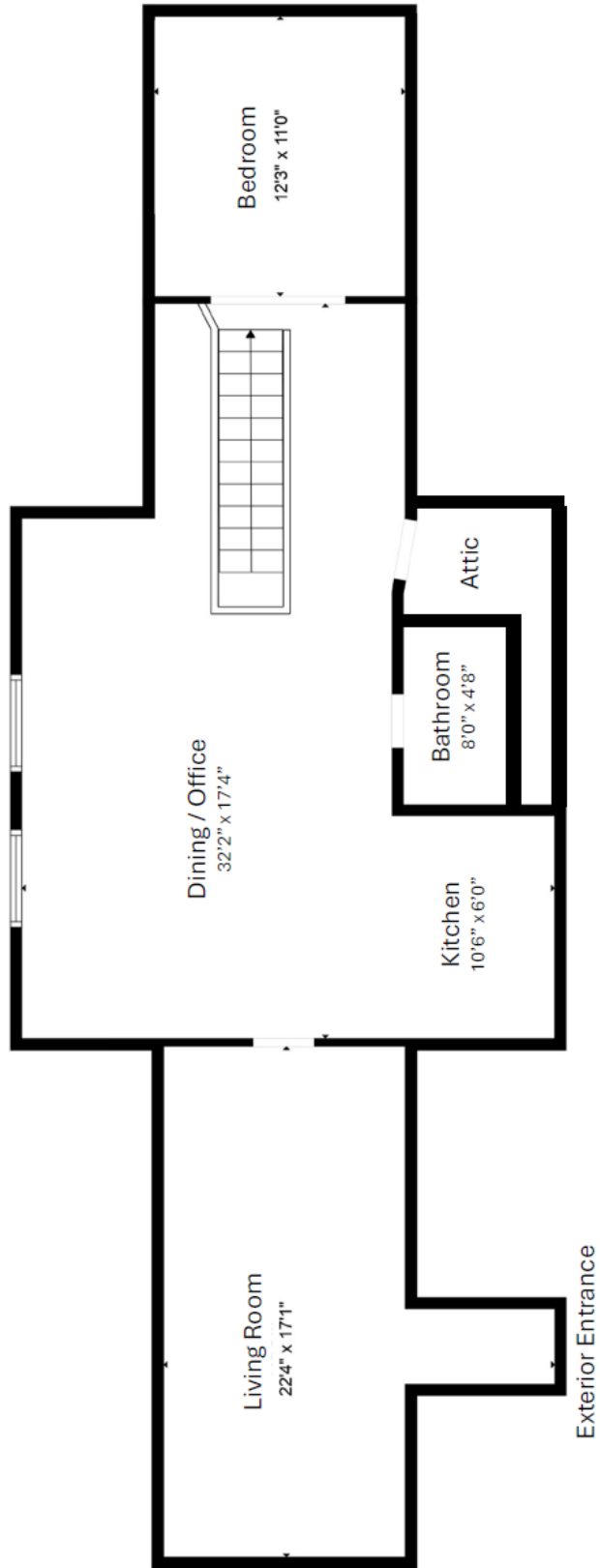


01/30/2025 10:00 AM



FLOOR PLAN CREATED BY CUBICASA APP. MEASUREMENTS DEEMED HIGHLY RELIABLE BUT NOT GUARANTEED.

8010 Parallel Pkwy
Upstairs Apartment



SITE PHOTOGRAPHS













Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: January 30, 2025
Re: **Change of Zone Petition COZ2024-038**

GENERAL INFORMATION

Applicant Information:

Kalin Callewaert
Owner
Callefan, LLC
10901 West 128th Terrace
Overland Park, Kansas 66213

Subject Property:

4000 Adams Street
Kansas City, Kansas 66103

Requested Action and Purpose:

Approval of a Change of Zone from R-1(B) Single Family District to RP-5 Planned Apartment District to convert a non-conforming duplex into a triplex.

Commission Districts:

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

Existing Zoning District(s):

R-1(B) Single Family District

Proposed Zoning District(s):

RP-5 Planned Apartment District



	Adjacent Zoning	Adjacent Uses
North	RP-5 Planned Apartment District	Malvern Hill Apartments
South	R-1(B) Single Family District	Single-family residence
East	CP-2 Planned General Business District	Burger King Restaurant
West	R-1(B) Single Family District	Single-family residence

Total Tract Size: 0.13 Acre

Comprehensive Plan Area: Rosedale Area Plan

Comprehensive Plan Designation: The Rosedale Area Plan designates the subject property as Single Family, which allows for single family, detached houses. Townhomes and side-by-side rowhouses are appropriate where the property has frontage on a mixed use or neighborhood corridor.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates Adams Street as a Local/Neighborhood Street and it designates West 40th Avenue as a Local/Neighborhood Street.

Parking Requirement: Section 27-460 (d) states “One and one-half parking (1 ½) spaces shall be provided for each dwelling unit that has one (1) bedroom or less. Two (2) parking spaces shall be provided for each dwelling unit that has two (2) bedrooms or more.” The total number of parking spaces required is six (6). The subject property currently provides eight (8) parking spaces.

Landscaping Requirement: Section 27-460 (f) states “A reasonable amount of landscaping is required on all projects with emphasis on softening the visual impact of parking areas and enhancing the overall appearance. Trees are required at not less than one (1) per 4,500 square feet of site area”. Section 27-700 (b) states “Buffer plantings, which shall include the equivalent of a minimum of one (1) evergreen tree or one (1) shade tree and three (3) large shrubs for each 30 feet of adjacent project boundary, shall be provided for such development adjacent to single-

family or two-family zoned property. Except in district R-M and C-O, such buffer plantings may be arranged on any portion of the property. Buffer plantings will be in addition to required trees. All multifamily residential projects shall include at least one (1) shade tree per eight (8) dwelling units and one (1) shrub per dwelling unit in addition to the tree requirement, but not in addition to the buffer plantings if required.” The subject property currently has one (1) large shade tree and three (3) shrubs planted along the perimeter of the residence.

Advertisement:	<u>The Wyandotte Echo</u> – December 19, 2024 <u>Letters to Property Owners</u> – December 20, 2024
Public Hearings:	January 13, 2025, and January 30, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Kalin Callewaert, is requesting a Change of Zone from R-1(B) Single Family District to RP-5 Planned Apartment District to convert a non-conforming duplex into a triplex at 4000 Adams Street, Kansas City, Kansas 66103.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. 2018 – Theft
2. 2020 – Theft
3. 2021 – Theft and Criminal Damage to Property

Building, Zoning, or Code Enforcement Complaints:

1. 2015 – 15212-00988 – Environment – Grass and weeds over the legal limit (closed).
2. 2016 – 16212-00323 – Environment – Vegetation needs abated (closed).

3. 2016 – 16205-00352 – Environment – Brush pile in driveway (closed).
4. 2017 – 17225-05551 – Abatement – Weeds (closed).
5. 2018 – 18225-03956 – Abatement – Weeds (closed).

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. 2024 – BOZA2024-036 – Variance for side yard setback, corner side yard setback, and non-vehicular open space (In Conjunction).
2. 2024 – MPL2024-015 – Master Plan Amendment to change the designation from Single Family to General Urban under the Rosedale Area Plan (In Conjunction).

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Rosedale Statistical Neighborhood Group, the Hilltop Neighborhood Group, and the Rosedale Development Association Business Group. The neighborhood consists of a variety of housing types such as single-family residences, duplexes, and apartments. The subject property is one (1) block away from Rainbow Boulevard, a mixed-use corridor, and the Kansas University Medical Center.

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

The zoning and uses are set out above. The subject property is surrounded by parcels zoned in the R-1(B) Single Family District, the RP-5 Planned Apartment District, and the CP-2 Planned General Business District. The overall character and uses of the surrounding parcels are primarily single-family residences with multi-family residences to the north of the property.

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

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

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

The property has been vacant as the property is undergoing renovations.

5. The extent to which the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or

permanently injure the appropriate use, visual quality or marketability of nearby property.

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

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

The proposed use will not increase traffic to the point where it exceeds the capacity of Adams Street, a Local/Neighborhood Street. However, the proposed use will increase the demand for parking on the subject property which has the potential to create parking problems.

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

The Rosedale Area Plan designates the subject property as Single Family, which allows for single family, detached houses. Townhomes and side-by-side rowhouses are appropriate where the property has frontage on a mixed use or neighborhood corridor. The proposed use as a triplex does not conform to the Rosedale Area Plan. The applicant must apply for a Master Plan Amendment to change the designation to General Urban, which allows for rowhouses, townhomes, and single-family houses. Three story apartment buildings, retail, and office uses are allowed only on neighborhood and mixed-use corridors.

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

The proposed use will not cause environmental harm or enhance the environment as this is a purpose-built residence in an existing, built-out urban neighborhood. The subject property currently has a paved parking area that encompasses 100 percent of the rear yard which has the potential to create issues of stormwater run-off.

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

a. *Electric and Water Service*

BPU provides electric and water services.

b. *Sanitary Sewer Service*

Sanitary sewer service is provided by the Unified Government.

c. Storm Water Control

Storm water control is provided by the Unified Government

d. Police

Police service is provided by South Patrol, District #332.

e. Fire

Fire service is provided by Station #10, which is 0.8 mile away from the subject property.

f. Transit

Public Transit is provided by KCATA Routes 11, 39, 107, and 403 with a stop at West 40th Avenue and Rainbow Boulevard, which is 0.1 mile away.

g. Schools

Public Education is provided by Frank Rushton Elementary School, Rosedale Middle School, and Harmon High School, under Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

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

The economic impact of the proposed use on the community is minimal as the subject property has operated as a duplex in the past and the applicant is proposing to add one (1) additional unit to the non-conforming duplex.

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

The proposed use is not capable of meeting the applicable ordinance requirements. The subject property would be in violation of Section 27-460(c)(2)(c), which is the required side-yard corner setback, Section 27-460(c)(2)(b), which is the required side-yard interior setback, and Section 27-673(b), which is the amount of required non-vehicular open space. The applicant has applied for variances for each of these violations.

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 is minimal. The hardship imposed on the property may be significant; if the existing structure on the property was destroyed, the owner could only build a single-family residence rather than another multi-family residence without the Change of Zone.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Microsoft Teams on December 27, 2024, at 3:00 PM. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Driveway Apron Standards
Non-conforming Carport
Master Plan Amendment
Occupancy Inspection
Sidewalks
Site Plan

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application **COZ2024-038** subject to:

1. **The subject property shall be rezoned to the R-2(B) Two Family District;**
2. **This City Planning Commission case is being heard in conjunction with BOZA2024-036. Any approval by the City Planning Commission or Board of Commissioners of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of BOZA2024-036 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
3. **This approval is contingent upon the approval of MPL2024-015;**
4. **A Change of Occupancy inspection shall be conducted to designate the property as fit for three (3) units prior to the publication of the associated ordinance;**
5. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
6. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
7. **If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division.**

Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;

8. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
9. All existing and future driveways must feature curb cuts that are constructed to UG standards;
10. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
12. Should the predicted amount of traffic increase by more than twenty (20%) percent, a traffic impact study shall be required;
13. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a Final CO;
14. A Temporary Certificate of Occupancy (TCO) shall not be issued unless all life/safety items have been addressed;
15. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the

Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends **APPROVAL** of Petition **COZ2024-038** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025, City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Survey of 4000 Adams Street
Architectural Cover Sheet
Floor Plan
Planning Engineering Comments
Photos Submitted by the Applicant
Neighborhood Meeting Materials
Site Visit Photos, Taken by Staff – Dated December 23, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	January 13, 2025 (Approval)	January 30, 2025

STAFF CONTACT:

Kiley Meierarend
kmeierarend@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-038** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to

resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-038**, 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.

1. _____;
2. _____; And
3. _____.

January 13, 2025, City Planning Commission Minutes:

Hearing starts at 1:36:00:

CHANGE OF ZONE APPLICATION COZ2024-038 – KALIN CALLEWAERT – SYNOPSIS: Change of Zone from R-1(B) Single Family District to RP-5 Planned Apartment District, to convert a non-conforming duplex into a triplex at 4000 Adams Street.

Detailed Outline of Requested Action: The applicant, Kalin Callewaert, is requesting a Change of Zone from R-1(B) Single Family District to RP-5 Planned Apartment District to convert a non-conforming duplex into a triplex at 4000 Adams Street, Kansas City, Kansas 66103.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

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

Present in Support:

- Kalin Callewaert, applicant, 1013 West 47th Kansas City, Missouri 64112

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:37:49: Planning Director Hand stated that the request is a Change of Zone from R-1(B) Single Family District to RP-5 Planned Apartment District to convert a non-conforming duplex into a triplex. This property is located in the Rosedale Area Plan. Staff received no letters in support or in opposition. There are some older Notices of Violation on the property from the prior owner, including calls for police service regarding theft. Staff recommends denial of the Change of Zone, but there are conditions of approval if needed. This condition of approval is written to make the Change of Zone to R-2(B) Two Family District and not a triplex as there are parking issues and site constraints when a third unit is added. The property was always zoned as a single-family home and not approved as a duplex in the past. If the Item is approved by the Planning Commission, it will move forward to the Board of Commissioners as a proposed R-2(B) zoning district.

The Planning Commission directed questions to Director Hand.

Motion starts at 1:44:04:

On motion by Ms. Easterwood, seconded by Mrs. Schwartz, the Planning Commission voted as follows to **recommend APPROVAL of COZ2024-038:**

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

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

- 1. The subject property shall be rezoned to the R-2(B) Two Family District;**
- 2. This City Planning Commission case is being heard in conjunction with BOZA2024-036. Any approval by the City Planning Commission or Board of Commissioners of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of BOZA2024-036 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
- 3. This approval is contingent upon the approval of MPL2024-015;**
- 4. A Change of Occupancy inspection shall be conducted to designate the property as fit for three (3) units prior to the publication of the associated ordinance;**
- 5. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
- 6. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
- 7. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
- 8. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an**

existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

9. All existing and future driveways must feature curb cuts that are constructed to UG standards;
10. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
12. Should the predicted amount of traffic increase by more than twenty (20%) percent, a traffic impact study shall be required;
13. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a Final CO;
14. A Temporary Certificate of Occupancy (TCO) shall not be issued unless all life/safety items have been addressed;
15. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

ATTACHMENTS

AERIAL IMAGERY



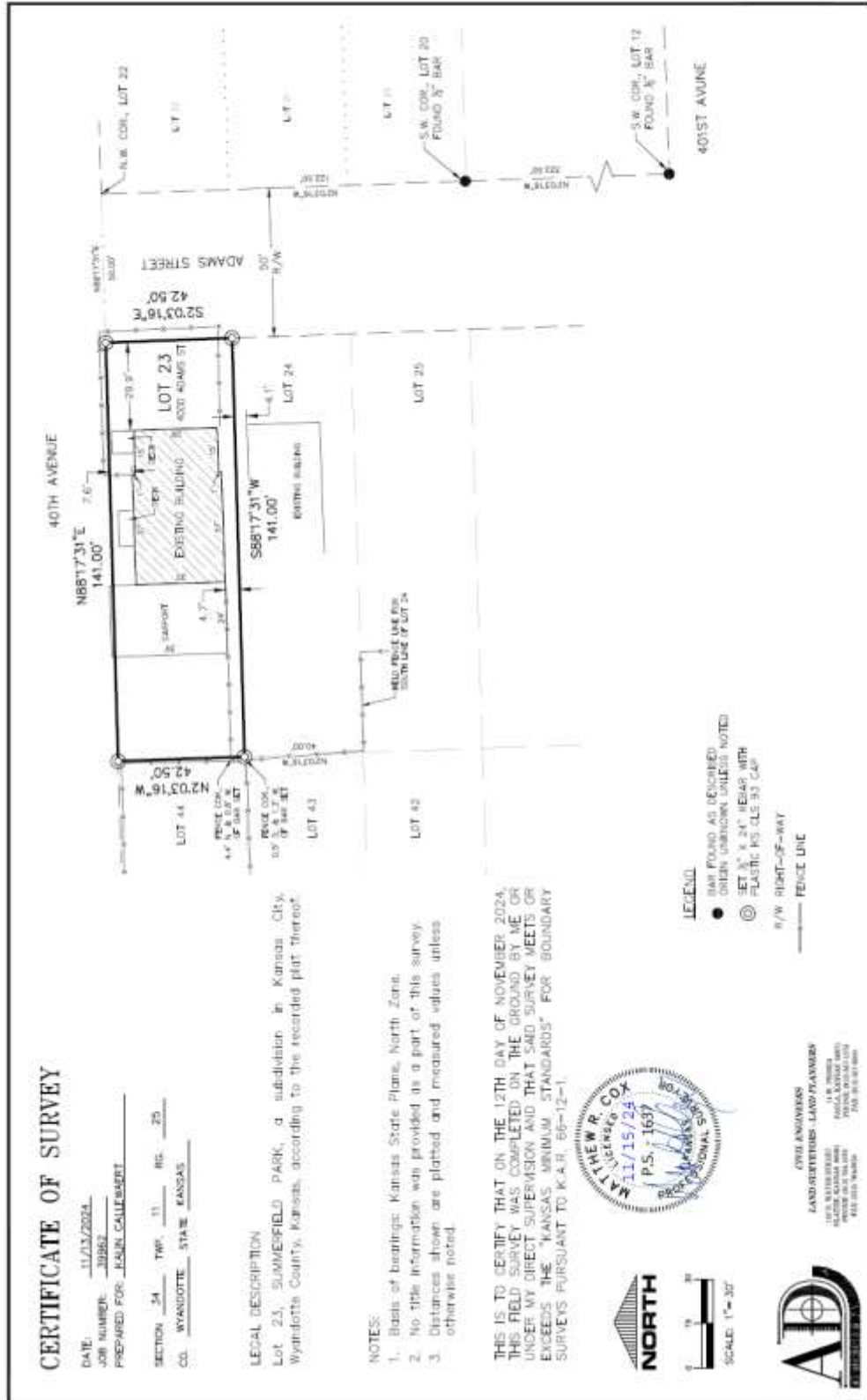
ZONING MAP



LAND USE MAP



SURVEY OF 4000 ADAMS STREET



ARCHITECTURAL COVER SHEET

SINGLE FAMILY RESIDENTIAL TO MULTI-FAMILY TRIPLEX CONVERSION FOR:
KALIN CALLEWAERT
4000 ADAMS STREET
KANSAS CITY, KANSAS 66103

DRAWING INDEX:

- COVER SHEET, SITE PLAN
- PROPOSED BASEMENT FLOOR PLAN
- PROPOSED FIRST FLOOR PLAN
- PROPOSED SECOND FLOOR PLAN

TOTAL PARCEL AREA:
3,112.5 SQ. FT.

BUILDING DATA:

Unit #1	FLOOR AREA	1,401.75 SF
Unit #2	FIRST FLOOR	819.75 SF
	SECOND FLOOR	507.00 SF
	TOTAL	1,326.75 SF
Unit #3	FIRST FLOOR	120.00 SF
	SECOND FLOOR	452.00 SF
	TOTAL	1,375.00 SF
TOTAL BUILDING SF		4,206.50 SF
TOTAL IMPROVEMENTS SF		3,891.75 SF (92.5%)
NET IMPROVEMENT		0

NOTES:

- WORK IN PUBLIC RIGHT-OF-WAY AND NEAR ADJACENT LOT, SHALL COMPLY WITH THE LOCAL ORDINANCES AND REGULATIONS OF THE CITY OF KANSAS CITY, MISSOURI, AND THE CITY OF KANSAS CITY, KANSAS.
- CONTRACTOR SHALL OBTAIN APPLICABLE REGULATORY PERMITS INCLUDING, BUT NOT LIMITED TO, PERMITS FOR CONSTRUCTION, PLUMBING, MECHANICAL, ELECTRICAL, AND GAS.
- SEE ALL CITY ORDINANCES (S.M. 2018-01) AND (S.M. 2018-02) FOR CONSTRUCTION AND PLUMBING PERMITS.
- SEE ALL CITY ORDINANCES (S.M. 2018-01) AND (S.M. 2018-02) FOR CONSTRUCTION AND PLUMBING PERMITS.

PARKING REQUIREMENTS:
2 PARKING SPACES/UNIT = 6 SPACES (7 SPACES PROVIDED)

CERTIFICATE OF SURVEY

DATE: 11/13/2024
PREPARED FOR: KALIN CALLEWAERT

SECTION: 24 TWP. 11 N. R. 2E
CO. WOODDOTE, STATE KANSAS

LEGAL DESCRIPTION:
Lot 23, SUMMERFIELD PARK, a subdivision in Kansas City, Waukegan County, Kansas, according to the recorded plat thereof.

NOTES:
1. Basis of bearings: Kansas State Plane, North Zone.
2. No title information was provided as a part of this survey.
3. Distances shown are plotted and measured values unless otherwise noted.

THIS IS TO CERTIFY THAT ON THE 12TH DAY OF NOVEMBER 2024, THIS FIELD SURVEY WAS COMPLETED ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE REQUIREMENTS AND STANDARDS FOR BOUNDARY SURVEYS PURSUANT TO K.A.R. 68-12-1.

LEGEND

- SETBACK AS REQUIRED
- DITCH UNKNOWN UNLESS NOTED
- ⊙ SETBACK 24" NEAR WITH PLASTIC XS OR 30" CAP
- FENCE LINE
- F/W RIGHT-OF-WAY

CONTACTS:

LANDOWNER: KALIN CALLEWAERT
4000 ADAMS STREET
KANSAS CITY, MO 66103
EMAIL: kallewaert@gsa.com

ARCHITECT: PERRY M. DARBY
1501 W. 120TH STREET
OVERLAND PARK, MO 66204
PHONE: (816) 833-4526
EMAIL: perry.darby@yaho.com

ENGINEER: CORY GIBBELS, PE
1501 W. 120TH STREET
OVERLAND PARK, MO 66204
PHONE: (816) 833-4526
EMAIL: cgibbels@gsa.com

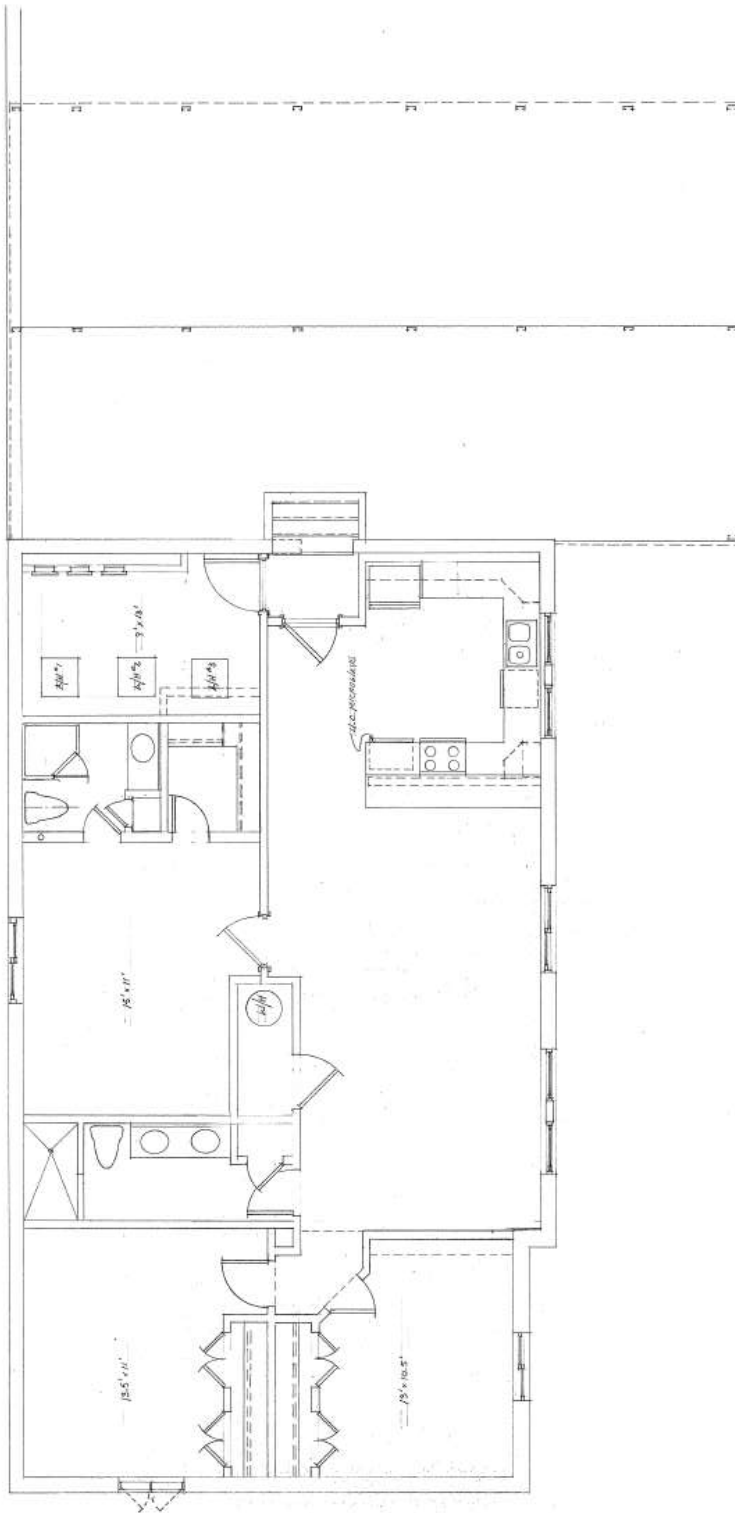
CONTRACTOR: KALIN CALLEWAERT
4000 ADAMS STREET
KANSAS CITY, MO 66103
EMAIL: kallewaert@gsa.com

APPROVED BY:

PERRY M. DARBY
DESIGN PROFESSIONAL
PHONE: (816) 833-4526
EMAIL: perry.darby@yaho.com

KALIN CALLEWAERT
RENTAL PROPERTY FOR
4000 ADAMS STREET
KANSAS CITY, MO 66103

FLOOR PLAN

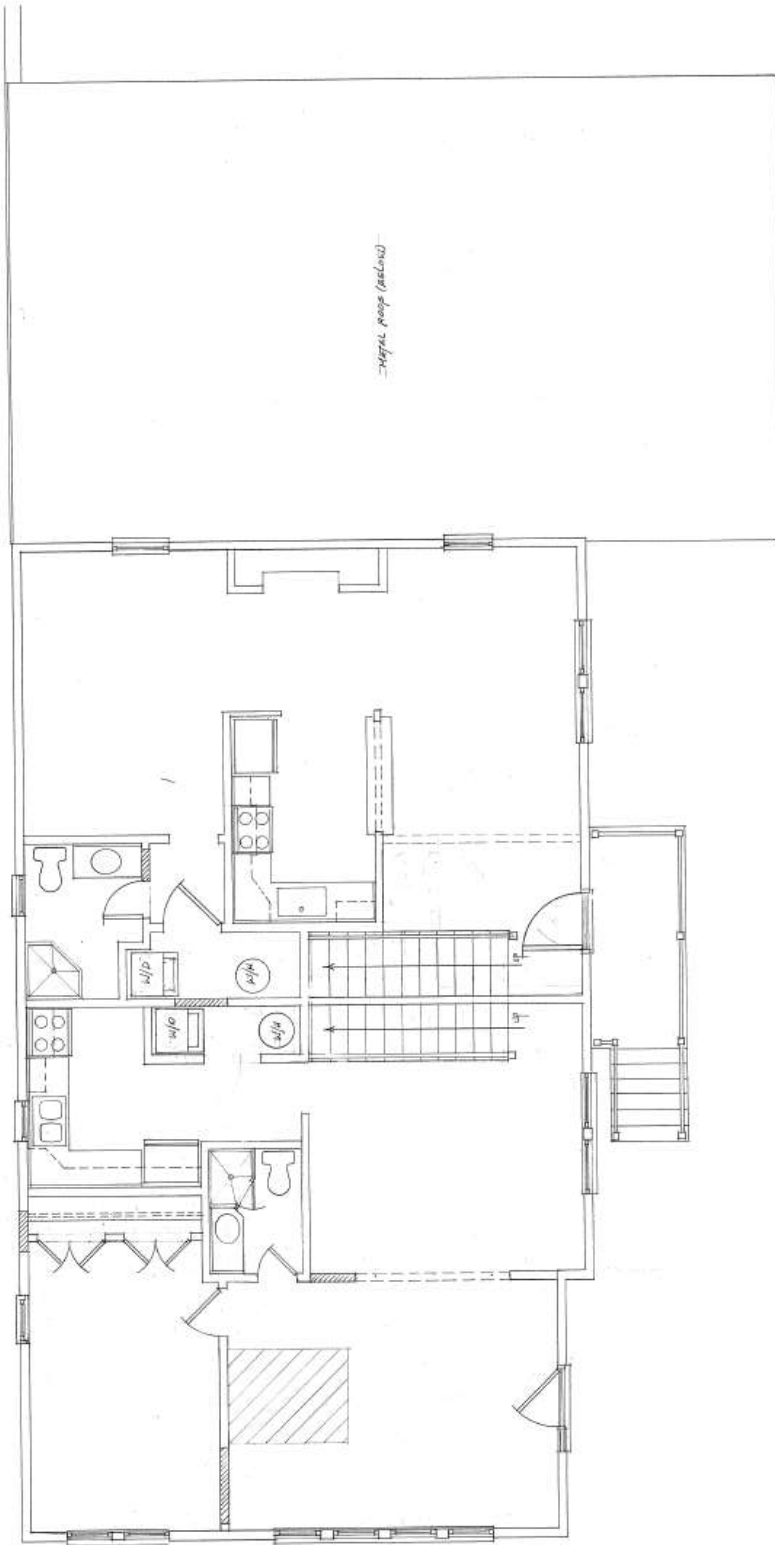


RENTAL PROPERTY OF KALIN CALLEWAERT 4000 ADAMS STREET KANSAS CITY, KS 66103	
SCALE:	APPROVED BY:
DATE:	DESIGNED BY:
PHONE: (813) 833-4526	REVIEWED:
EMAIL: perrymsby@yahoo.com	DATE:
1351 LANESB ST. #204 OVERLAND PARK, KS 66221	

PROPOSED BASEMENT FLOOR PLAN

SCALE: 1/8" = 1'-0"

FLOOR PLAN

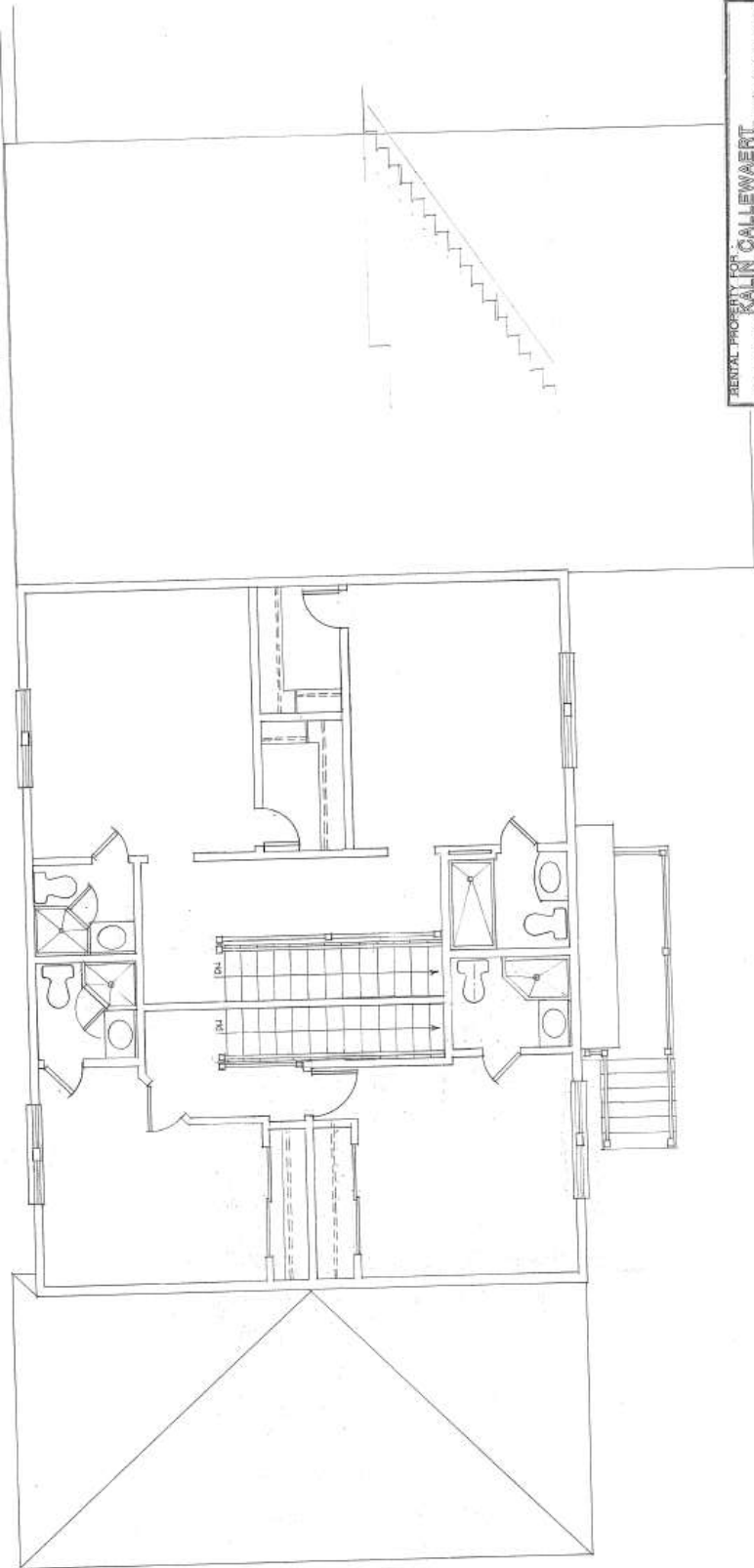


TENTATIVE PROPERTY OF KALIN CALLEWERT 4300 ADAMS STREET KANSAS CITY, KS 66108	
SCALE: DATE:	APPROVED BY: DESIGN PROFESSIONAL: PERRY M. DARBY 13561 LAUREL ST. #204 OVERLAND PARK, KS 66221
DRAWN BY: REVISED:	PHONE: (813) 833-4526 EMAIL: perrydarby@yahoo.com DRAWING NUMBER:

PROPOSED FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

FLOOR PLAN



RENTAL PROPERTY FOR KALIN CALLEWAERT 4000 ADAMS STREET KANSAS CITY, KS 66103	
SCALE:	APPROVED BY:
DATE:	DESIGNED BY:
PHONE: (816) 833-4526	REVISED:
EMAIL: perry@darby.com	DATE: 01/30/25
13267 HAUSER ST. #204	DESIGNED BY:
OVERLAND PARK, KS 66221	DATE: 01/30/25

PROPOSED SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

Memorandum

TO: Kiley Meierarend
Planner

FROM: Patrick Doyle, Engineering Manager

DATE: December 15, 2024

SUBJECT: Kailin Callewaert – (COZ2024-038)
4000 Adams Street
General Engineering Review No. 1 (of the application signed 11/30/2024,
received 12/1/2024)

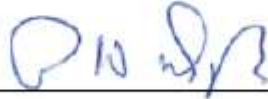
Prior to engineering approval on the above-named project, the construction drawings must be revised to address the following comments from the Engineering Division of the Planning and Urban Design Department. These comments refer to General Engineering design standards and requirements of the Unified Government that were not met in this submittal. Planning comments may require additional resubmittals. **Respond in writing (pdf) to each comment by email to EDR@WyCoKCK.org. Attach revision clouded drawings when applicable. Include application number in the subject line of all correspondence.**

- 1) Provide plans showing scope of work (driveway).
- 2) Driveway shall conform to UG Standard Detail 4100-G ([Standard Details](#)).
- 3) Provide cover sheet including:
 - a) Project title
 - b) Address
 - c) Vicinity map
 - d) Contact information (for the landowner, developer, engineer, surveyor, contractor, etc)
 - e) Date
 - f) North arrow and scale
 - g) Sheet index
 - h) Zoning Classifications
 - i) 811 Dig Safe note.
 - j) Local utility contact information including UG Sanitary and Storm, Sewer Maintenance, (913) 573-1360, Kevin Swearengin or Kirk Roland

PLANNING ENGINEERING COMMENTS

- k) Total parcel/project area (square feet or acres), total area of land disturbed, net increase/decrease in impervious area, net cut/fill quantities (cubic yards).
- 4) On the cover sheet and other sheets where applicable, include the following notes:
 - a) "Work in public easements and right-of-way and for erosion control shall comply with the latest edition of the *Technical Provisions & Standard Drawings for Roads and Sewers*, of the Unified Government of Wyandotte County/Kansas City, Kansas."
 - b) "Contractor shall obtain applicable Public Works permits including land disturbance, right-of-way, hauling prior to Construction."
- 5) All engineering plans and reports shall be signed and sealed by a Kansas Registered Professional.
- 6) Obtain a Land Disturbance Permit from UG Public Works (701 N 7th Street, 7th Floor, Kansas City, KS 66101) prior to performing more than 50 cubic yards of earthwork, or 1,000 square feet building construction.
- 7) Provide a concrete washout tank on all phases with concrete deliveries to site.
- 8) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.
- 9) A more complete and comprehensive project review can be done when updated, complete, comprehensive plans are submitted.

Reviewer: _____



Patrick Doyle, Engineering Manager

PHOTOS SUBMITTED BY THE APPLICANT



NEIGHBORHOOD MEETING MATERIALS

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Missouri)
COUNTY OF Jackson) SS:



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

1. That I am the petitioner for Petition # COZ2024-038 B02A-2024-030
2. That I conducted a neighborhood meeting on 12/27/2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Kalvin Calloway
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 30 day of December, 2024

My commission expires 21st of October, 2028

Cayden Rieg
Notary Public

NEIGHBORHOOD MEETING MATERIALS

Application Number : COZ2024-038, BOZA2024-036

Date and Location: 12/27/2024; Virtually via Microsoft Teams

Meeting called to order at: 3:00 PM

Names of people in attendance: 0

None of the neighbors attended the meeting. Due to a zero attendance, there were no questions to address. The meeting lasted for 30 minutes.

Meeting adjourned at: 3:30

Minutes taken by: Kalin Callewaert

SITE VISIT PHOTOS, TAKEN BY STAFF – DATED DECEMBER 23, 2024











Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 30, 2025

Re: Change of Zone Petition COZ2024-039

GENERAL INFORMATION

Applicant Information:

Stephonn Alcorn
Rosedale Apartments LLC
14500 Parallel Road, Unit R
Basehor, KS 66007

Subject Property:

4209 – 4213 Adams Street
Kansas City, KS 66103

Requested Action and Purpose:

Approval of a Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District.

Commission Districts:

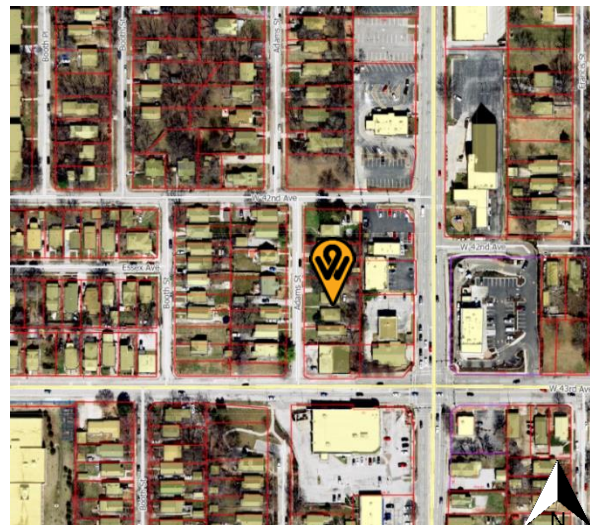
Commissioner At-Large, District #2:
Tom Burroughs
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):

R-1(B) Single Family District

Proposed Zoning District(s):

R-2(B) Two Family District



	Adjacent Zoning	Adjacent Uses
North	R-1(B) Single Family District	Single-family home
South	C-1 Limited Business District	Single-family home
East	C-1 Limited Business and CP-2 Planned General Business Districts	Commercial businesses (Jiffy Lube and commercial offices)
West	R-1(B) Single Family District	Single-family homes

Total Tract Size: 0.29 Acre

Comprehensive Plan Area: Rosedale Area Plan

Comprehensive Plan Designation: The Rosedale Area Plan designates this property as General Urban, which allows rowhouses, townhomes, and single-family houses. Three (3) story apartment buildings, retail and office uses are allowed only on neighborhood and mixed-use corridors.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Adams Street as a Local Street.

Parking Requirement: Section 27-457(d) One (1) parking space for each dwelling unit shall be provided on the premises. Six (6) spaces must be provided. The applicant has provided a site plan, but parking spaces are not depicted on the plan, so Staff cannot determine how many parking spaces are available for each dwelling unit.

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

Advertisement: The Wyandotte Echo – December 19, 2024
Letters to Property Owners – December 20, 2024

Public Hearings: January 13, 2025 and January 30, 2025

Public Support: None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Stephonn with Rosedale Apartments LLC, has applied for a Change of Zone to rezone one (1) parcel from R-1(B) Single Family District to RP-2 Two Family District to keep three (3) duplexes at 4209 – 4213 Adams Street.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. STR24-0884 – repair/paint house, scrape and paint window trim, roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions at 4209 Adams Street on December 4, 2024.
2. 19200-04103 – no utilities on at 4211 Adam Street on August 19, 2019.
3. 17200-01063 – sofa at sidewalk at 4211 Adam Street on April 5, 2017.
4. 16225-01004 – weeds at 4209 – 4213 Adam Street on September 22, 2016.
5. 16212-01456 – overgrown grass and weeds at 4209 – 4213 Adams Street on September 6, 2016.

Outstanding or Related Permit and Cases:

1. 18380-01103 – upgrade electrical service on each side of the duplex on March 18, 2019 at 4211 Adams Street.
2. 14381-00270 – gas test at on November 26, 2011 at 4211 Adams Street.

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This subject property is within the Rosedale Statistical Neighborhood and the Hilltop Neighborhood Group, Census Block Group #0452002. The neighborhood consists of single-family homes along Adams Street. The site is one (1) block

west of Rainbow Boulevard, which is the north/south mixed-use commercial corridor in the Rosedale area.

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

The zoning and uses of properties nearby are set out above. The proposed use, duplexes, are across the street from single-family homes. The south side of the parcel abuts a single-family home and a commercial business on the corner of West 43rd Avenue and Adams Street. Behind the property, to the west are three commercial buildings – Jiffy Lube, commercial office and Imo's Pizza restaurant, which all front Rainbow Boulevard.

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

Removal of the restrictions should not detrimentally affect nearby property because the duplexes are existing since approximately 1940, albeit listed unfit by the Property Maintenance Compliance Division.

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

Staff is unable to make a determination as to the length of time the property has been vacant. The original rental license began in 1996 at 4209 – 4213 Adams Street.

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

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

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

The proposed use will not inherently lead to an increase in traffic as these are three (3) existing duplexes and it is not expected to be to the point where it would affect road capacity, safety, or create parking problems in the driveway or along Adams Street.

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

The proposed use conforms to the Rosedale Area Plan, which is designated as General Urban, which allows rowhouses, townhomes, and single-family houses. Three (3) story apartment buildings, retail and office uses are allowed only on neighborhood and mixed-use corridors.

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

If the site is properly managed and maintained, the proposed use will not cause environmental harm. There will be significant driveway improvements to remove gravel and broken asphalt on the property and planting additional trees on the site.

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

a. *Electric and Water Service*

To be provided by BPU Electric and Water Divisions.

b. *Sanitary Sewer Service*

UG provides sanitary sewer service.

c. *Storm Water Control*

To be designed to meet City Code.

d. *Police*

Police service is provided by South Patrol, District 332.

e. *Fire*

Fire service is provided by Station #10, located at West 36th Avenue and Rainbow Boulevard.

f. *Transit*

The Kansas City ATA provides transit service at the West 43rd Avenue and Rainbow Boulevard intersection, Route #107 approximately one (1) block east of the subject property.

g. *Schools*

Public Education is provided by Frank Rushton School, Rosedale Middle School, and Harmon High School, under Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

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

The economic impact of the proposed use would be limited. The proposed use would be for the economic benefit of the property owner; however, the rehabilitation use of three (3) duplexes would add to the housing stock to an area that needs rental housing units.

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

The project can meet all ordinance requirement with revisions.

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

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. The proposed use would benefit the property owner and correct a non-conforming use of the property. If denied, the property owner can continue to convert the structures to single-family dwellings and separate the parcel into the original platted lots.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on December 27, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Site Plan
Parking
Landscaping

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Change of Zone Application **COZ2024-039**, subject to:

- 1. The subject property is in the 200-foot environs of Old Fire Station No. 2, a Historic Landmark located at 4214 Rainbow Boulevard. As a result, a**

historic environs review must be completed concurrently with this application prior to performing any work on the buildings. Contact Randy Greeves, Historic Preservationist Planner at (913) 573-5763 or rlgreeves@wycokck.org;

2. Because the lots are described as Bombeck Place, Lots 14 to Lot 16, it is possible to revert back to the original 40' x 120' platted lots. Each duplex will be on its own individual lot. A cross-access easement would need to be filed for the shared driveway between multiple lots;
3. Per Section 27-457(d) One (1) parking space for each dwelling unit shall be provided on the premises;
4. Repair existing sidewalk along Adams Street and install a sidewalk between the three (3) duplexes and connect them to the main east/west sidewalk in the middle of the parcel with access to Adams Street;
5. Install a handrail on the sidewalk stairs;
6. Improve the driveway, as it is in a state of disrepair. Gravel and broken asphalt must be removed;
7. Install incidental (directional) signage to better direct vehicles through the narrow driveway because it is one way in, one way out;
8. Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner, side yard, and one (1) tree per 7,000 square feet of stie area for sues other than residences;
9. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;
10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
11. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
12. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
13. All existing and future driveways must feature curb cuts that are constructed to UG standards;
14. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;

15. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a Final CO;
16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
17. Section 27-211(g)(9)b. Failure to fulfill the conditions within one (1) year of Unified Government Board of Commissioners approval shall necessitate the scheduling of a public hearing with requisite notice before the Unified Government Board of Commissioners. At this public hearing, the Unified Government Board of Commissioners shall consider all of the relevant factors and either approve, approve with conditions, or deny the rezoning application.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2024-039** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Site Plan
Floor Plan

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	January 13, 2025 (Approval)	January 30, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

CHANGE OF ZONE

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-039** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-039**, 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.

January 13, 2025 City Planning Commission Minutes:

Hearing starts at 1:45:18:

CHANGE OF ZONE APPLICATION COZ2024-039 – STEPHONN ALCORN WITH ROSEDALE APARTMENTS LLC – SYNOPSIS: Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District for a legal non-conforming duplex at 4209 Adams Street.

Detailed Outline of Requested Action: The applicant, Stephonn with Rosedale Apartments LLC, has applied for a Change of Zone to rezone one (1) parcel from R-1(B) Single Family District to RP-2 Two Family District to keep three (3) duplexes at 4209 – 4213 Adams Street.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

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

Present in Support:

- Stephonn Alcorn, applicant, 5510 Falmouth Road, Fairway, Kansas 66205

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:48:41: Planning Director Hand stated that the request is for a Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District for a legal non-conforming duplex. This property is located in the Rosedale Area Plan. Staff received no letters in support or in opposition. There is a 2024 Notice of Violation for repair of paint, which would be addressed by this proposed project. Staff recommends approval with conditions, including obtaining an environs review as it is in the environs of the historic fire station at the corner of 43rd and Rainbow, and repairing the sidewalk and driveway.

Motion starts at 1:49:53:

On motion by Ms. Jones, seconded by Ms. Schwartz, the Planning Commission voted as follows to recommend **APPROVAL of COZ2024-039:**

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

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

- 1. The subject property is in the 200-foot environs of Old Fire Station No. 2, a Historic Landmark located at 4214 Rainbow Boulevard. As a result, a historic environs review must be completed concurrently with this application prior to performing any work on the buildings. Contact Randy Greeves, Historic Preservationist Planner at (913) 573-5763 or rlgreeves@wycokck.org;**
- 2. Because the lots are described as Bombeck Place, Lots 14 to Lot 16, it is possible to revert back to the original 40' x 120' platted lots. Each duplex will be on its own individual lot. A cross-access easement would need to be filed for the shared driveway between multiple lots;**
- 3. Per Section 27-457(d) One (1) parking space for each dwelling unit shall be provided on the premises;**
- 4. Repair existing sidewalk along Adams Street and install a sidewalk between the three (3) duplexes and connect them to the main east/west sidewalk in the middle of the parcel with access to Adams Street;**
- 5. Install a handrail on the sidewalk stairs;**
- 6. Improve the driveway, as it is in a state of disrepair. Gravel and broken asphalt must be removed;**
- 7. Install incidental (directional) signage to better direct vehicles through the narrow driveway because it is one way in, one way out;**
- 8. Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner, side yard, and one (1) tree per 7,000 square feet of stie area for sues other than residences;**
- 9. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;**
- 10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this**

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

11. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
12. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
13. All existing and future driveways must feature curb cuts that are constructed to UG standards;
14. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
15. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a Final CO;
16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
17. Section 27-211(g)(9)b. Failure to fulfill the conditions within one (1) year of Unified Government Board of Commissioners approval shall necessitate the scheduling of a public hearing with requisite notice before the Unified Government Board of Commissioners. At this public hearing, the Unified Government Board of Commissioners shall consider all of the relevant factors and either approve, approve with conditions, or deny the rezoning application.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



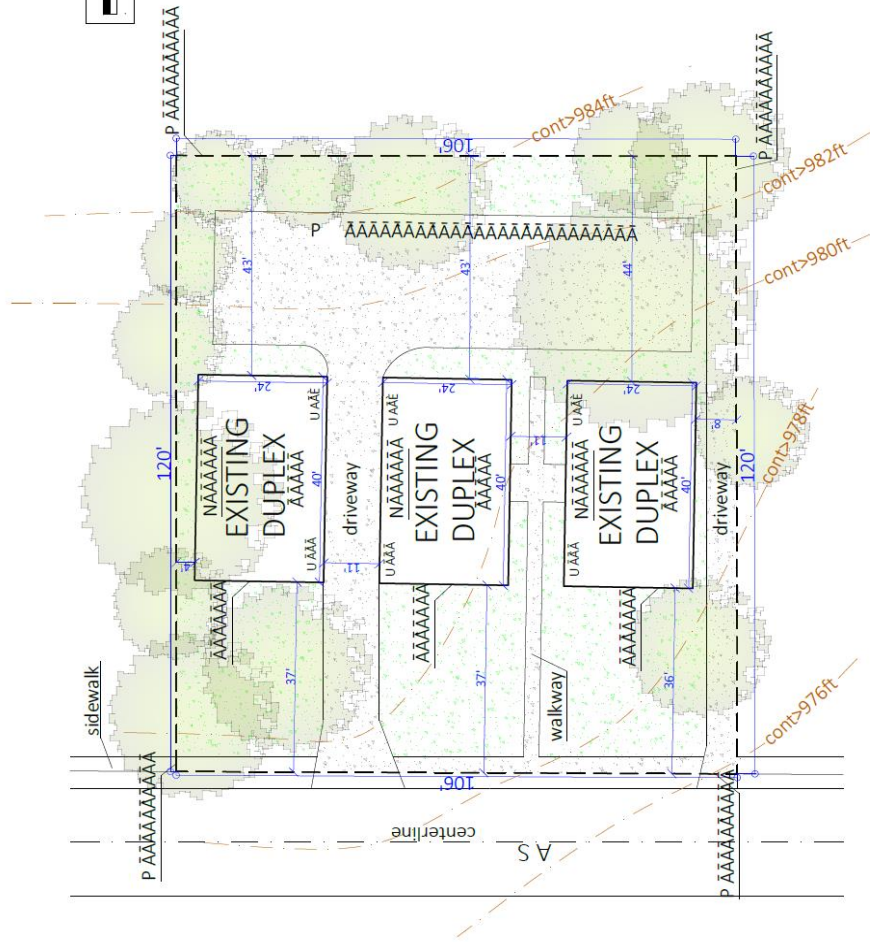
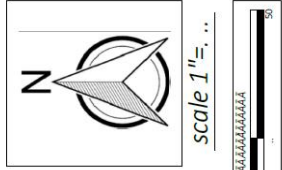
LAND USE MAP



ADDITIONAL ATTACHMENTS

SITE PLAN

4209-4213 Adams St
 Kansas City, KS 66103
 Parcel ID: 112807
 Lot area: 0.29 Acres
 Paper Size: 11"x17"



ADAMS STREET

PARKING LOT
(PARKING LOT AVAILABLE FOR ALL THREE (3) DUPLEXES)

DRIVEWAY TO PARKING LOT

ADAMS STREET

NO WORK TO BE DONE UNTIL PERMITS ISSUED

DEL POLO ARCHITECTURE LLC CANNOT BE RESPONSIBLE FOR DISCREPANCIES IN THE COMPUTATIONAL MATERIALS CONDITION OR MISMATCH OF COORDINATES OR DIMENSIONS OF THE SITE. CONTRACTOR VERIFY EXISTING CONDITIONS AND MAKE ANY NECESSARY STRUCTURAL CHANGES.

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The property documents developed by client are copyrighted. These drawings are for use on this project only. All reports, drawings, specifications, computer files, and other documents are the property of the Architect. The Architect and client warrant that the information contained herein is true and correct to the best of their knowledge. Copyright © Del Pojo Architecture LLC 1980

ALL CORRESPONDENCE TO:
DEL POLO ARCHITECTURE LLC
BOB DEL POLO OF
IN WRITING TO DEL POLO@1400.COM

ADAMS STREET DUPLEXES
4209 - 4213 ADAMS STREET
KANSAS CITY, KANSAS

ARCHITECT

ENGINEER

REVISION TABLE

NO.	DATE	DESCRIPTION
1	11/25/24	
2		
3		
4		
5		
6		
7		
8		
9		
10		

Date: 11/25/24
 PROJ. # -
 Drawn by: KMI
 Reviewed by: EDP

COVER SHEET AND PLANS
SHEET NUMBER
A-10

DEL POLO ARCHITECTURE LLC
300 BROADWAY
SUITE 100
KANSAS CITY, MO 64108
TEL: 816.234.1100
WWW.DELPOLOARCHITECTURE.COM

BOB DEL POLO, ARCHITECT
LICENSE NO. 100000000

BOB DEL POLO, ARCHITECT
LICENSE NO. 100000000

Architectural Designer
 Architect responsible for all Non-structural items

VICINITY MAP

COZ2024-039

4209 Adams-42013 Change of Zone Request

FROM: Stephonn Alcorn/Rosedale Apartments LLC

TO: Unified Government Planning and Urban Design Staff

SUBJECT: Change of Zone Petition: COZ2024-039 Comment Response Letter

Petitioner acknowledges receipt of all staff comments and suggestions including the standard conditions. Petitioner intends for all planned work to be fully compliant with staff comments and standard conditions. In this letter, Petitioner will respond to specific comments and suggestions that warrant follow-up, revisions to plan, or additional information/responses from Petitioner.

Staff Comment #2: The subject property is in the 200-foot environs of Old Fire Station No. 2, a Historic Landmark located at 4214 Rainbow Boulevard. As a result, a historic environs review must be completed concurrently with this application prior to performing any work on the buildings. Contact Randy Greeves, Historic Preservationist Planner at (913) 573-5763 or rlgreeves@wycokck.org.

Petitioner Response: Petitioner has contacted Randy Greeves to initiate the historic environs review. Petitioner kindly asks that life, healthy, and safety work to secure the property and keep it from falling it into continued disrepair be allowed to continue while the Petitioner works to align the rehabilitation plan with the historical review process. Petitioner's rehabilitation plans will not alter the physical or architectural structure of the buildings.

Staff Comment #4: Update the site plan to show a legal, dimensioned parking space for each dwelling unit. There shall be six (6) off-street parking spaces provided between the six (6) units.

Petitioner Response: Petitioner has responded an updated site plan showing six off-street parking spaces for the six (6) units that currently exist on-site.

Staff Comment #5: Per Section 27-457(d) One (1) parking space for each dwelling unit shall be provided on the premises.

Petitioner Response: Addressed in the previous response.

Staff Comment #6: Repair existing sidewalk along Adams Street and install a sidewalk between the three (3) duplexes and connect them to the main east/west sidewalk in the middle

of the parcel with access to Adams Street.

Petitioner Response: Will do.

Staff Comment #7: Install a handrail on the sidewalk stairs.

Petitioner Response: Will do.

Staff Comment #8: Improve the driveway, as it is in a state of disrepair. Gravel and broken asphalt must be removed.

Petitioner Response: Will do.

Staff Comment #9: Install incidental (directional) signage to better direct vehicles through the narrow driveway because it is one way in, one way out.

Petitioner Response: Will do.

Staff Comment #10: Provide a landscape plan showing at least one (1) tree per lot complying with Section 27-700(a).

Petitioner Response: Petitioner will develop a landscaping plan that will comply with the landscaping code.

Neighborhood Meeting Minutes

Application Number: COZ2024-039

Date and Location: December 27, 2024, Virtual, Zoom Meeting

Meeting called to order at: 5:00PM CT

Names of people in attendance:

- Stephonn Alcorn, Rosedale Apartments LLC
- JD McMahan, Rosedale Apartments LLC
- Cory Hinesley, 4202 Adams St Kansas City, KS 66103

Introductions and Presentation:

Stephonn Alcorn/Rosedale Apartments LLC (Developer) provided introductions of himself/Rosedale Apartments and gave an overview of the proposed change of zone for the properties. The Developer shared that the proposed change of zone from R-1(B) Single Family District to R-2(B) will allow the properties zoning designation to match its historical, current, and go-forward use. Alcorn shared that Rosedale Apartments LLC recently acquired the properties on November 27, 2024 and that they have historically operated as multifamily rental housing. The Developer shared plans to substantially rehabilitate the properties, include comprehensive in-unit and external upgrades. The Developer shared that where allowed and permitted, work has already begun. The Developer shared that upon completion of the rehab, the properties will operate as high-quality, attainable rental housing and maintain their same physical footprint and architectural structuring. The Developer also mentioned that they intend to be long-term owners and operators of attainable rental housing in the Rosedale neighborhood.

Cory Hinesley shared that she is a homeowner at 4202 Adams St Kansas City, KS 66103. Hinesley shared that she is supportive of the new ownership change and reinvestment into the properties – including the change of zone request to make the properties compliant with their operating status as six rental units. She is supportive of the change of zone request. She also shared that for years, under prior ownership, the properties have fallen into disrepair and have seen transient resident bases, leading Hinesley and other neighbors calling the police out of concern of potential illegal activity. She is looking forward to the positive reinvestment into the properties and is supportive of the change of zone request. She has

observed work that the Developer has already initiated and is supportive of the efforts already underway. The Developer and Hinseley exchanged contact information and agreed to keep an open line of communication going forward.

Questions:

No questions were asked during the meeting.

Meeting adjourned at: 5:43 PM CT.

Minutes taken by: Stephonn Alcorn, JD McMahan

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF New York)
) SS:
COUNTY OF New York)

Comes now Stephenn Alcorn/Rosdals of lawful age, sound mind and upon his/her oath states as follows: Apartment LLC

1. That I am the petitioner for Petition # COZ2024-039
2. That I conducted a neighborhood meeting on December 27, 2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.



Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 2 day of January, 2025

My commission expires _____ of _____, 200_.



Notary Public

CELINE RAPHAEL
NOTARY PUBLIC STATE OF NEW YORK
No. 01RA6432357
Qualified in the County of New York
Commission Expires May 02, 2026







Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 30, 2025

Re: **Special Use Permit Petition SP2024-061**

GENERAL INFORMATION

Applicant Information:

Jesus Oseguera and Mario Leon
JJ Renovation
211 North Tremont Street
Kansas City, Kansas 66101

Subject Property:

735 Minnesota Avenue
Kansas City, Kansas 66101

Requested Action and Purpose:

Approval of a Special Use Permit for
an event center with live
entertainment.

Commission Districts:

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

Existing Zoning District(s):

C-D Central Business District

Plan Area

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	C-D Central Business District	Vacant Commercial Building
South	C-D Central Business District	Mixed-Use Building
East	C-D Central Business District	Commercial Building
West	C-D Central Business District	Commercial Building

Total Tract Size: 0.21 Acres

Comprehensive Plan Designation: The Downtown Area Plan designates the subject property as Downtown Mixed-Use, which allows multi-story buildings with commercial/retail uses at street level preferred, with office uses and some residential uses above.

Major Street Plan: The goDotte Mobility Plan designates Minnesota Avenue as a Major Arterial.

Parking Requirement: Section 27-465(f)(1) uses in this district need not provide off-street parking, except that residential occupancies shall provide not less than one off-street parking space for each dwelling unit, and hotels shall provide one off-street parking space for each room.

Section 27-668(11) states “Places of assembly, auditoriums, theatres, and concert halls. One space for each four seats”.

The venue seats up to 500, which would require 125 spaces to be provided. The only parking plan provides only provides 133 spaces total.

Landscaping Requirement: Section 27-465(h) states “Where setbacks allow, a reasonable amount of landscaping is required on all projects in this district, all to be depicted on a properly prepared plan.

Advertisement: The Wyandotte Echo – August 15, 2024
 Letters to Property Owners – August 16, 2024, September 13, 2024, October 18, 2024, November 15, 2024

Public Hearings: December 9, 2024, January 13, 2025, and January 30, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Jesus Oseguera and Mario Leon, are requesting a Special Use Permit to operate an event center with live entertainment at 735 Minnesota Avenue.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There have been six (6) noise or disturbance complaints between 2019 and 2023
 - a. 2023 – 05/15/2023 – Battery
 - b. 2022 – 10/02/2022 – Aggravated Sodomy
 - c. 2021 – 06/12/2021 – Damage and Unlawful Use of Weapons
 - d. 2020 – 12/14/2020 – “Other”
 - e. 2019 – 11/09/2019 – Battery

Building, Zoning, or Code Enforcement Complaints:

1. There are no notices of violation on the subject property, however, there have been several complaints from a nearby property owner, of trash from this property being placed in the alleyway. Site visits were not able to find evidence of a violation.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. Approval of a Special Use Permit (SP-2019-62) for five (5) years for an event space in 2019.
2. Approval of a Special Use Permit (SP-2017-22) for two (2) years for an event space in 2017.
3. Approval of a Special Use Permit (SP-2014-74) for two (2) years for an event space in 2014.
4. Approval of a Special Use Permit (SP-2013-2) for one (1) year for an event space in 2013.
5. Approval of a Variance (BZA 2088) for allowance of parking further than 100 feet away from the business.

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The subject property is located within the Riverview Statistical Neighborhood, the Downtown Shareholders Group, and the Groundworks NRG group. The character of the neighborhood is entirely commercial, where there is a mixture of business and vacant tenant spaces. Some of the businesses include a restaurant, small storefronts, and office space.

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

The zoning and uses are set out above. The subject property is surrounded by the C-D Central Business District zoning designation. The use of the property as an event space is expected to be compatible, especially in the heart of Downtown KCK, however, impacts such as noise, parking, and potential overcrowding may have impacts if not managed properly, especially if additional dwelling units are added within the Downtown core.

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

The proposed use is suitable for the subject property, especially since the use has functioned as an event space for 11 years currently. It is not expected that the use will be a detriment to nearby uses, however, issues such as parking, crowds, and noise are a concern to staff and must be addressed prior to renewal.

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

The property has been utilized as an event space since 2013.

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

Special Use Permits are not addressed in the Downtown Area Plan. The Downtown Area Plan designates the subject property as Downtown Mixed-Use, which allows multi-story buildings with commercial/retail uses at street level preferred, with office uses and some residential uses above. The proposed use is expected to be compatible.

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

The proposed use has the potential to increase vehicular traffic along Minnesota Avenue. While the amount of traffic is not expected to be a concern, the use of on-street parking may create impacts. There has been expressed concern with the use of valet parking, creating queueing along Minnesota Avenue. The applicant shall secure additional parking agreements with nearby properties/property owners.

There is concern with valet parking; Staff has been advised that the venue is utilizing valet parking and has been queueing valet cars along Minnesota Avenue. If this practice is occurring, it must cease immediately.

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 necessary for the welfare of the public but provides a convenience in the form of entertainment. Live entertainment has the potential to create issues of noise and traffic for the adjacent businesses, and residences, if not managed properly.

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

Noise, vibration, and illumination are issues that are related to live entertainment and could create problems for nearby businesses. Dust is not expected to be an issue because parking takes place on an improved surface parking lot.

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

The proposed use will not pollute the air, land, or water because it is for an event space and live entertainment within an existing structure.

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is conducted wholly within an existing business in an existing, built-out, mixed-use neighborhood.

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

The relative gain or loss to the public health, safety, and welfare is likely to be minimal as it only provides the convenience of entertainment with some economic benefit. If denied, the landowner could not use the property for a bar with live entertainment but could use the property as a restaurant or other commercial business, rent the property, or sell it.

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

The applicant will be required to maintain the use according to the submitted plans and descriptions of the proposed use. The applicant will also be required to meet all conditions of approval.

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

The proposed use could create issues of overcrowding and undue concentrations of population if it is not managed properly and does not adhere to parking standards and agreements or occupancy limits.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting on October 31, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Changes in Operation Under New Ownership
Issues with Valet
Police Calls
Previous Conditions of Approval
Updated Documents

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-061**, for two (2) years, subject to:

- 1. Previous conditions of approval still apply, including:**
 - a. Events larger than 250 people shall have a pre-determined number of security officers in the building, greater than two (2).**
 - b. All doors shall remain closed during an event.**
 - c. Add an ID scanner and scan all IDs of those entering the facility.**
 - d. No music over 65 DBA before 6:00 PM.**
 - e. An understanding by the applicant that simply removing a troubled situation out the door is not acceptable. They need to control and detain until on-duty officers arrive and take control of any situation.**

- f. In addition to that security one (1) non-security adult chaperon for every twenty-five (25) children for events focused on youth under 18 years old (provided by the client).
 - g. All alcohol will be provided by the facility or one of its approved caterers. Catering list must be up-to-date and on file in the Planning Department;
- 2. No more than 500 people may attend any event. Inspections by KCKFD may limit this number further;
- 3. All parking agreements must be maintained;
- 4. No traffic for valet parking may queue up along Minnesota Avenue. Patrons must park at the allowed lots themselves;
- 5. All entertainment must cease by 1:00 AM on Friday and Saturday, and no later than 10:00pm on weeknights and Sunday night;
- 6. Doors and windows must stay closed during any entertainment performance;
- 7. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
 - a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
 - b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
 - c. An I.D. scanner will be used at all times;
- 8. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
- 9. No amplified speakers or entertainment is allowed in outdoor spaces;
- 10. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
- 11. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
- 12. If approved, occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
- 13. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

- 14. All existing and future driveways must feature curb cuts that are constructed to UG standards;**
- 15. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
- 16. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 17. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
- 18. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
- 19. The Special Use Permit shall be valid for two (2) year(s) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
- 20. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**

21. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-061** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Site Plan
Floor Plan
Elevations
Site Photos, Taken By Staff, Dated August 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	December 9, 2024 (Held Over) January 13, 2025 (Approved)	January 30, 2025

STAFF CONTACT:

James Molloy
jmolloy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-061** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to

resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-061**, 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.

JANUARY 13, 2025 CITY PLANNING COMMISSION MINUTES

Hearing starts at 1:51:58:

SPECIAL USE PERMIT APPLICATION SP2024-061 – JESUS OSEGUERA –

SYNOPSIS: Special Use Permit for an event space at 735 Minnesota Avenue.

Detailed Outline of Requested Action: The applicants, Jesus Oseguera and Mario Leon, are requesting a Special Use Permit to operate an event center with live entertainment at 735 Minnesota Avenue.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

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

Present in Support:

- Jesus Oseguera, applicant, 211 South Tremont Avenue, Kansas City, Kansas 66101.

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:53:22: Planning Director Hand stated that this case was held over from December for the applicant to obtain a parking agreement. This is an historic use, but a new operator, so they need to obtain a new Special Use Permit. The Special Use Permit is for an event space and live entertainment. This property is located in the Downtown Area Plan. Staff received no letters in support or in opposition. There are calls for service on this property, but nothing out of the ordinary for an event space. Staff recommends approval for two (2) years with conditions.

Motion starts at 1:54:23:

On motion by Mr. Straws, seconded by Ms. Armstrong, the Planning Commission voted as follows to **recommend APPROVAL of SP2024-061:**

Carson	Chairman
Straws	Aye
Ward	Not Present
Armstrong	Aye

Beth Aye
Easterwood Aye
Ernst Aye
Jones Aye
Miller Not Present
Mohler Aye
Schwartz Aye

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

1. Previous conditions of approval still apply, including:
 - a. Events larger than 250 people shall have a pre-determined number of security officers in the building, greater than two (2).
 - b. All doors shall remain closed during an event.
 - c. Add an ID scanner and scan all IDs of those entering the facility.
 - d. No music over 65 DBA before 6:00 PM.
 - e. An understanding by the applicant that simply removing a troubled situation out the door is not acceptable. They need to control and detain until on-duty officers arrive and take control of any situation.
 - f. In addition to that security one (1) non-security adult chaperon for every twenty-five (25) children for events focused on youth under 18 years old (provided by the client).
 - g. All alcohol will be provided by the facility or one of its approved caterers. Catering list must be up-to-date and on file in the Planning Department;
2. No more than 500 people may attend any event. Inspections by KCKFD may limit this number further;
3. All parking agreements must be maintained;
4. No traffic for valet parking may queue up along Minnesota Avenue. Patrons must park at the allowed lots themselves;
5. All entertainment must cease by 1:00 AM on Friday and Saturday, and no later than 10:00pm on weeknights and Sunday night;
6. Doors and windows must stay closed during any entertainment performance;
7. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
 - a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
 - b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
 - c. An I.D. scanner will be used at all times;
8. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
9. No amplified speakers or entertainment is allowed in outdoor spaces;
10. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
11. Per Section 27-723(a), no sign (including the structure or sign surface) shall

be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

12. If approved, occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
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14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
15. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
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17. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
18. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion

thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

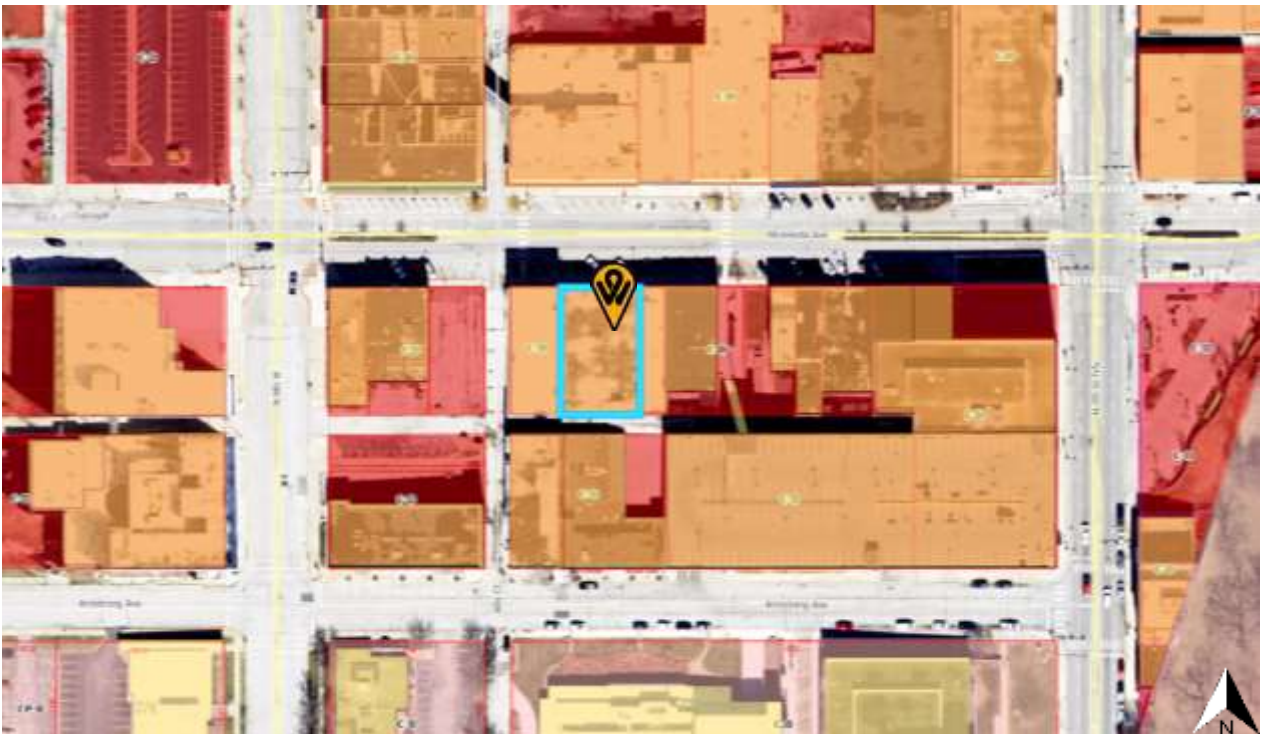
19. The Special Use Permit shall be valid for two (2) year(s) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration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

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



NEIGHBORHOOD MEETING MATERIALS

10/29/24

Time in: 7:00pm

Time Out: 7:40pm

1- Guadalupe Jesus representing Ana Medina-

2-

3-

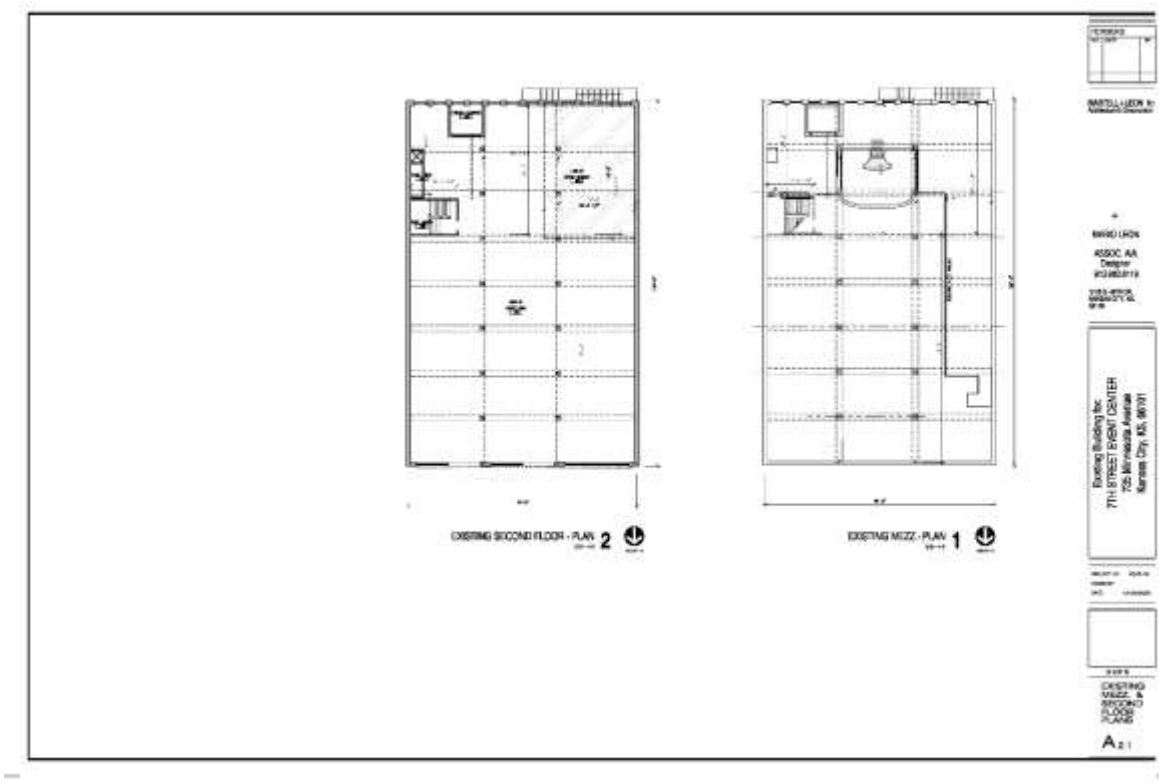
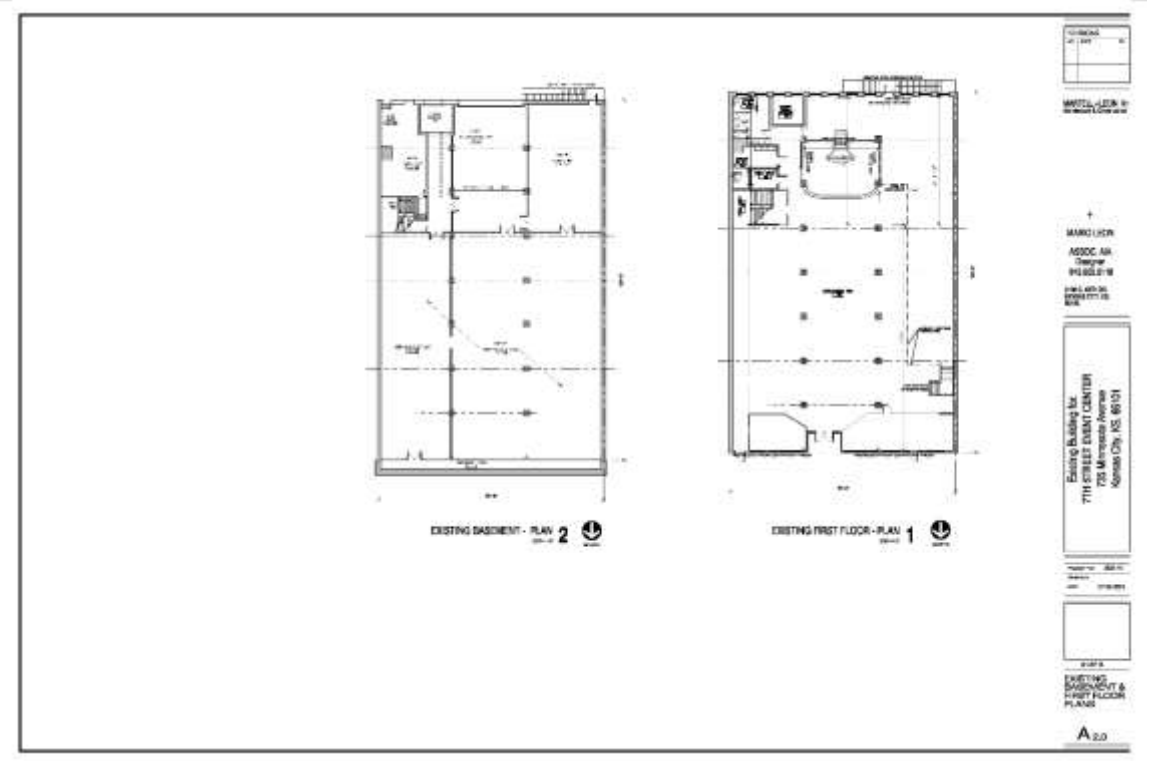
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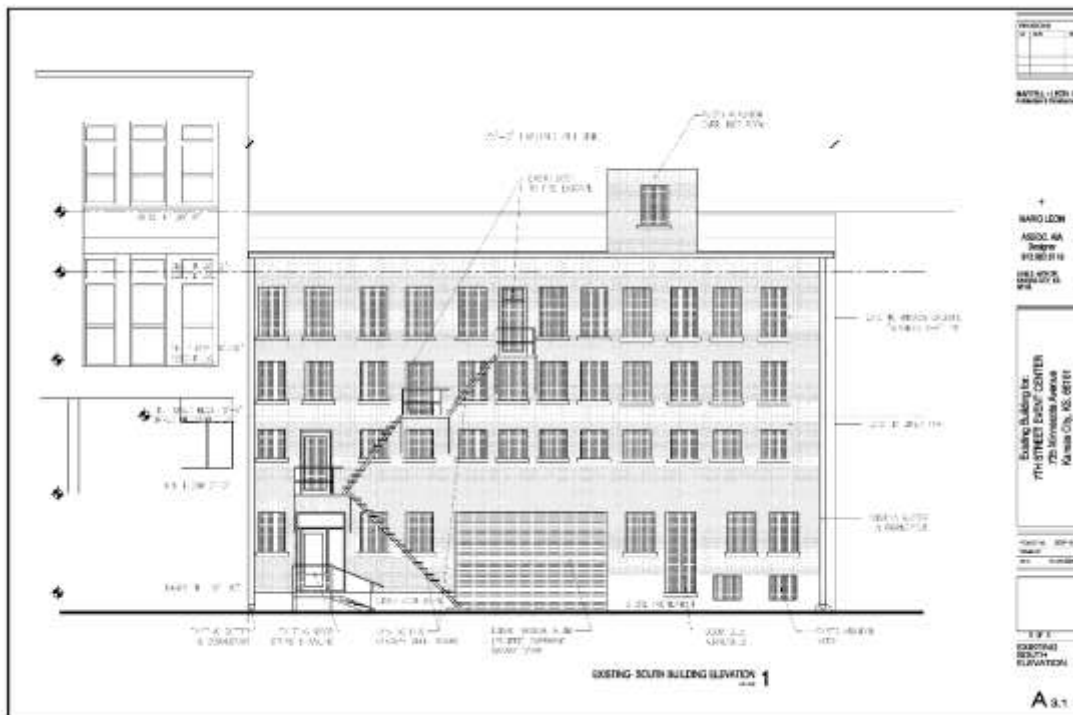
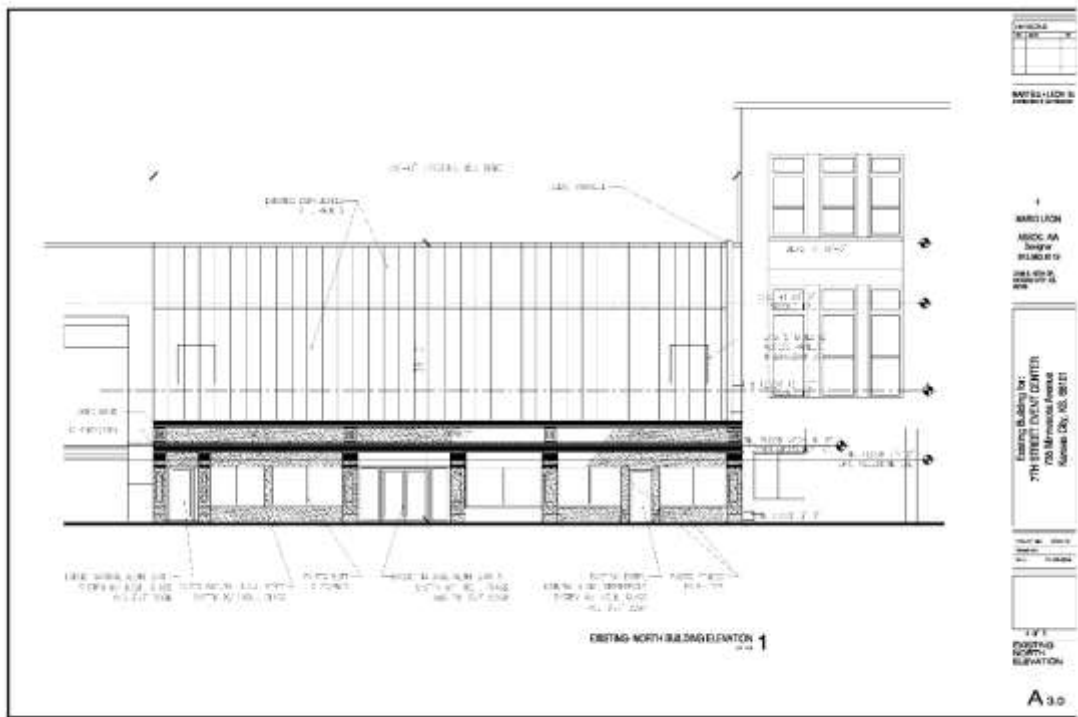
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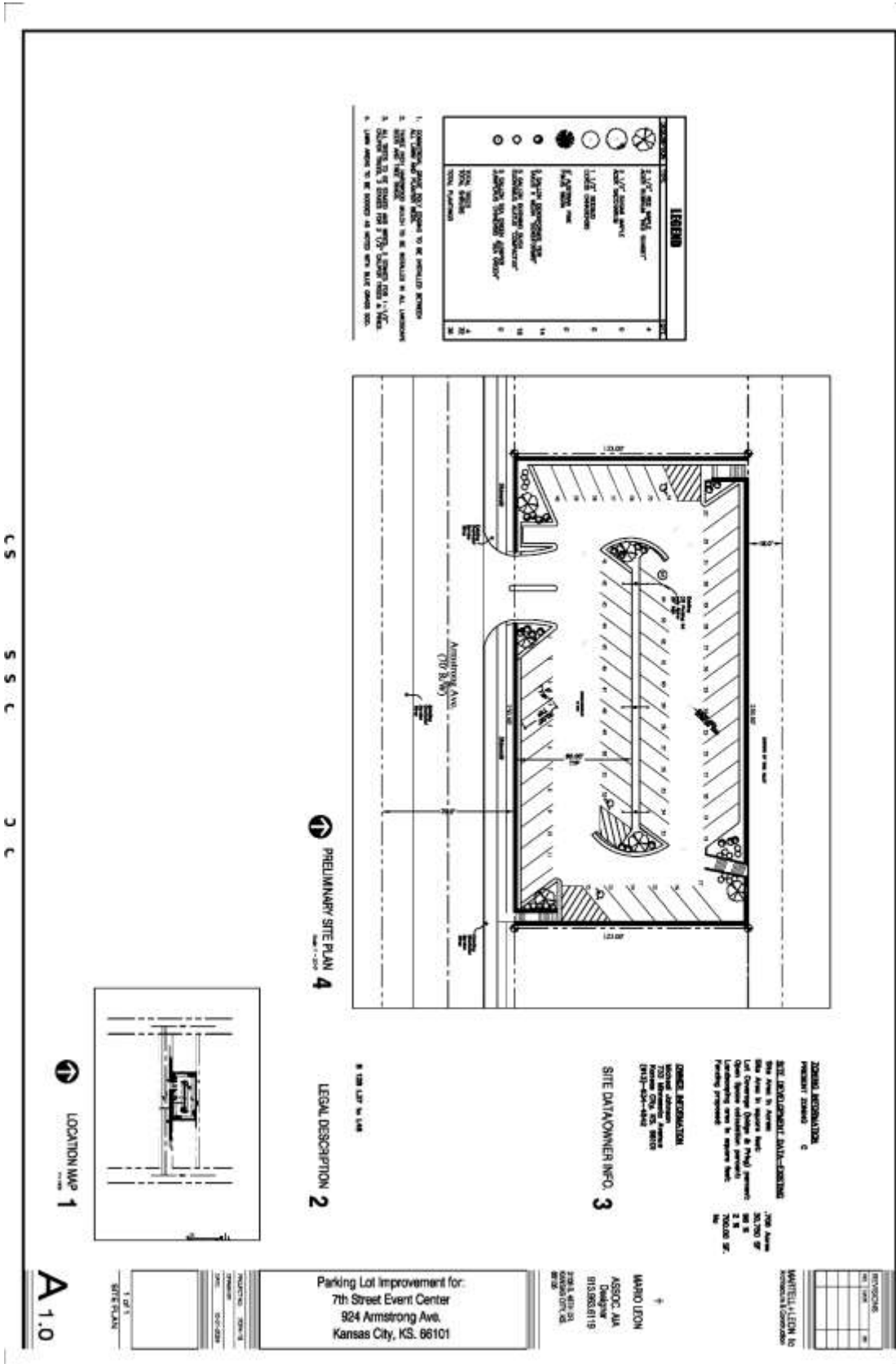
FLOOR PLAN



ELEVATIONS



PARKING AGREEMENTS



To whom this may concern:

Mental Health America of the Heartland (MHAH) located at 739 Minnesota Ave Kansas City, KS 66101 , agree that 7th Street Event Center can use its 30 car parking lot to park cars during their events after normal business hours from Monday to Friday, 8 AM to 5 PM. Per our agreement, Jesus Oseguera, owner of 7th Street Event Center agrees to keep our parking lot clean and free of any trash and spray weeds as required during the course o the year.

Susan Crain Lewis, President/CEO
Mental Health America of the Heartland



Signature

7/25/24

Date

PARKING LOT COUNTS TABULATION						
LOT #	ADDRESS/OWNER OF LOG	OFF-ST STALLS REQ	STALLS ALLOWED BY OWNER	STALLS COUNTED	TOTAL	
1	924 ARMSTRONG	0	65 any time	65 after 6pm 1 HC Space	65	
2	MENTAL HEALTH	0	24 after 6pm M-F 24 anytime Sat-Sun	24 after 6pm 1 HC Space	30	
3	LAW OFFICE OF HUGO MARTINEZ	0	13 FRIDAY-SUNDAY AFTER BUSSINESS HOURS	13 AFTER 5:00 FRI-SUNDAY	13	
4	1514 MINOSOTA AVE.	0	25 ANY TIME	65 after 6pm 3 HC Space	25	
5						
6						
	TOTALS				133	

SITE PHOTOS, TAKEN BY STAFF, DATED AUGUST 2024





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 30, 2025

Re: **Special Use Permit Petition SP2024-094**

GENERAL INFORMATION

Applicant Information:

Tamara McConnell
Owner, Breathe Beverage
2000 North 67th Street
Kansas City, Kansas 66104

Subject Property:

2724 North 13th Street
Kansas City, Kansas 66104

Requested Action and Purpose:

Approval of a Special Use Permit for live entertainment at a restaurant.

Commission Districts:

Commissioner At-Large, District #1:
Melissa Bynum
District #1 Commissioner:
Gayle Townsend

Existing Zoning District(s):

CP-2 Planned General Business
District

Plan Area:

Northeast Area Plan



	Adjacent Zoning	Adjacent Uses
North	C-1 Limited Business District	Northeast Economic Development Corporation, Convenience Store with Gas and Restaurant with Banquet Dining
South	C-1 Limited Business District and R-1(B) Single-Family District	Single Family Residences and Barbershop
East	C-3 Commercial District and R-2 Two-Family District	Single Family Residence and Two-Family Residences
West	C-1 Limited Business District and R-1(B) Single-Family District	Single Family Residences

Total Tract Size: 0.06 Acre

Comprehensive Plan Designation: The Northeast Area Plan designates this property as Mixed Use. Mixed Use is generally designated along corridors that include a mix of single-family houses, apartment buildings, small commercial buildings, and mixed-use buildings. These areas should be walkable with wide sidewalks, landscape buffer areas, street trees and accommodates for cyclists and transit. Buildings should be built up to the street to form a consistent street frontage. Allowed building types include single-family houses, townhomes, duplexes, low-rise apartments, small commercial retail and office, mixed-use buildings, and institutional uses.

Major Street Plan: The goDotte Mobility Plan designates North 13th Street as a Minor Collector Street.

Parking Requirement: Section 27-466(e) requires paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. Special parking needs are expanded in Section 27-668(a) which requires that eating places, restaurants, dining rooms, snack bars shall provide one (1) space for each 50 square feet of seating area plus one space for each remaining 300 square feet of total floor area. Such establishments with less than 500 square

feet of seating area shall supply at least ten (10) off-street parking spaces.

A variance for 0 parking spaces (BOZA2022-022) was approved in 2022.

Landscaping Requirement:

Section 27-466(g) states trees are required to be provided at not less than one per 7,000 square feet of site area. Six-foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property.

Advertisement:

The Wyandotte Echo – October 17, 2024
Letters to Property Owners – October 18, 2024 and December 6, 2024

Public Hearings:

November 12, 2024 (CPC), December 7, 2024 (BOC), January 13, 2025 (CPC), and January 30, 2025 (BOC)

Public Support:

There were four (4) persons present at the January 13, 2025, City Planning Commission meeting.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Tamara McConnell, is requesting a Special Use Permit to operate a restaurant with live entertainment at 2724 North 13th Street. The property previously had a Special Use Permit (SP2022-018), however, as ownership has changed, this petition is considered a new application.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. 4/29/2023 – 2023-41543 – Unlawful Use of a Weapon, Discharge of a Firearm, and Aggravated Battery
2. 2/26/2023 – 2023-18459 – Criminal Damage, Aggravated Battery, and Use of Deadly Weapon

Building, Zoning, or Code Enforcement Complaints:

1. There have been the following Notices of Violation on the property:
 - a. 2023: STR23-1005 and BSR23-0162 – Partial deck constructed without permits.
 - b. 2022: STR22-0119 – improper boarding of building.
 - c. 2021: 19201-00652 – damaged masonry, windows, sidewalk, doors, and other exterior structural issues.
 - d. 2019: 19225-04689 – trash, weeds, abatement.
 - e. 2014: 14212-01009 – trash, weeds, abatement
 - f. 2013: 13220-00375 – graffiti

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. Approval of a Change of Zone (COZ2022-006) from C-1 to CP-2 and a Special Use Permit (SP2022-018) for live entertainment in 2022.
2. Approval of a Variance (BOZA2022-022) for 0 parking spaces for a restaurant in 2022.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The property is located within the Northeast Statistical Neighborhood, the Groundwork NRG Group, and the Organization for Community group. The neighborhood is urban in character. The subject property is adjacent to commercial properties on Quindaro Boulevard that are a mix of office, retail, non-retail, and convenience uses. The subject property is the buffer zone between these commercial properties and adjacent residences on narrow lots, with immediate lot sizes of approximately 30 feet. Streets are mostly concrete, and driveways are often in the rear alleyways of properties. Roads show signs of significant improvement such as sidewalks, curbs, and gutters. This block of Quindaro is a mix of single-family residences, duplexes, and neighborhood commercial uses such as a banquet hall.

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

The zoning uses of the nearby properties are set out above. Other dwellings in the area include single-family homes, two-family homes, and neighborhood commercial uses. The proposed zoning would have general compatibility with the nearby properties due to their proximity to commercial uses. Live

entertainment, if not managed properly, may negatively impact nearby residences.

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

The property is suitable for a restaurant and small gatherings because it is an urban, mixed-use area in which neighborhood establishments are popular. There is the possibility for increased parking demand with the additional uses of alcohol consumption although the neighborhood generally favors small, locally owned and easily accessible businesses as a buffer to the more intense commercial uses on Quindaro Boulevard.

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

The property is not vacant and has been a restaurant since 2022.

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

The Northeast Area Master Plan designates this Property as Mixed Use. Mixed Use is generally designated along corridors that include a mix of single-family houses, apartment buildings, small commercial buildings, and mixed-use buildings. These areas should be walkable with wide sidewalks, landscape buffer areas, street trees and accommodates for cyclists and transit. Buildings should be built up to the street for form a consistent street frontage. Allowed building types include single-family houses, townhomes, duplexes, low-rise apartments, small commercial retail and office, mixed-use buildings, and institutional uses. Currently, the subject property is situated between more intense commercial uses and the adjacent residences, contributing to the Mixed Uses, and thus, conforms to the Area 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 has the potential to increase vehicular traffic but will not exceed the capacity of North 13th Street, a Minor Collector to accommodate it if managed properly. There will be an increase in parking demand, as there is no available parking on-site, resulting in all parking occurring on North 13th Street or nearby Quindaro Boulevard.

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

There is minimal public gain as the proposed business is for private enjoyment, however, there is some benefit from operating a business in a building with long-term vacancy and the associated property and sales tax gains from its operation. The subject property already exists, and the request would not substantially or permanently injure the appropriate use, quality, or marketability of nearby neighboring property if managed appropriately.

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

Noise, vibration and illumination are expected to occur in durations as to create issues with nearby properties. These issues are not expected to create problems for nearby property, however, if windows and doors are closed during performances, there are no outdoor speakers, and outdoor lighting is affixed with 90-degree cut-offs, Dust is not expected to be an issue with this type of use.

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

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

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is located in an existing urban mixed-use neighborhood.

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

A sports bar in and of itself would not be considered to have relative gains to the public health, safety, and welfare. The public would benefit from having another establishment in the neighborhood for socializing and gathering, as opposed to a continuously vacant space without a tenant. Denying the Special Use Permit may cause hardship for the property owner as they would no longer be allowed to host live entertainment as part of their business, which may negatively affect sales.

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

Despite the change in ownership, the property has been maintained as originally proposed and according to previous conditions of approval.

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

The proposed use has the propensity for overcrowding of vehicular traffic due to its legal non-conformance in regard to lot size and lack of off-street parking. The consumption of alcohol is not a determining factor as similar uses in the neighborhood exist under similar conditions. There is a propensity for alcohol consumption to cause undue concentrations of population, however, a certificate of occupancy would provide a limit on populations appropriate for the building's size.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting on October 29, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

In addition to the neighborhood meeting required by staff, the applicant held a separate neighborhood meeting the Commission Gayle Townsend of District #1 as well as representatives of the OCP Neighborhood Group.

KEY ISSUES

Change of Ownership
Noise, Lighting, Vibration
Obstructed Sidewalks
Parking and Traffic
Previous Conditions of Approval
Security Plan

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-094, for two (2) years**, subject to:

- 1. No outdoor loitering in alleyways or behind the building;**
- 2. Trash must be maintained at the rear of the building;**
- 3. The applicant shall work with KCKFD to determine the proper occupancy. The applicant must provide proof from KCKFD with a determination of occupancy prior to publication of this petition;**
- 4. All parking agreements shall be maintained and filed with the register of deeds;**
- 5. As outlined by the applicant, all live entertainment shall end no later than 10:00 PM on Friday and Saturday. No entertainment shall occur any other night of the week;**
- 6. Doors and windows must stay closed during any entertainment performance;**
- 7. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:**
 - o Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional**

- security guards may be required depending on the building capacity;
 - Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
 - An I.D. scanner will be used at all times;
 - At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
8. No amplified speakers or entertainment is allowed in outdoor spaces;
 9. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
 10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 11. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
 12. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 13. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 15. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 16. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 17. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463

- through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
18. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
 19. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 20. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 21. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2024-094** subject to all comments and suggestions outlined in this staff report, and conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Site Plan
Floor Plan
Business Plan
Parking Agreement
Site Photos, Taken by Staff, Dated October 18, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	November 12, 2024 (Approved) January 13, 2025 (Approved)	December 5, 2024 (Remanded to CPC) January 30, 2025

STAFF CONTACT:

James Molloy
jmolloy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-094** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-094**, 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.

JANUARY 13, 2025 CITY PLANNING COMMISSION MINUTES

Hearing starts at 1:59:15:

SPECIAL USE PERMIT APPLICATION SP2024-094 –TAMARA MCCONNELL WITH BREATHE BEVERAGE– SYNOPSIS: Special Use Permit for a drinking establishment with events at 2724 North 13th Street.

Detailed Outline of Requested Action: The applicant, Tamara McConnell, is requesting a Special Use Permit to operate a restaurant with live entertainment at 2724 North 13th Street. The property previously had a Special Use Permit (SP2022-018), however, as ownership has changed, this petition is considered a new application.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

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

Present in Support:

- Tamara Mcconnell, applicant, 2724 North 13th Street Kansas City, Kansas 66104
- Jaron Baker, 2200 North 11th Street, Kansas City, Kansas 66104
- Senitria Hampton Monk, 3224 North 109th Place, Kansas City, Kansas 66109
- Ricky Johnson, 1871 Praun Lane, Kansas City, Kansas 66102
- Michael Barry, 7415 Armstrong Avenue, Kansas City, Kansas 66112

The Planning Commission directed questions to the applicant.

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:18:08: Planning Director Hand stated that this case was remanded back to the City Planning Commission by the Board of Commissioners. The application is for a Special Use Permit for a drinking establishment with live entertainment and an event space, this is the previous use of the property, but there is now a new operator. This property is located in the Northeast Area Plan. Staff received no letters in support, and there was opposition at the Board of Commissioners. There are Notices of Violation that have been rectified by the previous owner. Staff has received feedback from KCKPD that there were incident reports of two shootings in 2023 and one in September 2024 tied to this property. Staff recommends approval for two (2) years

with conditions.

Motion starts at 2:19:24:

On motion by Ms. Schwartz, seconded by Mr. Straws, the Planning Commission voted as follows to **recommend APPROVAL of SP2024-094:**

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

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

- 1. No outdoor loitering in alleyways or behind the building;**
- 2. Trash must be maintained at the rear of the building;**
- 3. The applicant shall work with KCKFD to determine the proper occupancy. The applicant must provide proof from KCKFD with a determination of occupancy prior to publication of this petition;**
- 4. All parking agreements shall be maintained and filed with the register of deeds;**
- 5. As outlined by the applicant, all live entertainment shall end no later than 10:00 PM on Friday and Saturday. No entertainment shall occur any other night of the week;**
- 6. Doors and windows must stay closed during any entertainment performance;**
- 7. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:**
 - Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;**
 - Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;**
 - An I.D. scanner will be used at all times;**
 - At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;**
- 8. No amplified speakers or entertainment is allowed in outdoor spaces;**
- 9. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;**
- 10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this**

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

11. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
12. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
13. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
15. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
16. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
17. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
18. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive

operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

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

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



Neighborhood Meeting
Minutes

Meeting opened at 6pm on 10-29-2024
3 attended two from the community and the
Notary Public, business proposal was made to
attendants with questions or concerns on the floor
meeting adjourned at 6:35pm

10-29-2024

Neighborhood Meeting Sign in Sheet

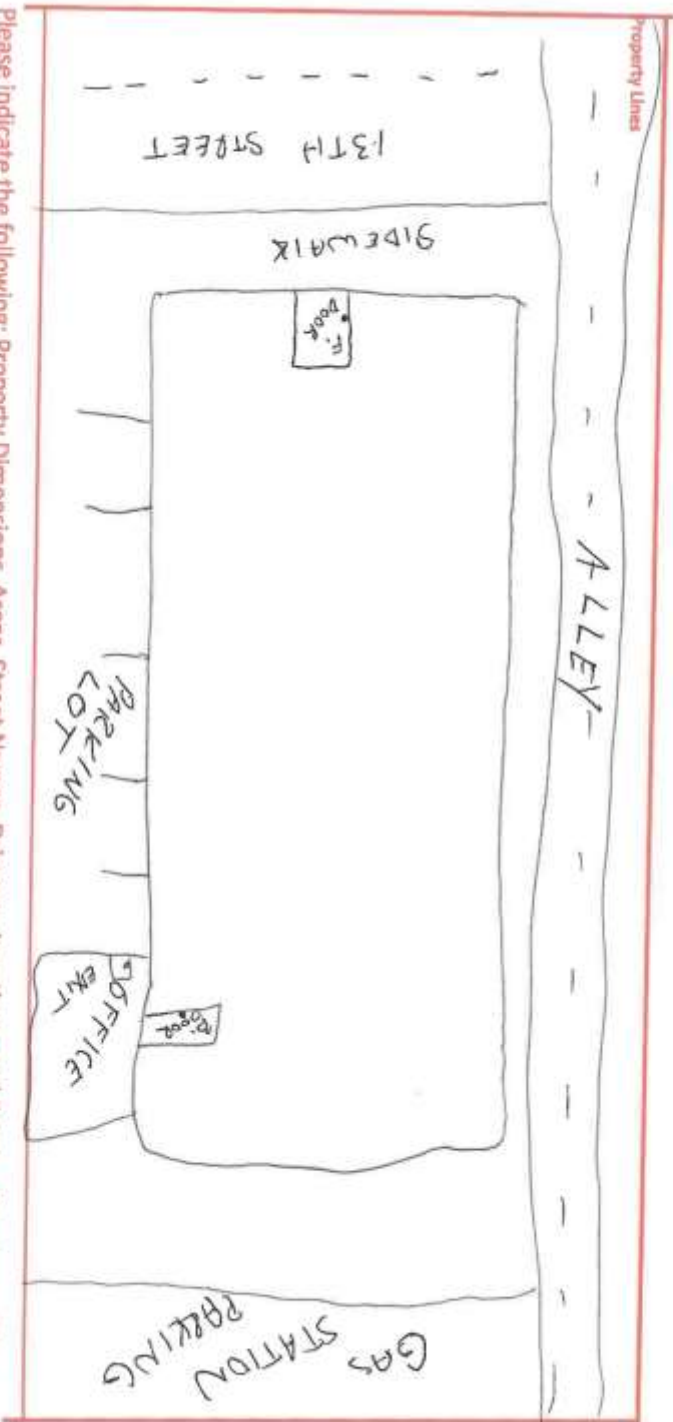
Name	Address	Phone Number
Samantha Bradshaw	John's Java + Jazz 2003 N. 5 th St	(913) 575-3221
Jeffrey Hollinshed	1960 N Thompson 2739 2739 N 13 th St.	(913) 602-5788
LaShasta Boykin	3042 N. 21 st Street KCK 666104	913-251-6250

SITE PLAN

Site Plan

Name: _____ Project Name: _____ PH# _____ or _____

Legal Description: _____ Building Permit: _____ Roll#: _____



Please indicate the following: Property Dimensions, Areas, Street Names, Driveway Locations, and Existing Structures. The New Structure, All Distances between Structures and Property Lines. Show where NORTH is on Site Plan

The above information is true and accurate

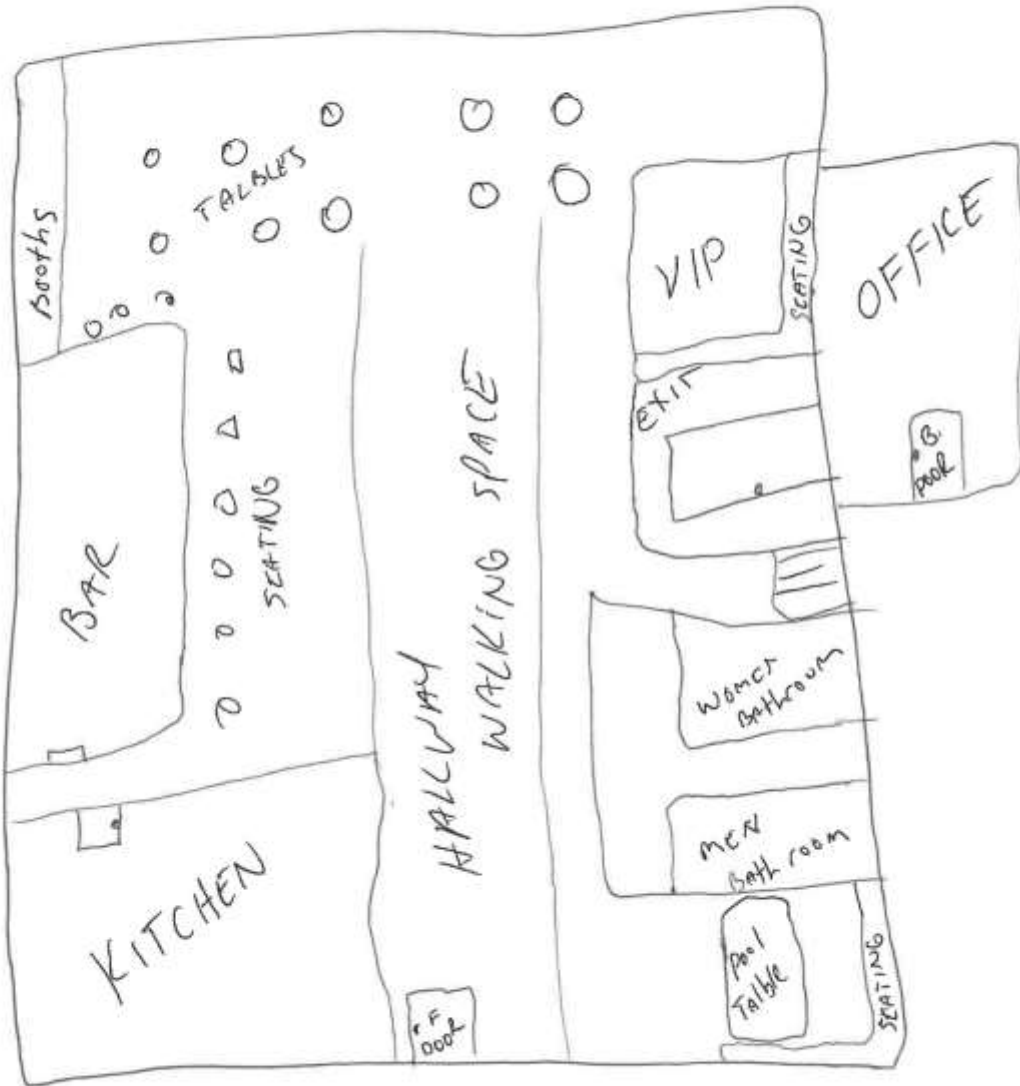
H:\Carlier Documents\BUILDING INSPECTOR\Templates\Site Plan.plc template.docx

Signed: *[Signature]*

Date: 9/25/2024

FLOOR PLAN

Floor plan



Hour of operation
For Drinking establishment

Thursday 4:30pm - 1:30am
Friday 4:30pm - 1:30am
Saturday 4:30pm - 1:30am
Sunday 4:30pm - 1:30am
Monday 4:30pm - 1:30am

Live entertainment/Events
TBD Based on request/reservation

Friday 4:30pm - 10pm
Saturday 4:30pm - 10pm

* We do NOT move any furniture
Tables, chairs, booths during Live entertainment

* Additional Information requested

PARKING AGREEMENT

Northeast Economic
Development Corp.
Robert L. Milan Sr.
1301 Quindaro Blvd
Kansas City, Kansas 66104

To Whom this may concern;

The owners of above Corporation
give Q.13 owners + Customers
the Authority With My permission
to park in parking Lot At 1301
Quindaro + 2730 N 13th app parking
spaces available 15

Robert L. Milan Sr.
Robert L. Milan Sr.

SITE PHOTOS, TAKEN BY STAFF, DATED OCTOBER 18, 2024





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 30, 2025

Re: **Special Use Permit Petition SP2024-095**

GENERAL INFORMATION

Applicant Information:

Ruben Rosales
Owner
2924 Eaton Street
Kansas City, Kansas 66103

Subject Property:

2924 Eaton Street
Kansas City, Kansas 66103

Requested Action and Purpose:

Renewal of a Special Use Permit
(expired October 5, 2024) to operate
a short-term rental.

Commission Districts:

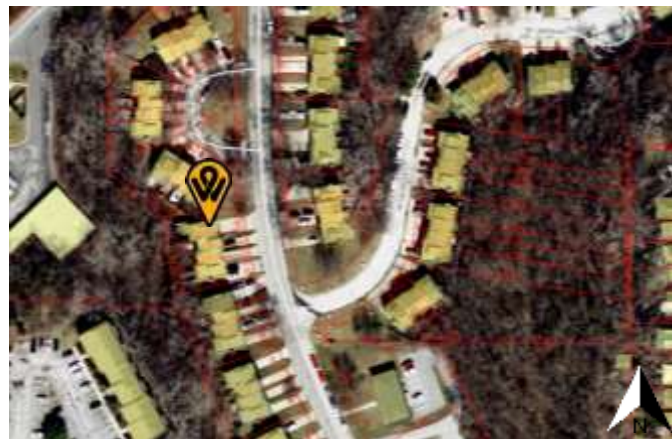
Commissioner At-Large, District #2:
Tom Burroughs
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):

RP-5 Planned Apartment District

Plan Area:

The Rosedale Area Plan



	Adjacent Zoning	Adjacent Uses
North	RP-5 Planned Apartment District	Fourplex
South	RP-5 Planned Apartment District	Fourplex
East	RP-5 Planned Apartment District	Fourplex
West	MP-1 Planned Light Industrial District	Storage Warehouse

Total Tract Size: 0.07 Acre

Comprehensive Plan Designation: The Rosedale Area Plan designates the subject property as General Urban, which allows for rowhouses, townhomes, and single-family houses. Three story apartment buildings, retail, and office uses are allowed only on neighborhood and mixed-use corridors.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Eaton Street as a Minor Collector Street.

Parking Requirement: Section 27-460 (d) states “One and one-half (1 ½) parking spaces shall be provided for each dwelling unit that has one (1) bedroom or less. Two (2) parking spaces shall be provided for each dwelling unit that has two (2) bedrooms or more. The subject property has a total of three (3) bedrooms and provides three (3) off-street parking spaces.

Landscaping Requirement: Section 27-700 (b)(1) states “All multifamily residential projects shall include at least one shade tree per eight dwelling units and one shrub per dwelling unit in addition to the tree requirement, but not in addition to the buffer plantings if required”. The subject property fulfills this requirement.

Advertisement: The Wyandotte Echo – October 17, 2024
Letters to Property Owners – October 18, 2024

Public Hearing: January 13, 2025, and January 30, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Ruben Rosales, is requesting a renewal of a Special Use Permit (expired October 5, 2024) to operate a short-term rental at 2924 Eaton Street. This is the owner’s primary residence; however, they will be on-site for less than 272 days per year. This is the first and only permitted short-term rental on the 2900 block of Eaton Street. There are two (2) other non-permitted short-term rentals on this block, located at 2911 and 2904 Eaton Street, that will have to cease operation if this petition is approved.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. 2016 – 16205-00458 – Environment – Trash and debris (closed).

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. 2023 – SP2023-051 – Special Use Permit to operate a short-term rental.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Rosedale Statistical Neighborhood and the Rosedale Development Association. The neighborhood consists primarily of attached townhomes with single-family residences mixed throughout. The property is located within blocks of the Rainbow Boulevard and Southwest Boulevard mixed-use corridors.

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

The zoning and uses are set out above. The subject property is surrounded by the RP-5 Planned Apartment District and the MP-1 Planned Light Industrial District. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity to the mixed-use corridor along Southwest Boulevard. While use as a short-term rental is commercial in nature, the use is occurring in a purpose-built residence, which should not present issues with nearby property. The proposed use is compatible if properly managed.

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

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

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

The property is not vacant. The property is currently the owner's primary residence and has operated as a short-term rental since 2023.

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

Special Use Permits are not addressed in the Rosedale Area Plan. The Rosedale Area Plan designates the subject property as General Urban, which allows for rowhouses, townhomes, and single-family houses. Three story apartment buildings, retail, and office uses are allowed only on neighborhood and mixed-use corridors. The proposed use conforms to the Rosedale Area Plan designation with the continued approval of a Special Use Permit.

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

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

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

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

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

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

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

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

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

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

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

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

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

It is unclear if the applicant has maintained the proposed use according to previous conditions of approval as Staff has not received proof of repair for items listed in the Home Inspection Report from 2023. Additionally, the applicant has not maintained a business license with the Business License Department.

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

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

NEIGHBORHOOD MEETING INFORMATION

The applicant has not hosted a neighborhood meeting to Staff's knowledge.

KEY ISSUES

Noise, Illumination, and Vibration
Home Inspection Report
Parking

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **DENIAL** of Special Use Permit Application **SP2024-095** as the applicant did not host a neighborhood meeting to Staff's knowledge, post proper notice on the subject property, or respond to Staff Comments and Suggestions.

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. Provide proof of repair for the items listed in the home inspection report.

Applicant Response:

2. The temporary carport, as seen in the site photos, must be removed from the subject property.

Applicant Response:

3. Provide a description of the areas rented for the short-term rental. What is the maximum number of vehicles allowed and where will they park? Indicate guest parking on the site plan.

Applicant Response:

4. What is the maximum number of people that will be staying at any one time?

Applicant Response:

5. Who will be the designated property manager? Explain the details of this arrangement. What is their contact information? Provide the contact information to the neighbors within the notice area.

Applicant Response:

6. How will you communicate with the neighbors if there are any issues?

Applicant Response:

7. In the event that there is an issue on the property, how fast can the owner or manager be on-site if necessary?

Applicant Response:

8. What is the projected annual occupancy rate for this listing?

Applicant Response:

9. Indicate how you will maintain the property in a safe and sanitary manner, including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house;
- b. GFCI outlets required in bathrooms;
- c. Double keyed locks are not allowed;
- d. Copper cannot be used for gas supply lines;
- e. Windows must be operable, not blocked or boarded;
- f. Handrails are required at sets of 4 or more stairs/ risers;
- g. Hot water tank and furnace must be vented properly and operational
- h. Electric panel and circuits must be safe; and
- i. Facility cleaned and sanitized after each guest check-out.

Applicant Response:

10. How will you pay appropriate Kansas State Lodging Taxes? Does AirBNB or other short-term rental platform deduct and pay these taxes?

Applicant Response:

11. Do you provide a guest manual that lists rules and regulations such as "no parties," etc.?

Applicant Response:

12. Will guests be allowed to bring pets to the property?

Applicant Response:

13. Note that the Unified Government uses the services of Host Compliance by Granicus to monitor issues related to short-term rentals such as noise, etc. and to address violations. Their contact information needs to be made available to all guests in the welcome packet. The Unified Government issues notices on all short-term rentals who are not compliant. 913-246-5133.
www.hostcompliance.com/tips.

Applicant Response:

Staff Response: The applicant did not respond to any of the Staff Comments or Suggestions.

Planning Engineering Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval:
 - 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 RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **DENIAL** of Petition **SP2024-095** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

- 1. The applicant did not host a neighborhood meeting to Staff's knowledge, post proper notice on the subject property, or respond to Staff Comments and Suggestions.**

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Floor Plan
Site Visit Photos, Taken by Staff – Dated October 4, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	January 13, 2025 (Denial)	January 30, 2025

STAFF CONTACT:

Kiley Meierarend
kmeierarend@wycokck.org
913-573-5750

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-095**, 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.

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-095** 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.

January 13, 2025, City Planning Commission Minutes:

Hearing starts at 3:15:49:

SPECIAL USE PERMIT APPLICATION SP2024-095 –RUBEN ROSALES– SYNOPSIS:

Renewal of a Special Use Permit (SP2023-051, expired 10/05/2024) for a short-term rental at 2924 Eaton Street.

Detailed Outline of Requested Action: The applicant, Ruben Rosales, is requesting a renewal of a Special Use Permit (expired October 5, 2024) to operate a short-term rental at 2924 Eaton Street. This is the owner’s primary residence; however, they will be on-site for less than 272 days per year. This is the first and only permitted short-term rental on the 2900 block of Eaton Street. There are two (2) other non-permitted short-term rentals on this block, located at 2911 and 2904 Eaton Street, that will have to cease operation if this petition is approved.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

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

Present in Support:

- No one appeared

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:16:24: Planning Director Hand stated that this request is for a renewal of a Special Use Permit for a short-term rental. This property is located in the Rosedale Area Plan. Staff received no letters in support or in opposition. There are some Notices of Violation from 2016, which have been resolved. Staff recommends denial due to noncompliance and non-responsiveness of the applicant.

Motion starts at 3:17:14:

On motion by Ms. Jones, seconded by Ms. Schwartz, the Planning Commission voted as follows to recommend **DENIAL of SP2024-095:**

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

Motion to recommend DENIAL Passed: 8 to 0

For the following reasons:

1. The applicant did not host a neighborhood meeting to Staff's knowledge, post proper notice on the subject property, or respond to Staff Comments and Suggestions.

ATTACHMENTS

AERIAL IMAGERY



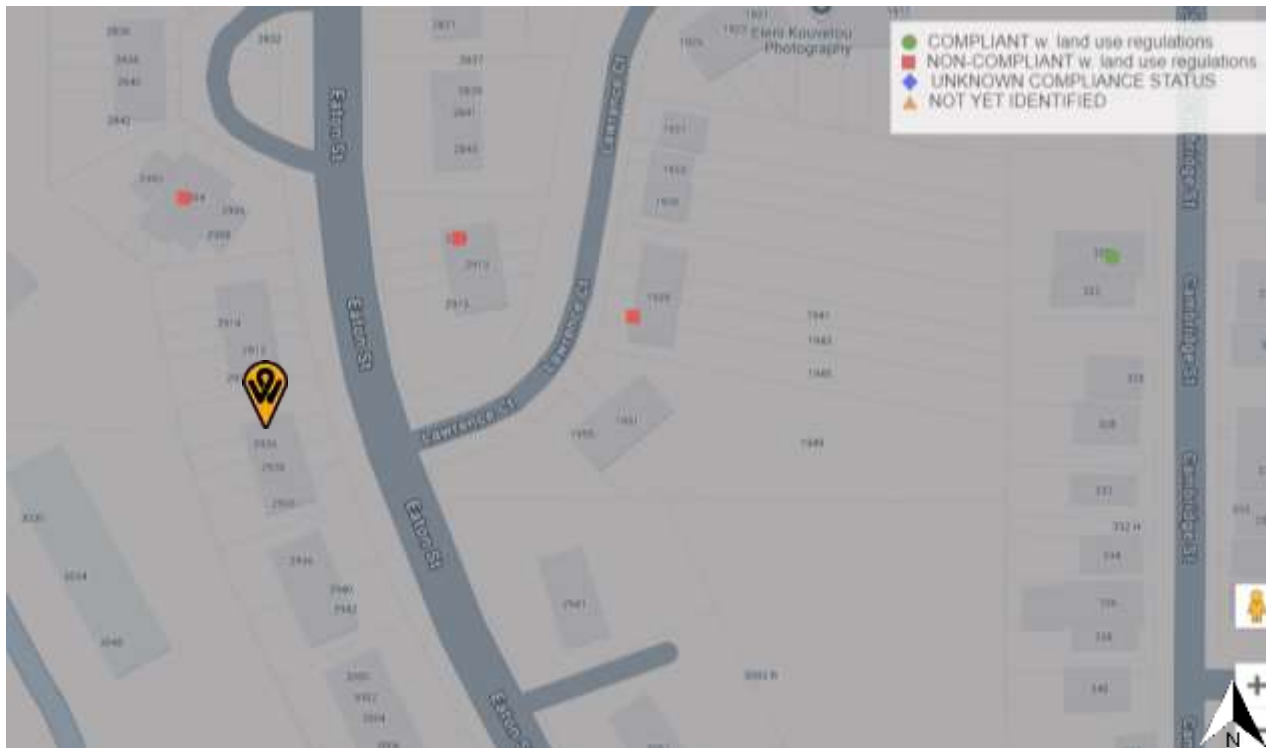
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



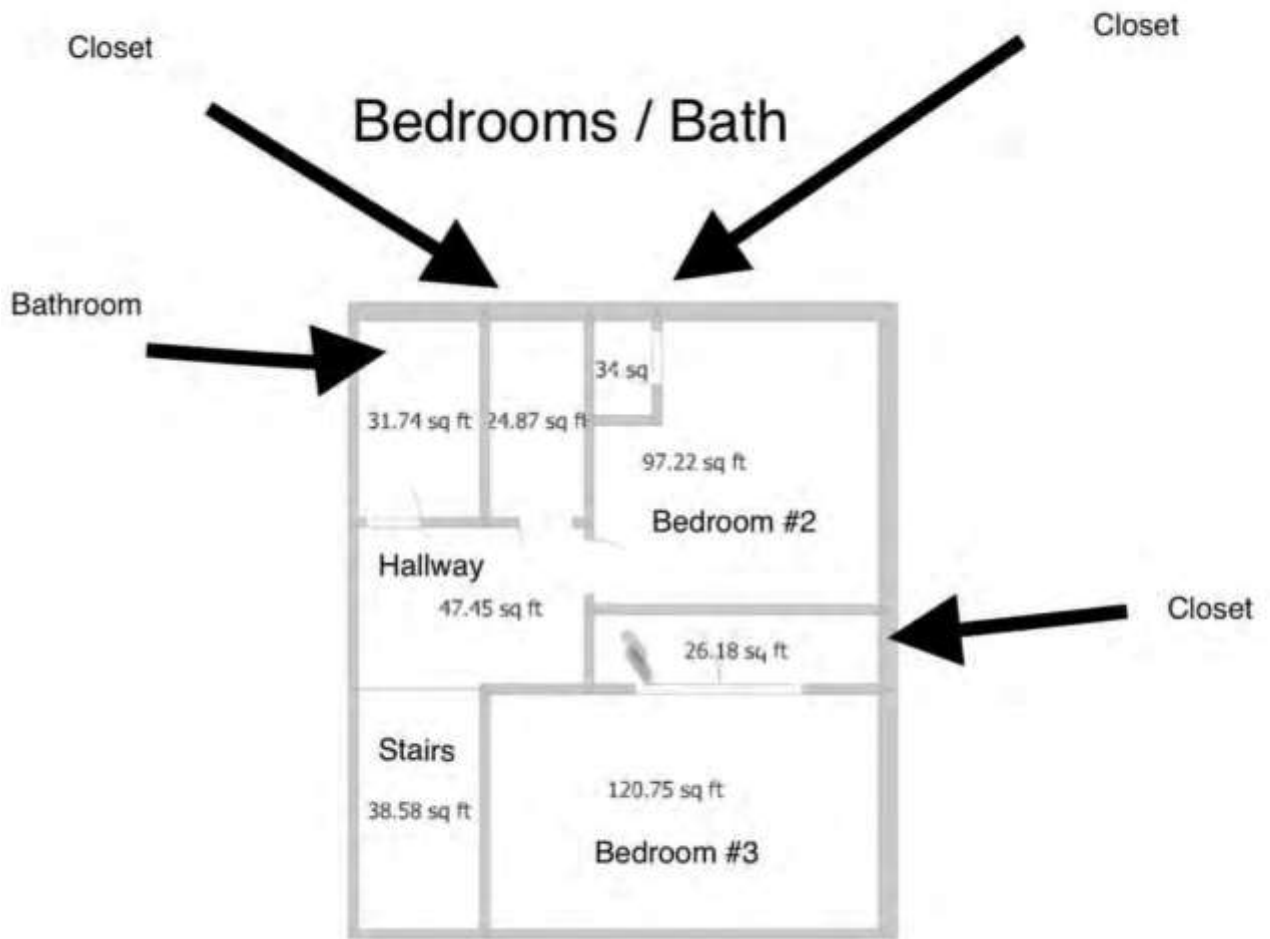
FLOOR PLAN



FLOOR PLAN



FLOOR PLAN



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





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 30, 2025

Re: **Special Use Permit Petition SP2024-101**

GENERAL INFORMATION

Applicant Information:

Nick Christianson
Representative
Endless Outdoors, Inc.
4321 Merriam Drive
Overland Park, Kansas 66203

Subject Property:

2640 Woodend Lane
Kansas City, Kansas 66106

Requested Action and Purpose:

Renewal of a Special Use Permit
(expired November 3, 2024) to
operate a private facility as an
outdoor youth recreation experience
with nature trails and walks.

Commission Districts:

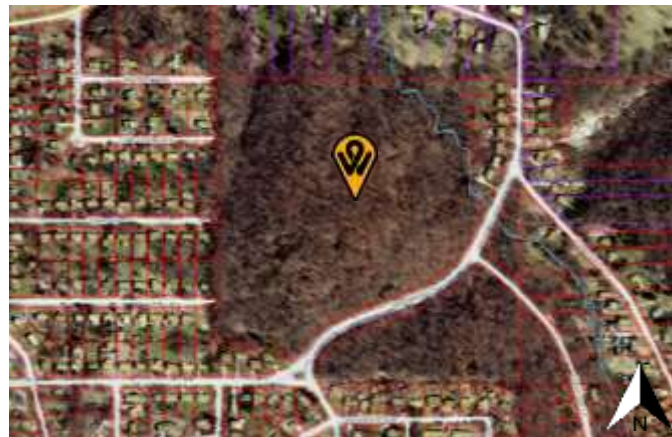
Commissioner At-Large, District #2:
Tom Burroughs
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):

A-G Agriculture District

Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Large lot single-family residences
South	RP-5 Planned Apartment District and R-1 Single Family District	Vacant land and single-family residences
East	RP-5 Planned Apartment District and R-1 Single Family District	Vacant land and single-family residences
West	R-1 Single Family District	Single-family residences

Total Tract Size: 26.1 Acres

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Low Density Residential which allows for land to provide for single-family, detached residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates Woodend Lane as a Local/Neighborhood Street.

Parking Requirement: Section 27-452 (e) states “Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling.” As this use is not a single-family dwelling, there are no applicable parking standards.

Landscaping Requirement: Section 27-700 (a) states “One (1) tree per 7,000 square feet of site area for uses other than residences”.

Advertisement: The Wyandotte Echo – December 19, 2024
Letters to Property Owners – December 20, 2024

Public Hearings: January 13, 2025, and January 30, 2025

Public Support: None to date.

Public Opposition: One (1) person in opposition.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Nick Christianson, is requesting a renewal of a Special Use Permit (expired November 3, 2024) to operate a private facility as an outdoor youth recreation experience with nature trails and walks at 2640 Woodend Lane, Kansas City, Kansas.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. 2024 – CMP24-1638 – Enforcement Complaint – Trees blocking the sight distance triangle.
2. 2024 – ENV24-1317 – Environment – Tree trimming debris in need of removal.
3. 2023 – STR23-0695 – Structural – Construction entrance installed off incorrect street.
4. 2020 – 20208-00422 – Vehicles improperly kept.

Outstanding or Related Permit and Cases:

1. 2024 – GRD24-0029 – Land Disturbance Permit – Grading only (open).
2. 2023 – DRC22-0090 – Grading, parking lot, trails, and utilities for Endless Outdoors youth camp (Expired June 28, 2023, permits never issued).
3. 2023 – BSR23-0119 – Stop Work Order – Started work without final DRC approval or permits. Installed construction entrance off the incorrect street (closed).

Previous Planning Actions:

1. 2022 – SP2022-073 – Special Use Permit for development of a private youth outdoor nature experience.
2. 2022 – PR2022-024 – Preliminary and Final Development Plan Review of Endless Outdoors.
3. 2022 – PLAT2022-021 – Preliminary and Final Plat for Endless Outdoors.
4. 2022 – COZ2022-023 – Change of Zone from RP-5 Planned Apartment District to AG Agriculture District.
5. 2022 – MPL2022-014 – Master Plan Amendment from Low-Density Residential to Rural Density Residential.

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The subject property is located within the Argentine Statistical Neighborhood Group and is located near the Turner Community Connection Business Group. The neighborhood consists of primarily single-family residences and undeveloped parcels. The subject property is a large parcel, heavily wooded, rural in character as Woodend Lane winds from Espenlaub Lane to Woodend Avenue.

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

The zoning and uses are set out above. The subject property is surrounded by the R-1 Single Family District and the RP-5 Planned Apartment District. The proposed use, which is agricultural in nature, is compatible with nearby uses if properly managed.

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

The proposed use is suitable for the subject property as it is a passive, low-intensity use. The removal of restrictions will not detrimentally affect nearby property.

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

The property is not vacant. The property has operated as a private facility for recreation as an outdoor youth experience with nature trails and walks since 2022.

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

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The PlanKCK Comprehensive Plan designates the subject property as Low Density Residential which allows for land to provide for single-family, detached residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods. The proposed use conforms to the PlanKCK Comprehensive Plan designation with the renewal of a Special Use Permit.

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

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of Woodend Lane, a Local/Neighborhood Street, to accommodate it if managed properly.

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

The proposed use is reasonably necessary for the convenience and welfare of the public because the proposed use will bolster outdoor activities and programming for children in the Kansas City metro area. The proposed use will not affect the use, quality, or marketability of nearby property as the property will remain largely wooded.

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.*

The noise and illumination that is normally associated with the proposed use will be of such duration and intensity as not to create problems for near-by property because the private outdoor recreation facility will close at dusk during the week. The general noise will be from vehicles entering and exiting the site and children's voices heard in the wooded areas. These issues can be further mitigated by sufficient screening along property lines that abut residentially zoned districts.

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

The proposed use will not pollute the air, land or water as it is a development that will be connected to the Unified Government sanitary sewer system.

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

The proposed use will damage or destroy a portion of an irreplaceable natural resource as the proposed use will require clearing of wooded areas in order to construct a welcome center, restrooms, and parking areas. However, the majority of the property will remain wooded and undisturbed.

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

The relative gain to public health, safety and welfare is substantial, as this site will allow children/youth in the Kansas City Metro Area to become campers with

Endless Outdoors, letting them experience the outdoors in a safe and secure environment. If denied, the property owner may not use the property for a youth centered camping and nature experience, however, they can still use the property for agricultural purposes or a single-family residence.

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

The applicant has maintained the proposed use as originally proposed and according to previous conditions of approval.

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

The proposed use is not expected to result in the overcrowding of land or undue concentrations of population because the site is sparsely developed and there will be enough parking on site to accommodate employees and guests.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at Woodyard Barbeque at 3001 Merriam Lane, Kansas City, Kansas 66106 on December 30, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Building Elevations
Deeded Tracts
Hours of Operation
Knox Box
Sidewalks

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-101**, for **two (2) years**, subject to:

- 1. Cottonwood Creek must be preserved and may not be altered;**
- 2. Hours of operation will be seasonal, generally from 8:00 AM to 10:00 PM;**
- 3. Space for private events (hosting) is not permitted. A Special Use Permit for an event space is required at such time;**
- 4. Following municipal trash service curbside pick-up, trash bins shall be kept in the building or within a screened enclosure and hidden from public view;**
- 5. A Knox Box shall be installed to provide emergency access to the site;**
- 6. The residences south, west, and north of the parking loop must be screened from headlights shining onto their property from vehicles maneuvering in the parking lot;**

7. Plant trees on top and around the detention basins. Shall be replanted to transition back into the wooded area;
8. All shade trees shall be at least two (2) inch caliper. All evergreens shall be at least six (6) feet in height. All shrubs shall be three (3) gallons when planted;
9. 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;
10. All lighting, whether installed in the parking lot or on any building within the three (3) phases shall have 90-degree cutoff fixtures. No wall pack lights or flood lights;
11. Utility conduits and connections must be painted to match the building(s);
12. If applicable, all BPU transformer pads and/or generators shall be completely screened on three (3) sides with 6-foot junipers setback three (3) feet from the pad and 10 feet from the door opening. Additionally, if the louvered transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the louvered gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;
13. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.
14. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
15. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
16. All existing and future driveways must feature curb cuts that are constructed to UG standards;
17. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
18. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to

meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

19. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
20. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
21. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
22. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
23. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-101** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Program Phasing Plan
Final Plat
General Plan
Site Plan
Erosion and Sediment Control Plan – Phase I
Erosion and Sediment Control Plan – Phase II
Grading Plan
Utility Plan
Fire Access Plan
Landscape Plan
Site Photometric Plan
Neighborhood Meeting Materials
Site Visit Photos, Taken by Staff – Dated December 23, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	January 13, 2025 (Approval)	January 30, 2025

STAFF CONTACT:

Kiley Meierarend
kmeierarend@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-101** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-101**, 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.

January 13, 2025, City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION SP2024-101 – NICK CHRISTIANSON -

SYNOPSIS: Renewal of a Special Use Permit (SP2022-073 expires 11/3/2024) to operate a youth nature center with a campground at 2640 Woodend Avenue.

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

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
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 requests that an item be removed from the Consent Agenda.

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. No one responded in the affirmative

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to APPROVE the items on the Consent Agenda:

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

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

SP2024-101:

- 1. Cottonwood Creek must be preserved and may not be altered;**
- 2. Hours of operation will be seasonal, generally from 8:00 AM to 10:00 PM;**
- 3. Space for private events (hosting) is not permitted. A Special Use Permit for an event space is required at such time;**
- 4. Following municipal trash service curbside pick-up, trash bins shall be kept in the building or within a screened enclosure and hidden from public view;**
- 5. A Knox Box shall be installed to provide emergency access to the site;**
- 6. The residences south, west, and north of the parking loop must be screened from headlights shining onto their property from vehicles maneuvering in the parking lot;**
- 7. Plant trees on top and around the detention basins. Shall be replanted to transition back into the wooded area;**
- 8. All shade trees shall be at least two (2) inch caliper. All evergreens shall be at least six (6) feet in height. All shrubs shall be three (3) gallons when planted;**
- 9. 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;**
- 10. All lighting, whether installed in the parking lot or on any building within the three (3) phases shall have 90-degree cutoff fixtures. No wall pack lights or flood lights;**
- 11. Utility conduits and connections must be painted to match the building(s);**
- 12. If applicable, all BPU transformer pads and/or generators shall be completely screened on three (3) sides with 6-foot junipers setback three (3) feet from the pad and 10 feet from the door opening. Additionally, if the louvered transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the louvered gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;**
- 13. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.**
- 14. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
- 15. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an**

existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

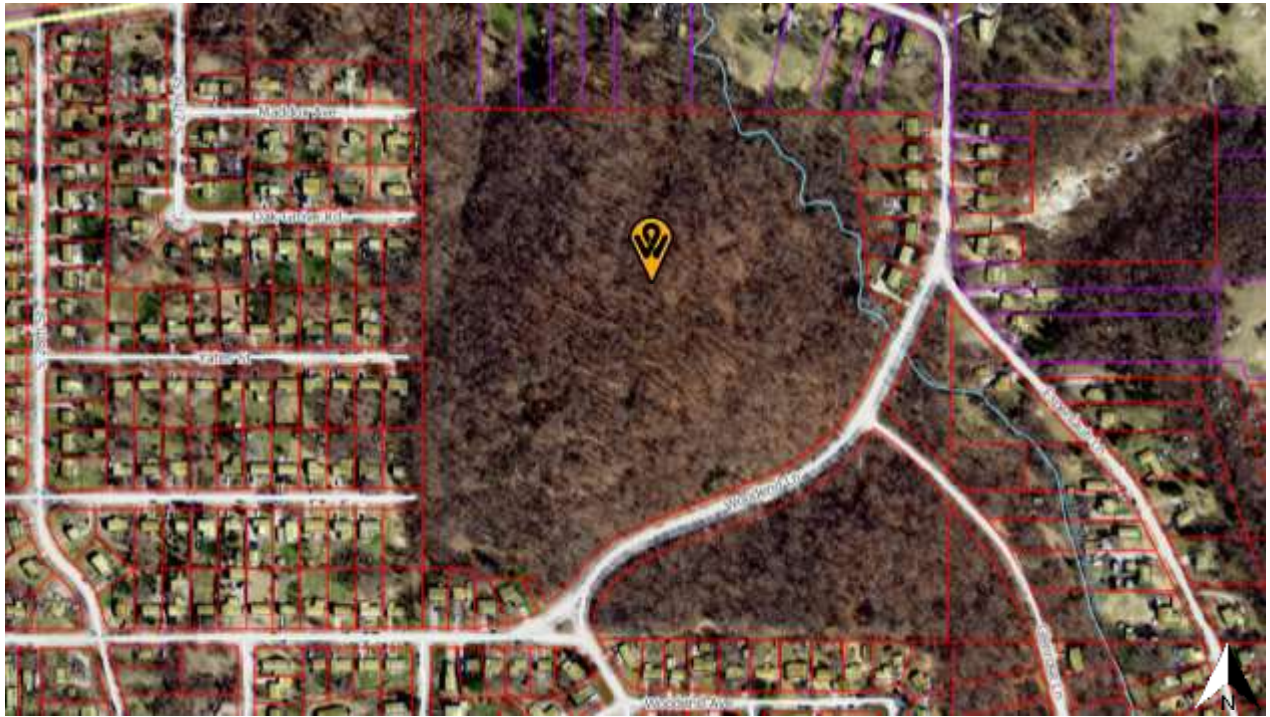
16. All existing and future driveways must feature curb cuts that are constructed to UG standards;
17. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements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

renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

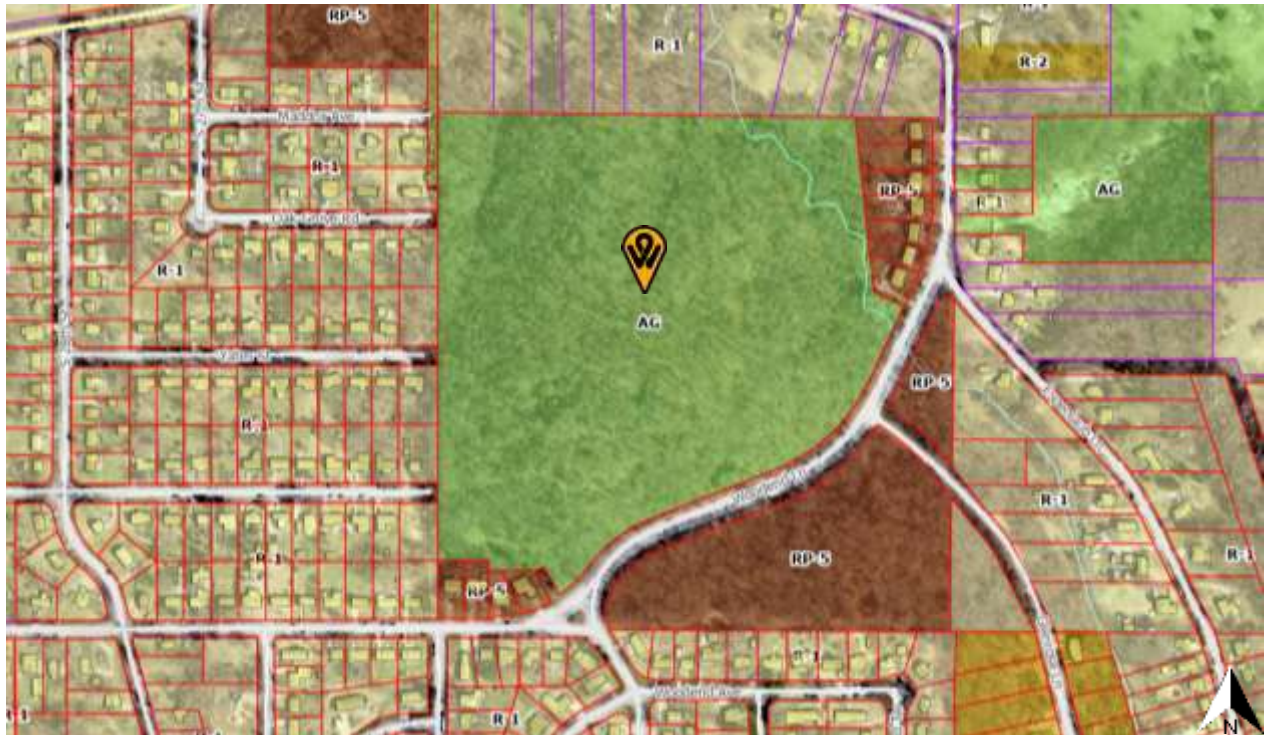
22. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition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

ATTACHMENTS

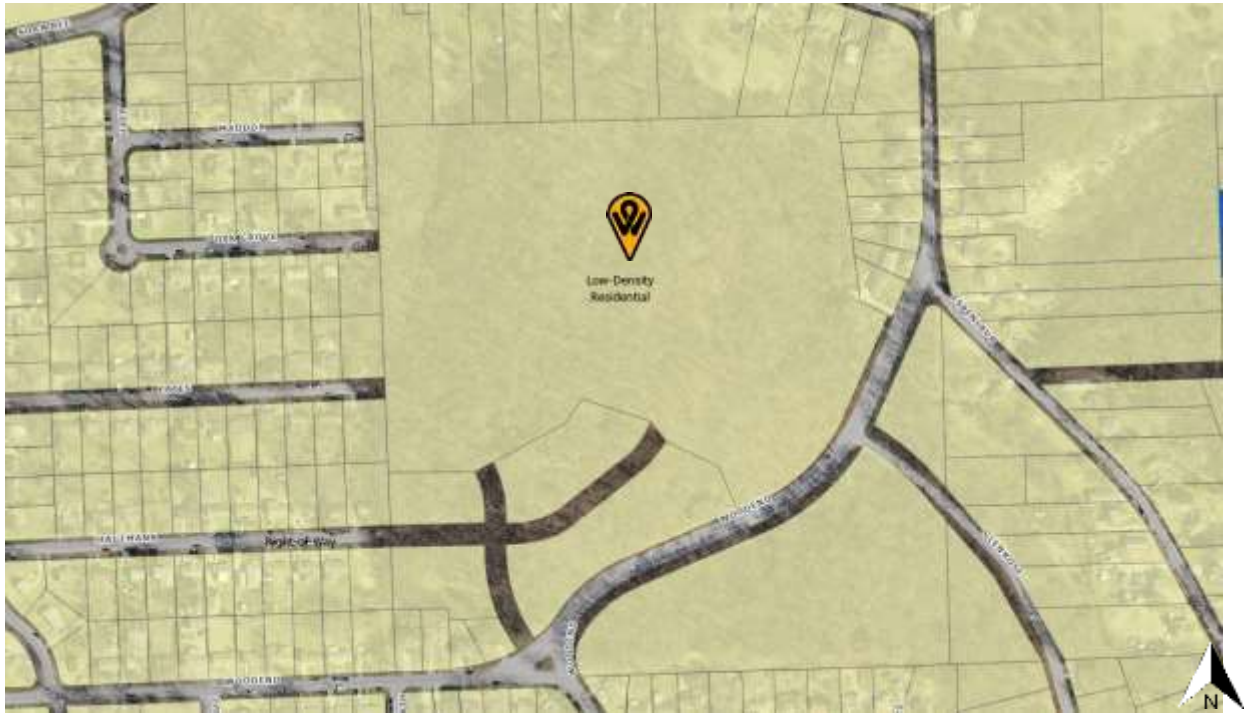
AERIAL IMAGERY



ZONING MAP



LAND USE MAP



PROGRAM PHASING PLAN

**Endless Outdoors
2640 Woodend- Phased Plan of Use**

October '24

PROGRAMMING	PHASE I Nov '24 – Jul '25	PHASE II Aug '25 – Nov '25	PHASE III Dec '25 – Forward
Site Activities	Youth programming- various outdoor skills and recreation	Youth programming- various outdoor skills and recreation	Youth programming- various outdoor skills and recreation *Small group overnight camping occasionally
Hours of Operation	4-6pm weeknights, 8am – 6pm Weekends (primarily Saturday)	4-6pm weeknights, 8am – 6pm Weekends (primarily Saturday)	8am – 10pm daily *10pm – 8am quiet hrs during small group camping
Est. Max Youth Members on Site Concurrently	10	10	100 *25 for small group camping
Est. Max Staff on Site (During programming)	4	4	12
Parking	Woodend Ln. public right of way, on shoulder	In new parking area on site	Parking area on site
Restrooms	Shared use of construction site temporary restroom unit	Shared use of construction site temporary restroom unit	New restrooms on site

CONSTRUCTION	PHASE I Nov '24 to Jul '25	PHASE II Aug '25 – Nov '25	PHASE III Dec '25 - Forward
Construction Activity	Entry drive, parking loop, gate	Programming shelters	Accessory programming features over time (Garden beds, climbing wall, bike trails, etc.)
	Finish crushed rock main trails	Welcome Center (w/ staff space and restrooms)	
	Set utilities for future Welcome Center	Storage shed	
	Brush clearing		

FINAL PLAT

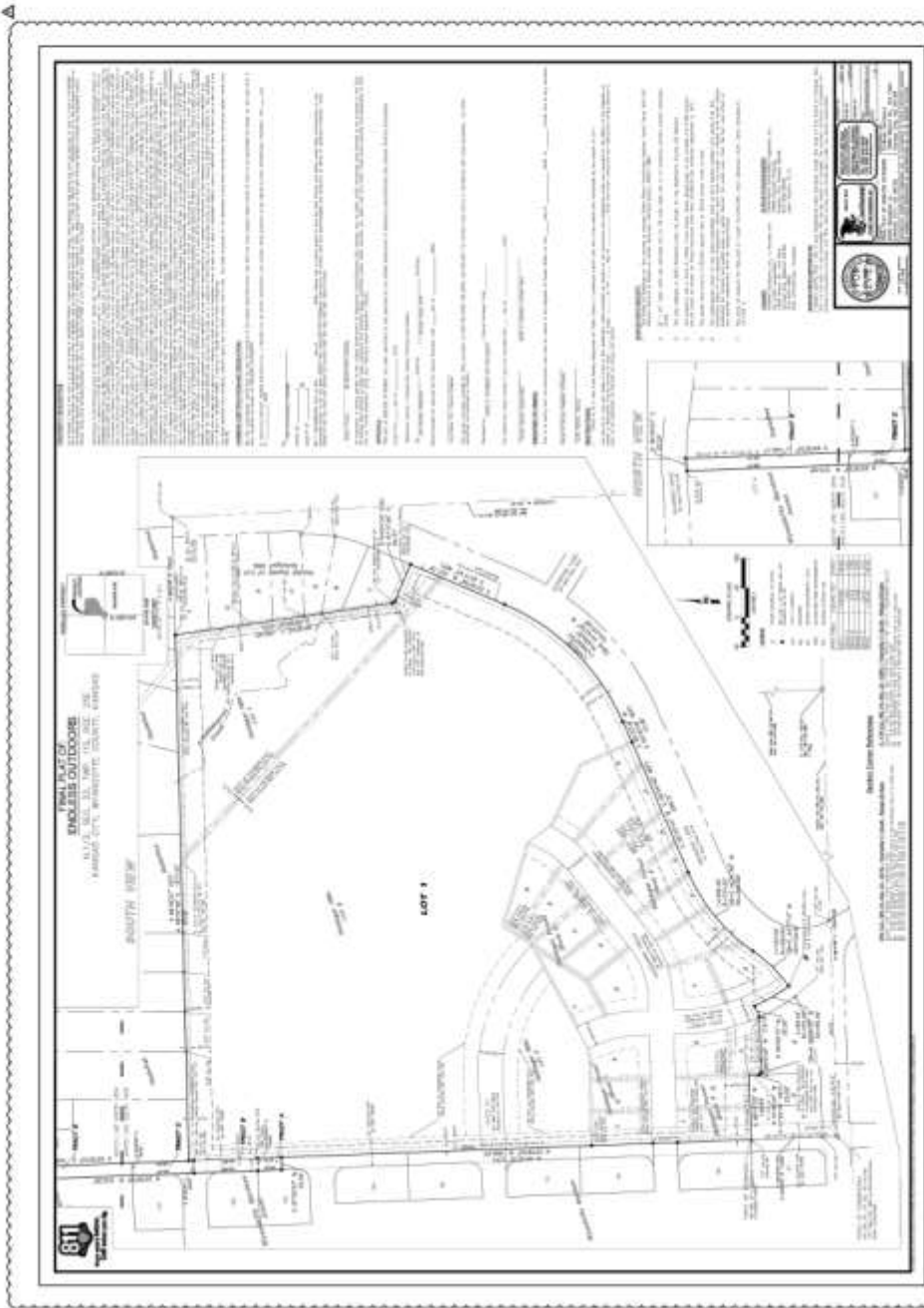
Endless Outdoors - KCK

FOR CONSTRUCTION

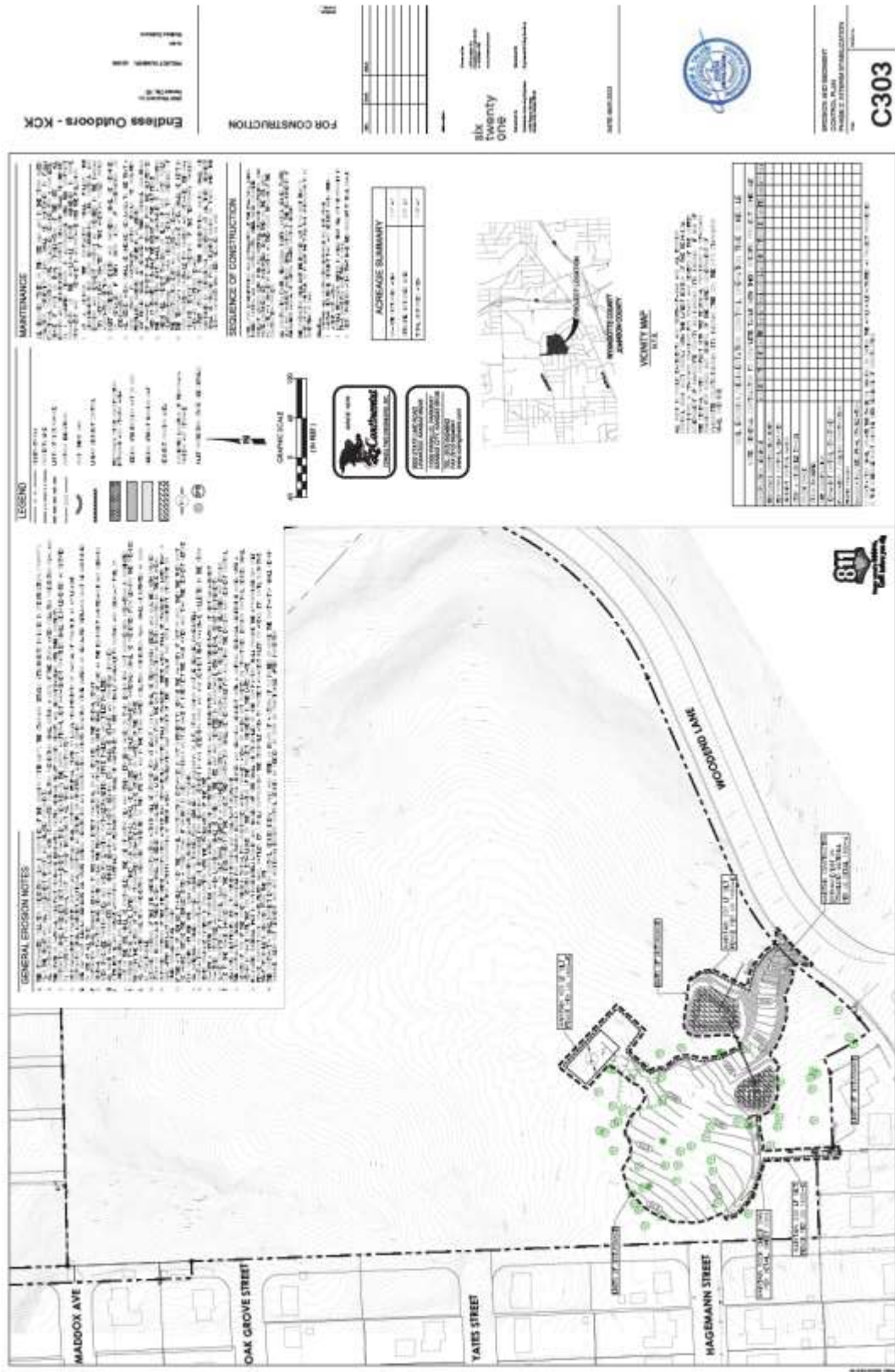
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FINAL PLAT

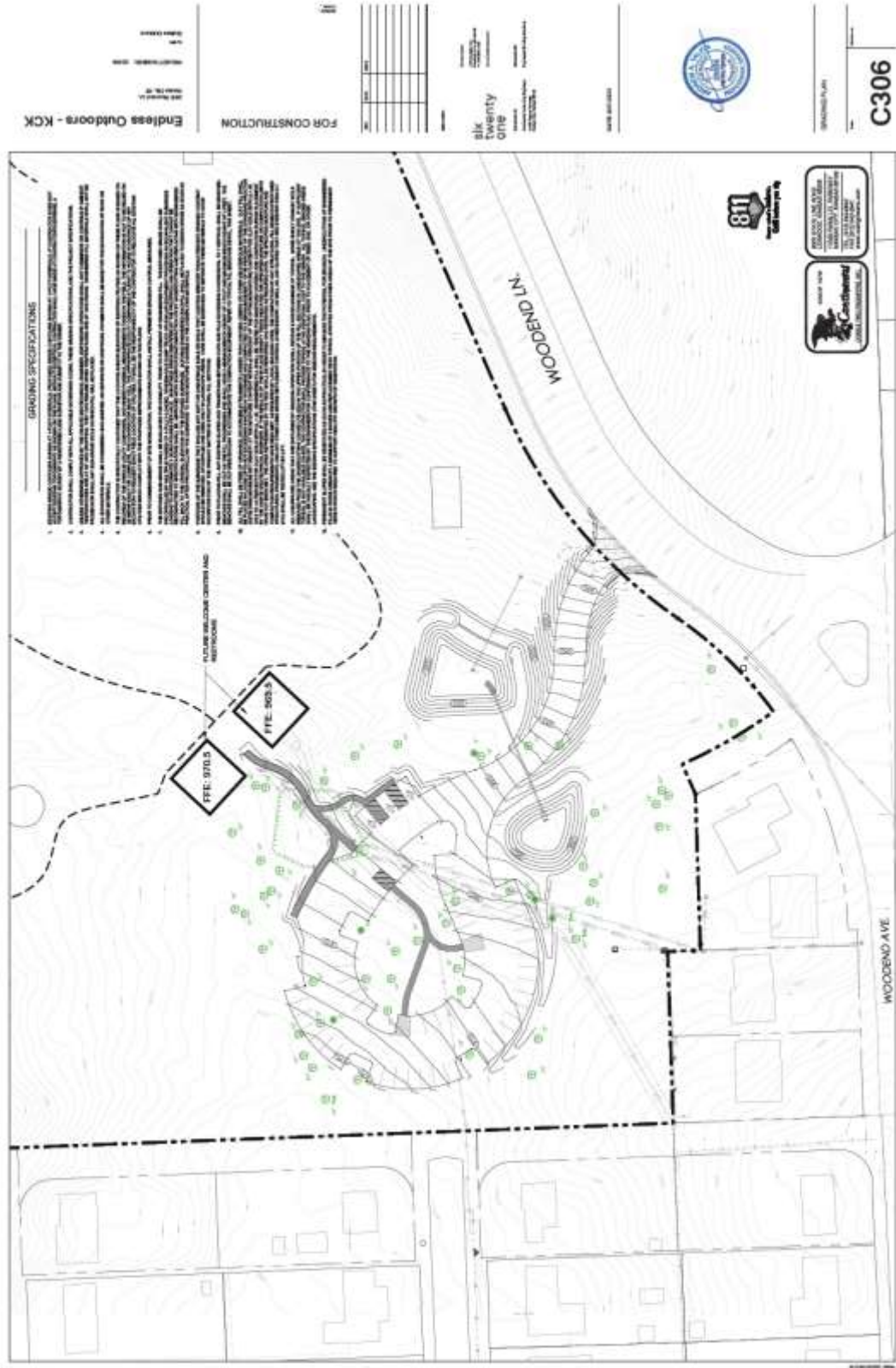
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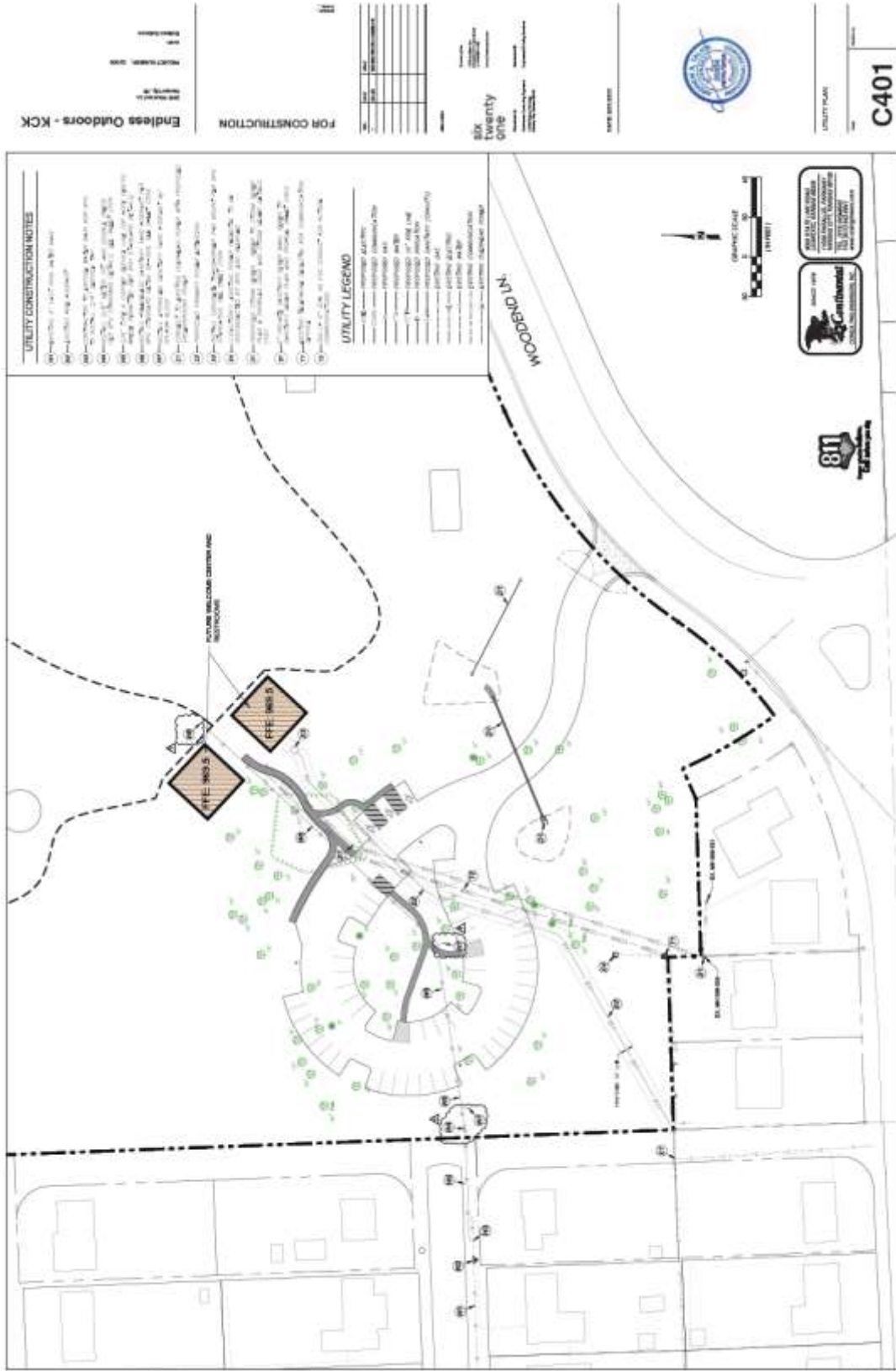
EROSION AND SEDIMENT CONTROL PLAN – PHASE II



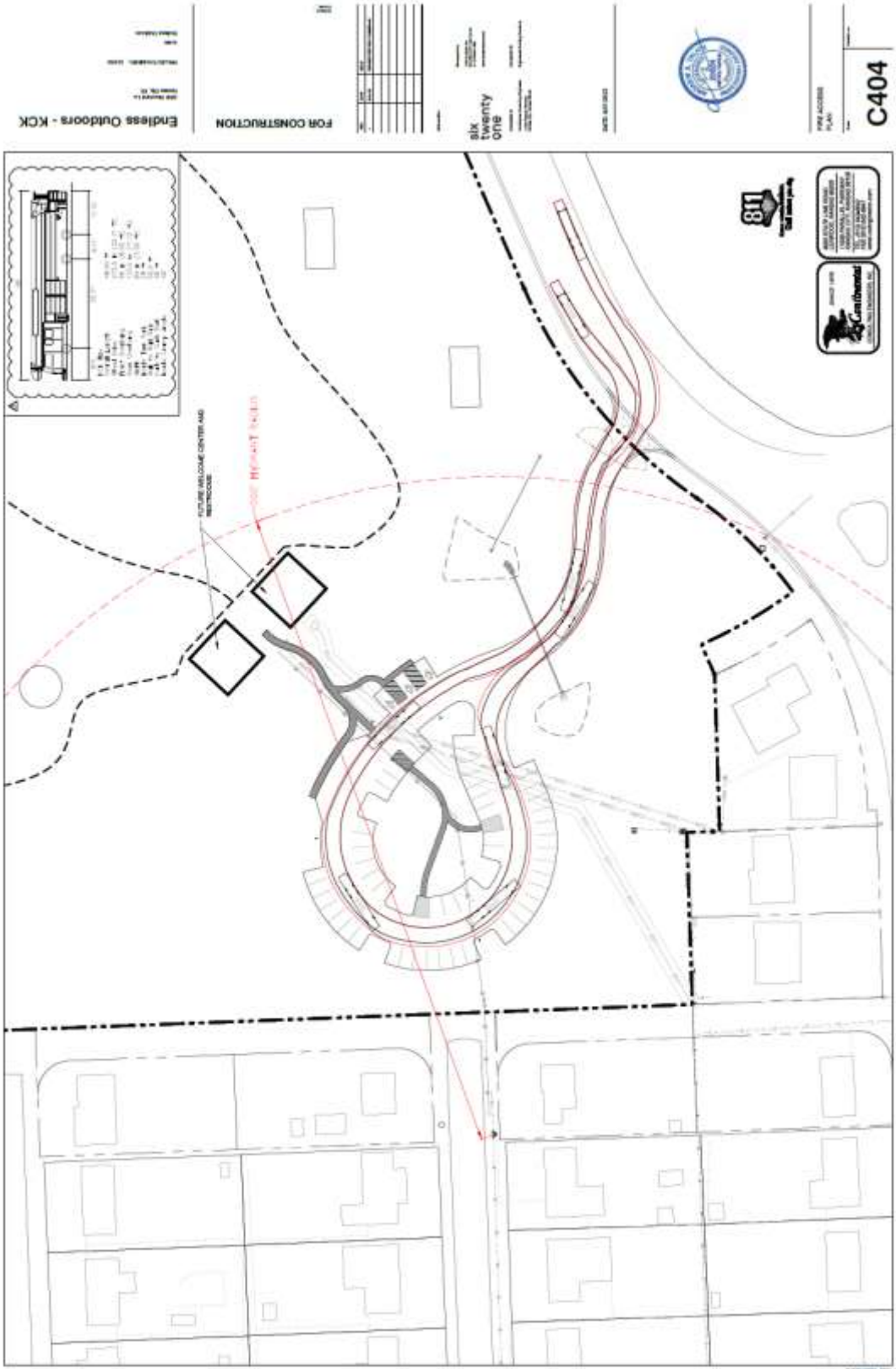
GRADING PLAN



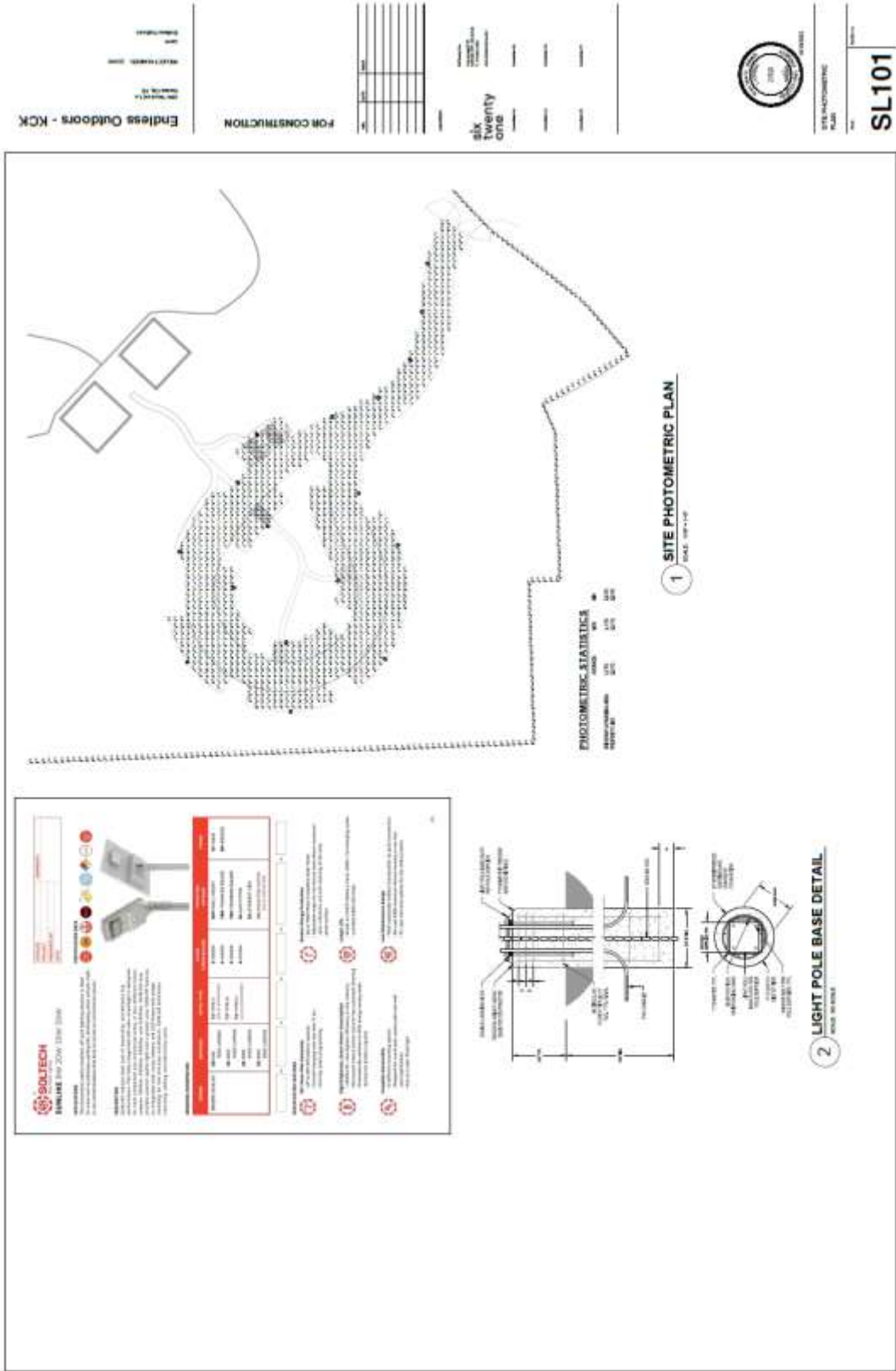
UTILITY PLAN



FIRE ACCESS PLAN



SITE PHOTOMETRIC PLAN



NEIGHBORHOOD MEETING MATERIALS

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Missouri)
) SS:
COUNTY OF Jackson)

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

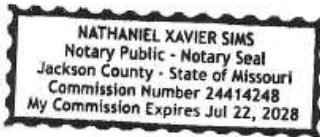
- 1. That I am the petitioner for Petition # SP2024-101 - 2640 Woodland Ln.
- 2. That I conducted a neighborhood meeting on December 30, 2024
- 3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

[Signature]
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 31 day of December, 2024

My commission expires 22 of July, 2028



[Signature]
Notary Public

NEIGHBORHOOD MEETING MATERIALS

ENDLESS OUTDOORS
Neighborhood Meeting
December 30th 5pm @ Woodyard Barbeque
Special Use Permit Renewal: #SP2024-101



SIGN UP SHEET:

NAME	ADDRESS
<u>Steve Higgins</u>	<u>2500 Woodend Ave</u>
<u>GEORGE HIGGINS</u>	<u>2540 ESPENLAUB LANE</u>
<u>BETTE MCGILL</u>	<u>2762 ESPENLAUB</u>
<u>Cheryl Mendez</u>	<u>2556 Espenlaub</u>
<u>Kirk Higgins</u>	<u>2616 Oak Grove RD</u>
<u>LARRY DATES</u>	<u>2612 Oak Grove RD</u>
<u>Nick Christianson</u>	<u>2640 Woodend Ln. (ENDLESS OUTDOORS)</u>
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NEIGHBORHOOD MEETING MATERIALS

ENDLESS OUTDOORS
Neighborhood Meeting
December 30th 5pm @ Woodyard Barbeque
Special Use Permit Renewal: #SP2024-101



MINUTES:

The meeting was called to order at 5:07pm on December 30th, 2024.

In attendance were Steve Higgins, George Higgins, Bette McGill, Cheryl Mendez, Kirk Wiggins, Larry Bates and Nick Christianson.

Christianson led with an update on the project and related activities, including the following:

- Over 50 youth, mostly from the nearby area, had joined the Endless Outdoors program
- The kids and families love the program and have expressed gratitude for access to nature programs close to home
- Site activities have consisted of garden beds, trail building, brush clearing, program area clearing, cleanup of Woodend Ln corridor and initial grading preparation of the entry drive.
- Upcoming site plans include further beautification and cleanup of the Woodend Ln corridor, continued progress on the entry drive/loop and trail development.
- 2025 program season scheduled to kick off in April and continue through early November
- Christianson also noted that Endless Outdoors had taken youth members on various offsite camping trips over the past year, which the kids and families enjoyed
- Christianson provided a copy of the engineering drawing of the proposed entry drive

Community members in attendance then expressed the following inquiries, concerns and comments:

- Wiggins and Bates expressed concern about the potential for the Endless Outdoors plans to increase neighborhood property taxes. Christianson responded that several factors should mitigate increases: 1) Endless Outdoors had rezoned the property to Agricultural use, vs the previous RP-5 commercial development zoning, and 2) Christianson confirmed that the Endless Outdoors plans for the site are centered on preserving the natural wooded state and limiting any development to the entry drive, restrooms/modest welcome center and trails. Wiggins and Bates were glad to hear that more extensive development plans were not planned.
- Wiggins and Bates inquired about the supervision of youth at the site and how Endless Outdoors was addressing safety from the perspective of both the neighbors and the youth. Christianson clarified that all youth participating in Endless Outdoors programming on the site were always supervised by two-deep adult leadership, and that the risk of EO youth interfering with or walking to adjacent properties was very low. Bates suggested that Endless Outdoors install additional signage and/partial fencing at the end of the streets that terminate at the Endless property. Christianson agreed this was a good suggestion and committed to implement this idea. Christianson also shared that Endless Outdoors had

NEIGHBORHOOD MEETING MATERIALS

hired a local security company to conduct daily drive by and/or foot patrols of the property during program season to mitigate any trespassing and improve safety in the area. Christianson also shared plans to install cameras on the street facing side of Woodend Ln/Glenrose Ln to help mitigate dumping and provide additional security monitoring.

- Mendez expressed support for the project and inquired about involvement and support by the city regarding the Endless Outdoors program.
- G Higgins expressed support for the project, sharing that from his perspective the Endless Outdoors program is a beneficial use of the property. He suggested that neighbors attend the annual Neighborhood Open House that Endless would be hosting again in Spring '25 to meet the EO youth and instructors and see what the kids are learning.
- S Higgins, an adjacent neighbor, expressed support for the program and noted that the EO youth had been respectful and orderly during pick up/drop off times.
- McGill expressed support for the program and handed out a reference sheet with appropriate contacts to call for any neighbors who see dumping or suspicious activity. She suggested the close neighbors explore setting up a Facebook group to help share information and look out for each other.

The meeting adjourned at 5:52pm.

These Minutes are hereby respectfully submitted by:



Nick Christianson
Endless Outdoors

SITE VISIT PHOTOS, TAKEN BY STAFF – DATED DECEMBER 23, 2024







Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: January 30, 2025
Re: **Special Use Permit Petition SP2024-108**

GENERAL INFORMATION

Applicant Information:

Jason Hussey
732 North 57th Street
Kansas City, Kansas 66102

Subject Property:

732 North 57th Street
Kansas City, Kansas 66102

Requested Action and Purpose:

Approval of Special Use Permit to fill a portion of the property with earthen material.

Commission Districts:

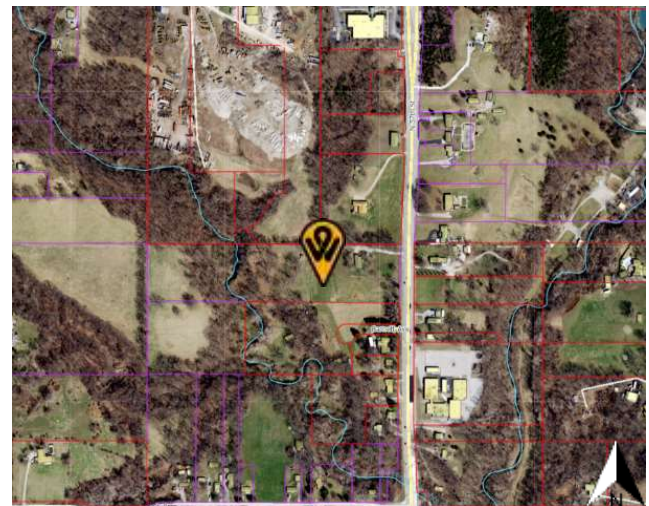
Commissioner At-Large, District #1:
Melissa Bynum
District #8 Commissioner:
Andrew Davis

Existing Zoning District(s):

A-G Agriculture District

Comprehensive Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Single family home and grading operation
South	R-1 Single Family District	Wooded, largely undeveloped land
East	R-1 Single Family District	Single-family home and undeveloped land
West	A-G Agriculture District	Large lot agricultural/single-family home

Total Tract Size: 8.49 Acres

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Low-Density Residential and Floodway, which allows single-family, detached residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of a block and/or with frontage on a commercial, mixed-use or neighborhood corridor is allowed.

The Floodway is not defined in the PlanKCK Comprehensive Plan with permitted uses, however it is illustrated as a layer to denote the FEMA Regulatory Floodway.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 57th Street as a Major Arterial.

Parking Requirement: Section 27-452(e) Two (2) off street parking spaces shall be provided on the premises for each single-family dwelling. Two (2) spaces are required. The Applicant is providing more than two (2) parking spaces.

Landscaping Requirement: Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences. The applicant is providing more than one (1) tree in the front yard.

Advertisement:	<u>The Wyandotte Echo</u> – December 19, 2024 Letters to Property Owners – December 20, 2024
Public Hearings:	January 13, 2025 and January 30, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jason Hussey, Applicant and Property Owner, is requesting a Special Use Permit to bring earthen fill material onto the property to regrade the property on 732 North 57th Street.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

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

Outstanding or Related Permit and Cases:

1. RES24-0147 – new 1,000 square foot detached accessory structure. Permit issued on June 14, 2024.

Previous Planning Actions:

1. SP2020-85 – A Special Use Permit for fill of earthen material to regrade the property for one (1) year. Permit expired on December 10, 2021.
2. COZ 3182 – Change of Zone from R-1 Single Family District to A-G Agriculture District to allow production and sale of agricultural products on-site – approved on March 28, 2019.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Coronado Statistical Group and Block Group #0439052. The neighborhood consists of residential uses on mostly, wooded parcels to the north, south, east and west. North 57th Street is the major street that connects State Avenue to Interstate 70.

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

The zoning and uses are set out above. The subject property is surrounded by single-family residential zoning although there is an ongoing grading operation to the north near the intersection of North 57th Street and State Avenue. The proposed use, to grade a middle portion of the property is not compatible if the applicant does not follow the ordinances and regulations due to the sensitive nature of the existing stream, FEMA floodway, and Zone AE.

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

This property is suitable for the use as a single-family home or for agricultural purposes. Removal of the restrictions that require a Special Use Permit for such activities has the potential to create issues such as erosion, runoff and change in off-site drainage patterns for nearby property.

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

The property is not vacant. It is an existing single-family residence that is currently occupied by the Applicant.

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

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. Low-Density Residential allows single-family, detached residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of a block and/or with frontage on a commercial, mixed-use or neighborhood corridor is allowed. A Special Use Permit is required.

- 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 temporarily increase vehicular traffic during the hours that work is being conducted, but should not exceed the capacity of the Major Arterial, North 57th Street 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.*

The proposed use is not reasonably necessary for the convenience and welfare of the public. It will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property if properly designed, constructed, maintained and eventually restored, however, these adjoining properties will be impacted temporarily during this operation.

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, dust and vibration are expected to occur in durations or intensities as to create issues with nearby properties, primarily along North 57th Street. However, this may be minimized, if rumble strips to knock down dirt and debris to prevent tracking of debris on the public right-of-way, trucks are watered down daily, grading area is also watered down to minimize dust, hours of operation are strictly adhered to in order to reduce noise and vibration.

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

The proposed use will not pollute the air, land or water provided the proper erosion control measures are followed for stockpile of materials and during the hours of operation, and those stockpiles are watered down to minimize dust affecting the overall air quality and the ground is not restored, seeded,

The Applicant must stay out of the Regulatory Floodway and Floodplain – Zone AE. Work performed in this area without the proper local, State and Federal permits will result in a Stop Work Order being issued on the property.

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

The proposed use could damage or destroy an irreplaceable natural resource, specifically the streamway if it is buried or modified in a manner that affects downstream neighbors during the duration of this Special Use Permit and if the disturbed area is not restored properly.

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

The relative gain or loss to the public health, safety, and welfare is likely to be minimal as the proposal is to add earth and regrade the property. If denied, the landowner could not add the fill material, but may still use the property as a single-family home with agricultural uses or may sell the property.

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

The applicant will be required to maintain the use according to the revised plans and descriptions of the proposed use. The applicant will also be required to meet all conditions of approval.

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

The proposed use is not expected to result in the overcrowding of land or undue concentrations of population because the site grading is on 1.2 acres of a 8.9 acre site.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 1737 North 82nd Street (Wyandotte County Library – West Branch) on December 30, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Tracking on to Public Right-of-Way
Floodplain
Dust Mitigation
Truck Traffic
Completion Timeline
Noise and Illumination
Hours of Operation

PLANNING COMMISSION RECOMMENDATION

1. The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-108**, for one (1) year, subject to:

The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the

construction or alteration of any structure the floodplain prior to obtaining a building permit. You cannot fill or remove earthen material from the floodway or Zone AE without acquiring the necessary permits and modifications to the floodplain map;

2. Water rights shall not be affected by this grading project, specifically regarding the property owner to the south;
3. Obtain a Land Disturbance Permit from the Public Works Department;
4. Obtain a Grading Permit from the Building Inspection Division for on-site grading;
5. Dust has the potential to be a problem. The site (ground) shall be watered daily to minimize dust and tracking debris in or out right-of-way, and all truck wheels shall be wetted prior to leaving the site, exiting onto North 57th Street Drive.
6. Following the completion of the grading on site, the ground shall be seeded. Erosion control measures shall be kept in place until the slope(s) is stabilized;
7. Hours of operation are Monday through Friday, 7:00 AM to 6:00 PM;
8. Preserve the existing tree stands east and west of the proposed grading site;
9. Keep the ingress/egress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property;
10. If approved, occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
11. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
12. All existing and future driveways must feature curb cuts that are constructed to UG standards;
13. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
15. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle

- storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
16. Subject to approval, the Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 17. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 18. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-108** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Agenda
Aerial Imagery
Zoning Map
Land Use Map
Floodplain Map
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Grading Plan
Erosion Control Plan
Drainage Map
Site Photographs provided by the Applicant.

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	January 13, 2025 (Approval)	January 30, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-108** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-108**, 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.

January 13, 2025 City Planning Commission Minutes:

Hearing starts at 2:51:04:

SPECIAL USE PERMIT APPLICATION SP2024-108 – JASON HUSSEY– SYNOPSIS:

Special Use Permit for an earthen fill at 732 North 57th Street.

Detailed Outline of Requested Action: The applicant, Jason Hussey, Applicant and Property Owner, is requesting a Special Use Permit to bring earthen fill material onto the property to regrade the property on 732 North 57th Street.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

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

Present in Support:

- Carla Hussey, applicant, 732 North 57th Street, Kansas City, Kansas 66102.

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:52:58: Planning Director Hand stated that this request is for an earthen fill. There was a previous Special Use Permit for earthen fill at this location that expired a few months ago. This property is located in the PlanKCK Area Plan in the Midtown neighborhood. Staff received no letters in support or in opposition. There are no Notices of Violation. Staff recommends approval with conditions.

Motion starts at 2:53:19:

On motion by Mr. Straws, seconded by Mrs. Armstrong, the Planning Commission voted as follows to **recommend APPROVAL of SP2024-108:**

Carson	Chairman
Straws	Aye
Ward	Not Present
Armstrong	Aye
Beth	Aye

Easterwood	Aye
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

- 1. The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a building permit. You cannot fill or remove earthen material from the floodway or Zone AE without acquiring the necessary permits and modifications to the floodplain map;**
- 2. Water rights shall not be affected by this grading project, specifically regarding the property owner to the south;**
- 3. Obtain a Land Disturbance Permit from the Public Works Department;**
- 4. Obtain a Grading Permit from the Building Inspection Division for on-site grading;**
- 5. Dust has the potential to be a problem. The site (ground) shall be watered daily to minimize dust and tracking debris in or out right-of-way, and all truck wheels shall be wetted prior to leaving the site, exiting onto North 57th Street Drive;**
- 6. Following the completion of the grading on site, the ground shall be seeded. Erosion control measures shall be kept in place until the slope(s) is stabilized;**
- 7. Hours of operation are Monday through Friday, 7:00 AM to 6:00 PM;**
- 8. Preserve the existing tree stands east and west of the proposed grading site;**
- 9. Keep the ingress/egress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property;**
- 10. If approved, occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
- 11. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
- 12. All existing and future driveways must feature curb cuts that are constructed to UG standards;**
- 13. Applicant shall comply with Planning Engineering Comments for General**

- Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 15. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
 16. Subject to approval, the Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 17. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 18. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

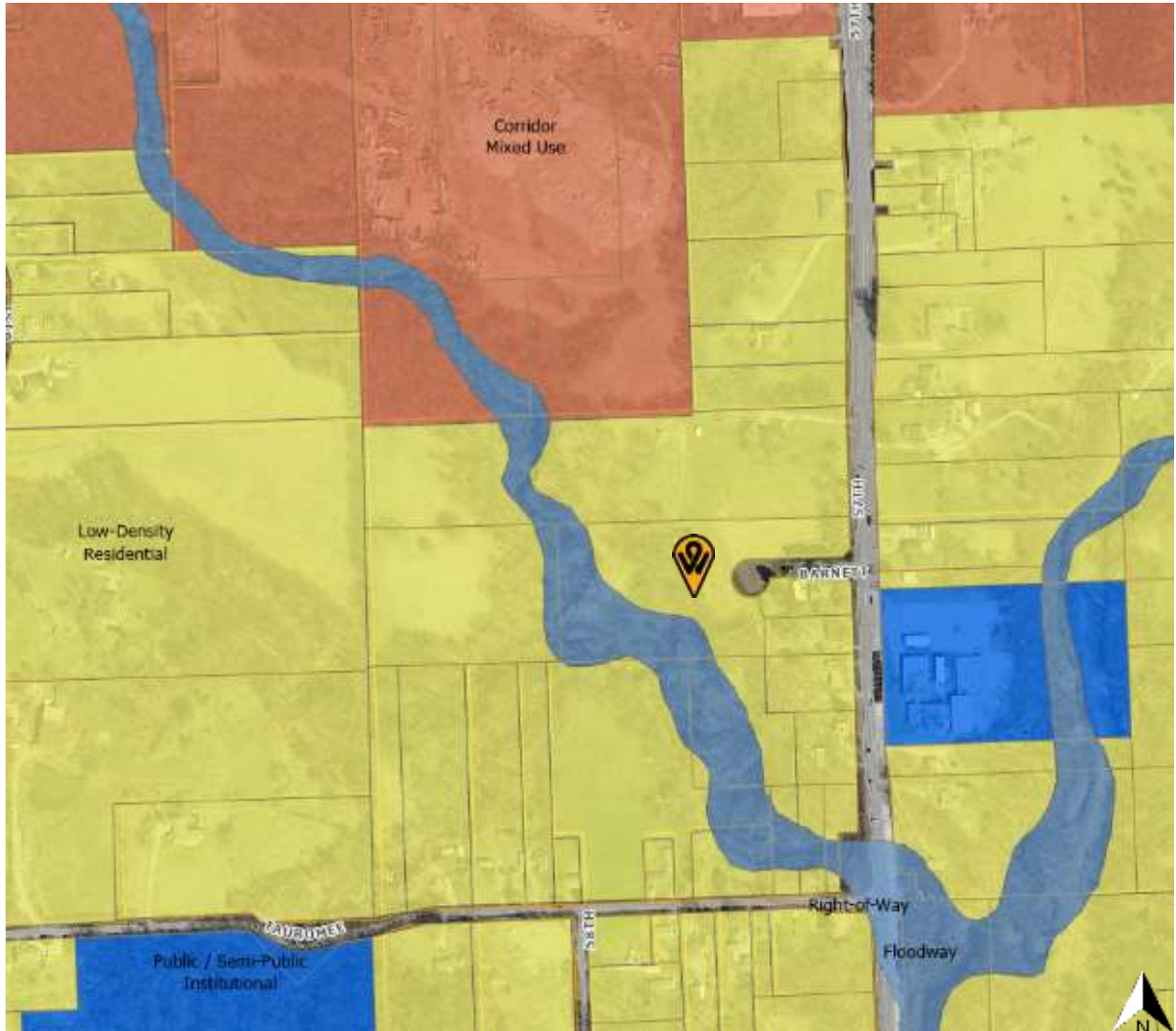
AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS



SP2024-108: Byron Toy Comments

1. Revise the site plan accordingly to show the FEMA Regulatory Floodway and Zone AE.

See sheets C1 and C2

2. The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a building permit. You cannot fill or remove earthen material from the floodway or Zone AE without acquiring the necessary permits and modifications to the floodplain map.

Acknowledged

3. Are you disrupting any other water rights on the property, which affects the abutting property owner to the south?

No

4. How will grading impact the flow of water on the site?

Flow of water will not be altered. See sheet C5.

5. Have you obtained a Land Disturbance Permit from the Public Works Department for disturbing more than one (1) acres?

No. Project does not disturb more than one acre. See sheet C2.

6. Have you obtained a Grading Permit from the Building Inspection Division? There is no record of a permit being issued for on-site grading.

No.

7. Dust has the potential to be a problem. The site (ground) shall be watered daily to minimize dust and tracking debris in our out of the right-of-way, and all truck wheels shall be wetted prior to leaving the site, exiting onto North 57th Street Drive.

Acknowledged

8. How do you intend on remediating the site following the term of this Special Use Permit?

Seeding. See sheet C5.

9. What are the proposed hours of operation?

7:00am – 6:00pm M-F

10. How many daily truck trips are anticipated on-site?

The project will take approximately 50 trucks. If this can be accomplished in a single day, then it would be a maximum of 50 trucks for a single day.

11. What is the intended length or duration needed to complete the project?

One year.

12. Preserve the existing tree stands east and west of the proposed grading site.

Acknowledged

Name	Address	Phone #
Annie McMorris	828 N. 57th St.	913.287.6616

~~SAMPLE~~ MINUTES:

Application Number SP2024-108
Date and Location: 30 DEC 2024
KANSAS CITY KANSAS PUBLIC LIBRARY
Meeting called to order at: 2:00PM WEST WYANDOTTE LIBRARY

Names of people in attendance:
ANNIE McMURRAY

Introductions: PLANS & PROJECT WAS SHARED

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

- Questions and answers (include the following): NONE
- Who asked question or gave comment
 - What was the question or comment
 - Who answered the question/comment
 - What was the answer given

Meeting adjourned at: 2:10PM

Minutes taken by: JASON HUSSEY

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

Comes now Jason T. Hussey, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP 2024-108
2. That I conducted a neighborhood meeting on 30 Dec 2024
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Jason T. Hussey
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 31 day of December, 20024.
My commission expires 8 of December, 20026.



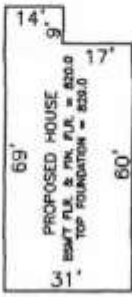
Gina A. Stutzman
Notary Public

LOT PLAN

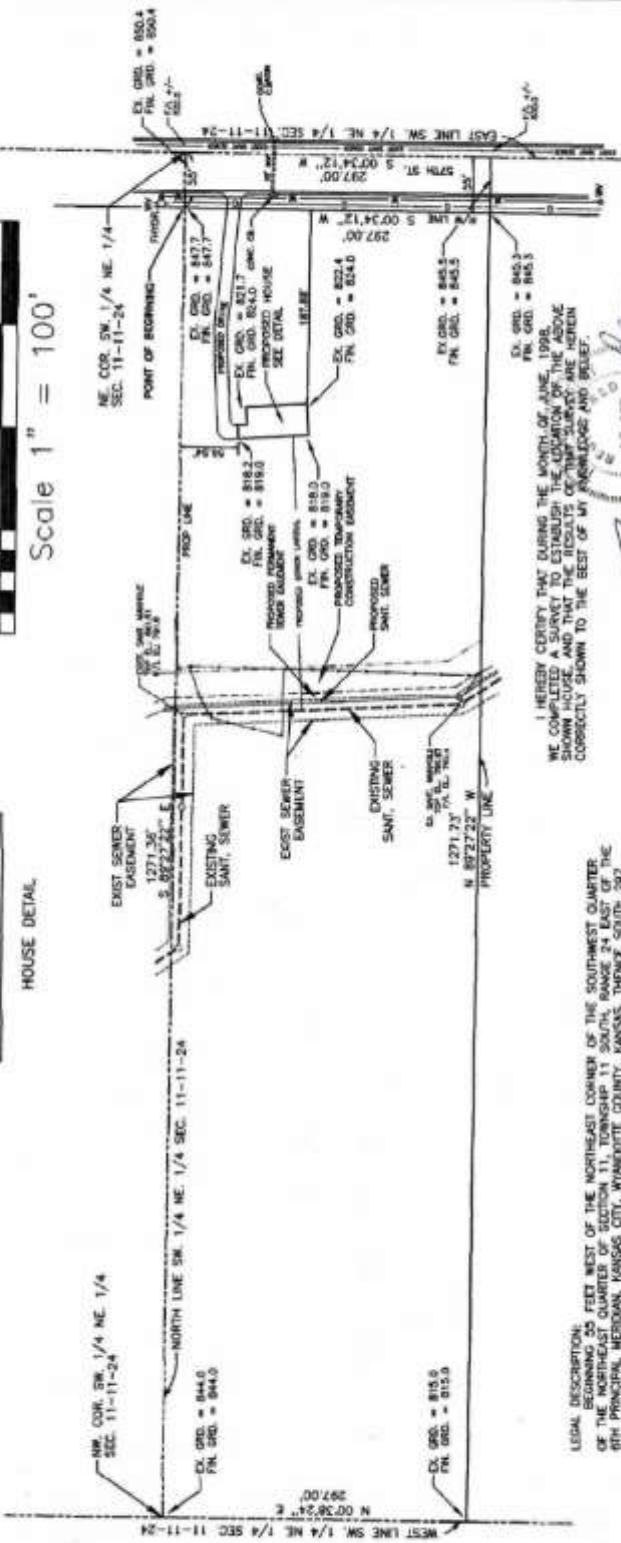
OWNER: JAMES A. DAUGHERTY
 WYAN, CO. PARCEL NO. 920010



Scale 1" = 100'



HOUSE DETAIL



LEGAL DESCRIPTION:
 BEGINNING 55 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE 6TH PRINCIPAL MERIDIAN, KANSAS CITY, WYANDOTTE COUNTY, KANSAS, THENCE SOUTH 20.7 FEET, THENCE WEST 1271.73 FEET, THENCE NORTH 297 FEET, THENCE EAST 1271.36 FEET TO THE POINT OF BEGINNING, CONTAINS 8.67 ACRES MORE OR LESS.

I HEREBY CERTIFY THAT DURING THE MONTH OF JUNE 1928, WE COMPLETED A SURVEY TO ESTABLISH THE LOCATION OF THE ABOVE SHOWN HOUSE, AND THAT THE RESULTS OF THIS SURVEY ARE HEREIN CORRECTLY SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

James A. Daugherty
 Surveyor

DRAWN BY: TJS DATE: JUNE 25, 1928 ENG. NO.: 840807	APPROVED BY: PROJ. NO.: DMS.	PROJECT: PLOT PLAN FOR: OWNER: JAMES A. DAUGHERTY	STORY ENTERPRISES, INC. 7735 WASHINGTON AVE. SUITE G KANSAS CITY, KANSAS 66112 813-344-1813	SHEET NO: 1 OF 1
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GENERAL NOTES:

- All construction shall be in conformance with the Unified Government of Wyandotte County and Kansas City, Kansas Standards and adopted codes and ordinances.
- All work shall be confined within the construction limits as shown.
- Engineered slopes shall not be greater than 3H:1V.

FLOOD NOTE:

1. The area of disturbance lies within Zone X, defined as areas determined to be outside the 0.2% annual chance floodplain, as shown on the flood insurance rate map prepared by the Federal Emergency Management Agency.

EARTHWORK QUANTITIES:

Unclassified Excavation = 0.00 CY
Earthwork Fill = 1,500 CY

EARTHWORK NOTE:

The quantities listed are in-place volume and do not consider shrinkage and swell factors.



VICINITY MAP
SEC 11-11-24

LEGEND:

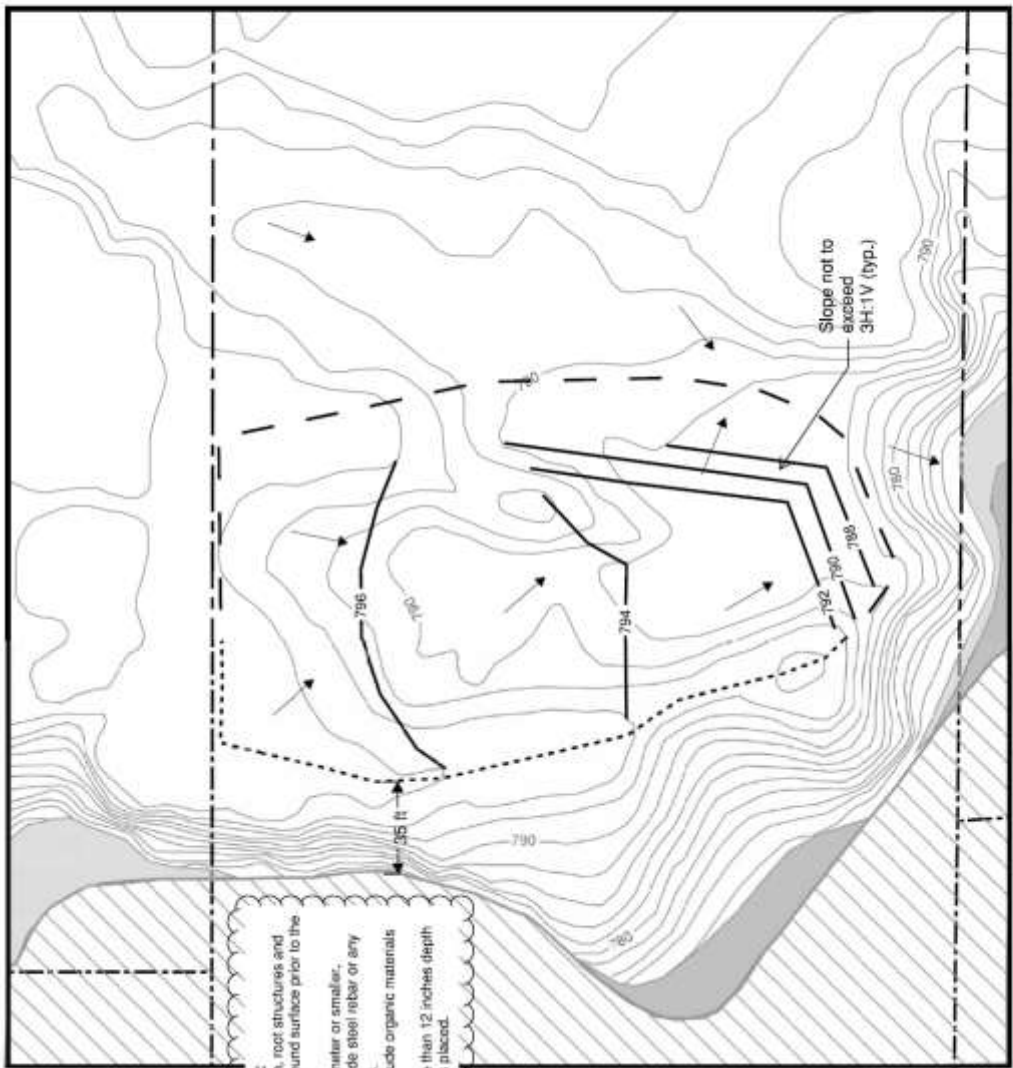
- Existing 2' Contour
- Proposed 2' Contour
- Property Line
- Flow Direction
- Construction Limits
- FEMA Floodway
- FEMA Zone AE
- FEMA Zone X

UTILITY NOTE:

1. Visual indications of utilities are shown. Underground locations shown, as furnished by their lessors, are approximate and should be verified in the field at the time of construction. For actual field locations of underground utilities call 811.



Know what's below.
Call before you dig.



NO.	DATE	REVISIONS
1	1/11/24	ISSUED FOR PERMIT
2		
3		
4		
5		

GENERAL NOTES:
 1. All construction shall be in conformance with the Unified Government of Wyandotte County and Kansas City, Kansas Standards and adopted codes and ordinances.
 2. All work shall be confined within the construction limits as shown.
 3. Engineered slopes shall not be greater than 3H:1V.

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VICINITY MAP
 SEC 11-11-24

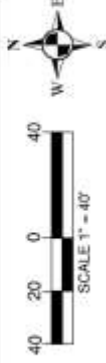
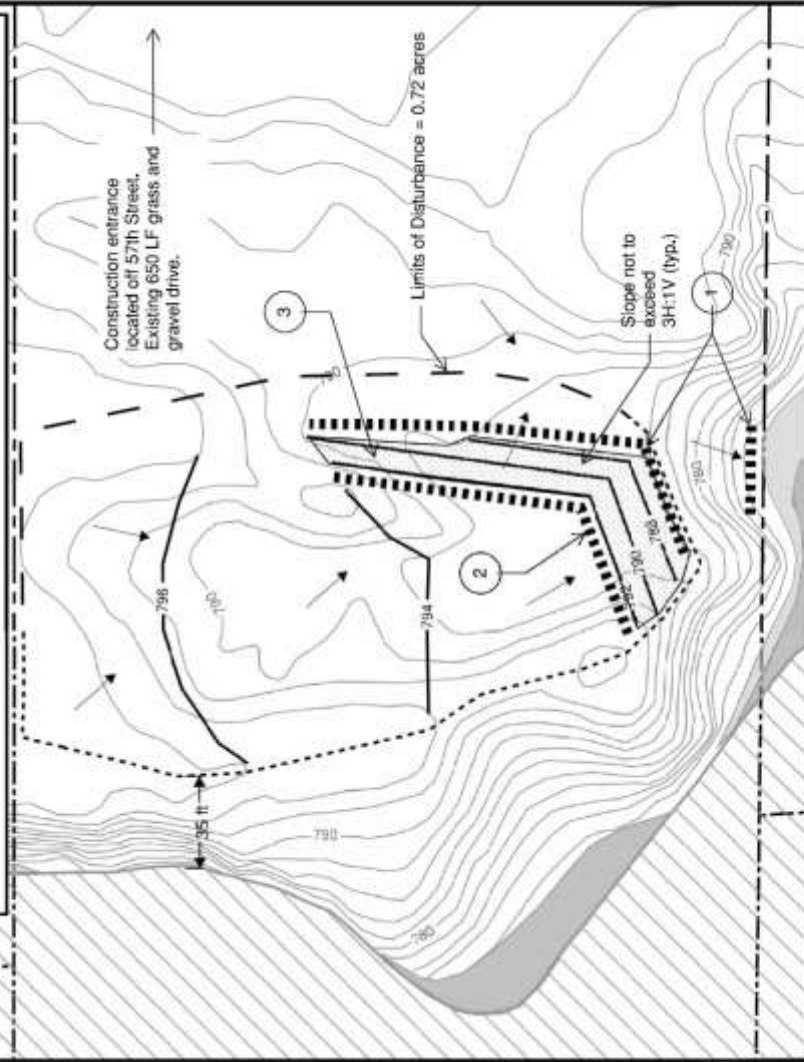
- LEGEND:**
- Existing 2' Contour
 - Proposed 2' Contour
 - Property Line
 - Flow Direction
 - Construction Limits
 - Biodegradable Logs
 - FEMA Floodway
 - FEMA Zone AE
 - FEMA Zone X
 - Slopes Protection Mat

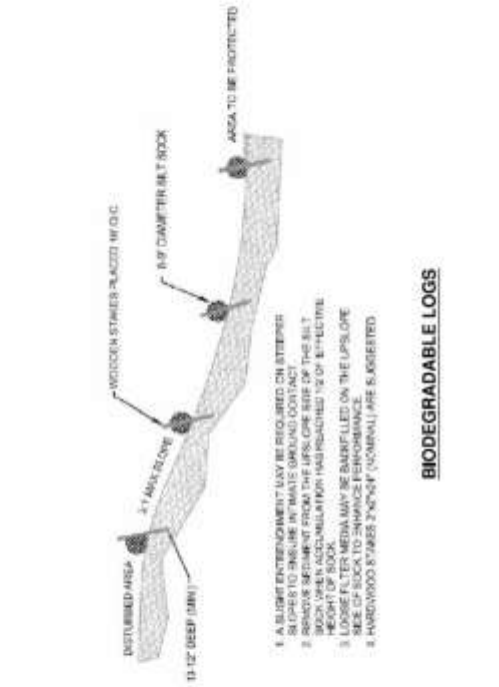
UTILITY NOTE:
 1. Visual indications of utilities are shown. Underground locations shown, as furnished by their locators, are approximate and should be verified in the field at the time of construction. For actual field locations of underground utilities call 811.



Erosion and Pollution Control Staging Chart

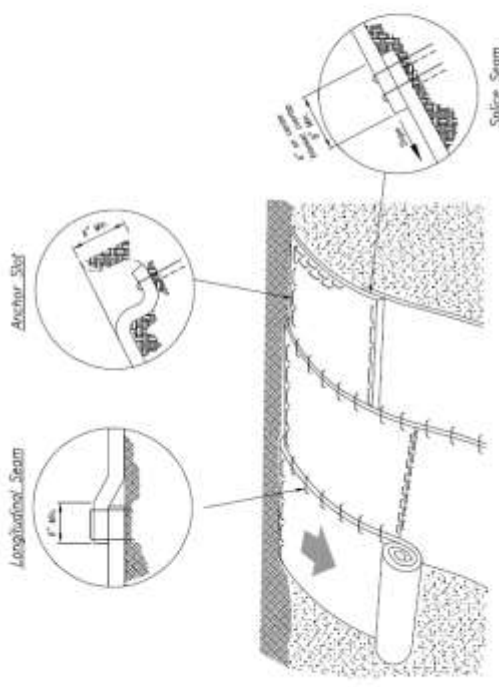
Phase	Project Stage	BMP Plan Ref No.	BMP Description	Remove After Stage
Phase 1	A - Prior to Land Disturbance	1	Biodegradable logs	C
Phase 2	B - Mass Grading	2	Biodegradable logs	C
Phase 3	C - Final Stabilization	NA	Establish perennial vegetation on all disturbed area	NA





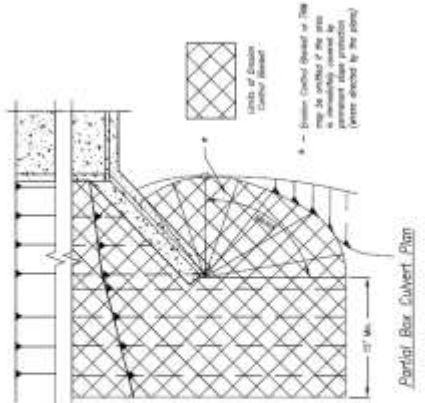
1. A SLIGHT ENTRENCHMENT MAY BE REQUIRED ON STEEPER SLOPES TO ENSURE INTIMATE GROUND CONTACT.
2. REMOVE SEGMENT FROM THE UPSLOPE SIDE OF THE SILT SOCK TO ALLOW FOR EASY REMOVAL FOR MAINTENANCE.
3. LOOSE FILTER MEDIA MAY BE BACKFILLED ON THE UPSLOPE SIDE OF SOCK TO ENHANCE PERFORMANCE.
4. HARDWOOD STAKES 2"X6'S (NOMINAL) ARE SUGGESTED.

BIODEGRADABLE LOGS

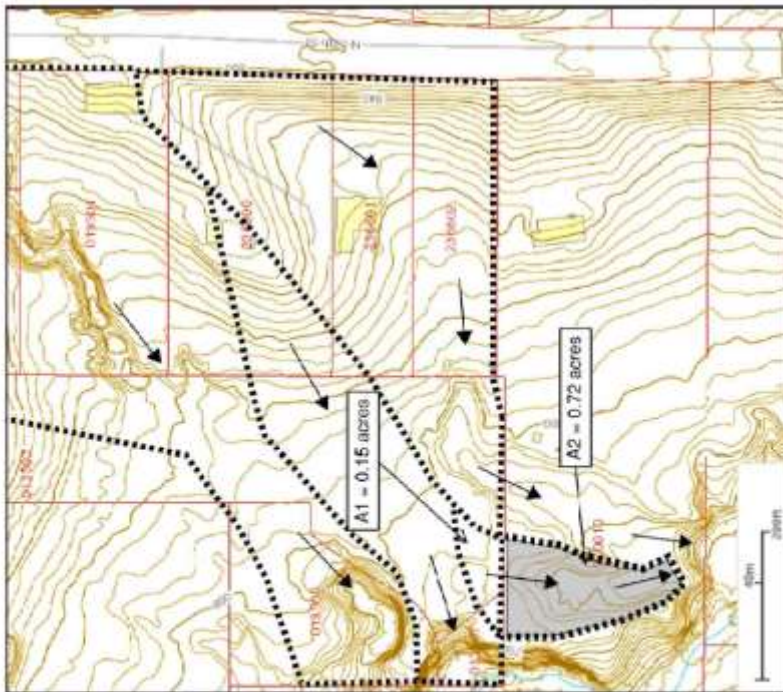
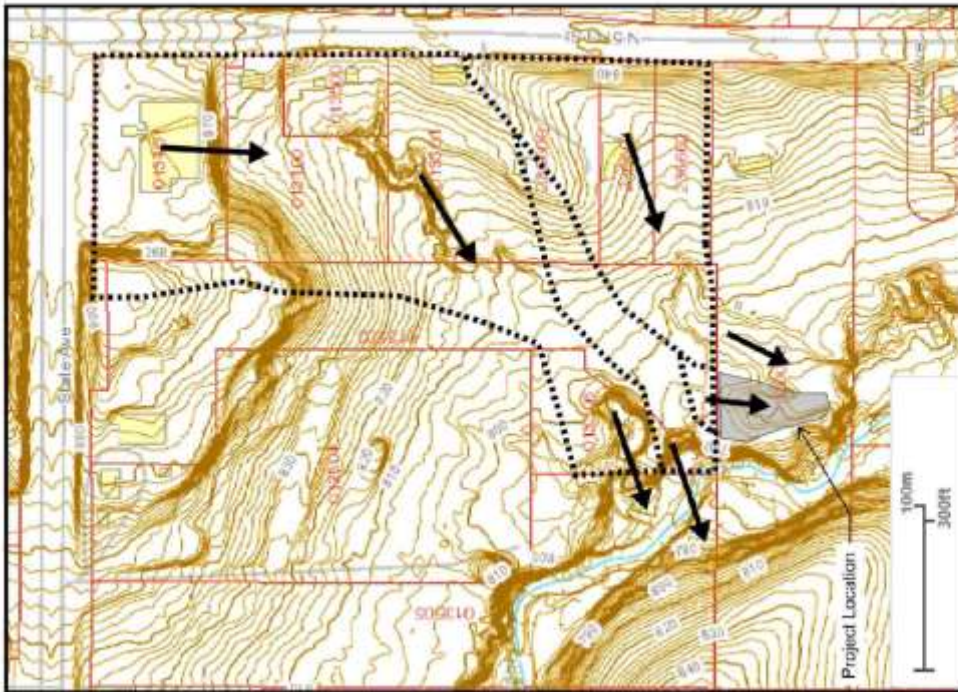


- Notes:**
1. EXPOSED CORNER JOINTS AND TIES MUST BE SET IN THE JOINTS OF THE LOGS. REFER TO DRAWING 10-10 FOR TYPICAL JOINT DETAIL. LOGS MUST BE INSTALLED WITH THE LOGS TO BE INSTALLED TO THE SLOPE.
 2. ALL LOGS MUST BE THE FULL LENGTH OF THE SLOPE AND BE INSTALLED TO THE SLOPE. THE LOGS MUST BE INSTALLED TO THE SLOPE WITH THE LOGS TO BE INSTALLED TO THE SLOPE.
 3. LOGS MUST BE INSTALLED TO THE SLOPE WITH THE LOGS TO BE INSTALLED TO THE SLOPE.
 4. SPICE (SMB) WHEN NECESSARY, VERIFY AND A MINIMUM OF 8 INCHES IN LENGTH AT EACH END OF THE LOGS.
 5. LOGS (SMB) THE LOGS MUST BE INSTALLED TO THE SLOPE WITH THE LOGS TO BE INSTALLED TO THE SLOPE.
 6. TYPICAL ANCHORS AND/OR STAPLES MUST BE AS RECOMMENDED BY THE MANUFACTURER.
 7. CHECK ANCHORS: Slope pattern and stability shall be as required by the manufacturer.

Installation:
 Logs shall be installed with the exposed corner joints to the slope. The logs shall be installed to the slope with the logs to be installed to the slope.



SLOPE INSTALLATION



LEGEND:
 Existing Flow Direction (See sheet C2 for proposed)
 Drainage Boundary



Discharge Calculations						
Area ID	Event	Tc (min)	C	I (in/hr)	A (acres)	Qc (cfs)
A1	10%	5	0.51	7.35	0.15	0.56
A1	1%	5	0.51	10.76	0.15	0.82
A1+A2	10%	5	0.51	7.35	0.87	3.76
A1+A2	1%	5	0.51	10.76	0.87	4.77





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: January 30, 2025
Re: Change of Zone Petition COZ2024-037 and MPL2024-014

GENERAL INFORMATION

Applicant Information:

Josh and Jenna Beuerlein
4J Enterprises
19537 174th Street
Tonganoxie, KS 66086

Subject Property:

8010 Parallel Parkway
Kansas City, KS 66112

Requested Action and Purpose:

Approval of a Change of Zone from C-0 Nonretail Business District from CP-1 Planned Limited Business District and Master Plan Amendment from Low-Density Residential to Low-Density Mixed Use (PlanKCK).

Commission Districts:

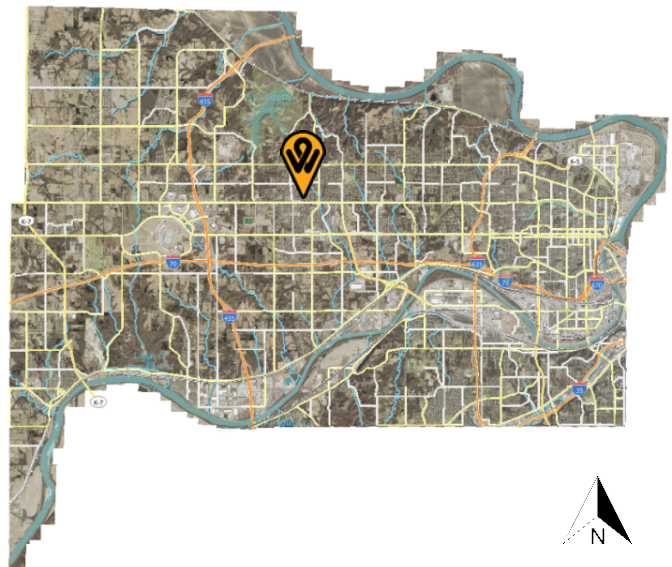
Commissioner At-Large, District #1:
Melissa Bynum
District #5 Commissioner:
Michael Kane

Existing Zoning District(s):

C-0 Nonretail Business District

Proposed Zoning District(s):

CP-1 Planned Limited Business District



	Adjacent Zoning	Adjacent Uses
--	-----------------	---------------

North	C-0 Nonretail Business and R-1 Single Family Districts	Single-family homes
South	RP-4 Planned Garden Apartment District	Duplexes
East	C-0 Nonretail Business District	Single-family home
West	C-0 Nonretail Business District	Commercial offices

Total Tract Size: 0.63 Acre

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates this property as Low Density Residential. This designation allows single-family, detached residential development on the standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of the block and/or with frontage on a commercial, mixed-use corridor or neighborhood corridor is allowed.

A Master Plan Amendment application to Low-Density Mixed Use has been applied for, which allows mixed-use buildings with low-profile commercial, limited retail and/or office uses at the street level with residential and/or office uses above. Live/work units with commercial/retail at street level and residential above are allowed if the work units on the first floor contribute to the residential nature of the block.

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

Parking Requirement: Sec. 27-464(e) Uses in this district require paved off-street parking spaces at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. 10 spaces are required. 9 spaces are provided—the Applicant needs to provide three (3) additional parking space, two (2) of which shall be reserved for the residential

unit.

Landscaping Requirement:

Sec. 27-464(g) Trees are required to be provided at not less than one (1) tree per 7,000 square feet of site area. Screening or buffer plantings are to be provided along all side and rear property lines common to or across an alley from single-family or two-family zoned property.

Advertisement:

The Wyandotte Echo – December 19, 2024
Letters to Property Owners – December 20, 2024

Public Hearings:

January 13, 2025 and January 30, 2025

Public Support:

None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Josh and Jenna Beuerlein with 4J Enterprises, wants to rezone 8010 Parallel Parkway from C-0 Nonretail Business District to CP-1 Planned Limited Business District to operate a speech therapy business/office with one (1) apartment dwelling unit on the second floor.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. There are no building, zoning or code enforcement complaints on the subject property.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. Appeal #1126 – Variance for a reduction of the front yard and side yard, interior setbacks approved by the Board of Zoning Appeals on July 2, 1979.
2. Appeal #1159 – Variance for setback of ground signs and size of wall signage approved by the Board of Zoning Appeals on December 2, 1979.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This area is part of the Victory Hills Statistical Neighborhood, Census Block Group #0442013. The area along Parallel Parkway is a mixture of commercial businesses on the north side and single-family homes and duplexes on the south side of Parallel Parkway.

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 a speech therapy office, formerly a beauty salon that will provide parking for employees and customers in the rear of the building on the first floor and a residential unit on the second floor. This property is bordered by single-family homes to the north and east, duplexes to the south, across Parallel Parkway and commercial offices to the west.

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

Removal of the restrictions will not detrimentally affect nearby property because the proposed zoning district does not allow intense commercial uses/businesses. General, professional, and medical offices are permitted, which is not a noxious use when abutting residential zoning districts. Additional landscaping in the parking lot and along Parallel Parkway, maintaining of existing tree stands buffering this property from the single-family homes to the north are required as part of this proposal.

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

The property may be vacant now because there is a new applicant/property owner filing for a Change of Zone, but the Business Licensing Division records indicate various hair salon operators with licenses up to December 31, 2024. A rental license was applied for by the applicant, and is the only (residential) rental license associated with the property.

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 clients who need speech therapy. The site and building are not changing, other than making repairs to the parking lot, landscape plantings and obtaining the necessary permits to ensure compliance with the Building Inspection Division and KCKFD. The Change of Zone to CP-1 Planned Limited Business District allows office uses, limited commercial retail and mixed-use residential occupancy, which will not permanently injure the appropriate use, visual quality or marketability of nearby property because the use has been in commercial building in existence since 1980.

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

The proposed use will not increase traffic or parking demand in ways that will adversely affect road capacity, safety, or create parking problems because the commercial use of the building and its parking lot has been in existence since at least 1979. Additionally, the speech therapy will have a high-turnover and are typically, appointment-only and have a high-familiarity with clients.

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

The proposed use does not conform to the PlanKCK Comprehensive Plan, which designates this property as Low Density Residential. This designation allows single-family, which detached residential development on the standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of the block and/or with frontage on a commercial, mixed-use corridor or neighborhood corridor is allowed.

A Master Plan Amendment application to Low-Density Mixed Use has been submitted, allows mixed-use buildings with low-profile commercial, limited retail and/or office uses at the street level with residential and/or office uses above. Live/work units with commercial/retail at street level and residential above are allowed if the work units on the first floor contribute to the residential nature of the block.

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

If the site is properly managed and maintained, the proposed use will not cause environmental harm. There will be additional landscaping planted around the perimeter of the site that will enhance the streetscape along Parallel Parkway and buffering of neighbors to the east.

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

a. Electric and Water Service

To be provided by BPU Electric and Water Divisions.

b. Sanitary Sewer Service

UG provides sanitary sewer service.

c. Storm Water Control

To be designed to meet City Code.

d. Police

Police service is provided by West Patrol, District 225.

e. Fire

Fire service is provided by Station #4, located at North 81st Street and Leavenworth Road, which is one (1) mile from the subject property.

f. Transit

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

g. Schools

Public Education is provided by Bethel Elementary School, Eisenhower Middle School, and Washington High School, under Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

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

The proposed use will have a minimal economic impact on the community. The property owner will generate commercial property tax for the Unified Government due to the commercial office rather than residential property tax even as a mixed-use building.

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

With revisions to the site and floor plans and additional landscape plantings, the proposed use is capable of meeting applicable ordinance requirements.

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

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal as speech therapy is allowed in C-0 Nonretail Business District. If this application is denied, the applicant will need to convert the residential space to commercial office space or wait for one (1) year to re-apply for a Change of Zone to CP-1 Planned Limited Business District.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on December 30, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Parking (Variance may be required)
Building Use
Parking Lot Improvements
Buffering/Screening

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Change of Zone Application **COZ2024-037** and Master Plan Amendment Application **MPL2024-014**, subject to:

1. The following requirements of the Commercial Development Guidelines Overlay District *have not* been met, and from which Applicant is requesting a deviation for approval:
 - a. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.
 - i. Section 27-577(b)(3)(a) states that 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.

- ii. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them;
- 2. The ramp at the southwest corner of the building needs to have a handrail regardless if the doors are locked;
- 3. Section 27-463(g) Trees are required at not less than one (1) per 7,000 square feet of site area. Screening or buffer plantings are to be provided along all side and rear property lines common to or across an alley from single-family or two-family zoned property;
- 4. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.
 - a. Section 27-577(b)(3)(a) states that one tree with a minimum caliper of two (2) inches (ornamental evergreen trees must be at least six (6) feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them;
- 5. Maintain the existing tree stand around the rear of the property, primarily along the east and north property lines as a buffer from the single-family homes to the north;
- 6. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;
- 7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
- 8. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
- 9. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
- 10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
 - a. Confirm with the Building Inspection Division that a building permit was obtained by the previous property owner. If a building permit was

not issued and thereby inspected, obtain a retroactive building permit from the Building Inspection Division to ensure that the dwelling unit is code compliant;

11. All existing and future driveways must feature curb cuts that are constructed to UG standards;
12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
14. Section 27-211(g)(9)b. Failure to fulfill the conditions within one (1) year of Unified Government Board of Commissioners approval shall necessitate the scheduling of a public hearing with requisite notice before the Unified Government Board of Commissioners. At this public hearing, the Unified Government Board of Commissioners shall consider all of the relevant factors and either approve, approve with conditions, or deny the rezoning application.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petitions **COZ2024-037** and **MPL2024-014** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Site Plan
Floor Plan
Site Photographs provided by the Applicant.
Site Photographs taken by Staff on December 30, 2024.

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	January 13, 2025 (Approval)	January 30, 2025

STAFF CONTACT: [Byron Toy, AICP
btoy@wycokck.org](mailto:btoy@wycokck.org)

MOTIONS

MASTER PLAN AMENDMENT

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2024-014** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

- 1. _____;
- 2. _____; And
- 3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2024-014**, 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.

CHANGE OF ZONE

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-037** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

- 1. _____;
- 2. _____; And
- 3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-037**, 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.

January 13, 2025 City Planning Commission Minutes:

Hearing starts at 1:26:14:

CHANGE OF ZONE APPLICATION COZ2024-037 – JOSH AND JENNA BEUERLEIN
– **SYNOPSIS:** Change of Zone from C-0 Non-Retail Business District to CP-1 Planned Limited Business District for a legal-non-conforming mixed-use building at 8010 Parallel Parkway.

MASTER PLAN AMENDMENT MPL2024-014, Master Plan Amendment from Low-Density Residential to Mixed-Use at 8010 Parallel Parkway.

Detailed Outline of Requested Action: The applicant, Josh and Jenna Beuerlein with 4J Enterprises, wants to rezone 8010 Parallel Parkway from C-0 Nonretail Business District to CP-1 Planned Limited Business District to operate a speech therapy business/office with one (1) apartment dwelling unit on the second floor.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Josh Beuerlein, applicant, 19537 174th Street, Tonganoxie, Kansas 66086

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:30:16: Planning Director Hand stated that this is a Change of Zone from C-0 Non-Retail Business District to CP-1 Planned Limited Business District to allow for a rental apartment above an office. This property is located in the PlanKCK area in the Midtown neighborhood. Staff received no letters in support or in opposition. There are no Notices of Violation. Staff recommends approval with conditions. Director Hand noted that while the property was currently zoned C-0 for office, the land use has always been residential, so transitioning to a Mixed-Use project aligns the zoning with the historic intent of the original land use category.

The Planning Commission directed questions to Director Hand.

Motion starts at 1:33:51:

On motion by Ms. Jones, seconded by Mrs. Schwartz, the Planning Commission voted

as follows to recommend APPROVAL of MPL2024-014:

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

Motion to recommend APPROVAL Passed: 8 to 0

Subject to:

- 1. The following requirements of the Commercial Development Guidelines Overlay District *have not* been met, and from which Applicant is requesting a deviation for approval:
 - a. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.
 - i. Section 27-577(b)(3)(a) states that 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.**
 - ii. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them;******
- 2. The ramp at the southwest corner of the building needs to have a handrail regardless if the doors are locked;**
- 3. Section 27-463(g) Trees are required at not less than one (1) per 7,000 square feet of site area. Screening or buffer plantings are to be provided along all side and rear property lines common to or across an alley from single-family or two-family zoned property;**
- 4. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.
 - a. Section 27-577(b)(3)(a) states that one tree with a minimum caliper of two (2) inches (ornamental evergreen trees must be at least six (6) feet tall when planted) provided for every 30 feet of street easement or frontage.**
 - b. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them;****
- 5. Maintain the existing tree stand around the rear of the property, primarily along the east and north property lines as a buffer from the single-family homes to the north;**
- 6. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All**

- evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 8. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
 9. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
 - a. Confirm with the Building Inspection Division that a building permit was obtained by the previous property owner. If a building permit was not issued and thereby inspected, obtain a retroactive building permit from the Building Inspection Division to ensure that the dwelling unit is code compliant;
 11. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 14. Section 27-211(g)(9)b. Failure to fulfill the conditions within one (1) year of Unified Government Board of Commissioners approval shall necessitate the scheduling of a public hearing with requisite notice before the Unified Government Board of Commissioners. At this public hearing, the Unified Government Board of Commissioners shall consider all of the relevant factors and either approve, approve with conditions, or deny the rezoning application.

Motion starts at 1:34:53:

On motion by Ms. Jones, seconded by Ms. Schwartz, the Planning Commission voted as follows to **recommend APPROVAL of COZ2024-037:**

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

Motion to recommend APPROVAL Passed: 8 to 0
Subject to the above conditions.

ATTACHMENTS

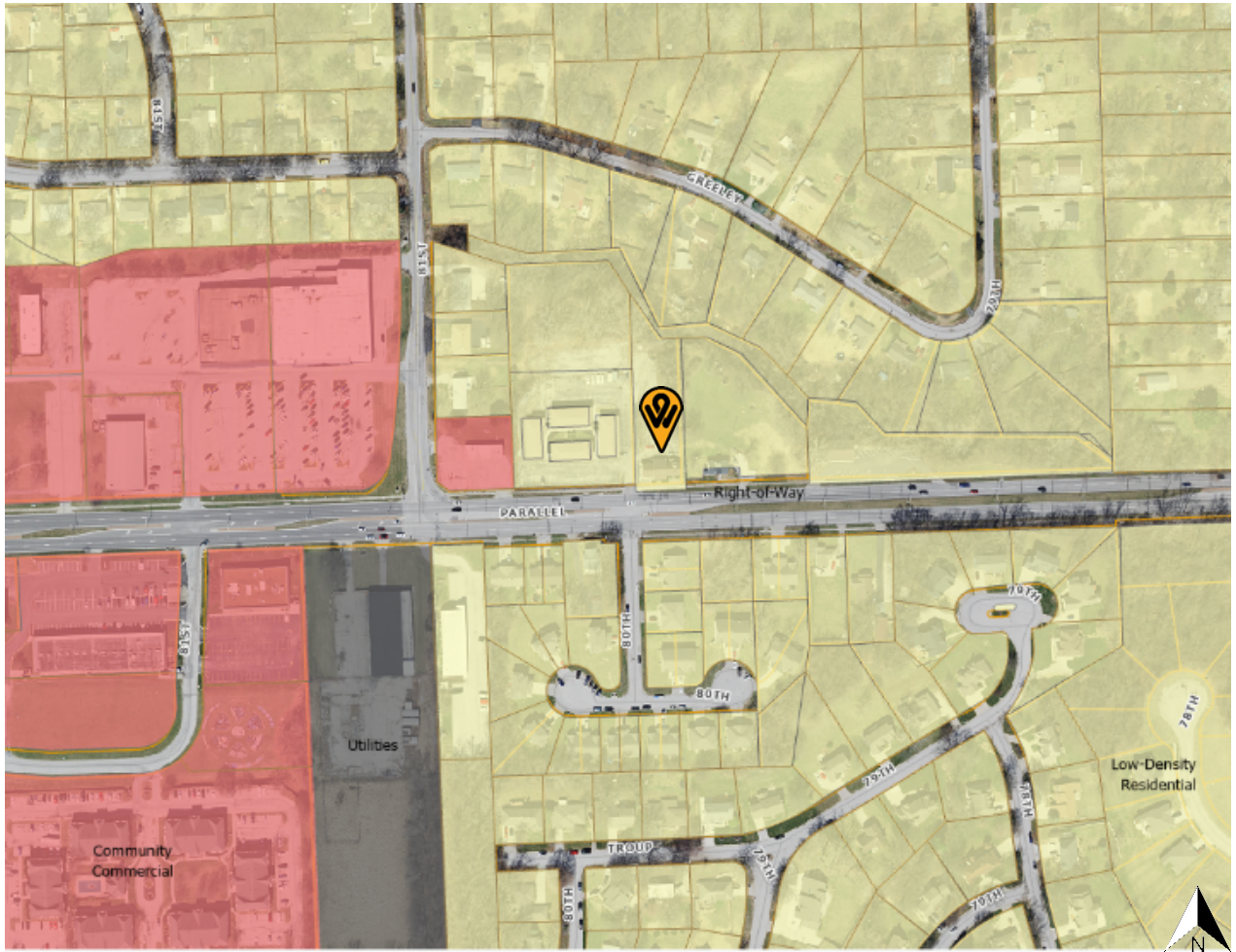
AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS

Planning and Urban Design Comments:

1. For reference, the building was used as a hair salon with multiple operators from 2018 - 2022, when the business license was terminated. The new applicant intends to operate a speech therapy office at this property, however, would like to have an apartment on the second floor. **To clarify, we already began operating the speech therapy clinic at this property. We moved from our prior location at 8247 Leavenworth Rd to this location in October, and already have a business license for it. License # OCC-002481-R24. That license is included as an attachment.**
2. Is this intended as the Applicant's live/work unit? **No, the tenant will not be related to the business.**
 - a. If so, shared parking between the apartment unit and the office may be a possibility. **We have identified a dedicated parking spot for the apartment tenant.**
3. The floor plan that was provided to Staff does not match the photographs that were submitted with the application. Revise the floor plans to show the bedrooms, bathrooms, kitchen, living room, etc. for the apartment unit and all other proposed space used for commercial businesses/office. **Updated floor plans for the apartment are attached.**
4. When was the second floor converted into a dwelling unit? There is no record of a building permit for an occupancy conversion or interior remodel. **We do not know when it was converted, as it was at some point prior to when we purchased the building. It was being used as an apartment by the prior owner, and they marketed it as such when selling. Additional pictures are included.**
5. Resurface as necessary, and restripe the parking lot along Parallel Parkway. **The parking lot has already been restriped. No resurfacing is necessary.**
 - a. Revise the site plan to depict 13 parking spaces. **Updated site plan attached.**
6. Provide ADA access – a direct walkway to the sidewalk. **The building already had a ramp to the entrance closest to Parallel Pkwy, but we've added a ramp to the primary entrance on the north side of the office. We are not planning any further changes.**
7. The ramp at the southwest corner of the building needs to have a handrail. **This door is not used as an entrance and remains locked at all times. We do not plan to add a handrail.**

8. Sec. 27-463(g) Trees are required at not less than one (1) per 7,000 square feet of site area. Screening or buffer plantings are to be provided along all side and rear property lines common to or across an alley from single-family or two-family zoned property. **We have plenty of trees on the north and east sides of the property.**

9. Plant one (1) tree in the parking lot island. **There is already one tree in the parking lot island, a picture is attached. We believe that an additional tree in the parking lot island would reduce visibility to the flow of traffic in and out of the parking lot and does not serve a functional purpose as it relates to allowing the upstairs to be an apartment. We do not plan to add a tree at this time.**

10. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians.

a. Section 27-577(b)(3)(a) states that 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. Section 27-577(b)(3)(b) states that street trees should be planted no closer than 55 feet and no more than 65 feet apart with groupings or ornamental trees and shrubs placed between them.

We plan to maintain the existing landscaping on the south side of the building, pictures attached, but do not see a functional purpose to adding trees as it relates to allowing the upstairs to be an apartment. We do not plan to add a tree here.

11. Maintain the existing tree stand around the rear of the property, primarily along the east and north property lines as a buffer from the single-family homes to the north. **We do plan to maintain these tree lines, although we've already had to spend over \$3,000 to remove two trees that were dead and at risk of falling into the parking lot. That also informs our reluctance to add additional trees to the property.**

Application Number COZ2024-037

Date and Location: 12/30/2024 via Zoom

Meeting called to order at: 6:00 pm

Names of people in attendance: Josh Beuerlein on behalf of 4J Enterprises. No members of the public attended.

Meeting adjourned at: 6:15 pm

Minutes taken by: Josh Beuerlein

Additionally, no one reached out by email or phone to inquire about the meeting after the notice was sent.

Application Number COZ2024-037

Date and Location: 12/30/2024 via Zoom

Meeting called to order at: 6:00 pm

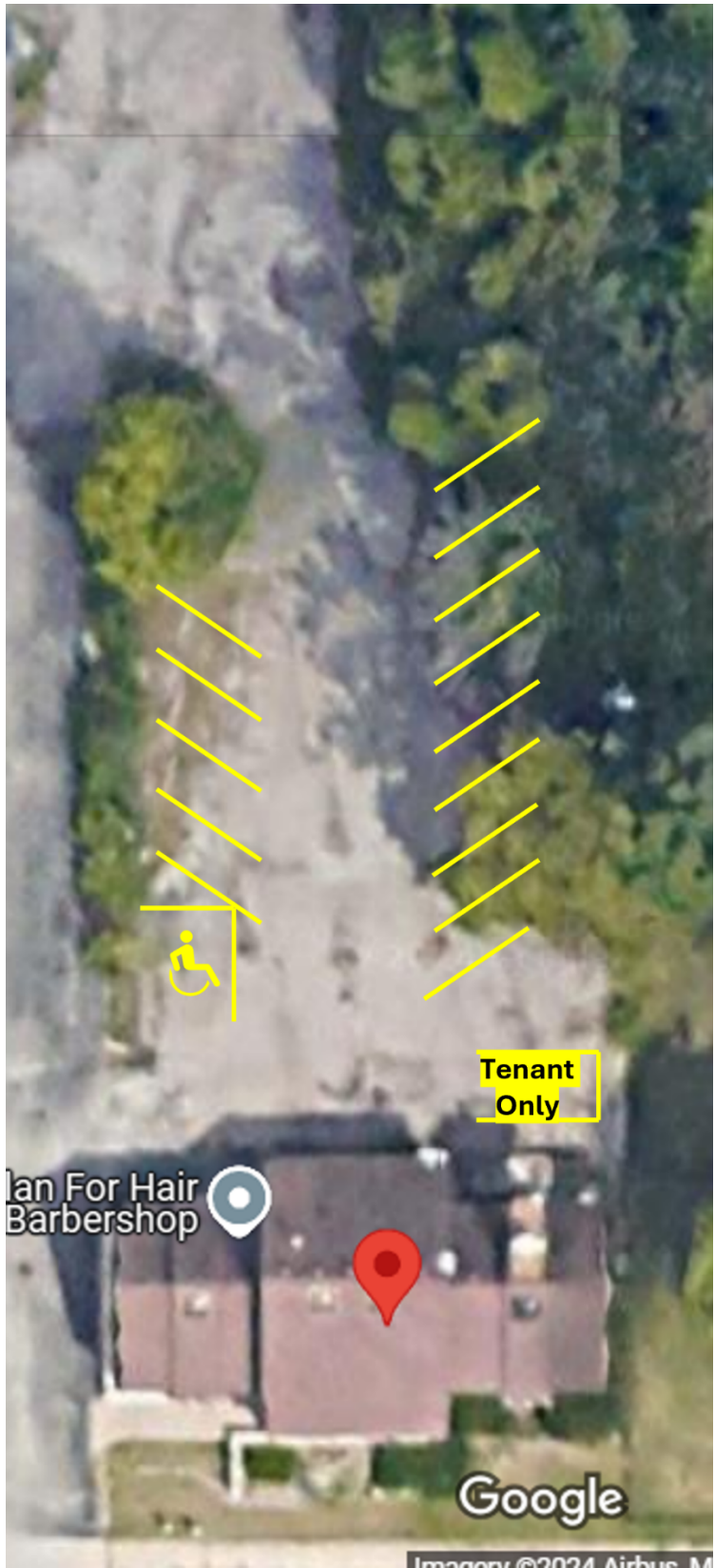
Names of people in attendance: Josh Beuerlein on behalf of 4J Enterprises. No members of the public attended.

Meeting adjourned at: 6:15 pm

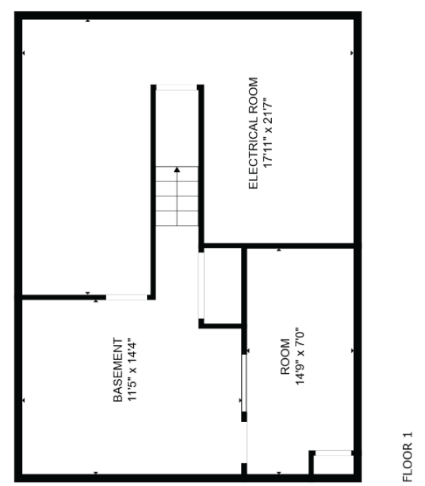
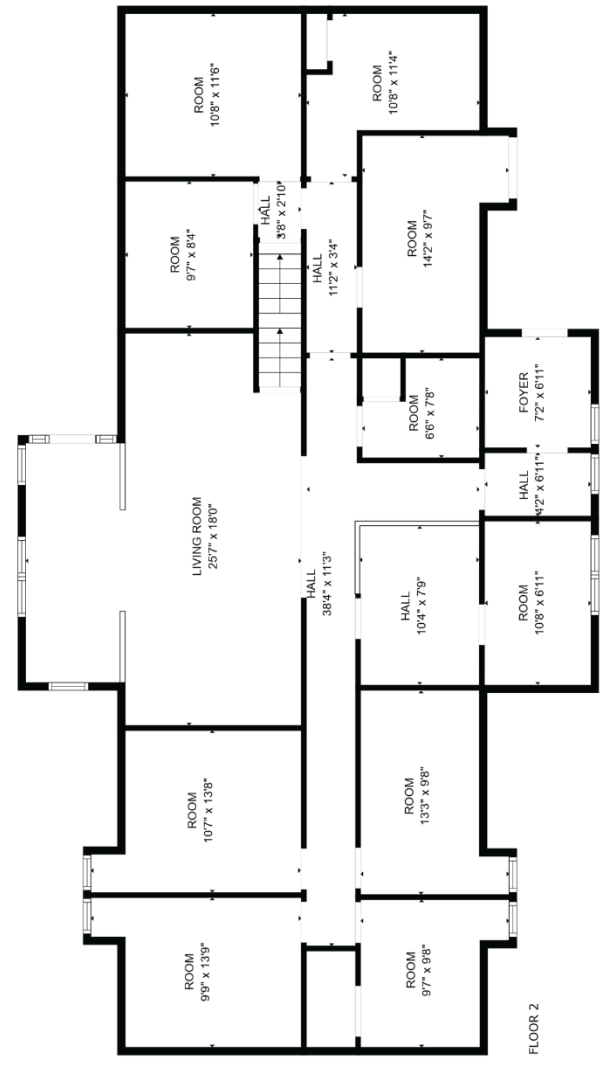
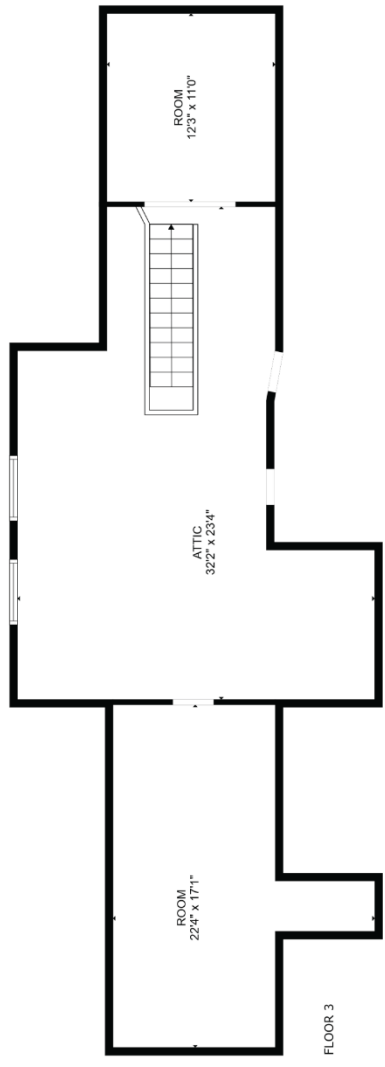
Minutes taken by: Josh Beuerlein

Additionally, no one reached out by email or phone to inquire about the meeting after the notice was sent.



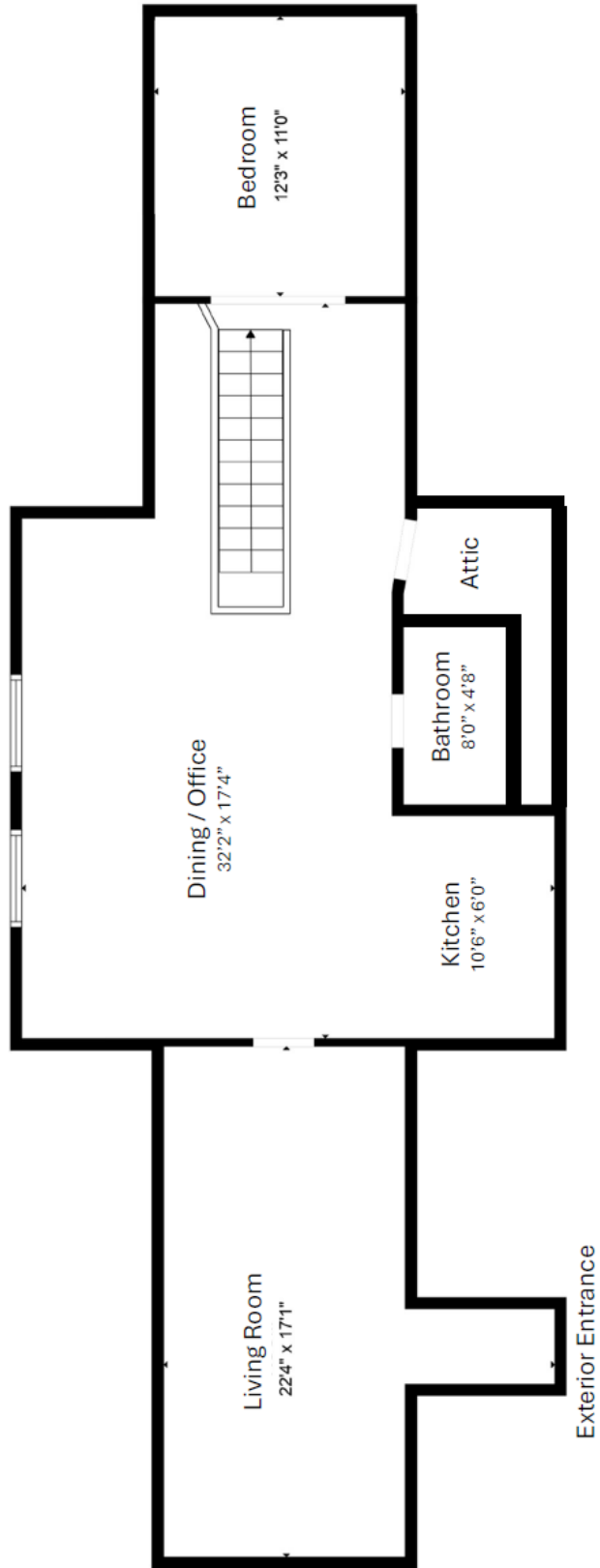


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FLOOR PLAN CREATED BY CUBICASA APP. MEASUREMENTS DEEMED HIGHLY RELIABLE BUT NOT GUARANTEED.

8010 Parallel Pkwy
Upstairs Apartment



SITE PHOTOGRAPHS











(First published _____)

COZ2024-031

ORDINANCE NO. _____

AN ORDINANCE rezoning property hereinafter described located at approximately 810 North 10th Street, 1007 Armstrong Avenue, and 1013 Armstrong Avenue, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to RP-2(B) Planned Two Family District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on October 25, 2024, by the owners of property to have the zoning of said property changed from its present zoning of R-1(B) Single Family District to RP-2(B) Planned Two Family District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

810 N 10TH STREET KANSAS CITY, KS 66102

LOTS 1-3, BLOCK 140, WYANDOTTE CITY, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS.

1007 ARMSTRONG AVE KANSAS CITY, KS 66102

LOTS 4 & 5, BLOCK 140, WYANDOTTE CITY, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS.

1013 ARMSTRONG AVE KANSAS CITY, KS 66102

LOTS 6 & 7, BLOCK 140, WYANDOTTE CITY, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS.

be changed from its present zoning of R-1(B) Single Family District to RP-2(B) Planned Two Family District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-457, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Planning and Urban Design Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for RP-2(B) Planned Two Family District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____
DAY OF _____, 2025.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY: _____
TYRONE GARNER
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

CHIEF COUNSEL

(First published _____)

COZ2024-035

ORDINANCE NO. _____

AN ORDINANCE rezoning property hereinafter described located at approximately 621 North 17th Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to R-2(B) Two Family District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on October 25, 2024, by the owners of property to have the zoning of said property changed from its present zoning of R-1(B) Single Family District to R-2(B) Two Family District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

WITTMER ADD, S9, T11, R25, ACRES 0.150000, B6 L1, located at approximately 621 North 17th Street, Kansas City, Kansas.

be changed from its present zoning of R-1(B) Single Family District to R-2(B) Two Family District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for R-2(B) Two Family District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____
DAY OF _____, 2025.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY: _____
TYRONE GARNER
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2024-089

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-089, commonly known as 535 Central Avenue, Kansas City, Kansas, legally described as:

Section 10, Township 11, Range 25, S10, T11, R25, acres 0.14, 134D, beginning 252.5' East and 58' North of the Southwest Corner of Block 19, Lot 1, Riverview, South 110', East 50', more or less to 6th Street, Northerly 110', more or less, West 58' to the point of beginning, containing 0.15 acres, more or less, located at approximately 535 Central Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

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

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

16. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
17. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
18. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
19. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
20. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2024-102

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-102, commonly known as 2520 North 131st Street, Kansas City, Kansas, legally described as:

SEC-31, TWP-10, RNG-23, S31, T10, R23, ACRES 051.0000, 279B
BEG 362.67 FT S OF NE COR SE ¼; S 115.65FT, W 211FT, N 115.65FT, E
211FT TO POB LS RD BAL CONTG 0.51 AC M/L, located at approximately 2520
North 131st Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The applicant shall repave the driveway apron and the driveway to UG Standards;**
2. **Maximum number of guests shall be 7;**
3. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
4. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**

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

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

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

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2024-104

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-104, commonly known as 419 North 6th Street, Kansas City, Kansas, legally described as:

The South 1 Foot of Lot 21 and all of Lot 22, Block 1, MORRIS AND EARLY'S ADDITION TO WYANDOTTE CITY, an addition in Kansas City, Wyandotte County, Kansas, located at approximately 419 North 6th Street.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be six (6) per unit;**
2. **All parking must be off-street, maximum number of vehicles is four (4). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's**

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

- be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
 17. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2024-106

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-106, commonly known as 901 North 8th Street, Kansas City, Kansas, legally described as:

WYANDOTTE CITY, S4, T11, R4, ACRES 0.33, B130 L26 TO L27, ALSO VACATED 5FT ADJACENT TO L27, located at approximately 901 North 8th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for operation of an emergency group home and event space.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **A total of 10 parking spaces are dedicated in the rear of the building for both businesses – two (2) for the emergency shelter and 8 for the event space.**
 - a. **On-street parking is available but is metered during the weekday business hours.**
 - b. **Lot C parking garage, approximately one-half (1/2) block east of the subject property has hourly parking – \$1.00/hour up to 8 hours that is publicly available. During your events, provide that as an option**

- for off-street parking;
2. All events within the event space shall conclude by 11:00 PM because there is a group home in basement;
 3. Events may occur 7 days a week, although the applicant/operator specified most events will occur Monday through Friday;
 4. The maximum occupancy in the event space is 220;
 5. All waste shall be disposed in the existing dumpster;
 6. No alcohol is to be provided during events;
 7. No events may occur outside;
 8. Up to four (4) live entertainment events, annually, are permitted on the premises associated with the event space per the Business Licensing Division. Five (5) or more annual events require an amendment to this Special Use Permit;
 9. Any changes to the building for either the event space or emergency shelter/group home may require a building permit to be obtained, which triggers historic review process;
 10. The emergency shelter/group home shall be staffed by at least one (1) staff member 24 hours a day;
 11. No more than 16 guests may stay in the emergency shelter overnight at any one time;
 12. KCKFD may have additional comments regarding egress of group home in the basement;
 13. Install wheel stops in the customer parking lot and truck parking lot so vehicles do not roll into the grass or damage the fence;
 14. If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator;
 15. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;
 16. Per Director's Interpretation of Section 27-699(e), the following architectural standards have been identified as being good design practices and should be included in the design plans:
 - a. Lighting shall be installed to have a 90-degree cutoff fixtures;
 17. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org

- to begin this process;
18. If approved, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 19. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 20. The subject property is within the boundaries of a Historic District, Historic District Environs, or is an identified Historic Landmark. A Historic Environs Review/Certificate of Appropriateness is required prior to any demolition, alteration, construction, repair, change of occupancy, or change in use of the subject property. Please contact the Department of Planning and Urban Design at (913) 573-5750 or email planninginfo@wycokck.org to begin that process;
 21. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 22. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 23. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 24. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
 25. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges

that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

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

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 30, 2025

Re: **Special Use Permit Petition SP2024-105**

GENERAL INFORMATION

Applicant Information:

Brandon Thompson
Representative
Property 6 Homes
13407 West 138th Terrace
Overland Park, Kansas 66221

Subject Property:

6429 Leavenworth Road
Kansas City, Kansas 66104

Requested Action and Purpose:

Approval of a Special Use Permit to
operate a short-term rental.

Commission Districts:

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

Existing Zoning District(s):

R-1 Single Family District

Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Single-family Residence
South	R-1 Single Family District	Single-family Residence
East	R-1 Single Family District	Single-family Residence
West	R-1 Single Family District	Single-family Residence

Total Tract Size: 0.53 Acre

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Low-Density Residential, which allows for single-family, detached residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of a block and/or with frontage on a commercial, mixed-use or neighborhood corridor is allowed. Development in these areas should provide adequate open space to maintain the neighborhood character.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Leavenworth Road as a Minor Arterial Street.

Parking Requirement: Section 27-454(e) states “Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport”. The subject property provides four (4) uncovered parking spaces and two (2) covered parking spaces.

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

Advertisement: The Wyandotte Echo – November 14, 2024
Letters to Property Owners – November 15, 2024 and December 3, 2024

Public Hearings: January 13, 2025, and January 30, 2025

Public Support: None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Brandon Thompson, is requesting a Special Use Permit to operate a short-term rental at 6429 Leavenworth Road, Kansas City, Kansas 66104. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 6400 block of Leavenworth Road. This property has operated a short-term rental without permits since March of 2024.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. There have been five (5) Notices of Violation on the property between 2013 and 2016 for overgrown weeds or vegetation and trash on the property.

Outstanding or Related Permit and Cases:

1. 2023 – ELE23-0029 – Electrical – 200 Amp upgrade (open/expired).

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Bethel-Welborn Statistical Neighborhood Group, the Leavenworth Road Association Business Group, and abuts the Cernech Neighborhood Group. The neighborhood consists of primarily single-family residences. The property is located on Leavenworth Road, which is a mixed-use commercial corridor.

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

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

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

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

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

The property is not vacant. The property has operated as an illegal short-term rental since at least March of 2024.

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

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The PlanKCK Comprehensive Plan designates the subject property as Low-Density Residential, which allows for single-family, detached residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of a block and/or with frontage on a commercial, mixed-use or neighborhood corridor is allowed. Development in these areas should provide adequate open space to maintain the neighborhood character. The proposed use conforms to the PlanKCK Comprehensive Plan designation with the approval of a Special Use Permit.

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

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

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

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

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

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

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

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

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

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

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

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

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

The applicant will be required to maintain their short-term rental according to the submitted management plan and conditions of approval, including limits to number of guests and number of vehicles on the property, and other applicable standards set by the Code of Ordinances.

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

The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests at one time without obtaining a Kansas State Lodging license is seven (7). The corresponding maximum number of vehicles off-street is three (3). The applicant has obtained a Kansas State Lodging License. Therefore, the maximum number of guests at one time shall be eleven (11) . The corresponding maximum number of vehicles off-street is five (5). There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 6429 Leavenworth Road, Kansas City, Kansas 66104 on November 25, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Home Inspection Report
Kansas State Lodging Establishment License and Inspection
Noise, Illumination, and Vibration
Operating without a Special Use Permit
UG Standard Driveway Apron

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 1 to recommend **APPROVAL** of Special Use Permit Application **SP2024-105**, for one (1) year, subject to:

- 1. The applicant must repair the secondary driveway apron on the subject property to UG Standards;**
- 2. Maximum number of guests shall be 11;**
- 3. All parking must be off-street, maximum number of vehicles is five (5). No STR renters or guests may park on-street;**
- 4. The applicant must rent the subject property as one (1) unit, and it shall be rented to one (1) party at a time;**
- 5. The applicant must maintain the proper State Lodging Establishment licensure with the Kansas Department of Agriculture;**
- 6. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
- 7. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy**

- of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
8. Applicant is to maintain liability insurance;
 9. The property must remain in proper maintenance and free of hazards, pests, or infestations;
 10. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
 11. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);
 12. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 13. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 14. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 15. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 16. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 17. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 18. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463

- through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
19. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
 20. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 21. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 22. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to Factors to be Considered, and Key Issues and recommends **APPROVAL** of Petition **SP2024-105** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Floor Plan
Home Inspection Report
Revised Home Inspection Report
Business Plan
Kansas Department of Agriculture Lodging Establishment Inspection Report
Planning Engineering Comments
Neighborhood Meeting Materials
Site Visit Photos, Taken by Staff – Dated November 15, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	January 13, 2025 (Approval)	January 30, 2025

STAFF CONTACT:

Kiley Meierarend
kmeierarend@wycokck.org
913-573-5750

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-105** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-105**, 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.

January 13, 2025, City Planning Commission Minutes:

Hearing starts at 2:39:00:

**SPECIAL USE PERMIT APPLICATION SP2024-105 – BRANDON THOMPSON–
SYNOPSIS: Special Use Permit for a short-term rental at 6429 Leavenworth Road.**

Detailed Outline of Requested Action: The applicant, Brandon Thompson, is requesting a Special Use Permit to operate a short-term rental at 6429 Leavenworth Road, Kansas City, Kansas 66104. This is not the owner’s primary residence. This would be the first and only permitted short-term rental on the 6400 block of Leavenworth Road. This property has operated a short-term rental without permits since March of 2024.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

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

Present in Support:

- Brandon Thompson, applicant, 6429 Leavenworth Road, Kansas City, Kansas 66104.

The Planning Commission directed questions to the applicant.

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:46:15: Planning Director Hand stated that this request is for a non-owner-occupied short-term rental. This property is located in the PlanKCK area in the Midtown neighborhood. Staff received no letters in support or in opposition. There are some older Notices of Violation, which would be rectified by the proposed project. Staff recommends approval for one (1) year with conditions.

The Planning Commission directed questions to Director Hand.

Motion starts at 2:49:08:

On motion by Ms. Jones, seconded by Ms. Schwartz, the Planning Commission voted as follows to recommend APPROVAL of SP2024-105:

Carson	Chairman
Straws	Aye
Ward	Not Present
Armstrong	Aye
Beth	Aye
Easterwood	Aye
Ernst	No
Jones	Aye
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 7 to 1

Subject to:

1. The applicant must repair the secondary driveway apron on the subject property to UG Standards;
2. Maximum number of guests shall be 11;
3. All parking must be off-street, maximum number of vehicles is five (5). No STR renters or guests may park on-street;
4. The applicant must rent the subject property as one (1) unit, and it shall be rented to one (1) party at a time;
5. The applicant must maintain the proper State Lodging Establishment licensure with the Kansas Department of Agriculture;
6. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
7. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
8. Applicant is to maintain liability insurance;
9. The property must remain in proper maintenance and free of hazards, pests, or infestations;
10. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
11. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);
12. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified

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

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19. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty

of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

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ATTACHMENTS

AERIAL IMAGERY



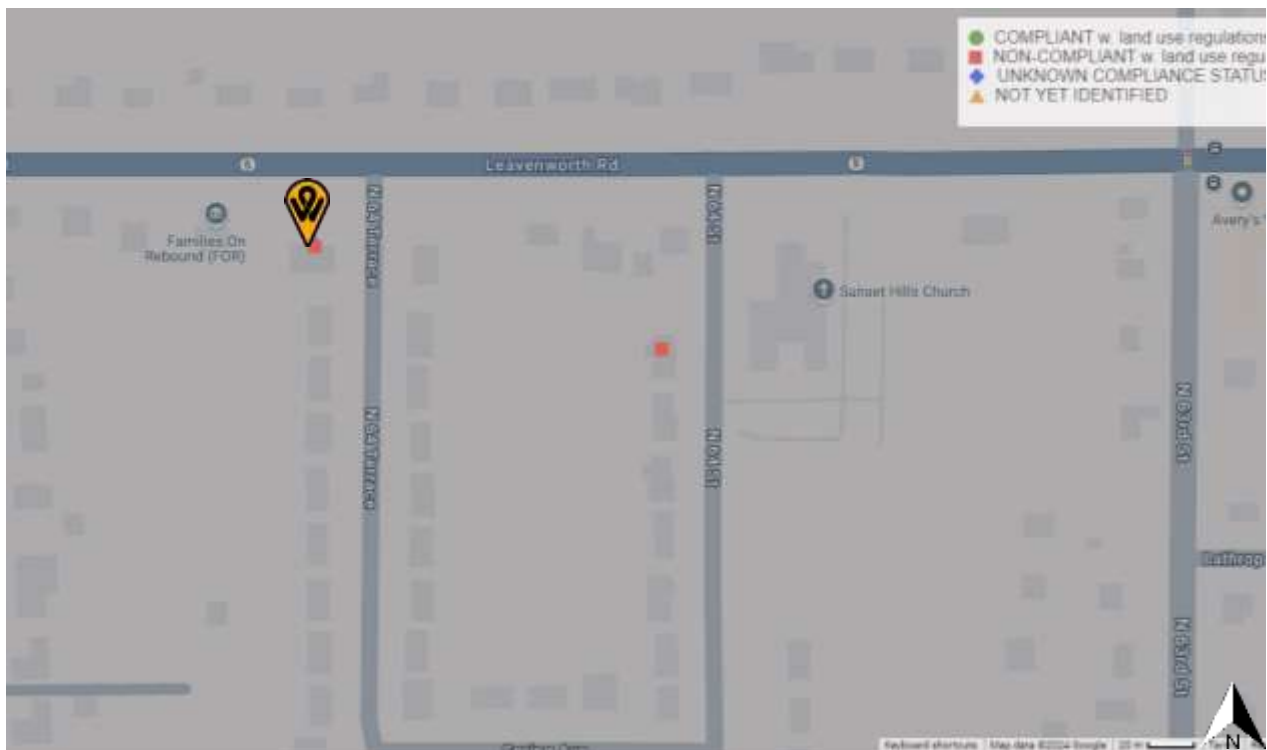
ZONING MAP



LAND USE MAP

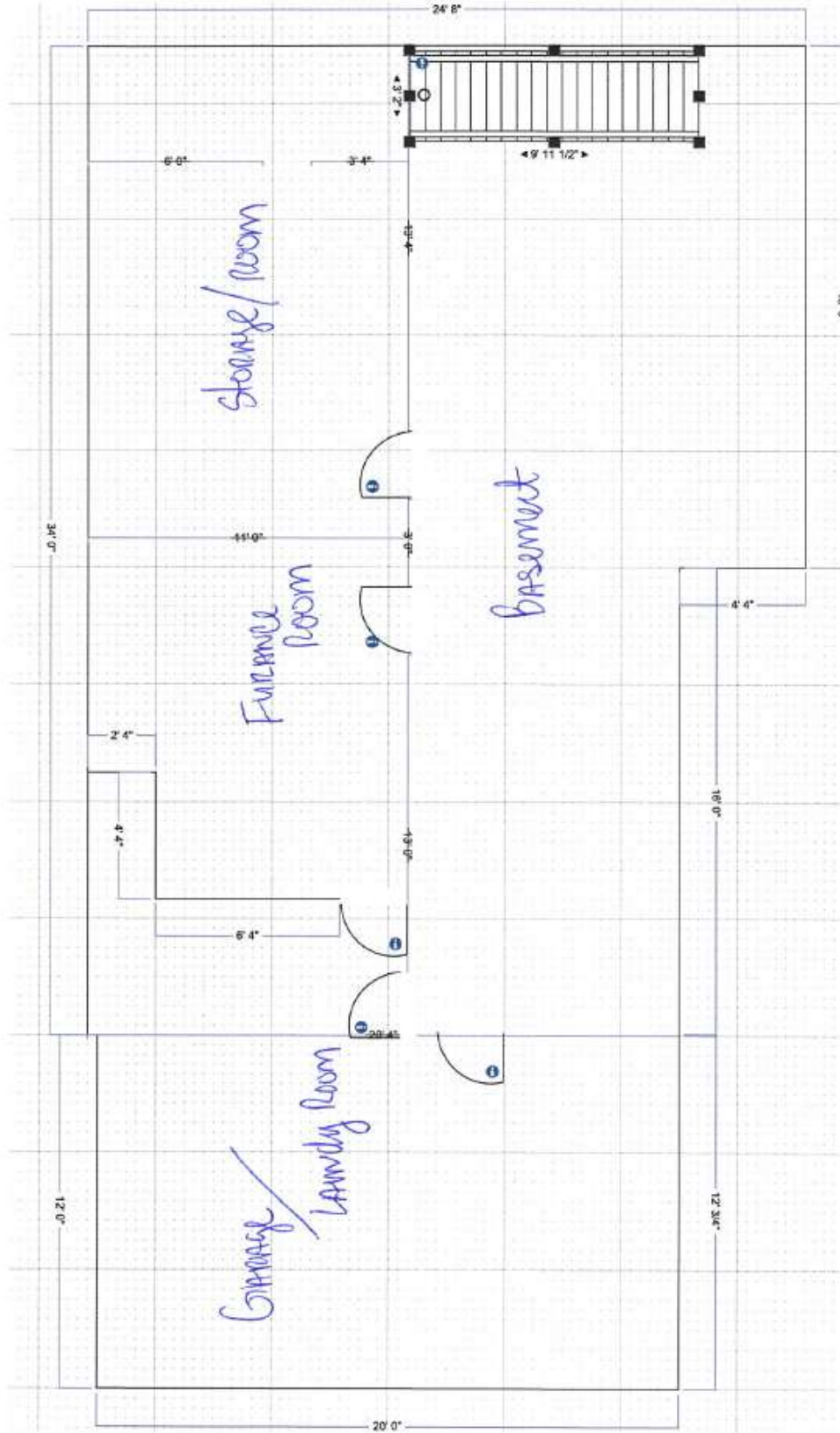


SHORT-TERM RENTAL MAP



FLOOR PLAN

Lower Level





Confidential Inspection Report

LOCATED AT:
6429 Leavonworth Rd
Kansas City, Kansas 66104

PREPARED EXCLUSIVELY FOR:
Brandon Thompson

INSPECTED ON:
Thursday, October 3, 2024



Inspector, Randy Adams
Adams Home Inspection



SUMMARY

This is a summary review of the inspectors' findings during this inspection. However, it does not contain every detailed observation. This is provided as an additional service to our client, and is presented in the form of a listing of the items which, in the opinion of your inspector, merit further attention, investigation, or improvement. Some of these conditions are of such a nature as to require repair or modification by a skilled craftsman, technician, or specialist. Others can be easily handled by a homeowner such as yourself.

Often, following the inspector's advice will result in improved performance and/or extended life of the component(s) in question. In listing these items, your inspector is not offering any opinion as to who, among the parties to this transaction, should take responsibility for addressing any of these concerns. As with most of the facets of your transaction, we recommend consultation with your Real Estate Professional for further advice with regards to the following items:

EXTERIOR WALLS, WINDOWS & TRIM

OTHER EXTERIOR DOORS

1: The door does not make a tight seal. Adjustment is recommended.



KITCHEN

First Floor

RANGE / COOKTOP

2: The anti-tip device is missing or not connected. Correction is recommended.

Basement

RANGE / COOKTOP

3: The anti-tip device is missing or not connected. Correction is recommended.

OTHER INTERIOR CONDITIONS

SMOKE DETECTORS: CONDITION & GENERAL INFORMATION

4: Smoke detectors are recommended in each bedroom and adjoining hall, and at least on each story and basement. This is not the case, recommend adding more. They are on every level and bedroom, just not the hallway.



FIREPLACE CONDITION

5: Fireplace has improper clearance to combustibles. Consult a certified chimney sweep before using.



6: Addition of a spark arrester screen is recommended.



GARAGE

ELECTRICAL OUTLETS

7: The outlets are old style two prong ungrounded outlets. It is recommended to upgrade to grounded GFCI style outlets.



WATER HEATER

DETAILS & CONDITION

8: Most jurisdictions now require an Expansion Tank be installed on the water heater. There is not one installed. Recommend adding one. Contact a plumber for more details.



ADAMS
HOME INSPECTION



Confidential Inspection Report

LOCATED AT:
6429 Leavonworth Rd
Kansas City, Kansas 66104

PREPARED EXCLUSIVELY FOR:
Brandon Thompson

INSPECTED ON:
Thursday, October 03, 2024



Inspector, Randy Adams
Adams Home Inspection

REVISED



SUMMARY

This is a summary review of the inspectors' findings during this inspection. However, it does not contain every detailed observation. This is provided as an additional service to our client, and is presented in the form of a listing of the items which, in the opinion of your inspector, merit further attention, investigation, or improvement. Some of these conditions are of such a nature as to require repair or modification by a skilled craftsman, technician, or specialist. Others can be easily handled by a homeowner such as yourself.

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EXTERIOR WALLS, WINDOWS & TRIM OTHER EXTERIOR DOORS

1: The door does not make a tight seal. Adjustment is recommended.



KITCHEN

First Floor

RANGE / COOKTOP

2: The anti-tip device is missing or not connected. Correction is recommended. Added 10/22/24.



Basement

RANGE / COOKTOP

3: The anti-tip device is missing or not connected. Correction is recommended. Added 10/22/24.



OTHER INTERIOR CONDITIONS

SMOKE DETECTORS: CONDITION & GENERAL INFORMATION

4: Smoke detectors are recommended in each bedroom and adjoining hall, and at least on each story and basement. This is not the case, recommend adding more. They are on every level and bedroom, just not the hallway. Added 10/22/24.



FIREPLACE CONDITION

5: Fireplace has improper clearance to combustibles. Consult a certified chimney sweep before using. The fireplace was closed off so not usable, 10/22/24.



6: Addition of a spark arrester screen is recommended.



GARAGE ELECTRICAL OUTLETS

7: The outlets are old style two prong ungrounded outlets. It is recommended to upgrade to grounded GFCI style outlets. All outlets were upgraded.





WATER HEATER
DETAILS & CONDITION

8: Most jurisdictions now require an Expansion Tank be installed on the water heater. There is not one installed. Recommend adding one. Contact a plumber for more details.



BUSINESS PLAN

Overview:

My name is Brandon Thompson, and I own Property 6 Homes, a licensed real estate brokerage. With over 23 years of experience, we provide rental and real estate services. We manage our rental properties, short-term rentals, and real estate brokerage under Property 6 Homes. Our office is located in Overland Park, Kansas. We currently have a team of five managing real estate professionals. I am also a licensed broker in Kansas and Missouri, as well as a general contractor.

Long-Term Goals:

Over the next two years, our focus is to expand our brand by offering nice and affordable short-term housing for tourists visiting the Wyandotte County area. During this time, we aim to add six more homes to our professionally managed short-term rental portfolio.

Rental Management:

Our short-term rental management experience extends for more than 4 years, and for 4 consecutive years, we have earned the status of Super Host with platforms such as Airbnb and VRBO.

Our Why:

I am personally invested in Wyandotte County because it is my home. As a native, I appreciate the improvements made to the infrastructure, which enhance our value and visibility for attracting tourists. We want to be part of this integral culture and look forward to building relationships with you!

KANSAS DEPARTMENT OF AGRICULTURE LODGING ESTABLISHMENT REPORT

Lodging Establishment Inspection Report - 210033

Kansas Department of Agriculture
 Food Safety and Lodging Program
 1320 Research Park Drive
 Manhattan, KS 66502

Date: 12/12/2024
 Time In: 9:00 AM
 Time Out: 11:30 AM
 Inspector Badge ID: KDA 145
 Follow Up Required: No



Establishment: 38948 KC SPEEDWAY	Address: 6429 LEAVENWORTH RD	City/State: Kansas City, KS	Zip: 66104	Telephone: 9137457535
License #: 38948	Permit Holder: PROPERTY SIX REAL ESTATE SERVICES INC	Inspection Reason: Licensing-Operational	Est. Type: Lodging Establishment	Risk Category:

IN = In compliance OUT = Not in compliance N/O = Not observed N/A = Not applicable * = Corrected on site during inspection (COS) R = Repeat Violation

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KANSAS DEPARTMENT OF AGRICULTURE LODGING ESTABLISHMENT REPORT

Non Violation Comments		
Item Number	Comment	
Violation Comments		
Item Number	Violation of Code	Comment

Inspection Published Comment:
Licensing Inspection Passed

Bed Bug presence or complaints must be reported to KDA.FSL@ks.gov within 24 hours.

For inspection reports, visit <http://www.agriculture.ks.gov/flsinspections>

Person In Charge
Brandon Thompson



Inspector
Shana Guyton





Department of Planning + Urban Design
Unified Government of Wyandotte County • Kansas City, Kansas

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

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

Memorandum

TO: Kiley Meierarend
Planner

FROM: Travis Trumble
Project Engineer

DATE: November 13, 2024

SUBJECT: Brandon Thompson – (SP2024-105)
6429 Leavenworth Road
General Engineering Review No. 1 (of the application received 10/23/2024)

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

- 1) Is there a proposed site improvement e.g., maintenance and overlay of the secondary driveway area? If repair work of the secondary drive entrance area is going to be done, the site plan shall illustrate these areas and erosion control plans shall be required.
- 2) Regarding the above comment, the driveway entrance within right of way of N. 64th Terrace shall conform to the Unified Government of Wyandotte County and Kansas City, Kansas Technical Provisions specifications. See UG detail i.e., UG 4100-G. Also, if the existing street i.e., on N. 64th Terrace is damaged during the demolition or construction phase, it shall be restored in accordance with UG standards and criteria.
- 3) Note that permits shall be obtained prior to starting construction, including but not limited to the Unified Government, Public Works Department, right-of-way, hauling, land disturbance permits, etc., as applicable.
- 4) Please coordinate with Kiley Meierarend, kmeierarend@wycokck.org, for additional Urban Planning and Zoning requirements and comments.
- 5) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.

Reviewer: **Travis Trumble**
Travis Trumble, Project Engineer

Digitally signed by Travis Trumble
DN: cn=Travis Trumble, o=Unified Government of Wyandotte
County and KCK, ou=Urban Planning and Land Use,
email=trumble@wycokck.org, c=US
Date: 2024.11.13 12:13:15 -0600

SAMPLE MINUTES:

Application Number SP 2024-105
Date and Location: 11/25/2024 6429 Jensen with RD KCK 66054

Meeting called to order at: 3:00pm

Names of people in attendance: 0 (zero)

Introductions:

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

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

N/A

N/A

Meeting adjourned at: 3:35pm

Minutes taken by: [Signature] (BRANDON THOMPSON)

N/A

NEIGHBORHOOD MEETING MATERIALS

6429 Leavenworth Road

Sign in sheet
#SP2024-105



	NAME	PHONE	EMAIL
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NEIGHBORHOOD MEETING MATERIALS

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

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

1. That I am the petitioner for Petition # SP2024-105
2. That I conducted a neighborhood meeting on 11/25/2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

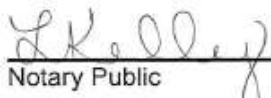


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26 day of Nov, 200- 2024

My commission expires 15th of April, 200- 2024





Notary Public

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







Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: January 30, 2025

Re: **Special Use Permit Petition SP2024-109**

GENERAL INFORMATION

Applicant Information:

Todd Huffman
Dent and Detail Clinic
5015 Gibbs Road
Kansas City, Kansas 66106

Subject Property:

5015 Gibbs Road
Kansas City, KS 66106

Requested Action and Purpose:

Approval of a Special Use Permit to have an automotive body workshop.

Commission Districts:

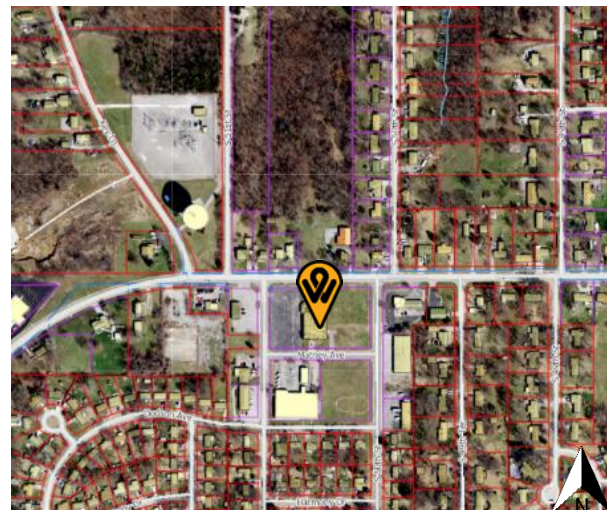
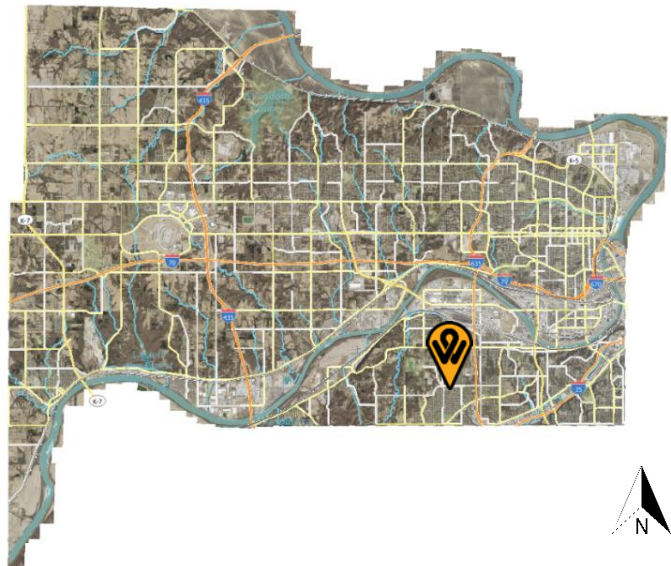
Commissioner At-Large, District #2:
Tom Burroughs
District #6 Commissioner:
Philip Lopez

Existing Zoning District(s):

CP-3 Planned Commercial District

Comprehensive Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture and R-1 Single Family Districts	Single-family homes
South	CP-3 Planned Commercial District	Commercial business
East	CP-2 Planned General Business and CP-1 Planned Limited Business Districts	Carwash and commercial retail business
West	CP-1 Planned Limited Business and RP-4 Planned Garden Apartment Districts	Convenience store (future - approved to be converted into a gas station) and townhomes (future)

Total Tract Size: 2.2 Acres

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

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Gibbs Road as a Minor Collector.

Parking Requirement: Section 27-467(e) Uses in this district require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. 72 parking spaces are required, however in 2017, the Board of Commissioners (via the Change of Zone and Special Use Permit) allowed the applicant to stripe five (5) parking spaces for employees.

Landscaping Requirement: Section 27-467(g) A reasonable amount of landscaping is required on all projects in this district, all to be depicted on a properly prepared plan. Trees are required to be provided at not less than one (1) per 7,000 square feet of site area. Six (6) foot high architectural screening is to be provided

along all side and rear property lines common to or across an alley from residentially zoned property.

Section 27-577(a)(5) states landscaping shall exceed the typical code by at least 75 percent. 24 trees are required. This does not include street trees and parking lot islands. The applicant received a waiver from the Board of Commissioners in 2017 to only plant 14 trees.

Advertisement:	<u>The Wyandotte Echo</u> – December 19, 2024 Letters to Property Owners – December 20, 2024
Public Hearing:	January 13, 2025 and January 30, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Todd Huffman with Dent and Detail Clinic, is requesting a Special Use Permit for an auto body and detailing shop at 5015 Gibbs Road. This was a former Special Use Permit that expired and is now seeking a retroactive approval for time operating while expired, which the previous Special Use Permit expired in 2022.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints associated with the property.

Building, Zoning, or Code Enforcement Complaints:

1. Numerous citations between 2017 – 2024 for operating without a Special Use Permit, large dumpster needed to be emptied, tall grass and weeds, vehicles without tags, and graffiti on the building.
 - a. 17215-00032 – Zoning – body prep shop operated without a Special Use Permit or Business License.
 - b. 17208-01157 – Tow – car with expired tags.
 - c. 17208-01159 – Tow – car parked without tags in parking lot.

- d. 17208-01161 – Tow – truck parked within tags in parking lot.
- e. 17208-01172 – Tow – car parked without tags in parking lot.
- f. 17225-03395 – Abatement.
- g. 17220-00389 – Graffiti – graffiti on the property.
- h. 17225-03395 – Abatement – lumber, cushion and saplings on the property.
- i. 17225-05166 – Abatement – tall grass and weeds on entire property.
- j. 18220-00210 – Graffiti – graffiti on north side of the building.
- k. 19205-00017 – Large dumpster has not been emptied.
- l. 20208-00232 – Vehicles with no tags.
- m. GRA22-0046 – Graffiti – Graffiti on the side of building.
- n. GRA22-0376 – Graffiti – Graffiti on the side of building.
- o. ENV23-2218 – Vehicle parked on the sidewalk of business.
- p. GRA23-0221 – Graffiti – Graffiti on the front of the building.
- q. GRA24-0149 – Graffiti – Graffiti on the front of the building.
- r. GRA24-0211 – Graffiti – Graffiti on the side of the building.

Outstanding or Related Permit and Cases:

- 1. Annual fireworks stand between 2017 – 2024.

Previous Planning Actions:

- 1. SP-2020-48 – Special Use Permit (renewal) for an auto body shop (expired on December 10, 2022).
- 2. PR-2018-20 – Final Development Plan for an auto body shop (approved on July 9, 2018).
- 3. SP-2017-65 – Special Use Permit for an auto body shop (expired on April 26, 2018).
- 4. COZ 3151 – Change of Zone from CP-1 Planned Limited Business District to CP-3 Planned Commercial District for an auto body shop (approved on April 26, 2018).

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Turner Statistical Neighborhood, South Turner Neighborhood Group, Block Group 0436002. The area along Gibbs Road is comprised of commercial businesses, a convenience store (recently approved to be remodeled to a gas station) and car wash. The majority of the properties on South 51st Street are commercial businesses with the exception of the former KCKFD Station #17, which has been relocated to South 55th Street and Douglas Avenue. Dodson Avenue to the south in the beginning of the Highland Crest single-family neighborhood.

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

The zoning and uses of properties nearby are set out above. The proposed use, an auto body repair shop has been in existence since 2017. All operations are conducted within the building. Automotive uses in general and Auto Body Shops also pose an inherent risk of negatively effecting the visual appearance and value of the surrounding properties, as well as an increased probability to have overcrowded parking and outside storage in public view. Additionally, the presence of paint solvents and other flammable chemicals can lead to air pollution, an increased risk of fire if not properly managed, and other nuisances.

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

The property is suitable for automotive repair if managed properly. It has historically been used as an auto body shop for the past 7 years and a printing manufacturer between 1999 - 2008. If the hours of operation, effective screening and storage of inventory is properly managed and maintained, the use should not detrimentally affect nearby property.

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

The business has been in operation since 2017.

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

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan, however, the existing and proposed use of an auto body repair and detail shop is a permitted use in the Community Commercial land use designation.

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 traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems so long as they do not exceed the weight limits (i.e. size of vehicles allowed on the property must not exceed 30,000 GVWR – Section 27-467(c)(7)) of a CP-3 Planned Commercial District.

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 public, as it proposes no direct benefit to the health, safety, or welfare of the community. It is not expected

that it will affect the visual quality and marketability of nearby property, as surrounding properties are commercial businesses – to the south, east and west.

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.*

The proposed use is not reasonably necessary for the convenience of the public. Prior to acquiring the required Special Use Permit in 2017, the operator did knowingly operate without having the proper permits in place, and was cited by the Property Maintenance Compliance Division accordingly. At the time, neighbors had previously complained about the paint fumes in 2017, so the use has injured the appropriate use of nearby property. To date, there have not been any recent complaints or opposition expressed.

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

While the use could be determined not to pollute the air, as stated previously, in 2017 neighbors complained about the paint fumes coming from the business. Code Enforcement acted on those complaints and wrote the appropriate citations based on the code violations. The operators told staff they were not painting where the fumes were poignant and obvious. Again, there have not been recent complaints.

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

The proposed use will not damage or destroy an irreplaceable natural resource if managed properly, as it is an existing use on a developed site in a mixed use commercial and residential neighborhood.

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

The relative public gain is negligible for the operation of an automotive repair. Should the Special Use Permit be denied, the business owner could not reapply for the same use for one (1) year.

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

The applicant will be required to maintain the use according to the submitted plans and descriptions of the proposed use. The applicant will also be required to meet all conditions of approval.

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

The proposed use will not result in overcrowding of land as it is an existing use or cause undue concentrations of population as the use is commercial in nature and vehicles will be kept inside the building.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 5015 Gibbs Road on December 26, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Code Enforcement Citations
Compliance with Conditions of Approval
Landscaping Maintenance

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application **SP2024-109**, for **two (2) years**, subject to:

1. **Restripe five (5) spaces in the parking lot for customers and employees;**
2. **No outside storage of inoperable vehicles allowed;**
3. **Replace dead vegetation to comply with the original landscape plan from 2017;**
4. **If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator;**
5. **Section 27-702(1)(a-d) states that shade trees shall be at least two (2) inch caliper when planted as measured 12 inches above the ground. All ornamental deciduous trees shall be at least two (2) inch caliper when planted as measured 12 inches above the ground. All evergreens shall be five (5) to six (6) feet in height when planted as measured 12 inches above the ground. Ornamental deciduous trees shall be six (6) to 8 feet when planted as measured 12 inches above the ground;**
6. **Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;**
7. **All exterior lighting, whether mounted on a building or within a parking lot**

- must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
8. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 9. If approved, the occupying business must annually renew their business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 11. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 13. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 14. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
 15. Subject to approval, the Special Use Permit shall be valid for (2) year(s) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process.

Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
17. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit; and,
18. Comply with Previous Conditions of Approval (SP2020-048):
 - a. No wrecked cars in the parking lot;
 - b. Only employee parking in the parking lot;
 - c. No outside storage in the parking lot;
 - d. Hours of operation are from 8:00 AM to 5:00 PM;
 - e. All doors closed while working on vehicles;
 - f. Paint booth must be filtered;
 - g. Any dumpster kept outside shall be screened per the code to match the building;
 - h. Applicant must acknowledge the following statement:
 - i. Both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, stipulations, and requirements. Failure to make the necessary improvements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 - i. CP-3 District regulations specify a 30,000 pound gross vehicle weight rating (GVWR) limit. Semi-trucks and/or semi-trailers exceed this limit and are not allowed to parking on the property other than in performance of delivering supplies of the business;
 - j. The vegetation growing in the parking lot must be removed. The cracked or damaged pavement must be patched and sealed;
 - k. No outside parking of inoperable or wrecked vehicles at any time. Vehicles in any stage of repair must be stored inside at all times. This also applies to any employee vehicles parked on the property;
 - l. Applicant is different than the legal entity listed as the property owner. Submit a signed and notarized Owner's Affidavit Form for Huffman Holdings LLC. Staff Response: The applicant has provided the required Affidavit;
 - m. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely

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

- n. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- o. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
- p. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request; and,
- q. Applicant must acquire and maintain a business license for each proposed use.

19. The applicant must repair the parking lot to fill and patch any and all pot holes and other disrepair.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-109** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

January 13, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Letter
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Site Photographs taken by Staff on January 3, 2025.

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	January 13, 2025 (Approval)	January 30, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-109** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-109**, 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.

January 13, 2025 City Planning Commission Minutes:

Hearing starts at 2:54:19:

SPECIAL USE PERMIT APPLICATION SP2024-109 – TODD HUFFMAN WITH DENT AND DETAIL CLINIC – SYNOPSIS: Special Use Permit for auto repair and detailing at 5015 Gibbs Road.

Detailed Outline of Requested Action: The applicant, Todd Huffman with Dent and Detail Clinic, is requesting a Special Use Permit for an auto body and detailing shop at 5015 Gibbs Road. This was a former Special Use Permit that expired and is now seeking a retroactive approval for time operating while expired, which the previous Special Use Permit expired in 2022.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 13, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

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

Present in Support:

- Todd Huffman, applicant, 5015 Gibbs Road, Kansas City, Kansas 66106.

Present in Opposition:

- No one appeared

The Planning Commission directed questions to the applicant.

Staff Recommendation starts at 3:01:49: Planning Director Hand stated that this request is for an auto body shop. Although it’s a continuation of the historic use of the property, the application is a new Special Use Permit, as the prior permit expired. This property is located in the PlanKCK Area Plan in the Turner neighborhood. Staff received no letters in support or in opposition. There are no Notices of Violation. Staff recommends approval for two (2) years with conditions.

The Planning Commission directed questions to Director Hand.

Motion starts at 3:04:09:

On motion by Ms. Schwartz, seconded by Ms. Easterwood, the Planning Commission voted as follows to **recommend APPROVAL of SP2024-109:**

Carson	Chairman
Straws	Aye
Ward	Not Present
Armstrong	Aye
Beth	No
Easterwood	Aye
Ernst	No
Jones	Aye
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 6 to 2

Subject to:

- 20. Restripe five (5) spaces in the parking lot for customers and employees;**
- 21. No outside storage of inoperable vehicles allowed;**
- 22. Replace dead vegetation to comply with the original landscape plan from 2017;**
- 23. If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator;**
- 24. Section 27-702(1)(a-d) states that shade trees shall be at least two (2) inch caliper when planted as measured 12 inches above the ground. All ornamental deciduous trees shall be at least two (2) inch caliper when planted as measured 12 inches above the ground. All evergreens shall be five (5) to six (6) feet in height when planted as measured 12 inches above the ground. Ornamental deciduous trees shall be six (6) to 8 feet when planted as measured 12 inches above the ground;**
- 25. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;**
- 26. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
- 27. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning**

and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

28. If approved, the occupying business must annually renew their business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
29. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
30. All existing and future driveways must feature curb cuts that are constructed to UG standards;
31. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
32. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
33. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
34. Subject to approval, the Special Use Permit shall be valid for (2) year(s) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
35. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the

Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;

36. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit; and,
37. Comply with Previous Conditions of Approval (SP2020-048):
- r. No wrecked cars in the parking lot;
 - s. Only employee parking in the parking lot;
 - t. No outside storage in the parking lot;
 - u. Hours of operation are from 8:00 AM to 5:00 PM;
 - v. All doors closed while working on vehicles;
 - w. Paint booth must be filtered;
 - x. Any dumpster kept outside shall be screened per the code to match the building;
 - y. Applicant must acknowledge the following statement:
 - i. Both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, stipulations, and requirements. Failure to make the necessary improvements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 - z. CP-3 District regulations specify a 30,000 pound gross vehicle weight rating (GVWR) limit. Semi-trucks and/or semi-trailers exceed this limit and are not allowed to parking on the property other than in performance of delivering supplies of the business;
 - aa. The vegetation growing in the parking lot must be removed. The cracked or damaged pavement must be patched and sealed;
 - bb. No outside parking of inoperable or wrecked vehicles at any time. Vehicles in any stage of repair must be stored inside at all times. This also applies to any employee vehicles parked on the property;
 - cc. Applicant is different than the legal entity listed as the property owner. Submit a signed and notarized Owner's Affidavit Form for Huffman Holdings LLC. Staff Response: The applicant has provided the required Affidavit;
 - dd. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Department of Planning + Urban Design no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If

- the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
- ee. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 - ff. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
 - gg. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request; and,
 - hh. Applicant must acquire and maintain a business license for each proposed use.
38. The applicant must repair the parking lot to fill and patch any and all pot holes and other disrepair.

ATTACHMENTS

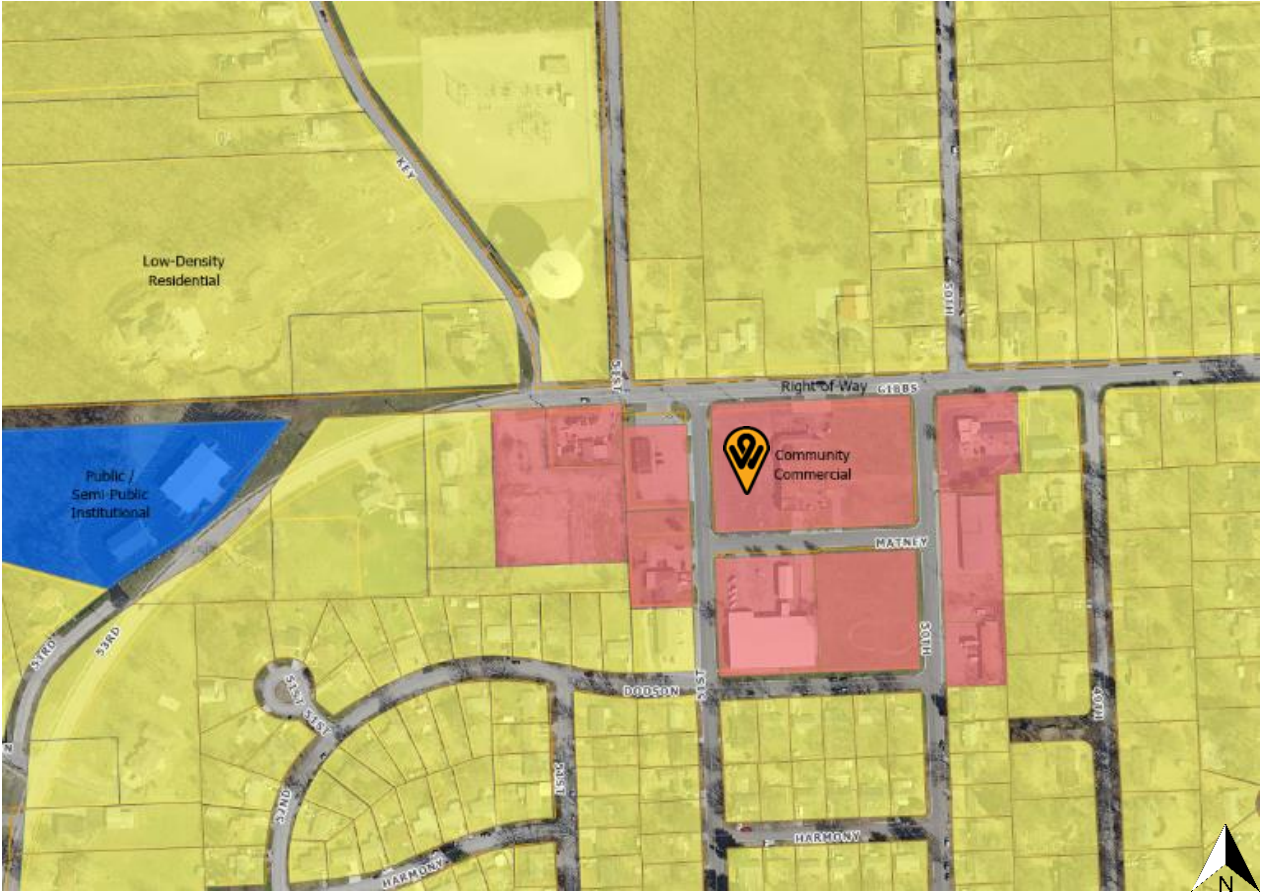
AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS

DENT AND DETAIL CLINIC

5015 GIBBS ROAD
KANSAS CITY, KS
913-677-6767

The applicant currently owns and operates The Dent and Detail Clinic, located in Overland Park, Kansas. The applicant's desire is to utilize the property at 5015 Gibbs Road as an auxiliary location. The applicant anticipates servicing approximately 10-15 vehicles a week at this location. The subject property will service body shop, cosmetic, dent and detail work that may or may not include re touching, body paint as needed. All vehicles being serviced will be kept inside the building, at no time will vehicles or parts be stored outside the building. Only three to four employees will be on site daily and those employee vehicles will be parked adjacent to the building or inside. Our parking lot is used by School District Busses, City Trucks, Bpu Trucks, an occasional box truck is parked there and none of these vehicles have to do with our business. Additionally the neighbors use our parking lot every weekend for some event that they have. Not sure who does it but someone has left a dumpster and trash in our parking lot. None of this is our Business Activity.

Toy, Byron

From: Todd Huffman <dentanddetail@sbcglobal.net>
Sent: Sunday, December 29, 2024 4:15 PM
To: Toy, Byron
Cc: Hannah Huffman
Subject: Special Use Permit Petition SP2024-109

Mr. Toy:

Please see below my responses to the Staff Comments and Suggestions as it relates to the Special Use Permit Petition SP2024-109.

1. Initially, I want to note that the original Special Use Permit Application submitted in 2020 requested a five-year Special Use Permit. No notice was ever given that the Special Use Permit had elapsed or that it had only been approved for two years, rather than the five years that were requested in the original application. Since that time, between 2020 through 2024, we filed, paid for and received updated business licenses each year. Each of those business license applications identified the business as a body shop, consistent with the Special Use Permit. The city cashed the checks and issued approved business licenses in both 2023 and 2024 despite now contending that the business was operating during that time without a Special Use Permit.
2. To my knowledge, the business has complied with all of the conditions required from SP-2020-48. The violations alleged are largely the result of third-party conduct.
 - a. With regard to the graffiti, the business was told to notify police of graffiti and vandalism. I have notified the police of every occurrence of vandalism to my property.
 - b. The allegation of trash being left on the property was the result of a third-party dropping a dumpster belonging to a Missouri company—the dumpster did not belong to Dent and Detail Clinic. The dumpster belonging to Dent and Detail Clinic is only left out one night a week, consistent with the conditions of the SUP, for pickup. Additionally, neighbors and other members of the community drop trash impermissibly on the property regularly. *See photo attached (a mattress was dropped on the property.)*
 - c. With regard to the tagless cars, the business works with wholesale car dealers. Cars cannot be left outside with plates because dealer plates are the subject of frequent theft. To leave plates on the vehicles would render them vulnerable to thieves. In addition, cars not belonging to the business or customers of the business are often left on the property. I notify the police of cars left without permission. Some customers have cars with expired plates—this is not within the control of the business.
 - d. The property is being maintained. Originally a company was hired to landscape the property but the hired company could not keep up with the grass and weed growth, so I have taken over the maintenance and landscaping.
3. I have requested a clearer scaled and dimensioned site plan from the legal team who handled the original application.
4. The proposed hours of operation are 8 am – 5 pm.
5. The parking lot was just restriped a few years ago but is heavily worn by the city's use of the property—public school busses, police cars, cable trucks, city trucks and BPU utilize the property daily. Accordingly, the wearing down of the stripes and the parking lot is exacerbated by use benefitting the city.
6. Any vehicles stored outside are operable. All vehicles are stored inside at night.
7. There is no trash enclosure. The business does not leave trash outside except for the night of pickup. See above for explanation of the dumpster left on the property by a third party.
8. If there is dead vegetation requiring replacement, we will look into doing so.

9. At this point, I have no intention of selling the property.

When the first SUP Application was filed, I spent more than \$100,000 to comply with the conditions of the Special Use Permit. Since then, I have done everything in my power to remain in compliance with the conditions of the Special Use Permit and city requirements. Generally speaking though, I would like the planning committee to understand that the property is heavily used by the public school system, city trucks and the police force among other public uses. In addition, the neighborhood impermissibly uses the parking lot for extracurricular activities outside of business hours when the property is vacant. The property is subject to trespassers, trash-dropping, and graffiti on a very regular basis.

Please let me know if anything additional is needed. I appreciate your assistance.

Sincerely, Todd Huffman

DENT AND DETAIL CLINIC LLC

7615 SHAWNEE MISSION PKWY
OVERLAND PARK, KS 66202
913-677-6767

December 26, 2024

RE:Minutes- Neighborhood Meeting

I have filed an application with the Planning and Urban Design Dept.
#SP2024-109 for the purpose of a Special Use Permit at 5015 Gibbs Rd 66106.
Neighborhood meeting was held on Thursday December 26, 2024 3pm - 5pm At
5015 Gibbs Road Kc, KS 66106

Although we were there and available to answer questions and get feed back
form our neighbors we had none in attendance.

Thank You

Todd Huffman

913-208-8375
dentanddetail@sbcglobal.net



PHELPS ENGINEERS, INC.
 ENGINEERING
 6000 Main Street
 Overland Park, Kansas 66204
 www.phelpsengineering.com

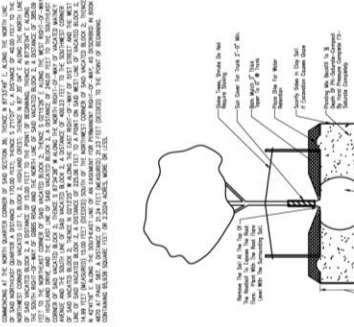


SITE PLAN
 5015 GIBBS ROAD
 KANSAS CITY, WYANDOTTE COUNTY, KANSAS
 VACATED BLOCK 2, HIGHLAND CREST

NO.	DATE	DESCRIPTION
1	05/24/2018	REVISED PER CITY COMMENTS
2	08/22/2018	REVISED PER CITY COMMENTS
3	08/22/2018	REVISED PER CITY COMMENTS

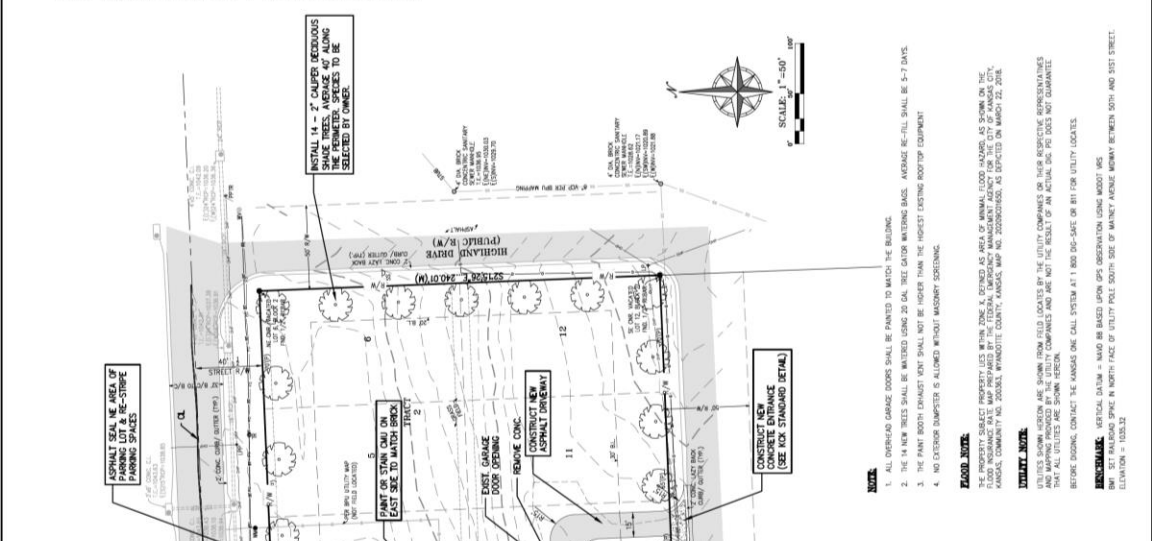
PROJECT NO. 17088A	
DATE	05/24/2018
SCALE	AS SHOWN
DRAWN BY	PH
CHECKED BY	PH
PROJECT NO.	17088A
SHEET NO.	1

GENERAL NOTES:
 1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. THE 14' HIGH WALLS SHALL BE WATERED DURING CONSTRUCTION TO PREVENT EROSION.
 3. THE FINISH GRADE SHALL BE MAINTAINED AT ALL TIMES.
 4. NO EXTERIOR DUMPSTER IS ALLOWED WITHOUT MAJOR REVISIONS.



FINISH PLANTING:
 PUBLIC: VARIOUS TREES AND SHRUBS
 UNIFIED: GOVERNMENT

NO.	DESCRIPTION
1	1" - 2" PLANTING
2	2" - 4" PLANTING
3	4" - 6" PLANTING
4	6" - 8" PLANTING
5	8" - 10" PLANTING
6	10" - 12" PLANTING
7	12" - 14" PLANTING
8	14" - 16" PLANTING
9	16" - 18" PLANTING
10	18" - 20" PLANTING
11	20" - 22" PLANTING
12	22" - 24" PLANTING
13	24" - 26" PLANTING
14	26" - 28" PLANTING
15	28" - 30" PLANTING
16	30" - 32" PLANTING
17	32" - 34" PLANTING
18	34" - 36" PLANTING
19	36" - 38" PLANTING
20	38" - 40" PLANTING
21	40" - 42" PLANTING
22	42" - 44" PLANTING
23	44" - 46" PLANTING
24	46" - 48" PLANTING
25	48" - 50" PLANTING

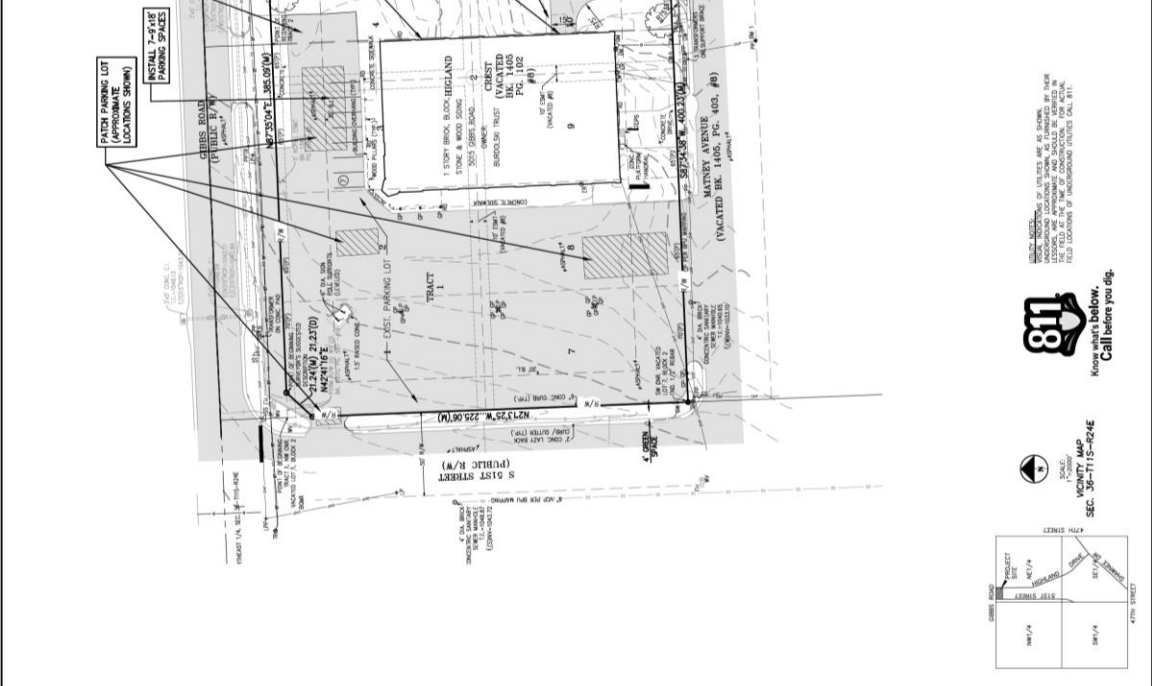


NOTES:
 1. ALL OVERHEAD GARAGE DOORS SHALL BE PAINTED TO MATCH THE BUILDING.
 2. THE 14' HIGH WALLS SHALL BE WATERED DURING CONSTRUCTION TO PREVENT EROSION.
 3. THE FINISH GRADE SHALL BE MAINTAINED AT ALL TIMES.
 4. NO EXTERIOR DUMPSTER IS ALLOWED WITHOUT MAJOR REVISIONS.

FLOOD NOTES:
 THE PROPERTY SUBJECT PROPERTY LIES WITHIN ZONE X, DESIGNATED AS AREA OF ANNUAL FLOOD HAZARD, AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) NUMBER 15030C0110, ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF KANSAS CITY, MISSOURI. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

UTILITY NOTES:
 UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS FROM THE CITY OF KANSAS CITY AND THE KANSAS POWER AND LIGHT COMPANY (KPLC) PRIOR TO CONSTRUCTION.

REMARKS:
 THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS FROM THE CITY OF KANSAS CITY AND THE KANSAS POWER AND LIGHT COMPANY (KPLC) PRIOR TO CONSTRUCTION.









Report to

MEETING DATE	PRESENTER	DEPARTMENT
	<div style="border: 1px solid black; padding: 2px;">Angel Ferrara, Director</div> <p>aferrara@wycokck.org x8354</p>	Parks & Recreation
AGENDA ITEM #		
RESOLUTION: AMENDING 2024 PARKS AND RECREATION DEPARTMENT BUDGET		
BACKGROUND		
<ul style="list-style-type: none"> • On May 19, a severe windstorm caused significant damage to the Wyandotte County Lake marina boathouse roof and boat docks. • Specifically, fallen trees and branches caused extensive roof damage to the boathouse, including broken roof joists. The Parks & Recreation Department made a temporary repair but due to the compromised state of the roof/life of the existing roof, it is recommended that the entire roof be replaced. This repair/replacement should ideally be conducted ahead of winter weather to prevent further concerns. • During the same event, two boat docks' anchoring systems broke free from the shoreline, causing them to sway into other docks. Upon further inspection it was deemed necessary to install new anchors to all wooden docks to prevent further damage/liability. • The Parks & Recreation Department received estimates for the repairs. The lowest respective bid for repairs to the marina boathouse roof and boat docks is \$101,725 and \$82,454, respectively. The anticipated total cost is \$184,179. • A budget amendment has been made to transfer \$184,179 from budgeted Fund 113 (Parks and Recreation General Fund) and Fund 221 (Special Parks and Recreation Fund) reserves so to complete the repairs. 		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
<p>\$100,000 was approved for reserves in Fund 113 and \$84,179 from Fund 221, respectively, for the 2024 Amended budget. \$184,179 to be utilized to complete the repairs.</p>		
IT/POLICY CONSIDERATIONS		
PROCUREMENT CONSIDERATIONS		
LEGAL CONSIDERATIONS		

ATTACHMENTS

Reso for Amendment to 2024 Budget for Parks Item, Commission Agenda Item Report - Marina Boathouse Roof & Dock Repair Budget Amendment, Slides for January ED&F Presentation

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

DDF 12/20/2024

Approved: *[Signature]* You A.A.

RESOLUTION NO. _____

**A RESOLUTION APPROVING, ADOPTING AND APPROPRIATING THE
BUDGET OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS FOR AN AMENDMENT TO THE BUDGET
OF THE PARKS AND RECREATION DEPARTMENT FOR THE AMENDED
2024 BUDGET FOR THE YEAR BEGINNING JANUARY 1, 2024**

WHEREAS, Section 3.06 of Resolution R-1-97 of the Unified Government of Wyandotte County/Kansas City, Kansas requires the Unified Government Commission to adopt an annual budget and such budget shall constitute the appropriation for purposes stated of the sums therein set forth as the appropriation and authorization of the amount to be raised by taxation for the purposes of the Unified Government; and

WHEREAS, the Unified Government Commission has fully complied with all of the requirements of said Unified Government Resolution and Kansas State Statutes with respect to reviewing this budget and holding a public hearing thereon; and

WHEREAS, the Unified Government Commission approved and adopted by Resolution No. R-57-23, Ordinance No. O-108-23 the 2024 budget for both the Wyandotte County and the City of Kansas City, Kansas; and

WHEREAS, the Unified Government Commission approved and adopted by Resolution No. R-49-24 the amended budget for Wyandotte County and the City of Kansas City; and

WHEREAS, a further budget amendment by the Parks and Recreation Department to the 2024 amended budget is necessary for the appropriation of funds for repairs to the marina boathouse roof and boat docks.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY,
KANSAS:**

Section 1. An amendment to the 2024 Amended Budget is hereby adopted by which \$184,179 shall be transferred from Fund 113 (Parks and Recreation General Fund) and Fund 221 (Special Parks and Recreation Fund) reserves to complete needed repairs to the marina boathouse roof and boat docks.

Section 2. The Mayor/CEO, Unified Government Clerk, County Administrator, Unified Government Chief Financial Officer and Unified Government Chief Counsel and other appropriate officers and agents of the Unified Government are hereby authorized and directed to take such action, expend such funds and execute such documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS
_____ DAY OF _____, 2025.**

Tyrone Garner, Mayor/CEO

ATTEST:

Monica Sparks, Unified Government Clerk

Approved as to form:

Unified Government Legal Counsel

Commission Agenda Item Report

Title: Marina Boathouse Roof & Dock Repair Budget Amendment

Proposed Agenda Date: December 2, 2024 Economic Development & Finance Standing Committee Meeting

Presented by: Vincent Billaci, Manager of Parks & Matthew Zayas, Fiscal Officer – Parks & Recreation Department

BACKGROUND:

- On May 19, a severe windstorm caused significant damage to the Wyandotte County Lake marina boathouse roof and boat docks.
- Specifically, fallen trees and branches caused extensive roof damage to the boathouse, including broken roof joists. The Parks & Recreation Department made a temporary repair but due to the compromised state of the roof/life of the existing roof, it is recommended that the entire roof be replaced. This repair/replacement should ideally be conducted ahead of winter weather to prevent further concerns.
- During the same event, two boat docks' anchoring systems broke free from the shoreline, causing them to sway into other docks. Upon further inspection it was deemed necessary to install new anchors to all wooden docks to prevent further damage/liability.
- The Parks & Recreation Department received estimates for the repairs. The lowest respective bid for repairs to the marina boathouse roof and boat docks is \$101,725 and \$82,454, respectively. The anticipated total cost is \$184,179.
- A budget amendment has been made to transfer \$184,179 from budgeted Fund 113 (Parks and Recreation General Fund) and Fund 221 (Special Parks and Recreation Fund) reserves so to complete the repairs.

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS:

- \$150,000 and \$50,000 was approved for reserves in Fund 113 and Fund 221, respectively, for the 2024 Amended budget. \$184,179 of the combined \$200,000 will be utilized to complete the repairs.

POLICY CONSIDERATIONS:

- N/A

PROCUREMENT CONSIDERATIONS:

- N/A

LEGAL CONSIDERATIONS:

- N/A

RECOMMENDED ACTION:

- Information Only

COUNTY ADMINISTRATION COMMENTS:

-

MAYOR AGENDA DIRECTION:

-







Report to

MEETING DATE	PRESENTER	DEPARTMENT
	<div style="border: 1px solid black; padding: 2px;">Chelsee Chism, Director</div> <p>cchism@wycokck.org X8046</p>	Economic Development
AGENDA ITEM #		
RESOLUTION: AMENDING PREVIOUS RESOLUTION OF INTEN TO ISSUE INDUSTRIAL REVENUE BONDS (AMERICAN ROYAL PROJECT)		
BACKGROUND		
Approval of a resolution amending Resolution No. R-52-23 previously adopted regarding intent to issue industrial revenue bonds in the amount not to exceed \$250,000,000 for the benefit of the American Royal Association and its successors and assigns for sales tax exemption only.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
IT/POLICY CONSIDERATIONS		
PROCUREMENT CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Third Amended Resolution of Intent - American Royal (UG)		

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

[Handwritten Signature] 12/17/2024

[Handwritten Signature]

RESOLUTION NO. R-____-25

RESOLUTION AMENDING RESOLUTION NO. R-52-23 PREVIOUSLY ADOPTED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, DETERMINING ITS INTENT TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN THE AMOUNT NOT TO EXCEED \$250,000,000 TO FINANCE THE COSTS OF ACQUIRING, CONSTRUCTING AND EQUIPPING COMMERCIAL AND RECREATIONAL FACILITIES FOR THE BENEFIT OF THE AMERICAN ROYAL ASSOCIATION AND ITS SUCCESSORS AND ASSIGNS (SALES TAX EXEMPTION ONLY)

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Issuer”), desires to promote, stimulate and develop the general welfare and economic prosperity of the Issuer and its inhabitants and thereby to further promote, stimulate and develop the general welfare and economic prosperity of the State of Kansas; and

WHEREAS, the Issuer is authorized and empowered under the provisions of K.S.A. 12-1740 to 12-1749d, inclusive (the “Act”), to issue industrial revenue bonds to pay the cost of certain facilities (as defined in the Act) for the purposes set forth in the Act, and to lease such facilities to private persons, firms or corporations; and

WHEREAS, the governing body of the Issuer adopted Resolution No. R-52-23 on August 17, 2023 (as amended, the “Original Resolution of Intent”) determining the intent of the Issuer to issue its industrial revenue bonds, to finance the cost of acquiring, constructing and equipping commercial and recreational facilities consisting of approximately 1 million square feet of indoor and outdoor arena space, barn, education center, office, shop and storage space, and associated site work and infrastructure improvements, all as more fully described in the Application (as defined in the Original Resolution of Intent) and approved final development plans (the “Project”), in the principal amount not to exceed \$250,000,000 (the “Bonds”), for the benefit of the American Royal Association, a Missouri not for profit corporation (the “Company”); and

WHEREAS, on March 28, 2024, and August 1, 2024, the governing body of the Issuer approved extensions of certain deadlines set forth in the Original Resolution of Intent, and, at the request of the Company, now desires to amend the Original Resolution of Intent to further adjust certain deadlines set forth therein.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. Amendment. Section 10 of the Original Resolution of Intent is hereby amended to read as follows:

Section 10. Termination of Resolution. This Resolution shall terminate (a) three years from the date of the adoption of this Resolution unless the Bonds have been issued for the Project or (b) as otherwise set forth in the Development Agreement. The Issuer, upon the written request of the Company, may extend this time period.

In the event this Resolution is terminated before the issuance of the Bonds as provided above, unless an amendment to this Resolution or a new resolution is adopted by the Issuer's Governing Body within thirty (30) days following the date of such termination, the Company shall repay any sales tax actually exempted for the Project using the project exemption certificate issued as a result of this Resolution upon the expiration of such thirty (30) day period, and the Company will no longer be entitled to utilize the sales tax exemption certificate relating to the Bonds and the Project.

Section 2. Effectiveness of Original Resolution of Intent. Except as amended herein, all other provisions of the Original Resolution of Intent are hereby ratified and shall remain in full force and effect.

Section 3. Further Action. Counsel to the Issuer and Gilmore & Bell, P.C., Bond Counsel for the Issuer, together with the officers and employees of the Issuer, are hereby authorized to work with the purchaser of the Bonds, the Company, their respective counsel and others, to prepare for submission to and final action by the Issuer all documents necessary to effect the authorization, issuance and sale of the bonds and other actions contemplated hereunder.

Section 4. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the governing body of the Issuer.

[Balance of page intentionally left blank]

ADOPTED this 30th day of January, 2025.

**UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS**

By: _____
Tyrone Garner, Mayor/CEO

[SEAL]

ATTEST:

Monica Sparks, Unified Government Clerk

APPROVED AS TO FORM:

Office of Chief Counsel

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

REGULAR SESSION
October 12, 2023

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Regular Session Thursday, October 12, 2023, with seven members present via Zoom and on-site: Bynum, Commissioner At-Large First District/Mayor Pro Tem; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Markley, Commissioner Sixth District; and Davis, Commissioner Eighth District presiding. Commissioners Ramirez, Kane, Stites and Mayor Garner were absent. The following officials were also in attendance: Angela Lawson, Acting Chief Counsel; Jeffrey Conway, Assistant Counsel; Bridgette Cobbins, Assistant County Administrator; Alan Howze, Assistant County Administrator, Wesley McKain, Health Department Manager, Dr. Elisha Caldwell, Health Department Director, LaVert Murray, Economic Development Advisor to the Mayor, Monica Sparks, Deputy UG Clerk, and Brittnie MacDonald, UG Clerk’s Office.

Mayor Pro Tem Bynum said Clerk Sparks, is the Mayor online or not? I know he was going to try to join if he was able. **Ms. Sparks** said no. **Mayor Pro Tem Bynum** said okay, thank you very much.

Mayor Pro Tem Bynum said before I call the meeting to order, I want to announce that some commissioners, staff, and the public are attending remotely via Zoom, by phone, or on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise.

During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. Please be sure to speak directly into the microphone when speaking so the public can hear your comments and there’s an accurate recording of the meeting for the minutes. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General’s Office.

Mayor Pro Tem Bynum called the meeting to order.

Roll call: Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Mayor Pro Tem Bynum said we have an invocation, but I do not see Clarence Miller present, so I would ask Commissioner Johnson if you would be willing to lead us in an opening prayer, after which we will have our pledge of allegiance.

Mayor Pro Tem Bynum said madame clerk are there revisions to the agenda tonight? **Ms. Sparks** said there is no revision. However, there is an error that needs to be corrected under the Administrator's Agenda. Item number two there is an error, it should be Kansas Fight's Addiction, not Kansas Flights Addiction.

VI. MAYOR'S AGENDA

Item No.1 – 212785...NOMINATION: BOARDS AND COMMISSIONS

Synopsis: Nomination for Boards and Commissions:

Bridgette Williams, Kansas City Area Transportation Authority Board, September 2023 to June 2026, submitted by Mayor Garner.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Davis, to approve.** Roll call was taken and there were seven "Ayes," Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

VII. CONSENT AGENDA

Mayor Pro Tem Bynum said that takes us to our Consent Agenda. Does any member of the Commission, Administrator or anyone in the audience wish to set aside any item on our Regular Consent Agenda.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve all as submitted.** Roll call was taken and there were seven "Ayes," Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 1 - 212712...GRANT: FY24 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

Synopsis: Approval to apply for funding under the FY 24 Edward Byrne Memorial Justice Assistance Grant Program jointly by the Kansas City Kansas Police Department and Wyandotte County Sheriff's Office, submitted by Laura Cromwell, Kansas City, Kansas Police Department. No matching funds are required.

*On September 25, 2023, the **Public Works and Safety Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve.** Roll call was taken and there were seven "Ayes," Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 2 – 212713...ORDINANCE: UPDATES TO SEWERS AND SEWAGE DISPOSAL

Synopsis: Approval of updates to Sewers and Sewage Disposal Ordinance to address Fats, Oils, and Grease (FOG) Program, submitted by Jeff Miles, Public Works, Water Pollution Control.

*On September 25, 2023, the **Public Works and Safety Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Action: **ORDINANCE NO. O-128-23**, "An ordinance for approval of updates to Sewers and Sewage Disposal Ordinance to address Fats, Oils and Grease (FOG) Program." **Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve.** Roll call was taken and there were seven "Ayes," Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 3 - 212707...GRANT: WYCO SHIFT (WYANDOTTE COUNTY SEXUAL HEALTH INFORMATION FOR TEENS)

Synopsis: Approval to submit a 3-year grant to provide sexual risk avoidance and mental health curriculum at middle schools within the Kanas City, Kansas public schools. Submitted by Lindsey Hensley, Community Health Education Program Supervisor. No match funding is required.

*On September 25, 2023, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Action: Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve. Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 4 – 212789...NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Jason Hussey to the Wyandotte/Leavenworth Advisory Council on Aging from 10/12/2023 to 12/31//2025, submitted by Commissioner Davis.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve. Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 5 – 212780...PLAT: UNIFIED GOVERNMENT PUBLIC FACILITIES NO. 1 FIRST PLAT

Synopsis: Plat of Unified Government Public Facilities No. 1 First Plat, located at 822 & 825 N 49th Street, and being developed by Unified Government of Wyandotte County, Kansas City, KS, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve. Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 6 - 212781...PLAT: MILL STREET TOWNHOMES

Synopsis: Plat of Mill Street Townhomes, located at North Mill Street and Parallel Avenue, and being developed by WTF Development LLC, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve.** Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 7 – 212782...PLAT: WOOD ACRES

Synopsis: Plat of Wood Acres, located at South 69th Street and Woodend Road, and being developed by Viengnakhone Khongmaly, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve.** Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 8 – 212783...PLAT: A REPLAT OF VILLAS OF PIPER VALLEY

Synopsis: Plat of A Replat of Villas of Piper Valley, located at 115th and Webster Avenue, and being developed by Daryl Rakoski, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve.** Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 9 - 212786...PLAT: TURNER VIEW TOWNHOMES

Synopsis: Plat of Turner View Townhomes, located at 51st Street and Gibbs Road, and being developed by Millar Law Firm, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve. Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 10 - MINUTES

Synopsis: Minutes from the Regular Session meeting on September 29, 2022, and Special Session meeting on August 28 and 31, 2023.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve. Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 11 - WEEKLY BUSINESS

Synopsis: Weekly Business materials dated August 10th and September 21st and 28th, 2023.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve. Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

VIII. PUBLIC HEARING AGENDA

No items

IX. STANDING COMMITTEE’S AGENDA

Item No. 1 - ORDINANCE: BPU PILOT RELIEF

Synopsis: Approving adoption of ordinances and Charter Ordinances to allow for PILOT relief for older adults and individuals with disabilities and allowing different percentages for residential and commercial rates, submitted by Jeff Conway, Assistant Counsel.

On September 25, 2023, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Mayor Pro Tem Bynum said I would ask Commissioner Markley, you did Chair that meeting in my absence. **Commissioner Markley** said this item was unanimously approved. I believe it is only on the agenda separately because it was fast-tracked.

Mayor Pro Tem Bynum said Mr. Conway, go ahead if you want to make any remarks. Let me just say this briefly, we heard the item on September 28th. We asked some clarifying questions and Legal was able to determine basically the answers to those remarks that we heard on September 28th. I think that within your packet is an ordinance that correctly addresses everything that we were hoping to accomplish with the work that we did bringing this ordinance forward. If there are no comments or questions I would entertain a motion.

Action: **CHARTER ORDINANCE NO. CH-01-23**, “Approving adoption of ordinances and Charter ordinances to allow for PILOT relief for older adults and individuals with disabilities and allowing different percentages for residential and commercial rates.” **Commissioner Johnson made a motion, seconded by Commissioner Markley, to approve the ordinance.**

Mayor Pro Tem Bynum said thank you very much and Mr. Conway and also to Chief Legal Counsel, Angela, thank you both very much. Along with all the other staff and the community members that helped to bring that forward, I appreciate it very much. Roll call, please.

Roll call was taken on the motion and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, and Markley.

X. ADMINISTRATOR’S AGENDA

Item No. 1 - 212787...ORDINANCE: KCKCC IRB’S

Synopsis: An ordinance authorizing the UG to issue taxable industrial revenue bonds for a student housing facility for KCKCC, submitted by Jeff Conway, Assistant Counsel.

Mayor Pro Tem Bynum said are there any comments we need to hear from staff or Legal on this item? This is a continuation of a project that started several years ago when the college was

building their dorm. Chief Legal, Angela Lawson anything from you? **Angela Lawson, Acting Chief Legal Counsel**, said yes, the Commission had already issued their intent to authorize and this is simply the ordinance carrying out that intent. If you need additional information, we do have Bond Council here that can explain in greater detail if the Commission would like.

Action: **Commissioner Johnson made a motion, seconded by Commissioner McKiernan, to approve as submitted.** Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

Item No. 2 - 212788... GRANT: KANSAS FIGHTS ADDICTION

Synopsis: Kansas Fights Addiction grant is from the Sunflower Foundation to provide counties in the state portions of the national opioid settlement fund dollars. Wyandotte County was awarded \$200,000 to expand SUD treatment. There is no match funding required for this grant, submitted by Wesley McKain, Health Department Manager.

Mayor Pro Tem Bynum said Wesley McKain, would you like to come forward please and briefly tell of the grant.

Alan Howze, Assistant County Administrator, said Commissioner, if I might before Wesley gets started also on this—and I recognize this is the last thing between the Commission and the Chief's game. Just really briefly, I also wanted to take a minute and ask him to come up and join Wesley, Dr. Eli Caldwell, who is the new Health Department Director. He joined the UG last week and we are really pleased to have him on the team. Before I introduce him, I also want to just sort of publicly recognize and thank Amber Banner who served as Interim Director for eight months, as well as Deputy Director, Terrie Garrison, and Wesley McKain who's the development manager and who were the three members of the senior leadership team that really helped to keep the Health Department moving forward during the director search.

Dr. Caldwell joined us from North Carolina with his family and he brings a compelling personal story that also is a story of many in our community. He came to the US as a refugee from Liberia and their Civil War. He doggedly pursued his education getting his doctoral degree. He

previously served as Health Director in North Carolina and has worked in other healthcare settings. He brings International Public Health experience having led international non-governmental and other organizations in the US, Liberia, Tanzania, Mali, working in Sierra Leone, Liberia, South Sudan, and others. He has taught graduate courses at several universities. So he brings a wide variety of experiences and a collaborative sense of leadership that I think will be a great compliment to the leadership style and to the great work that's being done in the Health Department. He also comes at an important time for the Health Department, we have the new Community Health Improvement Plan that gets underway just this month. Efforts to address substance abuse are accelerating as we see from this grant item that we're talking about here. There are contagious disease outbreaks that we are also actively managing. So, it's a busy time for the Health Department and I know that you'll be hearing more from Dr. Caldwell in the coming months, but I want to take a few minutes while we have this opportunity to introduce him to the Commission and the community and welcome him.

Mayor Pro Tem Bynum said thank you so very much. I just want to say welcome on behalf of all of the Commissioners and the Mayor. I will say that of all the places that you've been in the world you have found your way home to Kansas City, Kansas, and Wyandotte County. Would you like to share anything with us?

Dr. Eli Caldwell, Health Department Director, said it's an honor to be here and I would like to say thank you to Alan. Through this process, I get to know Alan. It is an honor to be here and then just continue with the job you started to make sure that we all work together and show services to the community that are most—I mean needed most, especially Public Health Services. I look forward to push your vision forward and working with the public health and other institutions here.

Mayor Pro Tem Bynum said Wesley, just a brief statement on the grant since this did not come through a standing committee, just tell us quickly and we'll take a vote.

Wesley McKain, Health Department Manager, said of course, substance use issues being what they are especially the opioid crisis that we have across the country and we have here in Wyandotte County. We had a provider of medication-assisted treatment at KU, which that's a treatment that

helps people who have been addicted to opioids and who need medication to help wean themselves off of it. Lost funding for that and was not able to treat her patient load. We have a dynamite Substance Use Coordinator named Erica Holiday who joined us, who partnered with Dr. Erin Corriveau, our Deputy Medical Officer, and put together a grant—a competitive grant from the Sunflower Foundation. This doesn't take away from the opioid dollars that we have received in other ways and put together a grant and partnered with the free clinic that's run by students at KU to purchase the medicine, get the students trained up, and provide other costs so that those patients who were receiving that treatment could be treated until—I think the provider is working to get her practice back online. It's \$200,000, we didn't have to go after it. It was something that Erica found and worked on. We're really happy because we need to keep bringing as many resources as we can into our community. There's way too many people who are taking substances and overdosing on substances and they are deadlier than ever now. I'm really happy to be able to go after that and that's the tall and the short of it.

Mayor Pro Tem Bynum said thank you so very much and thank you to the Health Department for all you're doing. Is there any discussion or a motion? **Commissioner Markley** said I would just comment that it should be everybody's goal to be described as dynamite. I'd like to meet this employee, it should be everyone's goal, and then I will make a motion to approve.

Action: **Commissioner Markley made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

XI. COMMISSIONERS' AGENDA

No items

XII. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

No items

XIII. PUBLIC ANNOUNCEMENT

No items

XIV. ADJOURN

Commissioner McKiernan made a motion, seconded by Commissioner Davis, to adjourn.

Roll call was taken and there were seven “Ayes,” Davis, Bynum, Burroughs, Townsend, McKiernan, Johnson, Markley.

**MAYOR PRO TEM BYNUM
ADJOURNED THE MEETING AT 7:30 P.M.
October 12, 2023**

Monica Sparks,
Interim Unified Government Clerk

BM

October 12, 2023

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

STRATEGIC RETREAT, SATURDAY, JANUARY 11, 2025

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in a Strategic Retreat, Saturday, January 11, 2025, with nine members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Burns, Commissioner Second District; Ramirez, Commissioner Third District; Hill, Commissioner Fourth District; Kane, Commissioner Fifth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District and Garner, Mayor/CEO presiding. Townsend, Commissioner First District; and Lopez; Commissioner Sixth District; were absent. The following officials were also in attendance: David Johnston, County Administrator; Alan Howze and Bridgette Cobbins, Assistant County Administrators; Angela Lawson, Interim Chief Counsel; Shelley Kneuvean, Chief Financial Officer; Reginald Lindsey, Budget Director; Michael Peterson, Assistant Budget Director; Rodney Lucas, Executive Assistant to County Administrator; Monica L. Sparks, Unified Government Clerk; and Maiyee Lor, Deputy Unified Government Clerk.

NOTICE OF STRATEGIC RETREAT of the Unified Government of Wyandotte County/Kansas City, Kansas, to be conducted in person on Saturday, January 11, 2025, at 9:00 a.m. at the Children’s Mercy Park Sporting KC Soccer Stadium, Mazuma Plaza, Fifth Floor Audi Sports Club. The public will be able to attend the event in person.

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 Garner said before I call the meeting to order, I want to announce this is an official meeting of the Unified Government Board of Commissioners.

Mayor Garner called the meeting to order. Roll call was taken and there were nine “Ayes,” Ramirez, Hill, Kane, Stites, Davis, Bynum, Burroughs, Burns, Garner.

There was no recording of this Strategic Retreat. The Agenda and PowerPoints were presented and are attached.

Mayor Garner said with no further business to come before this Governing Body, I will adjourn the meeting. Do I have a motion and second to adjourn?

Action: **Commissioner Davis made a motion, seconded by Commissioner Ramirez, to adjourn.** Roll call was taken and there were eight “Ayes,” Ramirez, Hill, Kane, Stites, Davis, Bynum, Burroughs, Burns.

MAYOR GARNER AJOURNED

THE MEETING AT 1:43 p.m.

Monica L. Sparks
Unified Government Clerk

dt

January 11, 2025



Unified Government Clerk's Office
Monica L. Sparks
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: David Johnston
County Administrator

From: Monica L. Sparks
UG Clerk

Date: December 19, 2024

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

JG

Weekly Business Material for December 13, 2024 – December 19, 2024

1. PROTEST PETITION:

- American Royal Community Improvement District, North of State Avenue, South of American Royal Way, East of 118th Street and West of 115th Street, and West of the intersection of 118th Street and American Royal Way, in Kansas City, Wyandotte County, KS. Submitted by PFF RE KCK I, LLC. (x2)

Action: Received and filed. Original was previously forwarded to Planning.

2. CLAIM FOR DAMAGES:

- Jasmine Clardy by and through her attorney, Jess Wilson, Kansas City MO, alleging personal damage on 5/14/2024.
- Leticia Espino, Kansas City, KS, alleging damages to personal property on 12/28/2023.
- Mike Jacobi, Kansas City, KS, alleging over charge payments from BPU on various dates from 2/2020 through 10/2024.
- Matthew Uzodimma, Lee's Summit, MO, alleging damage to personal property on 12/2/2024.

Action: Received and filed. Copies previously forwarded to Legal.

3. TRAVEL REQUESTS:

- Joshua Cromwell, KCKPD, travel to Olathe, KS, January 2, 2025-December 4, 2025, to attend the Lela Command School, Employee Training & Travel.
- Jamie Miller, KCKPD, travel to Phoenix, AZ, December 15-17, 2024, to conduct investigation for case, Employee Training & Travel.
- Matthew Zayas, Parks & Recreation, travel to Wichita, KS, December 3-5, 2024, to attend Kansas Association of Counties Annual Conference, Employee Training & Travel.

Action: Approved by Administrator's Office and received and filed.

4. CERTIFICATE OF INSURANCE/LIABILITY INSURANCE:

- Gregory Van Booven d/b/a Van Booven Lawn Landscape & Tree Care.
- Taqueria Hernandez Numero 1, LLC.
- OCC-010511
- La Perla Tapatia, LLC.
- Weiser Security Services, Inc.

5. APPLICATION FOR CMB LICENSE (PKG):

- Khan Food and Petroleum LLC, Zahid Mahmood Goraya, d/b/a Quikshop #2, 2425 Metropolitan Ave., Kansas City, KS 66106.
- United Food Mart LLC, Rick Rehorn, d/b/a United Food Mart, 164 S. 18th St., Kansas City, KS 66102.

Action: Referred to License.

6. APPLICATION FOR CMB LICENSE (OP):

- Holy Family Social Club, Matthew Palcher, d/b/a Holy Family Social Club, 513 Ohio Ave, Kansas City, KS 66101.
- Italian Delight, Vittoria Brunetti, d/b/a Italian Delight, 8145 State Ave., Kansas City, KS 66112.
- Pizza Stop South, Inc., Ruth Anne Addie, d/b/a Pizza Stop, 7541 Leavenworth Rd., Kansas City, KS 66109.
- St. John's Catholic Club, Kenneth Yarnevich, d/b/a St. John's Catholic Club, 414 Barnett Ave., Kansas City, KS 66101.

Action: Referred to License.

7. APPLICATION FOR DRINK EST./PUBLIC VENUE:

- Jarocho LLC, Keooudone Pheuahakphai, d/b/a Jarocho, 719 Kansas Ave., Kansas City, KS 66105.

Action: Referred to License.

8. MISCELLANEOUS:

- Scott Harding before the Board of Tax Appeals of the State of Kansas vs. Kansas City Kansas Community College.
- Dr. Alma Hall before the Board of Tax Appeals of the State of Kansas vs. Kansas City Kansas Community College.

Action: Referred to License.



Unified Government Clerk's Office
Monica L. Sparks
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: David Johnston
County Administrator

From: Monica L. Sparks
UG Clerk

Date: January 2, 2025

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

JG

Weekly Business Material for December 27, 2024 – January 2, 2025

1. SUMMONS:

- Teryl & Artiemae Barnett, vs. The Unified Government of Wyandotte County/ Kansas City, KS., Case No. WY-2024-CV-000807.
- Thayer Frecks et. al., vs. First Federal Savings and Loan, Case No. WY2024-CV-000918.

Action: Referred to Legal. Copy previously forwarded to Legal.

2. TRAVEL REQUESTS:

- Kenneth K. Hickerson, KCKPD, travel to Indianapolis, IN, from June 3-7th 2025, to attend NAFTO Conference, Employee Training & Travel.
- Nick Novak, Parks & Rec, travel to Manhattan, KS, from January 15th-17th 2025, to attend Shade Tree Conference, Employee Training & Travel.
- Dennis Rubin, KCKFD, travel to Salina, KS, from February 3-5th 2025, to attend EOC Operations & Planning for All-Hazards, Employee Training & Travel.
- Kalven R. Thorne, KCKPD, travel to Indianapolis, IN, from June 3-7th 2025, to attend NAFTO Conference, Employee Training & Travel.
- Justin Ukena, Parks & Rec, travel to Manhattan, KS from January 16th-17th 2025, to attend Shade Tree Conference, Employee Training & Travel.

Action: Approved by Administrator's Office and received and filed.



Unified Government Clerk's Office
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Unified Government Clerk

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Kansas City, Kansas 66101-3070

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Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: David Johnston
County Administrator

From: Monica L. Sparks
UG Clerk

Date: January 9, 2025

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

BM

Weekly Business Material for January 3, 2024 – January 9, 2024

1. PUBLIC NOTICE:

- All City Tow Service, 1015 S Bethany St., Kansas City, KS 66105, held a public auto auction on December 12, 2024, at All City Tow Service.

Action: Received and filed.

2. CLAIM FOR DAMAGES:

- Kenneth Womack, Kansas City, KS, alleging personal property stolen while incarcerated on 6/18/2024.

Action: Received and filed. Copies previously forwarded to Legal.

3. TRAVEL REQUESTS:

- Noel Guzman, Public Works, travel to San Diego, CA, from 7/13/2025 through 7/18/2025, to attend the 2025 ESRI User Conference, Employee Training & Travel.

Action: Approved by Administrator's Office and received and filed.



Unified Government Clerk's Office
Monica L. Sparks
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: David Johnston
County Administrator

From: Monica L. Sparks
UG Clerk

Date: January 16, 2025

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

JG

Weekly Business Material for January 10 – January 16, 2025.

1. PUBLIC NOTICE:

- Verified Statement and Account of Mechanics Lien, Flying Truss, LLC., 615 E. 68th Street, Kansas City, MO 64113, vs. Parson's Complete Carpentry, LLC 20919 Oak Drive, Belton, MO 64012, Case number WY-2025-SL-000001.

Action: Received and filed.

2. CLAIM FOR DAMAGES:

- Lucretia Henderson, Kansas City, KS, by and through her attorney Marissa Yates, alleging personal injury on 8/19/2024.
- Valerie M. Hicks, Kansas City, KS, alleging personal injury on 11/25/2024.

Action: Received and filed. Copies previously forwarded to Legal.

3. SUMMONS:

- Justin Andrews vs. Sarah Mast, et. al., Kansas City, KS, Case No. WY-2024-CV-000857.
- G.P. et. al., vs. Falicia Grannas, Kansas City, KS, Case No. WY-2025-CV-000011. (x4)

Action: Received and filed. Copy previously forwarded to Legal.

4. TRAVEL REQUESTS:

- Vincent Billaci, Angel Ferrara, Ethan Haines, and Matt Zayas, Parks & Rec, travel to Manhattan, KS, from 1/28/2025-1/30/2025, to attend Kansas Recreation & Parks Assoc. Conference, Fund 113.
- Kay L. Sharp, Community Development, travel to Huntsville, AL, from 1/10/2025-1/13/2025, to attend City Huntsville and Huntsville Housing Authority, CDBG.

Action: Approved by Administrator's Office and received and filed.

5. APPLICATIONS FOR PRIVATE SECURITY BUSINESS:

- VendTech-SGI, D/B/A, VendTech-SGI, 250 N. Rock Rd., Wichita, KS.,67206.
- QuikTrip Security, D/B/A, QuikTrip Security, 4705 S. 129th E Ave., Tulsa, OK, 74134.
- Inter-Con Security Systems, Inc., D/B/A, Inter-Con Security Systems, Inc., 210 S. De Lacey Ave., Pasadena, CA, 91105.

Action: Referred to License.



Unified Government of Wyandotte

County/Kansas City, Kansas

Tyrone A. Garner, Mayor/CEO

701 North Seventh Street, Ste. 926

Kansas City, Kansas 66101

(913) 573-5010

NOTICE OF PENDING APPOINTMENT

Date: January 24, 2025

BOARD POSITION: Community Benefits Advisory Board

INCUMBENT REPLACED: Barbara Kill

TERM EXPIRATION DATE: December 14, 2024

APPOINTING COMMISSION MEMBER: Mayor

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Dr. Nozella Brown

TERM OF OFFICE: 12/31/2025



SIGNATURE OF APPOINTING COMMISSION MEMBER

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



Report to Planning & Zoning / Regular Commission

MEETING DATE	PRESENTER	DEPARTMENT		
	<table border="1"> <tr> <td data-bbox="571 373 1049 443">Irene Caudillo, Chief of Staff</td> </tr> <tr> <td data-bbox="571 443 1049 537">Jeffrey Conway, Assistant Counsel</td> </tr> </table> <p data-bbox="571 537 1049 695">icaudillo@wycokck.org, jconway@wycokck.org x5010, x5075</p>	Irene Caudillo, Chief of Staff	Jeffrey Conway, Assistant Counsel	Administrator's Office
Irene Caudillo, Chief of Staff				
Jeffrey Conway, Assistant Counsel				
AGENDA ITEM #13.1.				
RESOLUTION: AUTHORIZE COUNTY ADMINISTRATOR TO CALCULATE CERTAIN NEW REVENUE				
BACKGROUND				
A resolution to authorize the County Administrator to calculate certain new revenue for the purposes of recommending budgetary options to retire existing debt to the Board of Commissioners.				
RECOMMENDATION				
Approve				
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS				
IT/POLICY CONSIDERATIONS				
PROCUREMENT CONSIDERATIONS				
LEGAL CONSIDERATIONS				
ATTACHMENTS				
Resolution for 10% to debt reduction (4)				

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

RESOLUTION NO. R-_____

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO CALCULATE CERTAIN NEW REVENUE FOR THE PURPOSES OF RECOMMENDING BUDGETARY OPTIONS TO RETIRE EXISTING DEBT TO THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS

WHEREAS, it is the desire of the Board of Commissioners to empower the County Administrator to identify any new general fund revenue attributable to new residential and commercial buildings and to recommend corresponding budgetary options intended to reduce existing debt for the Unified Government.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS AS FOLLOWS:

Section 1. (a) On and after the effective date of this resolution, the County Administrator shall be authorized to calculate an amount that is at least ten percent of any new revenue received in the city and county general funds, respectively, during the prior budget year. The County Administrator, in addition to the normal budget process of retiring existing debt, will also recommend to the Board of Commissioners any corresponding budgetary options for the ten percent as described above, to assist in retiring existing debt for the city or county, respectively, as part of the annual budget adoption process.

(b) For purposes of this resolution, “any new revenue” means certain general fund revenue derived from new residential or commercial buildings, compared to the respective building permits granted during the previous budget year.

Section 2. Effective Date. This resolution shall take effect and be in full force from and after its passage and approval, and publication in the official newspaper.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____ 2025.

Tyrone A. Garner, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Unified Government Acting Chief Counsel



Christian Ramirez
Commissioner, District 3
Board of Commissioners

701 N. 7th Street, Room 979
Kansas City, Kansas 66101
Phone: (913) 573-5040
Fax: (913) 573-5050

MEMORANDUM

TO: Mayor/CEO Tyrone Garner
Board of Commissioners

FROM: Commissioner Christian Ramirez

DATE: January 10, 2025

SUBJECT: REQUEST TO TRAVEL

This is a request for permission to travel for Unified Government business to Washington, DC, to attend the NLC Congressional City Conference for 2025.

Further, I respectfully request permission to use the funds set aside in the training and travel budget established in the Unified Government Commission Resolution No. R-13-13, Current Rules of Procedure Article VIII, Travel Policy, Sections 801 and 802, to pay the travel expenses of this trip.

I ask that this request be placed on the agenda before the Board of Commissioners on Thursday, January 30, 2025.

c: David W. Johnston, County Administrator
Monica Sparks, UG Clerk
Reed Partridge, Senior Legislative Auditor