



Unified Government of Wyandotte County and Kansas City, Kansas

Kansas City, Kansas Planning Commission

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

Chairman Jeff Carson

*Vice Chairman Karen Jones, Brandie Armstrong, Duane Beth, Beverly Easterwood,
Jim Ernst, Jake Miller, J. Mark Mohler, Mary Beth Schwartz, Joseph Straws III, and Aaron Ward.*

AGENDA

Monday, May 12, 2025

6:00 PM

1 CALL TO ORDER/ROLL CALL

2 REPORTS

2.1 KANSAS CITY DESIGN CENTER PRESENTATION

Synopsis: For information only, Kansas City Design Center presentation of student work on the Central Avenue bridge replacement.

Tracking #: 21427

**2.2 ORDINANCE AMENDING BOARD OF ZONING APPEALS MEMBERSHIP
FROM BOARD OF COMMISSIONERS APPOINTEES TO A LIMITED
NUMBER OF BOARD OF COMMISSION MEMBERS**

Synopsis: An amendment to the Zoning Code Section 27-51 and wholly adding Section 27-54, changing the membership of the Board of Zoning Appeals from appointees to members of the Board of Commissioners.

Tracking #: 21428

3 PLANNING COMMISSION STATEMENT

4 CONSENT AGENDA

4.1 CONSIDERATION OF THE APRIL 14, 2025 MINUTES

4.2 Special Use Permit Application(s)

4.2.1 SP2025-020 - KATHERYN DUMOVICH

Synopsis: Renewal of a Special Use Permit (SP2023-007, expires June 1, 2025) for heavy truck parking at American Motel at 7949 Splitlog Avenue.

Tracking #: 21442

4.3 Plan Review Application(s)

4.3.1 PR2025-010 - DUSTIN BURTON WITH RENAISSANCE INFRASTRUCTURE CONSULTING

Synopsis: Final Development Plan for a multifamily subdivision at 11100 State Avenue.

Tracking #: 21447

5 NON-CONSENT AGENDA

5.1 Change of Zone Application(s)

5.1.1 COZ2025-002 – ORACIO PEREZ

Synopsis: Change of Zone from R-1(B) Single Family District to A-G Agricultural District to keep animals and farm the property at 3505 Sortor Drive.

Tracking #: 21432

5.1.2 COZ2025-004 - MIKE MCCOWN

Synopsis: Change of Zone from CP-2 Planned General Business to CP-3 Planned Commercial District for a contractor warehouse and storage facility at 13100 & 13130 State Avenue (in conjunction with BOZA2025-012).

Tracking #: 21435

5.2 Special Use Permit Application(s)

5.2.1 SP2025-088 - JESUS SANTOYO

Synopsis: Special Use Permit to keep pigeons at 2542 South 12th Terrace (in conjunction with BOZA2024-027).

Tracking #: 21436

5.2.2 SP2024-100 - TINA ALONGE WITH 913 LLC

Synopsis: Special Use Permit to operate a drinking establishment with live entertainment (SP2022-029 expired 8/4/2024) at 6102 State Avenue.

Tracking #: 21437

5.2.3 SP2024-116 - NADIA GRIFFITT WITH LATIN QUARTERS

Synopsis: Special Use Permit for a drinking establishment with live entertainment and events at 508 Kansas Avenue.

Tracking #: 21449

5.2.4 SP2025-006 - TIFFANY CLARK WITH ROSEDALE ROADHOUSE LLC

Synopsis: Special Use Permit to operate a short-term rental at 1127 Southwest Boulevard.

Tracking #: 21433

5.2.5 SP2025-014 - DAVE SWANSON WITH SWANSON HOLDINGS

Synopsis: Special Use Permit for a short-term rental at 2629 South 49th Street.

Tracking #: 21434

5.2.6 SP2025-017 - ELI SCHWINN

Synopsis: Renewal of a Special Use Permit (SP2022-048, expired October 3, 2024) for storage of motor vehicles and other recreational vehicles and equipment for auction sales for Copart at 8400, 8410, & 8440 Gibbs Road.

Tracking #: 21439

5.2.7 SP2025-018 - RYAN DENK WITH MCANANY, VAN CLEAVE, & PHILLIPS P.A.

Synopsis: Renewal of a Special Use Permit (SP-2019-54, expired May 30, 2024) for material and clean rubble excavation and stockpiling at 7751 South 73rd Street.

Tracking #: 21440

5.2.8 SP2025-019 - TYLER SHIRK WITH BEAR B&B

Synopsis: Special Use Permit for a non-owner-occupied short-term rental at 2105 West 43rd Avenue.

Tracking #: 21441

5.2.9 SP2025-022 - HASAN ABDULATEEF WITH HM SEMI TRUCK REPAIR

Synopsis: Special Use Permit for a semi and heavy truck repair and maintenance facility for United Truck Repair at 451 South 14th Street.

Tracking #: 21443

5.3 Subdivision Application

5.3.1 PLAT2025-004 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTING

Synopsis: Preliminary and Final Plat of Crowe Estates for Subdivision into two (2) parcels at 11410 Leavenworth Road (in conjunction with BOZA2025-011).

Tracking #: 21444

5.3.2 PLAT2025-010 - WIL ANDERSON WITH BHC RHODES

Synopsis: Preliminary Plat to create six (6) pad sites for a multi-commercial and residential development at 1300 Stewart Avenue.

Tracking #: 21445

5.4 Plan Review Application(s)

5.4.1 PR2025-014 - KATE LYNCH WITH ATLANTIC-AE LLC

Synopsis: Final Development Plan to construct a new drone pad site at an existing Amazon Facility at 6925 Riverview Avenue.

Tracking #: 21448

6 ADDITIONAL REPORTS

6.1 2024 YEAR END ANNUAL REPORT OF THE PLANNING AND URBAN DESIGN DEPARTMENT

Synopsis: For information only, a presentation of the 2024 year-end annual report of the Planning and Urban Design Department, including updates regarding short-term rentals and complete streets.

Tracking #: 21426

7 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 Office of the Clerk by emailing or calling UGclerkrequest@wycokck.org or 913-573-5260 at least 48 hours in advance of the meeting.

Persons may address the Commission during the time set aside for Public Comment on each item scheduled or at any time by suspension of the rules. All persons must address the commission and state their name and address for the record. Comments shall be limited to three (3) minutes for each participant. Per the Commission Rules of Procedure, comments should not include any rude or derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

Some commissioners, staff, and the public may attend remotely via Zoom or by phone. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, all speakers are asked to please announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

Connect to Zoom from your computer, tablet or smartphone at: <https://wycokck.zoom.us/j/86190643051>

Meeting ID: 861 9064 3051

Phone one-tap: +1 719 359 4580, 853 439 7303 # US, +1 253 205 0468, 853 439 7303 # US

Join via audio:

+1 719 359 4580 US +1 253 205 0468 US +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 669 444 9171 US +1 669 900 9128 US (San Jose) +1 309 205 3325 US +1 312 626 6799 US (Chicago) +1 360 209 5623 US +1 386 347 5053 US +1 507 473 4847 US +1 564 217 2000 US +1 646 558 8656 US (New York) +1 646 931 3860 US +1 689 278 1000 US +1 301 715 8592 US (Washington DC) +1 305 224 1968 US 888 475 4499 US Toll Free 877 853 5257 US Toll Free

International numbers available: <https://wycokck.zoom.us/u/kdIKjxwSim>

Cell phones may mute and unmute by dialing *6.

Raise and lower your hand to be acknowledged by dialing *9.

To raise your digital hand from your PC or Mac, click the button labeled “Raise Hand” at the bottom of the window on the right side of the screen.

The Future Central Avenue Bridge

Planning Commission Meeting
May 12, 2025





The studio created a vision for reconnecting communities, nature, and systems and examined the **Central Avenue Bridge** as a catalyst for broader community impact

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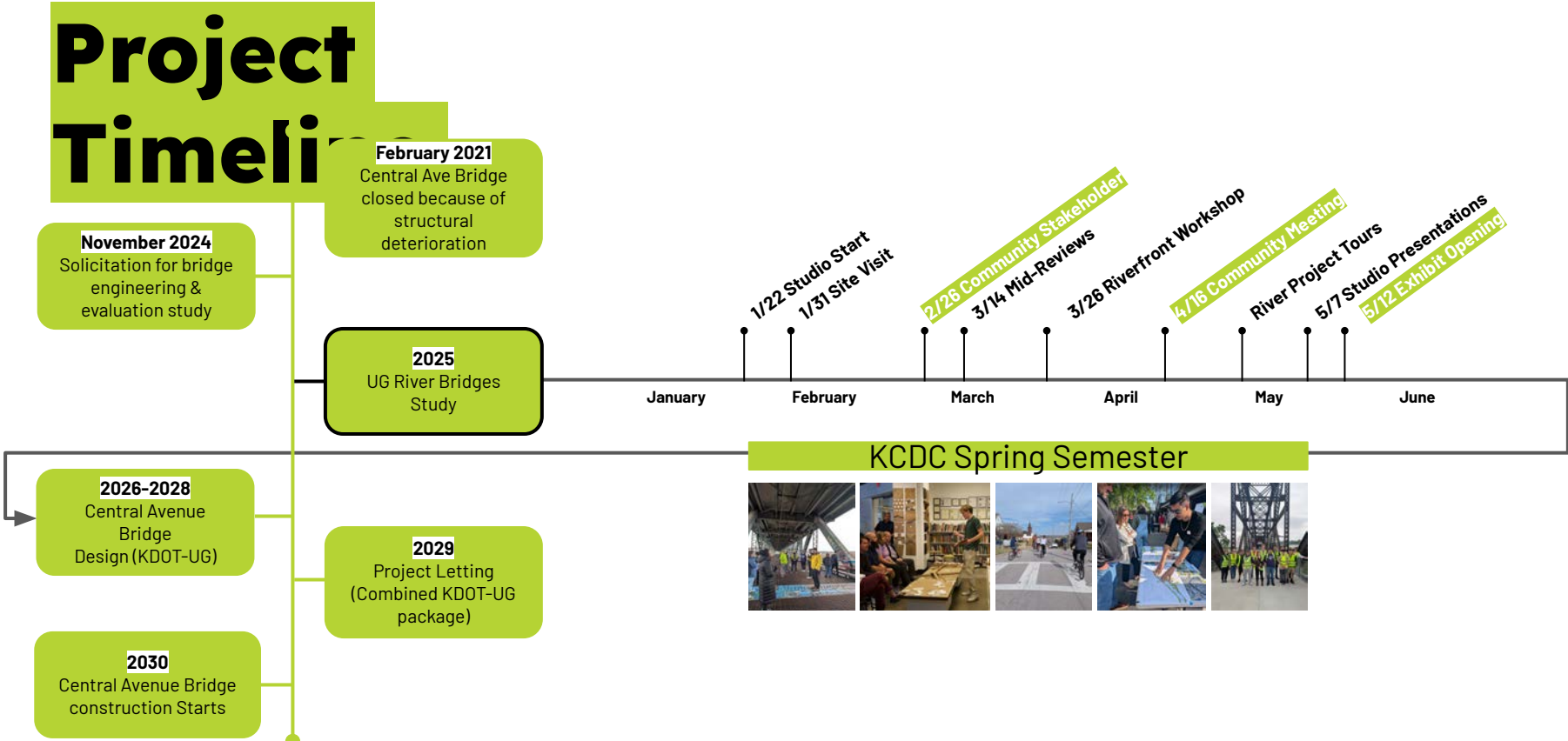
- 01** Project Background & Timeline
- 02** Studio Goals
- 03** Process & Research
- 04** Community Engagement
- 05** Student Proposals
 - a. *Central Ave Beacons*
 - b. *The Central Ave Nexus*
 - c. *Central Connection*
 - d. *To Mend*
 - e. *Water Under the Bridge*
- 07** Conclusion

Overview



Project Background

Project Timeline

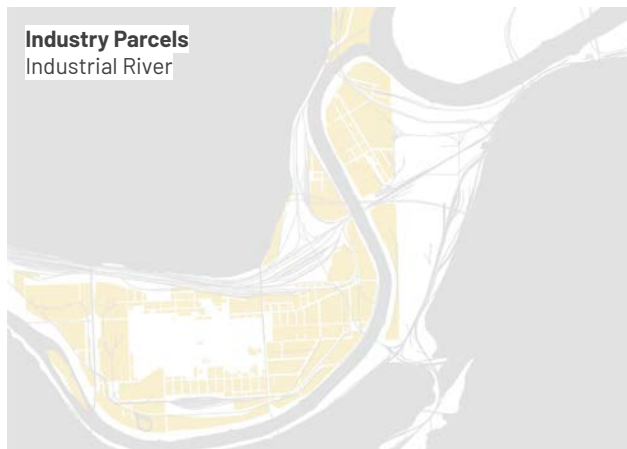
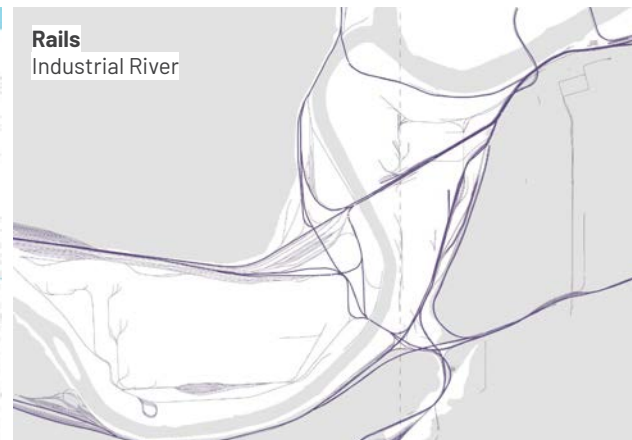
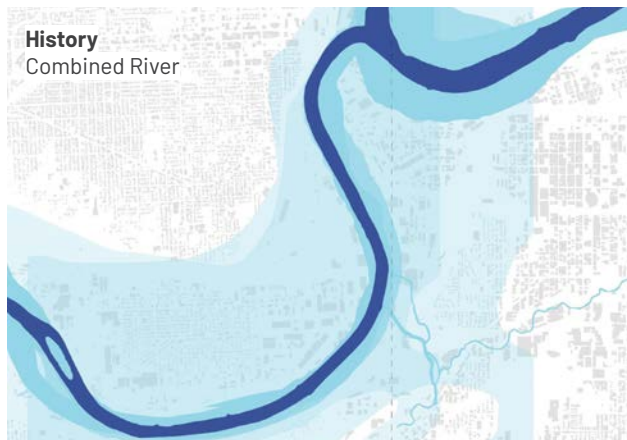


The Team



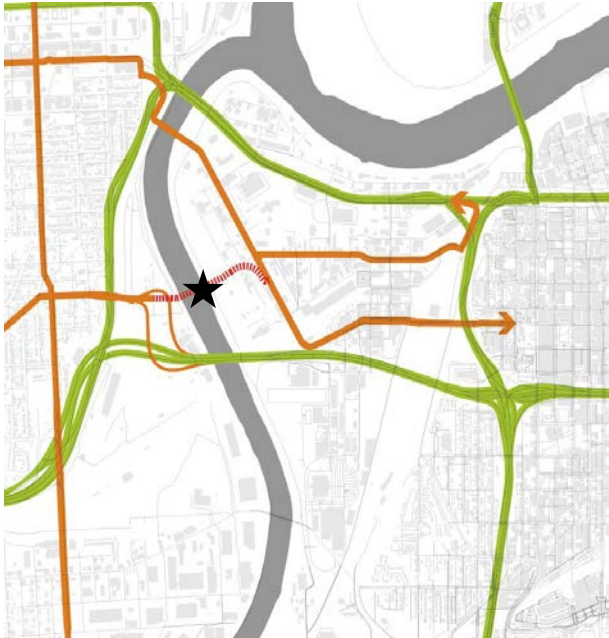
The Site

Existing Divisions



The Site

Central Avenue as a missing link



Highways and Industry
Central Avenue Closure



Population Density
Central Avenue as Link

Studio Goals

Studio Goals

- Build **Public Awareness** & Gather Input
- Enhance the Speculation Phase
- Envision **Higher and Better Land-Use**
- Evaluate Street Grid Tie-In Options



Process & Research

Process



Meetings & Documents



Planning Commission

Plan KCDC
Citywide Comprehensive Plan



Central Area
Master Plan



goDotte
Strategic Mobility Plan



Bi-State Corridor
Corridor and Area Study



Greenline KC
10-mile Urban Loop



What We've Heard

"We need a bridge up fast for A to B connection"

"The connection to the levee network is important for health and wellness"

"We can't lose the Tax Revenue of the current industry"

"We need affordable housing, not expensive like Rivermarket"

"Is there money? Who will pay for all of this?"

"Traffic sound is an issue, is there a way to create a buffer?"

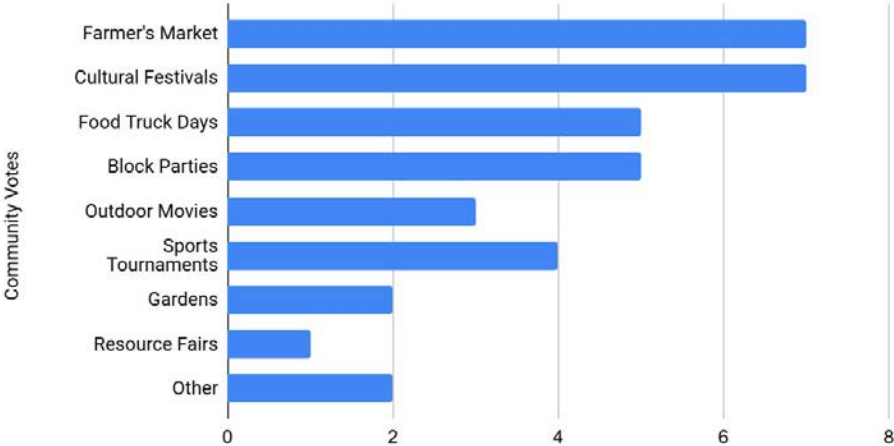
"How can we bring people from other areas around KC to this area?"

"We need more parking and bike racks to access the riverfront"

What We've Heard



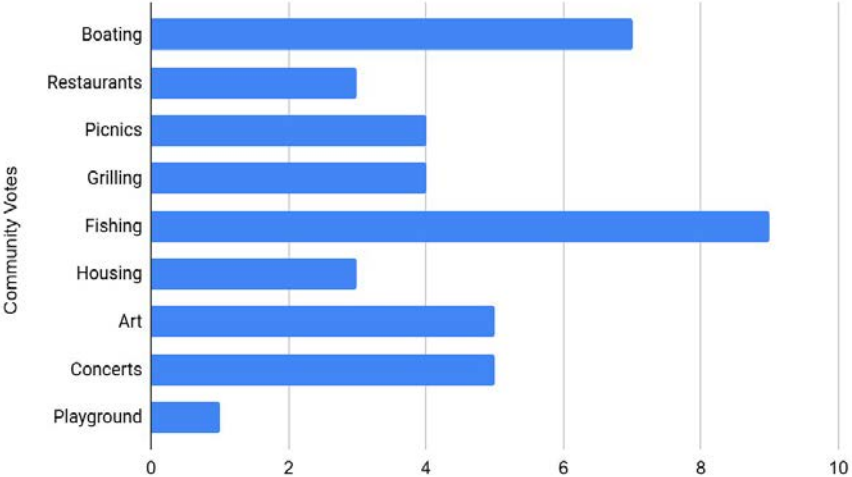
Which of these community events would you like to see more of in the future?



What We've Heard



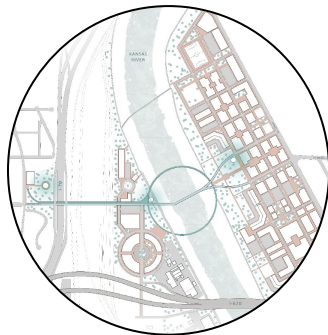
Things you would like to see more of at the river?



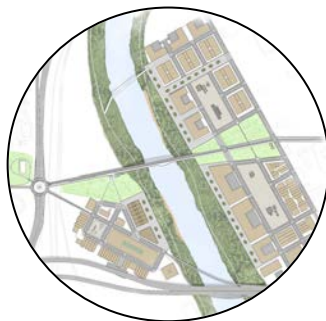
Student Proposals

Proposal

S



**Central Avenue
Beacons**



**Central Avenue
Nexus**



**Central
Connection**



To Mend

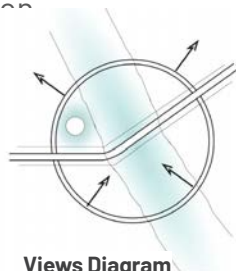


**Water Under the
Bridge**

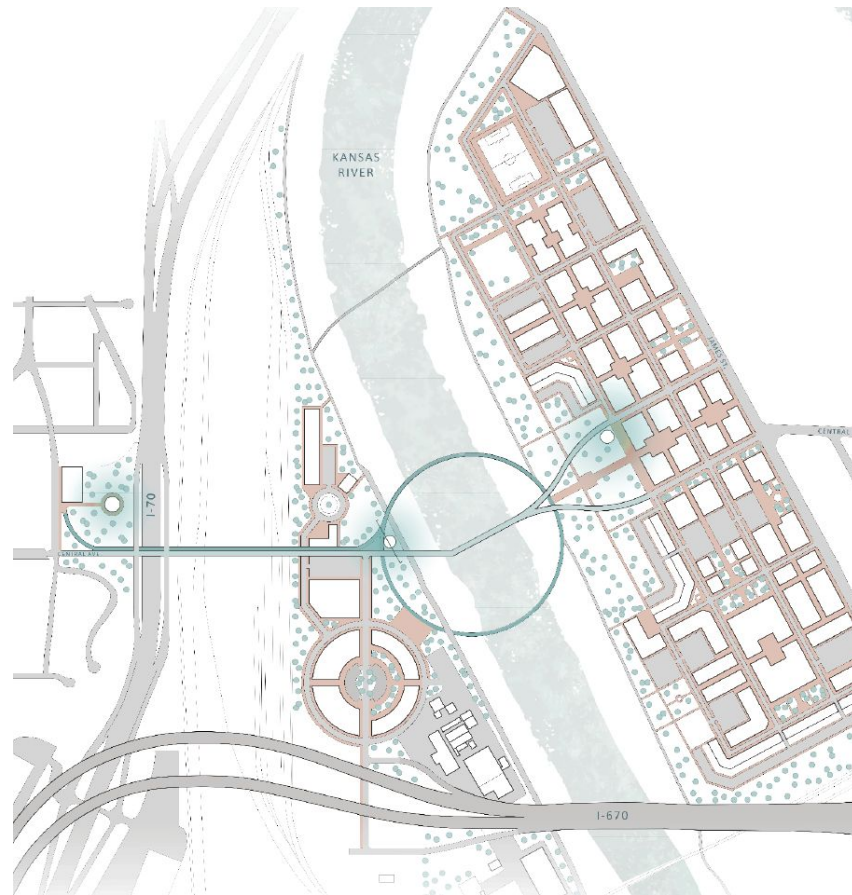
Central Avenue Beacons

Focus on Health and Wellness

The 'Central Avenue Beacons' aims to relink the West Bottoms and Central Avenue neighborhoods. Its circular footprint extends the experience of being above the river and measures as a half mile increment to support recreational runners, walkers, and cyclists. The tower, or "Beacon," captures views of both sides of KC, while the centered bridge restores vehicular circulation.



Views Diagram



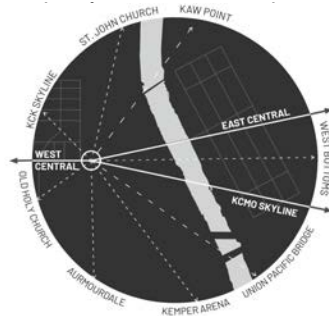
Site Plan



Central Avenue Nexus

Focus on Mobility

The Radial Connection reimagines the Central Avenue Bridge as a dynamic new gateway to Central Avenue, addressing limited pedestrian access, underused views, and car-centric infrastructure. A central roundabout promotes safe and multimodal mobility while reclaiming celebrating views of KCK and KCMO, r neighborhoods in the process.



**Views & Mobility
Diagram**



Site Plan

Central Avenue Nexus



Concept Rendering



Section at Central Roundabout

Central Avenue Connection

Focus on Pedestrian Experience

The Central Connection transforms a 3,800-foot divide into interconnected nodes, promoting human scale and walkability. The plan includes multifamily housing, mixed-use areas, and an industrial zone for innovation, with public spaces like parks and green corridors fostering community engagement. The efficient, cost-effective vehicular bridge allows for further investment in pedestrian experience.

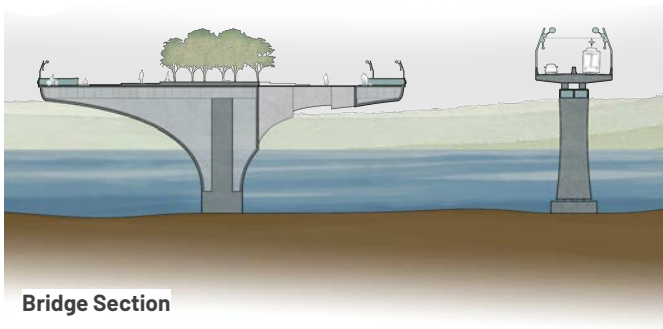


**Form Concept
Diagram**



Site Plan

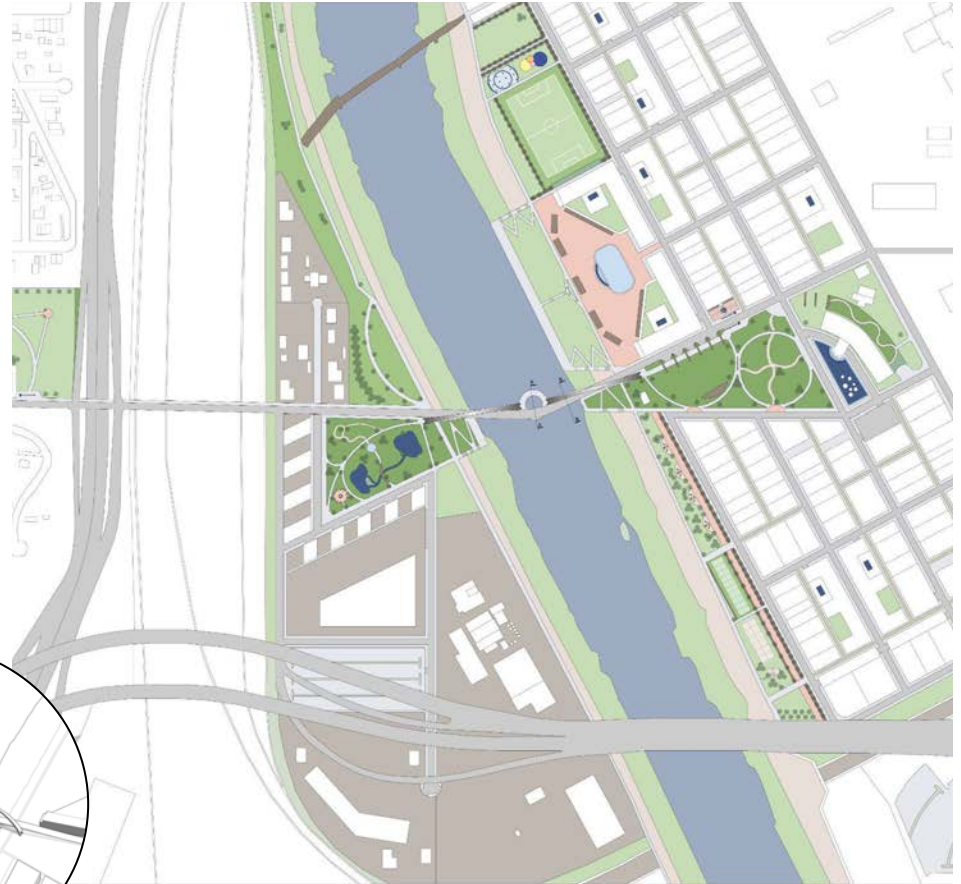
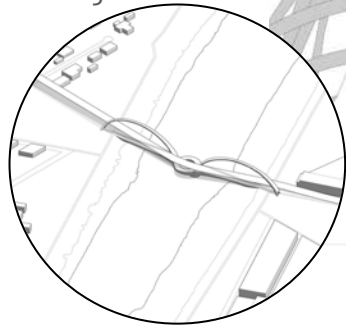
Central Avenue Connection



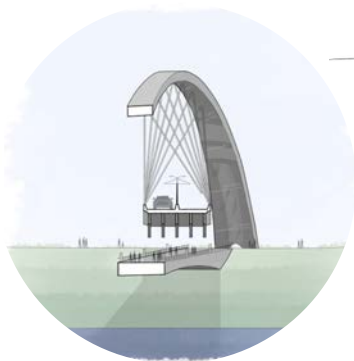
To Mend

Focus on Experience of Connection

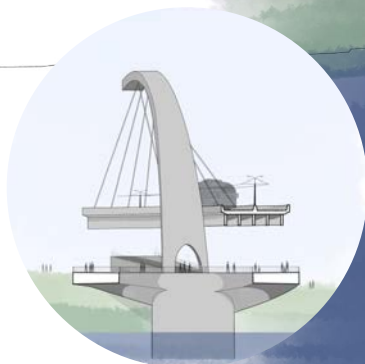
The Central Avenue Bridge is designed to create a symbolic experience, emphasizing the transition between KCK and KCMO while highlighting the unique cultures and features of both cities. It provides a safe, multi-modal crossing, integrating to large public parks, new housing development, retail and transit. Strategic moments along the bridge offer reflection, historical context, and cultural connections, enhancing the journey between communities.



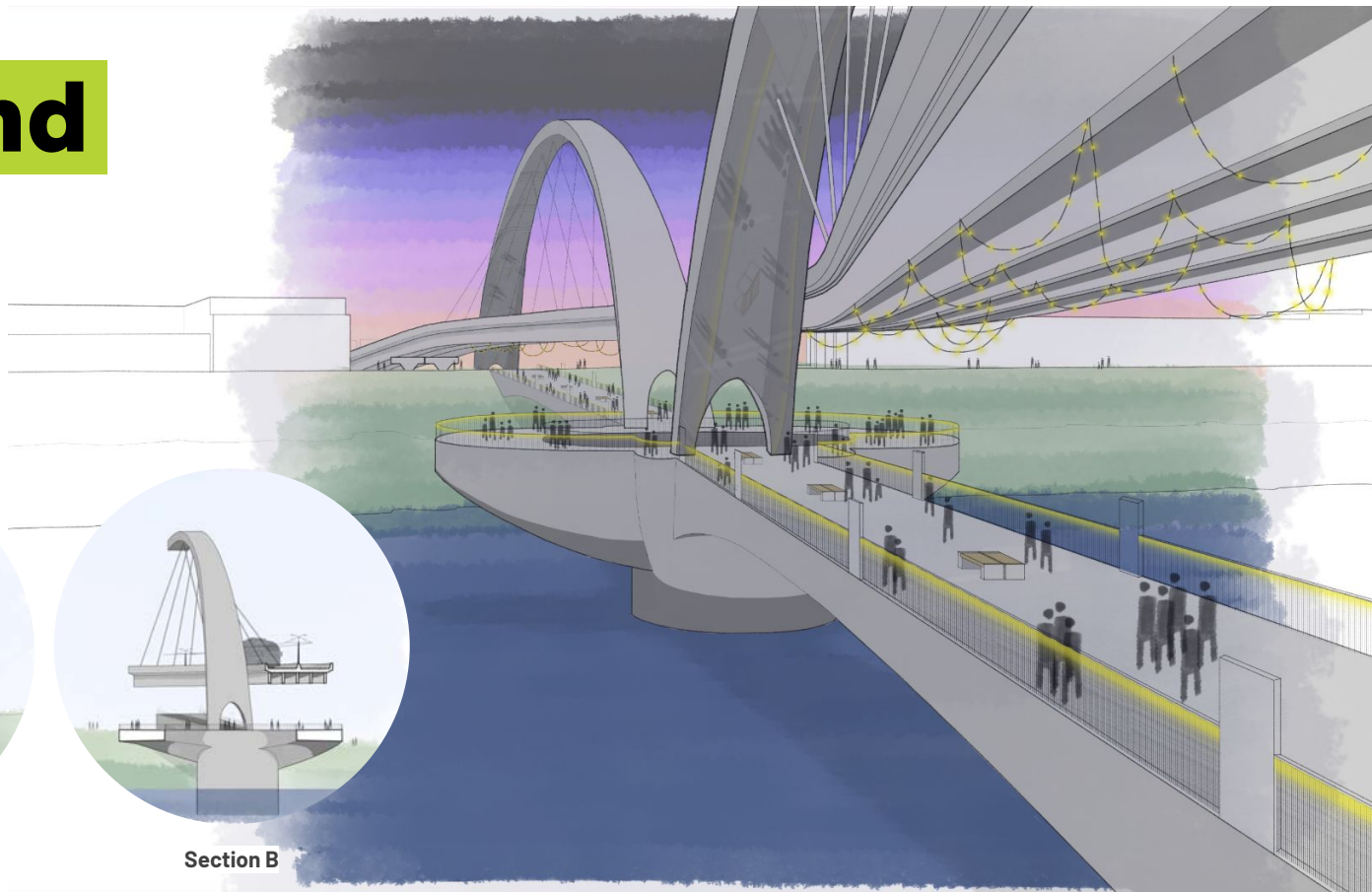
To Mend



Section A



Section B



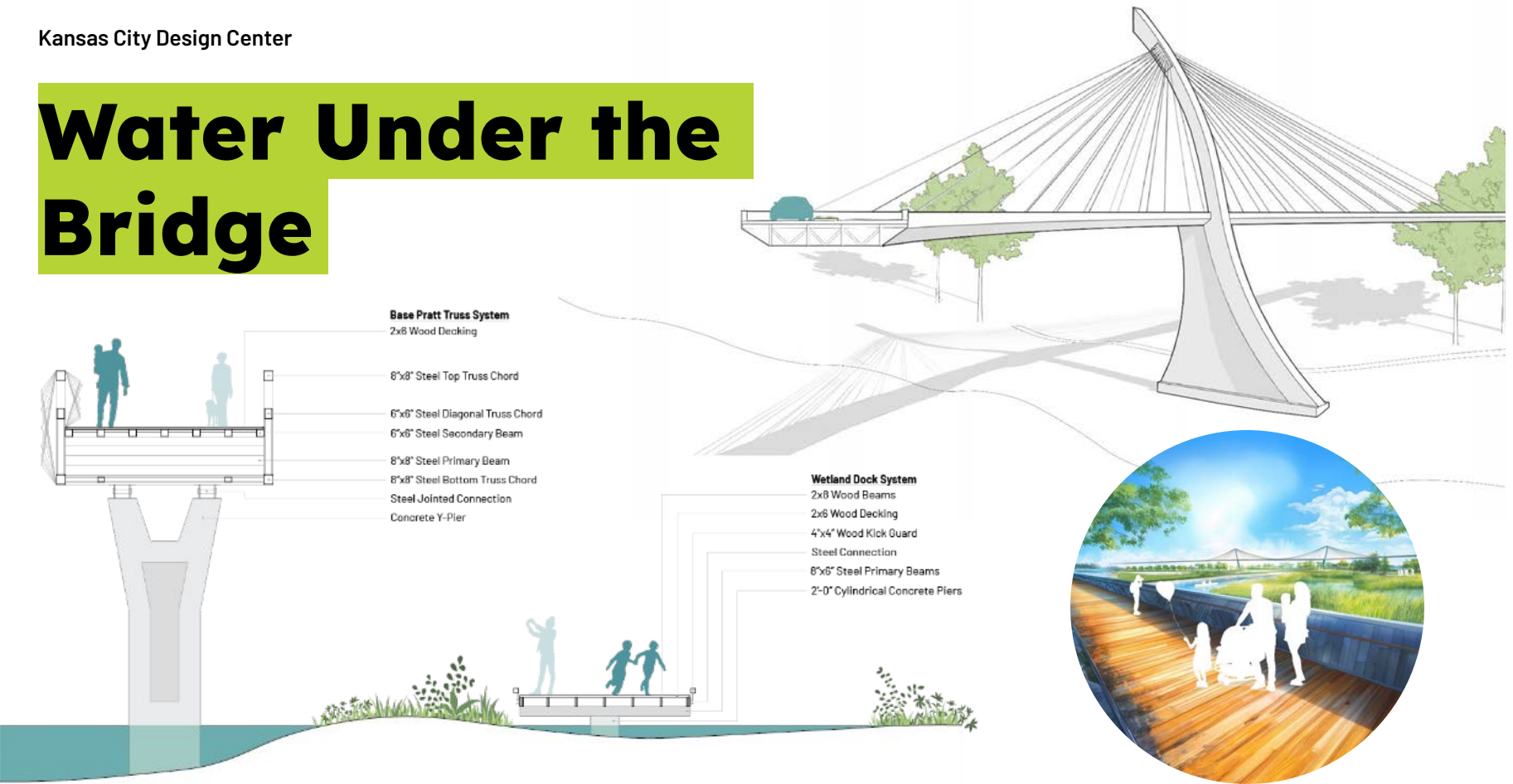
Water Under the Bridge

Focus on Habitat and Riverfront

The Kansas River is an underutilized asset. This long-term, phased project redefines its edge as an ecological and economic driver. Centered on the Central Avenue Bridge as a connective spine, it introduces wetlands for stormwater management, habitat restoration, and public programming—creating a natural buffer and reestablishing community access to the riverfront over time.



Water Under the Bridge



Base Pratt Truss System
2x6 Wood Decking

8"x8" Steel Top Truss Chord

6"x6" Steel Diagonal Truss Chord

6"x6" Steel Secondary Beam

8"x8" Steel Primary Beam

8"x8" Steel Bottom Truss Chord

Steel Jointed Connection

Concrete Y-Pier

Wetland Dock System

2x6 Wood Beams

2x6 Wood Decking

4"x4" Wood Kick Guard

Steel Connection

6"x6" Steel Primary Beams

2'-0" Cylindrical Concrete Piers

Conclusion

Thank you!



KCDESIGNCENTER.ORG



Published in the *Wyandotte Echo* on _____

ORDINANCE NO. _____

AN ORDINANCE reestablishing the membership qualifications of the members of the board of zoning appeals by amending **Section 27-51** and wholly adding **Section 27-54** of Chapter 27, Article III of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

WHEREAS, the Board of Commissioners seeks to serve as the Board of Zoning Appeals, the latter of which currently consists of appointees of members of the former, as currently required by the Unified Government Code of Ordinances;

WHEREAS, the Board of Commissioners consists of 11 members—eight district commissioners, two at-large commissioners, and the mayor/CEO;

WHEREAS, Section 12-759 of the Kansas Statutes Annotated states, in part, that a board of zoning appeals “shall consist of... [no] more than seven members”;

WHEREAS, the number of members on the Board of Commissioners exceeds the maximum number of board of zoning appeals members as set by State law;

WHEREAS, the restraints of State law thus require that, if members of the Board of Commissioners simultaneously serve as members of the Board of Zoning Appeals, then members of the Board of Commissioners shall be selected from the Board of Commissioners, and membership on the Board of Commissioners shall not represent automatic membership in the Board of Zoning Appeals;

WHEREAS, several changes will need to be made to Chapter 27 of the Unified Government Code of Ordinances, Chapter 27 (“Zoning Code”) in order to make a legally compliant transition from the Board of Zoning Appeals consisting of appointed members to a Board consisting of elected officials;

WHEREAS, all other provisions of Chapter 27, Article III shall remain in effect; therefore,

**BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

Section 1. Chapter 27 - Planning and Development, Article III of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, are hereby amended to read as follows:

Sec. 27-51. - Members, officers and meetings.

- (a) The board of zoning appeals shall be composed of ~~the seven appointed members of the planning commission of the~~ unified government *board of commissioners*.
- (b) The board of zoning appeals shall annually elect one of its members as ~~chairpersonman~~. The board shall adopt rules in accordance with the provisions of this article. Meetings of the board shall be held at the call of the ~~chairpersonman~~ and at such other times as the board may determine. The board shall keep minutes of its proceedings, showing evidence presented, findings of facts by the board, decision of the board and the vote upon each question. Records of all official actions of the board shall be filed in its office and shall be a public record.
- (c) While ~~the seven appointed members shall~~ serve on both the ~~planning commission of the~~ unified government *board of commissioners* and the board of zoning appeals, they shall hold a separate meeting, which may be of a time of their choosing, as the board of zoning appeals.
- (d) *Appointed membership of the board of zoning appeals shall consist of the mayor, the two at-large commissioners, and four district commissioners serving on alternating biennial terms as follows:*
 - (1) *The second, third, fourth, and sixth district commissioners:*
 - a. *For a term ending on the Monday before the second commission meeting in December 2027, and;*
 - b. *Then for a two-year period commencing the day after the end of the term described in subsection (d)(2)a, and then for two-year terms commencing the day after the end of the term described in subsection (d)(2)b..*
 - (2) *The first, fifth, seventh, and eighth district commissioners:*
 - a. *For a two-year term commencing the day after the end of the term described in subsection (d)(1)a., and;*
 - b. *Then for a two-year term commencing the day after the end of the next term described in subsection (d)(1)b.*
- (e) *The intention of this section is for a district commissioner to be appointed to the board of zoning appeals for the final two years of a commissioner's elected term, and for all members of the board of zoning appeals to end such membership simultaneously with the end of their term on the board of commissioners, re-election notwithstanding.*

Sec. 27-54. - Removal from office; procedure.

- (a) *The members of the board of zoning appeals may be removed from their capacity as such at the request of the mayor or any commissioner, and upon the affirmative vote of six members of the unified government commission. However, if removal of the member would cause the board of zoning appeals to have less than a quorum to conduct business, the removal shall not become effective until the unified government commission has appointed a replacement for the member being removed.*

(b) The commissioner requesting the removal shall provide a notice of such request, and the reasons stated for the removal, to the clerk of the unified government. The clerk of the unified government shall provide a copy of such request for removal to the mayor, the unified government commission, and the member whose removal from the board of zoning appeals is being requested, no less than 30 days prior to any such hearing.

Section 2. That said original Section 27-51 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and are hereby repealed. That said Section 27-54 shall be added in whole to the Code of the Unified Government of Wyandotte County/Kansas City, Kansas.

Section 3. This ordinance shall take effect and be in full force only from and after its passage, approval, and publication in the official Unified Government newspaper, and from and after the passage, approval, and publication of related amendments made to Chapter 2, Article VIII, of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____
DAY OF _____, 2025.**

APPROVED:

Tyrone A. Garner, Mayor/CEO

ATTESTED:

Unified Government Clerk

APPROVED AS TO FORM:

Acting Chief Counsel

CITY PLANNING COMMISSION
APRIL 14 2025
MINUTES

The City Planning Commission met in regular session on Monday, April 14, 2025, at 6:53 p.m. (40:40), (Via Zoom Webinar and Commission Chamber of the Municipal Office Building) with the following members present: Mr. Jeff Carson, Chairman Presiding (Commission Chamber), Mrs. Karen Jones, Vice-Chairman (Zoom), Mr. Duane Beth (Commission Chamber), Mr. Jim Ernst (Zoom), Mr. Jake Miller (Zoom), Mr. Mark Mohler (Zoom), Mr. Joseph Straws (Zoom, in at 1:10:00) (Absent: Ward, Armstrong, Easterwood, and Schwartz).

Mr. Gunnar H. Hand, AICP, Director of Planning + Urban Design (Commission Chamber), Ms. Rose Morris, Professional Assistant (Zoom), Mr. Byron Toy, AICP, Lead Planner (Zoom), Ms. Mari Mongil, Office Manager (Commission Chamber), Ms. Kallie McLaughlin, Planner (Zoom), Ms. Osiris Nunez Espinoza, Planner (Zoom), and Mr. Michael Farley, Assistant Counsel (Commission Chamber), were also present.

Chairman Carson called the meeting to order at 6:53 p.m.

Secretary Morris read the Planning Commission Statement: "We would like to welcome those participating to the meeting of the City Planning Commission. The members are participating remotely by Zoom Webinar or in-person in the Commission Chamber. Mr. Jeff Carson is serving as chairman this evening.

Please note the following instructions for the meeting:

1. Planning Commission Members attending by Zoom please make sure you are visible during the meeting and use the raise your hand feature to speak. After Chairman Carson recognizes you, unmute your microphone and please state your name when you begin to speak. If you are in-person in the Commission Chamber, when Chairman Carson recognizes you, please state your name before speaking.
2. For those members of the public in attendance via Zoom or telephone, use the "raise your hand" feature when you want to speak on an issue. The Chairman will recognize you when it is your time to speak, unmute your microphone and state your name and address before giving your comments. If you are attending in person, please come to the microphone at the front of the room as the application is being called, and the Chairman will recognize you when it is your time to speak.
3. Proper meeting decorum is expected of all participating in the meeting and anyone who fails to act properly will be removed from the meeting. The City reserves the right to discontinue a meeting if any improper behavior occurs which prevents the uninterrupted conduct of business.

If you are here to comment on BOZA2025-011/PLAT2025-004, the hearing for that application has been changed to next month on May 12th.

The Planning Commission is a voluntary body of citizens, which will review each zoning proposal. For all change of zones, special use permits, vacations, and preliminary plan reviews on tonight's agenda, the Planning Commission makes recommendations to the

APRIL 14, 2025

Unified Government Board of Commissioners, who will then make the final decisions on **Thursday, May 1, 2025**. For final plats and final plan reviews heard tonight, the Planning Commission's decision is final and there will not be another hearing.

The format for this evening's meeting is as follows:

1. The applicant will make the opening statement explaining the proposal. Please note that the applicant will be given fifteen (15) minutes to present their case. The fifteen (15) minutes includes the applicant, consultants, and other members of the applicant's team.
2. Members of the Planning Commission will then address any questions they may have to the applicant. Any persons wishing to speak in favor will be called upon and allowed to do so at that time.
3. Then those persons in opposition will be called upon and allowed to make their statements and ask questions. Please note that each member of the public who wishes to speak will be given five (5) minutes to express their opinions. Time may not be shared between speakers.
4. A speaker may request to extend their time, and the Planning Commission may by two-thirds (2/3) majority vote extend any speaker's time in five (5) minute increments.
5. The Chairman will ask for a show of hands of those persons in support and in opposition that do not wish to speak.
6. The applicant will then answer questions and make a closing statement.
7. The public hearing portion of the meeting will be closed, and the public will only be allowed to address the Commission if a question is directed to them.
8. The Planning Commission will discuss the application and make their recommendation.

If persons in opposition want to formally protest a change of zone or special use permit, a means is available by a legal protest petition which can be obtained along with the necessary instructions, by emailing the Planning + Urban Design Department at planninginfo@wycokck.org tomorrow morning. Any application receiving a unanimous vote of recommendation by the Planning Commission will appear on the consent agenda of the Unified Government Board of Commissioners. Unless there is a request to remove an item from the consent agenda by the applicant, a member of the Unified Government Commission, or other interested parties, the Planning Commission's recommendation will be adopted. The consent agenda is heard at the beginning of the meeting at 7:00 p.m.

The Planning Commission will also have a consent agenda as part of their meeting this evening. The Consent Agenda is the first part of the agenda. Items on the Consent Agenda are Final Plats, Final Plans or Special Use Permit Renewals that have received a staff recommendation to approve. Unless there is a request to **REMOVE** an item from the Consent Agenda by the applicant, a member of the staff, a member of the Planning Commission or other interested parties, the staff recommendation on all the items on the Consent Agenda will be adopted by the Planning Commission at one time.

I will read a list of agenda items on the Consent Agenda, and when I have completed the list, the Chairman will ask if there are any requests to remove items. This is your time to use the raise your hand feature, be recognized, and request that an item be removed from the Consent Agenda if you do not agree with the staff's

recommendation. If you are in the Commission Chamber, please come to the microphone, state your name and address and the item you want to remove from the Consent Agenda.

The Planning Commission is required to disclose contacts about any item on the Planning Commission Agenda. Before each item I will ask if any contacts have been made and members of the Commission will be asked to disclose those contacts.

Please note that your opinions will be forwarded to the Governing Body for their consideration in making a final decision on **Thursday, May 1, 2025, at 7:00 p.m.**

I will now read the items on the **Consent Agenda**:

CONSIDERATION OF THE MARCH 10, 2025, PLANNING COMMISSION MINUTES.

SPECIAL USE PERMIT APPLICATION SP2025-008 –TIM GIEFER WITH KANSAS HEAVY CONSTRUCTION – SYNOPSIS: Renewal of a Special Use Permit for stockpiling and movement of materials for a rock crushing and gravel operation at 7241 Kaw Drive. Detailed Outline of Requested Action: The applicant, Tom Giefer with G & G Holdings DBA Kansas Heavy Construction, is requesting the renewal of a Special Use Permit to continue to operate a material stockpile and processing operation. This is the second renewal of their Special Use Permit, which expired March 9, 2025.

SPECIAL USE PERMIT APPLICATION SP2025-010 – SHERRI BAILEY SCOTT – SYNOPSIS: Renewal of a Home Occupation Special Use Permit for a Chiropractic Office at 5331 Miami Avenue. Detailed Outline of Requested Action: The applicant, Sherri Scott, is requesting a renewal of a Home Occupation Special Use Permit to operate a Chiropractic Practice at 5331 Miami Avenue. The applicant was previously a tenant and has since purchased the property. SP2022-109 expired on March 9, 2025.

PLAT APPLICATION PLAT2025-002 – ALICIA TOMLIN – SYNOPSIS: Final Plat for Boyd Center I to remove a building line and add open space easements at 7957 State Avenue. Detailed Outline of Requested Action: The applicant, Alicia Tomlin, is requesting a Final Plat to remove a building setback line and add an open space easement for the development of a Little Caesars Pizza Shoppe as part of Conditions of Approval in COZ2024-030 and Final Plan Review PR2024-033.

PLAT APPLICATION PLAT2025-005 – DARYL RAKOSKI – SYNOPSIS: Final Plat (Villas of Piper Valley Phase II) to create 23 residential lots at 11400 Spring Avenue. Detailed Outline of Requested Action: The applicant, Daryl Rakoski with Premium Builders LLC, is requesting a Final Plat for Villas of Piper Valley Phase II to subdivide one (1) parcel into 23 single-family residential lots at 11400 Spring Valley Avenue.

PLAT APPLICATION PLAT2025-006 – SCOTT RAY WITH BUC-EE'S – SYNOPSIS: Final Plat for Buc-ee's Travel Center at 601 Village West Parkway (in conjunction with PR2025-005). Detailed Outline of Requested Action: The applicant, Scott Ray with Buc-ee's, LTD, is requesting a Final Development Plan and Final Plat to create one (1) commercial lot and to build a 74,000 square foot, 120 gas pump Buc-ee's travel center (gas station and convenience store) at 601 Village West Parkway.

PLAN REVIEW APPLICATION PR2025-005 – SCOTT RAY WITH BUC-EE’S –

SYNOPSIS: Final Development Plan for Buc-ee’s Travel Center at 601 Village West Parkway (in conjunction with PLAT2025-006). Detailed Outline of Requested Action: The applicant, Scott Ray with Buc-ee’s, LTD, is requesting a Final Development Plan and Final Plat to create one (1) commercial lot and to build a 74,000 square foot, 120 gas pump Buc-ee’s travel center (gas station and convenience store) at 601 Village West Parkway.

PLAN REVIEW APPLICATION PR2025-008 – AUTUMN KING WITH BHC RHODES–

SYNOPSIS: Final Development Plan for an indoor go-kart track at 9700 State Avenue. Detailed Outline of Requested Action: The applicant, Autumn King, with BHC, is requesting a Final Development Plan to build a 55,365 square foot indoor, electric go-kart racing facility on 4.25 acres at 9700 State Avenue.

PLAN REVIEW APPLICATION PR2025-009 – SHELBY MILES WITH KIMLEY HORN

– SYNOPSIS: Final Development Plan for an apartment complex at 6909 State Avenue. Detailed Outline of Requested Action: The applicant, Shelby Miles, with Redbud Reserve, LLC, is requesting a Final Development Plan to build a 192-unit garden style multi-family apartment complex on 10.05 acres at 6909 State 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 April 14, 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 for the Special Use Permits; and,
7. The Notices to property owners;

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

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

Mark Rowe, 11255 Leavenworth Road, Kansas City, Kansas 66109, requested PR2025-005 be removed from the Consent Agenda.

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to **recommend APPROVAL** of the remaining Items on the Consent Agenda:

Carson	Chairman
Straws	Not Present
Ward	Not Present
Armstrong	Not Present
Beth	Aye

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

Motion to recommend APPROVAL passed: 5 to 0

Subject to:

SP2025-008:

1. Pertaining to development in this section, “development” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials;
2. Per Section 27-552 (a)(5)(a-b) 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. 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;
3. 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;
4. 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;
5. The applicant shall place “Texas Barriers” or “Jersey Barriers” to form a retaining wall to block the SFHA from encroachment, with boundary marking to be completed by a Kansas Licensed Survey or Engineer;
6. Any dead, dying, or otherwise unhealthy landscaping shall be planted along the Kansas River edge to mitigate erosion;
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

8. If approved, 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;
9. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
10. All existing and future driveways must feature curb cuts that are constructed to UG standards;
11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
13. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
15. The Special Use Permit shall be valid for one (1) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be

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

SP2025-010:

1. The gravel added next to the driveway shall be removed and replaced with landscaping that does not have the propensity to fall into the storm drain. No additional gravel, either for landscaping or for parking purposes, shall be placed in this area;
2. The driveway shall be repaired to UG Standards prior to next renewal;
3. Landscaping (including turf grass) shall be repaired to correct erosion control issues on the property and any dead or damaged plantings shall be replaced prior to renewal;
4. All building permits pertaining to the garage conversion shall be completed prior to renewal;
5. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
6. If approved, 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;
7. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
8. All existing and future driveways must feature curb cuts that are constructed to UG standards;

9. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
10. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
11. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
12. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
13. The Special Use Permit shall be valid for 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;
14. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and
15. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all

conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

PLAT2025-002:

1. Section 27-215h(4)a Final street, sanitary sewer, storm drainage and any other engineering plans shall be completely approved by the engineer prior to submitting the final plat to the Planning Commission. The Board of Public Utilities shall have indicated in writing prior to submission that any needed water main extension agreement or any electrical distribution agreement has been executed by the development and that underground wiring will be provided unless otherwise provided as set out herein;
2. Section 27-286 Subdivision proposals shall be designed to assure that all such proposals are consistent with the need to minimize flood damage, that all Public Utilities and facilities, such as sewer, gas, electric electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage and that adequate drainage is provided so as to reduce exposure to flood hazards. Subdivision shall be designed in accordance with the standards established in Article XXII, Division V, Subdivision III of this Chapter;
3. Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;
4. When the mylars are submitted to Staff to be recorded, submit the following fees:
 - a. \$32.00 per page payable to the Register of Deeds;
 - b. \$7.00 for one (1) lots payable to the Unified Treasurer;
5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
6. All existing and future driveways must feature curb cuts that are constructed to UG standards;
7. 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; and;
8. For the Final Development Plan: In the event the a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or a section thereof and shall so notify the unified government in writing, or in the event the landowner shall fail to commence, as evidenced by receipt of building permits and start of construction, the planned development within 18 months after final approval has been granted or in the case of subsequent phases each shall be initiated within 24 months of the issuance of a certificate of occupancy on the entire preceding phase or the plan will be considered abandoned, then in either event such final approval shall terminate and shall be deemed null and void unless such time period is extended by the planning commission upon written application by the landowner. Whenever a final plan or section thereof has been abandoned

as provided in this section, no development shall take place on the property until a new development plan has been approved.

PLAT2025-006 and PR2025-005:

1. Buc-ee's Counsel will need to work with the UG Legal Department to create a document deeding the abandoned Village West Parkway before the plat can be recorded with the Register of Deeds;
2. When the mylars are submitted to Staff to be recorded, submit the following fees:
 - a. \$32.00 per page payable to the Register of Deeds; and,
 - b. \$7.00 per lot payable to the Unified Treasurer;
3. Construct a 10-foot sidewalk on the north side of Village West Parkway;
4. Construct a sidewalk on the west side of North 118th Street with a crosswalk at the North 118th Street and Village West Parkway intersection;
5. Paint crosswalks to create a pedestrian path through the parking lot to access the sidewalk that extends around the building;
6. Parking lot islands shall be landscaped with trees;
7. Will there be a sculpture or artwork in the roundabout in front of the main entrance into the property;
8. The following requirements of the Commercial Development Guidelines Overlay District were approved with deviations by the City Planning Commission:
 - a. Section 27-576(e)(2) Exterior building materials shall not include EIFS at the ground level or comprising more than 15 percent of any façade.
 - b. Section 27-575(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of not more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three (3) of the following techniques:
 - i. Divisions or breaks in materials;
 - ii. Building offsets (projections, recesses, niches);
 - iii. Window bays;
 - iv. Separate entrances and entry treatments; or
 - v. Variation in rooflines.
 - c. Section 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers;
9. Consistent with the commercial zoning within the Village West Area, subject to approval, the zoning shall be changed to CP-2 Planned General Business District instead of CP-3 Planned Commercial District. The travel center and ancillary uses are allowed by right in the CP-2 District;
10. Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least 10 feet wide. The required 10-foot width may be provided through five (5) foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;
11. Utility easements shall connect with easements established in adjoining properties;

12. Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
13. Section 27-575(a)(2) states the parking and circulation should account for pedestrians, bicycles, and vehicles. This circulation pattern, per Section 27-575(d)(8), shall connect in a way that is obvious to users;
14. Section 27-575(d)(9) states that there shall be a pedestrian circulation from the perimeter of the site to the principal customer entrance to all buildings. Within the site, there shall be pedestrian connections provided to all pedestrian activities, including transit stops, street crossings, open space, building and store entry points, and adjacent pedestrian systems;
15. Section 27-575(d)(10) states that sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses;
16. Section 27-575(f)(1) states there should be a designated walkway or clear pathway to the main entrance of the building so that pedestrians are required to walk through parking lots. Additionally, add a crosswalk from the sidewalk off Village West Parkway roundabout south to the front door of the building;
17. Section 27-575(d)(14) states that sidewalks that are within reasonable proximity to an identified trail system should connect to the trail system and accommodate the uses anticipated on the trail (e.g. pedestrian, bicycle). Village West Parkway is designated as a Major Arterial, which requires a 10-foot sidewalk on the north side of Village West;
18. Gutters and downspouts shall be internalized with the exception of the one (1) gutter and two (2) downspouts behind the trash compactor area. Scuppers shall be recessed in the corners. Overflow drains (lamb's tongues, etc.) shall also be internalized;
19. Per the goDotte Countywide Strategic Mobility Plan, this portion along Interstate 70 is a protected scenic corridor, therefore landscaping along the southern property line is required to be enhanced;
20. Reforest around the east detention basin;
21. The notes on the landscape plan indicate that Section 27-577(d)(1) at least 75 percent of the length of the building foundations facing public streets, the exterior the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers. The landscape plan does illustrate landscaping around the foundations of the building;
22. Section 57-577(b)(1) states that new construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater;
23. Section 27-577(b)(3)(a) states that one (1) tree with a minimum caliper of two inches (ornamental evergreen trees must be at least six (6) feet tall when planted) provided for every 30 feet of street easement or frontage;
24. 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;
25. Section 27-575(e)(4) states that parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements;
26. Section 27-699(a)(6) states that non-industrial and non-structural parking lots that have a double-loaded aisle and more than 20,000 square feet in

- area shall provide at least one (1) shade tree for each 20 parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements;
27. All new landscaping shall be irrigated with an in-ground irrigation system;
 28. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted;
 29. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);
 30. 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;
 31. Pole and pylon signs are prohibited in the Sign Ordinance;
 32. 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;
 33. Section 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;
 34. Mechanical equipment or other utilities whether on the ground or mounted on the building shall be screened from public view. The screening shall either be dense landscaping with a minimum of six-foot (6') evergreens or an architectural wall constructed from the same materials as the main building;
 35. 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;
 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 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;
 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. 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;
 41. 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;
 42. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
 43. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting; and,
 44. 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.

PR2025-008:

1. **Sec. 27-576(j)** If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements to accommodate the necessary public infrastructure to adequately screen the site.

Further conversation and collaboration with Planning Engineering and the Public Works Department is required to determine if further improvements need to be made at North 98th Terrace and North 98th Street & State Avenue intersections. All other public improvements from previous Homefield redevelopment approvals are now in play with this project effectively triggering them following:

- a. At the time of the 2015 Star Bond issuance, Developer contributed Star Bond proceeds for signalization of 98th Street and State Avenue and associated improvements. The Unified Government will construct the sidewalk connection between the existing sidewalk in front of the fire station on State Avenue to 98th Street as part of the signalization project;
2. The utility easement that is shown underneath the proposed building needs to be vacated either through a Vacation application or Final Plat. The Schlitterbahn Vacation Village Second Plat illustrates a 20-foot Drainage Easement on Lot 3;
3. Denote on the Final Plat a cross-access easement between Atlas 9 and K-1 Speed because there is shared ingress/egress;
4. Per Section 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
5. Crosswalks shall be added to internal drive aisles, driveways, and intersections where sidewalks are connected along and across the perimeter of the building and throughout the parking lot where guests and employees walk to the building;
6. Install an 8-foot sidewalk along the north side of State Avenue;
7. There shall be a direct connection between State Avenue to the front door of the building;
8. Downspouts shall be internalized;
9. The loading dock doors, service entries shall be painted to match the building as the adjacent façade color of the building;
10. Section 27-466(g) requires that trees are required at not less than one (1) per 7,000 square feet of site area. Sec. 57-577(a)(5) states that landscaping shall exceed the typical code requirements by at least 75 percent. The subject property is 4.25 acres, requiring 46 trees to be provided on the site plan. This does not include the street trees along the perimeter road/drive and parking lot islands;

11. 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;
12. 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;
13. Section 27-577(d)(1) states that at least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers;
14. Section 27-575(e)(4) states that parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements;
15. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each 20 parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements;
16. 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. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
17. All landscaping shall be irrigated;
18. Section 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;
19. 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;
20. All new rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building. Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines;
21. 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;
22. 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;
23. 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;
 24. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 25. 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;
 26. 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;
 27. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspection Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
 28. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) Permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks, or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting; and,
 29. In the event the a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or a section thereof and shall so notify the unified government in writing, or in the event the landowner shall fail to commence, as evidenced by receipt of building permits and start of construction, the planned development within 18 months after final approval has been granted or in the case of subsequent phases each shall be initiated within 24 months of the issuance of a certificate of occupancy on the entire preceding phase or the plan will be considered abandoned, then in either event such final approval shall terminate and shall be deemed null and void unless such time period is extended by the planning commission upon written application by the

landowner. Whenever a final plan or section thereof has been abandoned as provided in this section, no development shall take place on the property until a new development plan has been approved.

PR2025-009:

1. Shall comply with previous Conditions of Approval from COZ2024-034 and MPL2024-01;
2. Amenities shall be available to the residents when the first apartment building is issued a Temporary Certificate of Occupancy;
3. Add signage throughout the property along the drive aisles for residents and guests to slow down;
4. Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
5. Crosswalks shall be added to internal drive aisles, driveways, and intersections where sidewalks are connected along and across the perimeter of the building and throughout the parking lot where residents and guests walk to various buildings;
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. Throughout the development, there may be a variety of native grasses and plants (wildflowers).
7. All landscaping shall be irrigated;
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. 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.
 - a. Wall and monument signs are not allowed to be illuminated in the RP-5 Planned Apartment District;
10. 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;
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. 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;
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. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspection Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
16. In the event the a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or a section thereof and shall so notify the unified government in writing, or in the event the landowner shall fail to commence, as evidenced by receipt of building permits and start of construction, the planned development within 18 months after final approval has been granted or in the case of subsequent phases each shall be initiated within 24 months of the issuance of a certificate of occupancy on the entire preceding phase or the plan will be considered abandoned, then in either event such final approval shall terminate and shall be deemed null and void unless such time period is extended by the planning commission upon written application by the landowner. Whenever a final plan or section thereof has been abandoned as provided in this section, no development shall take place on the property until a new development plan has been approved.

Chairman Carson stated that the Special Use Permit applications will be heard by the Unified Government Board of Commissioners on **May 1, 2025**, at 7:00 p.m.

Hearing starts at 51:57:

PLAT APPLICATION PLAT2025-005 – DARYL RAKOSKI – SYNOPSIS: Final Plat (Villas of Piper Valley Phase II) to create 23 residential lots at 11400 Spring Avenue. *Detailed Outline of Requested Action:* The applicant, Daryl Rakoski with Premium Builders LLC, is requesting a Final Plat for Villas of Piper Valley Phase II to subdivide one (1) parcel into 23 single-family residential lots at 11400 Spring Valley Avenue.

Present in Support:

- Krystal Voth, representing the Applicant, Atlas Land Consulting
- Daryl Rakoski, Applicant

Present in Opposition:

- Mark Rowe, 11255 Leavenworth Road, Kansas City, Kansas 66109 asking questions about the project's runoff

Staff Recommendation starts at 57:21: Planning Director Hand stated that this request is for the second phase of a subdivision to create the remaining 23 homes, carrying over all of the previous conditions of approval from the first phase. The property is located in the Prairie-Delaware-Piper Area Plan. Staff received no letters in support or in opposition. There are no Notices of Violation. Staff recommends approval with conditions.

Motion starts at 58:37:

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to **APPROVE of PLAT2025-005:**

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

Motion to APPROVE Passed: 5 to 0

Subject to:

- 1. Section 27-215h(4)a Final street, sanitary sewer, storm drainage and any other engineering plans shall be completely approved by the engineer prior to submitting the final plat to the Planning Commission. The Board of Public Utilities shall have indicated in writing prior to submission that any needed water main extension agreement or any electrical distribution agreement has been executed by the development and that underground wiring will be provided unless otherwise provided as set out herein;**
- 2. Section 27-215(h)(2)c.13(iii) A final and complete set of protective covenants shall be submitted with the final plat and shall be recorded concurrently with the plat. No lot may be sold unless the covenants have been recorded. They may be included on the actual plat as appropriate. Such covenants shall have a life of not less than 50 years and shall contain: floor area requirements and a provision not allowing construction of a driveway with direct access onto a designated thoroughfare on a residential lot;**
- 3. Section 27-286 Subdivision proposals shall be designed to assure that all such proposals are consistent with the need to minimize flood damage, that all Public Utilities and facilities, such as sewer, gas, electric electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage and that adequate drainage is provided so as to reduce exposure to flood hazards. Subdivision shall be designed in**

- accordance with the standards established in Article XXII, Division V, Subdivision III of this Chapter;
4. On-site grading shall not exacerbate water runoff onto adjacent properties;
 5. Section 27-314 Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all trees that are segments of the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be no less than four (4) feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted right-of-way abutting the property line. Walks shall be installed in pedestrian easements as may be required by the Planning Commission;
 6. Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;
 7. Maintain the natural grade and open space to the greatest extent possible. The open space tracts shall be dedicated as permanent open space in addition to their function as detention basins;
 8. Amenities shall be constructed prior to the issuance of the first building permit in Phase 2;
 9. At the North 114th Street and Spring Avenue intersection, construct a crosswalk to across Spring Avenue from north to south abut build a sidewalk on the east side of North 114th Street;
 10. Establish sidewalk connectivity throughout the subdivision. The sidewalk on North 114th Street must be on the east side to connect to the existing sidewalk in Piper Landing subdivision to the south;
 11. When the mylars are submitted to Staff to be recorded, submit the following fees:
 - a. \$32.00 per page payable to the Register of Deeds; and,
 - b. \$148.00 for 23 lots payable to the Unified Treasurer;
 12. Adhere to GeoSpatial Services Department comments and contact Robert Ringel at (913) 573-2941 or rringel@wycokck.org if you have additional questions;
 13. Utility easements shall connect with easements established in adjoining properties;
 14. Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least 10 feet wide. The required 10-foot width may be provided through five (5) foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;
 15. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);
 16. 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;
 17. Adhere to the Prairie Delaware Piper Area Plan Residential Design Guidelines for garages of single-family homes.

- a. Front loaded garages should incorporate at least one (1) of the following guidelines to limit the dominance of garage doors on the front façade:
 - i. Incorporate upper-level dormers above the garage, or,
 - ii. Design porches, stoops, and/or façades should protrude at least five (5) feet in front of the garage; or,
 - iii. Use trim, windows and other details to de-emphasize the visual impact of the garage in relation to the rest of the structure;
18. Age restricted, single-family detached, housing for seniors is allowed within Area 1 with a minimum of 1,250 square feet in a unit with a basement, or 1,400 square feet in a unit without a basement;
19. The applicant proposes two (2) floor plans with varying options for the bathroom, kitchen, living room, patio and porch: Capri IV at 1,418 square feet and Palazzo at 1,519 square feet, developing a maximum of 20% of the lots as senior housing, which is 12 of 61 lots in the subdivision;
20. For Phase 2, the future plat requires the same Covenants, Conditions and Restrictions (CCRs) placed upon that phase as Phase 1;
21. Section 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way;
22. All lighting whether mounted on the building or installed in the parking lot shall have 90-degree cutoff fixtures;
23. 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;
24. All existing and future driveways must feature curb cuts that are constructed to UG standards;
25. 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;
26. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) Permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks, or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;

27. 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;
28. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
29. All conditions of approval herein must be constructed, executed, implemented, or otherwise completed within 18 months of approval unless otherwise determined by the Director of Planning or their designee.

Director Hand stated that the Consent Agenda is complete, and the Commission will consider the Non-Consent Agenda.

Hearing starts at 59:49:

CHANGE OF ZONE APPLICATION COZ2024-033 – LYNNE BEAVER – SYNOPSIS:

Change of Zone from A-G Agriculture District to R-1 Single Family District for a one (1) lot subdivision at 2951 South 34th Street (in conjunction with PLAT2024-035). Detailed Outline of Requested Action: The applicant, Lynne Beaver, is requesting a Change of Zone from A-G Agriculture District to R-1 Single-Family District and a Preliminary/Final Plat (Stone Cliff Hills Estates) for one (1) residential lot at 2951 South 34th Street.

PLAT APPLICATION PLAT2024-035 – LYNNE BEAVER – SYNOPSIS: Preliminary and Final Plat to create one (1) residential lot at 2951 South 34th Street. Detailed Outline of Requested Action: The applicant, Lynne Beaver, is requesting a Change of Zone from A-G Agriculture District to R-1 Single-Family District and a Preliminary/Final Plat (Stone Cliff Hills Estates) for one (1) residential lot at 2951 South 34th Street.

Present in Support:

- Thomas Stibal, representing the Applicant, 509 Armstrong Avenue, Kansas City, Kansas 66101.

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:01:23: Planning Director Hand stated that this case is heard in conjunction with BOZA2024-040 for lot width and anchorage variances, which was approved by the Board of Zoning Appeals earlier in the evening. PLAT2024-035 will split the parcel, creating a new lot to be zoned R-1 with the larger, remainder

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parcel remaining as A-G. The property is located in the PlanKCK Area. Staff received no letters in support or in opposition. There are no Notices of Violation. Staff recommends approval with conditions.

Motion starts at 1:03:36:

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to **recommend APPROVAL of COZ2024-033:**

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

Motion to recommend APPROVAL Passed: 5 to 0

Subject to:

1. This City Planning Commission case is being heard in conjunction with BOZA2024-040. 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 BOZA2024-040 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;
2. No containers or other construction material shall be kept on either lot;
3. A cross-access easement shall be added to allow the shared driveway for the lots;
4. Additional easements shall be added to the plat to address any existing utilities;
5. When the mylars are submitted to Staff to be recorded, submit the following fees:
 - a. \$32.00 per page payable to the Register of Deeds; and,
 - b. \$7.00 per lot payable to the Unified Treasurer;
6. 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;
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. All existing and future driveways must feature curb cuts that are constructed to UG standards;

9. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
10. 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. 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,
12. 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.

Motion starts at 1:03:44:

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to **APPROVE of PLAT2024-035:**

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

Motion to APPROVE passed: 5 to 0
Subject to the above conditions.

Hearing starts at 1:04:32:

CHANGE OF ZONE APPLICATION COZ2025-002 – ORACIO PEREZ – SYNOPSIS:

Change of Zone from R-1(B) Single Family District to A-G Agriculture District to keep animals and farm the property at 3505 Sortor Drive. Detailed Outline of Requested Action: The applicant, Oracio Perez, is requesting a Change of Zone from R-1 Single Family to AG Agriculture District to pursue agricultural activities. The applicant wishes to keep a garden and maintain a number of roosters and fowl.

The following items were included as part of the record for this case:
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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 April 14, 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:

- Oracio Perez, Applicant, 3505 Sortor Drive, Kansas City, Kansas 66104

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:07:10: Planning Director Hand stated that this request is for a Change of Zone from R-1(B) Single Family District to A-G Agriculture District. The property is located in the PlanKCK area in the Sortor Drive neighborhood in north midtown. Staff received no letters in support, but there was opposition. There are no Notices of Violation. During the site visit, staff noticed some issues that the applicant states is being cleaned up, including cages for roosters, inoperable vehicles, and food truck storage. Staff recommends denial, but there are conditions of approval if needed. There are also conditions written to instead consider the Change of Zone as a Special Use Permit, which would allow 25 chickens and allow for the property to transition more intentionally to an agricultural use.

The Planning Commission directed questions to Director Hand.

Motion starts at 1:13:29:

On motion by Mr. Ernst, seconded by Mrs. Jones, the Planning Commission voted as follows to **HOLD OVER COZ2025-002 for 30 days until the May 12, 2025 City Planning Commission meeting in order to conduct another site visit and confirm the cleanup of the property:**

Carson	Chairman
Straws	Abstained (in at 1:10:00)
Ward	Not Present
Armstrong	Not Present
Beth	Aye
Easterwood	Not Present
Ernst	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Schwartz	Not Present

Motion to HOLD OVER Passed: 5 to 0 with one (1) abstention

Hearing starts at 1:16:37:

CHANGE OF ZONE APPLICATION COZ2025-005 – AARON WOLOFSKY –

SYNOPSIS: Change of Zone from A-G Agriculture District (WYCO) to B-P Planned Business Park District for the development of a data center (Red Wolf North Park), located at 13000 Parallel Parkway, 12504 Parallel Parkway, and 12340 Parallel Parkway. Detailed Outline of Requested Action: The applicant, Aaron Wolofsky of Red Wolf DCD Properties, LLC, is requesting a Change of Zone from A-G Agriculture District (WYCO) to B-P Planned Business Park District, a Preliminary Plat to create one (1) lot and one (1) tract, and a Master Plan Amendment from Mixed Residential and Public/Semi-Public to Business Park (Prairie Delaware Piper Area Plan) to build three (3) 330,000 square foot buildings for a data center at 13000, 12504, and 12340 Parallel Parkway on 242.12 acres.

PLAT APPLICATION PLAT2025-008 – AARON WOLOFSKY – SYNOPSIS:

Preliminary Plat for the development of a data center (Red Wolf North Park).

MASTER PLAN AMENDMENT APPLICATION MPL2025-004 AARON WOLOFSKY –

SYNOPSIS: Master Plan Amendment from Mixed Residential and Public/Semi-Public to Business Park/Commercial for the development of a data center (Red Wolf North Park).

AND

CHANGE OF ZONE APPLICATION COZ2025-006 – AARON WOLOFSKY –

SYNOPSIS: Change of Zone from A-G Agriculture, RP-1 Planned Single Family, RP-2 Planned Two Family, RP-3 Planned Townhome, and RP-5 Planned Apartment Districts to B-P Planned Business Park for the development of a data center (Red Wolf South Park), at 12425 Parallel Parkway, 12301 Parallel Parkway, 12171 Parallel Parkway, 12165 Parallel Parkway, 12133 Parallel Parkway, 12129 Parallel Parkway, 12117 Parallel Parkway, 12109 Parallel Parkway, 11914 Wood Avenue, 1800 North 121st Street, 1753 North 124th Street, 12137 Wood Avenue, 12037 Wood Avenue, 1401 North 126th Street, 12402 State Avenue, 12252 State Avenue, and 12198 State Avenue (in conjunction with PLAT2025-009 and MPL2025-003). Detailed Outline of Requested Action: The applicant, Aaron Wolofsky of Red Wolf DCD Properties, LLC, is requesting a Change of Zone from A-G Agriculture, RP-1 Planned Single Family, RP-2 Two Family, RP-3 Planned Townhome, RP-5 Planned Apartment and CP-2 Planned General Business Districts to B-P Planned Business Park District, a Preliminary Plat to create one (1) lot, and a Master Plan Amendment from Mixed Residential and Commercial/Business Park to Business Park (Prairie Delaware Piper Area Plan) to build four (4) 330,000 square foot buildings for a data center at 12425 Parallel Parkway, 12301 Parallel Parkway, 12171 Parallel Parkway, 12165 Parallel Parkway, 12133 Parallel Parkway, 12129 Parallel Parkway, 12117 Parallel Parkway, 12109 Parallel Parkway, 11914 Wood Avenue, 1800 North 121st Street, 1753 North 124th Street, 12137 Wood Avenue, 12037 Wood Avenue, 1401 North 126th Street, 12402 State Avenue, 12252 State Avenue, and 12198 State Avenue on 306 acres.

PLAT APPLICATION PLAT2025-009 – AARON WOLOFSKY – SYNOPSIS:

Preliminary Plat for the development of a data center (Red Wolf South Park).

MASTER PLAN AMENDMENT APPLICATION MPL2025-003 – AARON WOLOFSKY
– **SYNOPSIS:** Master Plan Amendment from Mixed Residential and Public/Semi-Public to Business Park/Commercial for the development of a data center (Red Wolf South Park).

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 April 14, 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 for the Change of Zone and Master Plan Amendment; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on these applications. Chairman Carson stated that he has spoken to several proponents and opponents of these applications. Commissioner Beth also stated he has spoken to proponents and opponents and recused himself from the proceedings as he lives in the noticing area of the properties.

Present in Support:

- Korb Maxwell, representing the Applicant, Polsinelli Law Firm
- Matt Phelps, Thomas & Hutton, Project Engineer
- Scott Coryell, Bell/Knott & Associates, Project Architect
- Greg Kindle, President of the Wyandotte Economic Development Council
- Mindy Rocha, local resident, Union Mechanical Contractor who works on data centers

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

The Commission directed their question to Mr. Maxwell.

Present in Opposition:

- Neil Palmer, 2600 North 131st Street, Kansas City, Kansas 66109
- David Wilson, 2450 North 131st Street, Kansas City, Kansas 66109

Staff Recommendation starts at 2:26:01: Planning Director Hand stated that this request is for a data center on the north and south side of Parallel Parkway. The Change of Zone includes multiple zoning categories converting to B-P Planned Business Park District. There are also applications to replat the parcels and a Master Plan Amendment to Business Park/Commercial. The property is located in the Prairie-Delaware-Piper Area Plan. Staff received no letters in support or in opposition before this evening's meeting. There are no Notices of Violation. Staff recommends approval with conditions, including the addition of sidewalks, enhanced landscaping, and open space easements for the ephemeral streams and wetlands on site. The development is slightly short on parking, but the issue can be addressed when the developers come

back for their Final Development Plan.

The Planning Commission directed questions to Director Hand.

Motion starts at 2:39:12:

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of MPL2025-004:**

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

Motion to recommend APPROVAL Passed: 5 to 0

Subject to:

- 1. Section 27-472(c) No noise, odors, vibration or other impacts shall be discernible off the premises of the building;**
- 2. For the Final Development Plan: Shall comply with KCKFD requirements and regulations regarding aerial truck access, location of fire hydrants, a secondary access road to facilitate fire protection and compliance with NFPA 75 standards;**
- 3. For the Final Plat: Sec. 27-215h(4)a Final street, sanitary sewer, storm drainage and any other engineering plans shall be completely approved by the engineer prior to submitting the final plat to the Planning Commission. The Board of Public Utilities shall have indicated in writing prior to submission that any need water main extension agreement or any electrical distribution agreement has been executed by the development and that underground wiring will be provided unless otherwise provided as set out herein;**
- 4. Per the goDotte Countywide Strategic Mobility Plan, build an 8-foot sidewalk along the east right-of-way line on North 131st Street;**
- 5. In lieu of creating an internal pedestrian trail as part of the Business Park requirements in the Prairie Delaware Piper Area Plan, build an 8-foot sidewalk along the north side of Parallel Parkway;**
- 6. Ensure the west side of the building along North 131st Street looks similar in appearance as the building facing south towards Parallel Parkway – more office-like with windows, variety of building materials and articulation. The residents on the west side of North 131st Street will be looking at a monolithic warehouse building in size and appearance;**
- 7. Maintain the north/south oriented building 180 degrees so the cooler towers/chillers are on the north side of the site rather than the south;**
- 8. Section 27-472(g) A reasonable amount of landscaping is required on all projects in this district with emphasis being placed on screening or otherwise softening the visual impact of unsightly areas and enhancing the overall appearance. Such features shall be depicted on a properly prepared**

plan. Trees are required to be provided at not less than one (1) per 8,000 square feet of site area. Six (6) foot high architectural screening in combination with a 25-foot buffer area is to be provided along side and rear property lines common to or across an alley from residentially zoned property. The site is 242.12 acres, which requires 1,318 trees to be planted. Existing mature trees can count towards that total. The landscape buffering required along side and rear property lines abutting residential zoned property does not include the one (1) tree per 8,000 square foot of site area requirement;

9. Create an open space easement along the blue line streamways (Intermittent stream, forested wetland and ephemeral stream depicted on sheet C1.0) in the southwest corner of the site;
10. The protected wetland on the east side of the property and south of the proposed substation, preserve as an open space easement;
11. For the Final Development Plan: Mitigation measures need to be taken with the creek underneath the building in the southwest corner of the development;
12. All detention basins need to be more natural in shape, less oblong;
13. Ground mounted cooler towers/chillers need to be screened from public view (i.e., the public right-of-way and any abutting residences);
14. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);
15. All landscaping shall be irrigated with an in-ground irrigation system;
16. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
17. All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
18. Regarding BPU transformer screening, the following applies:
 - a. Gate doors are required for all types of screening that are placed in front of the transformers.
 - b. Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet of clearance from pad when gate doors open.
 - c. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.
 - d. For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.
 - e. Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking into account the growth of saplings).

- f. Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open;
19. 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;
20. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
21. 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;
22. All existing and future driveways must feature curb cuts that are constructed to UG standards;
23. 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;
24. 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;
25. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
26. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;

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

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of COZ2025-005:**

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

Motion to recommend APPROVAL Passed: 5 to 0
Subject to the above conditions.

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **APPROVE of PLAT2025-008:**

Straws	Aye
Ward	Not Present
Armstrong	Not Present
Beth	Recused Self
Easterwood	Not Present
Ernst	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Schwartz	Not Present

Motion to APPROVE Passed: 5 to 0
Subject to the above conditions.

Motion starts at 2:41:46:

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of MPL2025-003:**

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

Motion to recommend APPROVAL passed: 5 to 0

Subject to:

- 1. Section 27-472(c) No noise, odors, vibration or other impacts shall be discernible off the premises of the building;**
- 2. For the Final Development Plan: Shall comply with KCKFD requirements and regulations regarding aerial truck access, location of fire hydrants, a secondary access road to facilitate fire protection and compliance with NFPA 75 standards;**
- 3. For the Final Plat: Sec. 27-215h(4)a Final street, sanitary sewer, storm drainage and any other engineering plans shall be completely approved by the engineer prior to submitting the final plat to the Planning Commission. The Board of Public Utilities shall have indicated in writing prior to submission that any need water main extension agreement or any electrical distribution agreement has been executed by the development and that underground wiring will be provided unless otherwise provided as set out herein;**
- 4. Per the goDotte Countywide Strategic Mobility Plan, build an 8-foot sidewalk along the east right-of-way line on North 131st Street;**
- 5. In lieu of creating an internal pedestrian trail as part of the Business Park requirements in the Prairie Delaware Piper Area Plan, build an 8-foot sidewalk along the north side of Parallel Parkway towards North 115th Street;**
- 6. Ensure the west side of the building along North 126th Street look similar in appearance as the building facing south towards Parallel Parkway – more office-like with windows, variety of building materials and articulation. The residents on the west side of the westernmost building will be looking at a monolithic warehouse building in size and appearance;**
- 7. Maintain the north/south oriented building 180 degrees so the cooler towers/chillers are on the north side of the site rather than the south;**
- 8. Section 27-472(g) A reasonable amount of landscaping is required on all projects in this district with emphasis being placed on screening or otherwise softening the visual impact of unsightly areas and enhancing the overall appearance. Such features shall be depicted on a properly prepared plan. Trees are required to be provided at not less than one (1) per 8,000 square feet of site area. Six (6) foot high architectural screening in combination with a 25-foot buffer area is to be provided along side and rear**

property lines common to or across an alley from residentially zoned property. The site is 306 acres, which requires 1,666 trees to be planted. Existing mature trees can count towards that total.

The landscape buffering required along side and rear property lines abutting residential zoned property does not include the one (1) tree per 8,000 square foot of site area requirement;

9. Create an open space easement along the blue line streamways (Intermittent stream, forested wetland and ephemeral stream depicted on sheet C1.0) in the southwest corner of the site;
10. The protected wetland on the east side of the property and south of the proposed substation, preserve as an open space easement;
11. For the Final Development Plan: Mitigation measures need to be taken with the creek underneath the building in the southwest corner of the development;
12. All detention basins need to be more natural in shape, less oblong;
13. Ground mounted cooler towers/chillers need to be screened from public view (i.e., the public right-of-way and any abutting residences);
14. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);
15. All landscaping shall be irrigated with an in-ground irrigation system;
16. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
17. All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
18. Regarding BPU transformer screening, the following applies:
 - a. Gate doors are required for all types of screening that are placed in front of the transformers.
 - b. Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet of clearance from pad when gate doors open.
 - c. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.
 - d. For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.
 - e. Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking into account the growth of saplings).
 - f. Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open;

19. 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;
20. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
21. 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;
22. All existing and future driveways must feature curb cuts that are constructed to UG standards;
23. 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;
24. 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;
25. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
26. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;
27. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete

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

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.

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of COZ2025-006:**

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

Motion to recommend APPROVAL Passed: 5 to 0
Subject to the above conditions.

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **APPROVE of PLAT2025-009:**

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

Motion to APPROVE Passed: 5 to 0
Subject to the above conditions.

Hearing starts at 2:44:29:

SPECIAL USE PERMIT APPLICATION SP2024-088 –JESUS SANTOYA –

SYNOPSIS: Special Use Permit to keep pigeons at 2542 South 12th Terrace (in conjunction with BOZA2024-027). *Detailed Outline of Requested Action:* The applicant, Jesus Santoyo, wants to keep pigeons in coops/lofts in the side and rear yard on the property.

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 April 14, 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 2:45:24: Planning Director Hand stated that the applicant left after the accompanying variance request, BOZA2024-027, was held over to next month earlier in the evening. This application is for a Special Use Permit to keep more than six (6) fowl. The property is in the PlanKCK Comprehensive Plan area in the Rosedale neighborhood. Staff received no letters in support or in opposition. There is an active Notice of Violation for the more than allowed accessory structures. Staff recommends a hold over for 30 days to align with the Board of Zoning Appeals action.

Motion starts at 2:46:20:

On motion by Mr. Ernst, seconded by Mrs. Jones, the Planning Commission voted as follows to **HOLD OVER SP2024-088:**

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

Schwartz **Not Present**
Motion to HOLD OVER passed: 5 to 0 with one (1) abstention

Hearing starts at 2:47:09:

SPECIAL USE PERMIT APPLICATION SP2024-116 –NADIA GRIFFITT WITH LATIN QUARTERS – SYNOPSIS: Special Use Permit for a drinking establishment with live entertainment and events at 508 Kansas Avenue. *Detailed Outline of Requested Action:* The applicant, Nadia Griffitt, is requesting a Special Use Permit to operate a drinking establishment with live entertainment and events at 508 Kansas Avenue. The applicant has operated at the location since approximately 2016 under various business names, now Latin Quarters. The building’s owner, Israel Mendez, has operated at the location as early as 2008, but joined the Applicant as a business officer with the formation of Latin Quarters in 2016.

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 April 14, 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 2:48:04: Planning Director Hand stated that this request is for a Special Use Permit for a drinking establishment with live entertainment and events. The property is located in the Armourdale Area Plan. Staff received no letters in support or in opposition. There are some older Notices of Violation and calls for police service. Staff was recommending denial when the neighborhood meeting information was received after the material’s submission deadline. Staff has also found that the upstairs of the building, which was last apartments, has been converted into an event space without building permits. This changes their occupancy load and parking requirement, would require a retroactive building permit, and as there is evidence of adult entertainment, would potentially require a new noticing and neighborhood meeting. Staff is now recommending a hold over to address those issues with the applicant.

Motion starts at 2:50:05:

On motion by Mr. Ernst , seconded by Mrs. Jones, the Planning Commission voted as follows to **HOLD OVER SP2024-116 for 30 days until the May 12, 2025 meeting:**

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

Motion to HOLD OVER Passed: 6 to 0

Hearing starts at 2:50:43:

SPECIAL USE PERMIT APPLICATION SP2025-004 –ADAM AND LAURA JOHNSON

– **SYNOPSIS:** Special Use Permit to keep animals at 3030 South 63rd Street. Detailed Outline of Requested Action: The applicants, Adam and Laura Johnson, are requesting a Special Use Permit to keep 25 fowl as part of an urban farmstead at 3030 South 63rd Street. This is the applicant's first Special Use Permit renewal. Currently, 25 fowl (chicken) are permitted and the applicants keep an orchard.

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 April 14, 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:

- Adam Johnson, Applicant, 3030 South 63rd Street, Kansas City, Kansas 66106
- Laura Johnson, Applicant, 3030 South 63rd Street, Kansas City, Kansas 66106

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:52:49: Planning Director Hand stated that this application is for a Special Use Permit for up to 25 fowl. The previous Special Use Permit on the property has lapsed. The property is located in the PlankCK

Comprehensive Area in the Turner neighborhood. Staff received no letters in support or in opposition. There are some older Notices of Violation on the property, which have all been rectified. Staff recommends approval with conditions for five (5) years.

Motion starts at 2:53:35:

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-004 for five (5) years:**

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

Motion to recommend APPROVAL passed: 6 to 0

Subject to:

- 1. All animals must be registered with Animal Control;**
- 2. The number of fowl is limited to 25, with no roosters permitted;**
- 3. Composting efforts for waste shall be continued;**
- 4. The missing plumbing and electrical permits shall be obtained for the contractor if required by building inspections;**
- 5. Should any eggs, meat, or produce be sold, it must be sold directly to the consumer and follow the guidelines of MF3138 as updated February 2025 or latest revision thereto;**
- 6. Should any processing beyond initial harvest occur for food stuffs and these items be desired to be sold direct to consumer, an expansion of this Special Use Permit for food processing shall be required, unless otherwise an expanded permitted use under Home Occupation Accessory Use Ordinances;**
- 7. Per Section 27-593(a)(10)a, fowl must be kept no closer than 25 feet to the nearest portion of any building occupied by or in any way used by human beings, other than the dwelling occupied by the owner or keeper of the animals or fowl, or closer than 10 feet to the property line of the lot.**
- 8. When the building renovation is completed, the driveway must be restored to asphalt or concrete in accordance with UG Standards;**
- 9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
- 10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building**

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

11. All existing and future driveways must feature curb cuts that are constructed to UG standards;
12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
13. 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. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
15. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and
17. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Hearing starts at 2:54:26:

SPECIAL USE PERMIT APPLICATION SP2025-012 –CYNTHIA NIELSEN–

SYNOPSIS: Special Use Permit for a short-term rental at 3030 North 64th Street.

Detailed Outline of Requested Action: The applicant, Cindy Nielsen, is requesting a Special Use Permit to operate a short-term rental at 3030 North 64th Street. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 3000 block of North 64th Street. The owner has been operating the property without a permit since September 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 April 14, 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:

- Cindy Nielsen, 3030 North 64th Street, Kansas City, Kansas 66104

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:56:18: Planning Director Hand stated that this application is for a non-owner-occupied short-term rental. The property is located in the PlanKCK Comprehensive Plan Area in the north midtown neighborhood. Staff received no letters in support or in opposition. There are some older Notices of Violation, which have since been rectified. Staff recommends approval with conditions, which includes a maximum of seven (7) people on-site and three (3) cars off-street.

Motion starts at 2:57:06:

On motion by Mr. Straws, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-012 for one (1) year:**

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

Mohler **Aye**
Schwartz **Not Present**

Motion to recommend APPROVAL passed: 6 to 0

Subject to:

- 1. The short-term residential rental shall be equipped with a minimum five-gallon heat rated metal container with a tight-fitting lid for ash disposal, which is clearly labeled. Instructions on storage or placement of ashes shall be stated in the rental agreement and on the notice posted within each unit. Do not place can on or near any furniture or other combustible material. Ashes must be wet down thoroughly with water. Ash can must be stored outside with a minimum of three (3) foot clearance from building, porch, trees, etc. A lid must remain on ash can when in use. A proper water source shall be immediately available to the solid fuel BBQ. If fire suspension is in effect in region, all fire codes from local jurisdiction shall be adhered to. Solid fuel barbeques or grills are prohibited on wood decks, landings, or porches;**
- 2. The following items must be repaired prior to renewal:**
 - a. The chimney shall be inspected and verified for safe use, including the flue, chimney cap, and damaged brick. Additional repairs may be required as a result of this inspection;**
 - b. Dryer venting shall be hard ducting through the wall penetration. Flex duct shall only be used to connect the dryer appliance to the hard duct;**
 - c. The electrical panel breaker shall be repaired (breakers, main braker, long-term extension cords, GFCI outlets, etc.);**
 - d. The water heater is a 2019 model and no permit was found on file. A plumbing permit is required for water heater installation;**
 - e. Water heater temperature shall be set to a minimum of 120 degrees;**
- 3. Smoke and Carbon Monoxide detectors must be continuously maintained for functionality and proper working order;**
- 4. Maximum number of guests shall be 7;**
- 5. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
- 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. 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 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;
14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
15. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
16. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
17. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
18. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
19. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be

considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

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

Hearing starts at 2:58:12:

SPECIAL USE PERMIT APPLICATION SP2025-013 – PREMIER RE 1801 LLC–

SYNOPSIS: Special Use Permit for a 2,300 square foot building expansion on a used automotive dealership to provide vehicle maintenance and repair services (amending SP-2016-54) at 1801 North 100th Terrace. Detailed Outline of Requested Action: The applicant, Premier RE 1801 LLC, wants to amend the existing Special Use Permit (SP-2016-54) to build a 2,335 square foot expansion onto the 4,500 square foot building to enlarge the automotive maintenance and repair shop at 1801 North 100th Terrace.

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 April 14, 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:

- Don Henton, representing the Applicant, 6131 Acuff street, Shawnee, Kansas 66216

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:00:27: Planning Director Hand stated that this application amends SP-2016-54 to expand the use from auto sales only to sales and
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maintenance of automobiles. The property is located in the Prairie-Delaware-Piper Area Plan. Staff received no letters in support or in opposition. There are some older Notices of Violation, which have all since been rectified. Staff recommends approval with conditions, including connecting the sidewalk to the front door of the building, adding some additional landscaping, and ensuring the new building expansion follows the Commercial Design Guidelines.

Motion starts at 3:01:54:

On motion by Mr. Straws, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-013 for five (5) years:**

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

Motion to recommend APPROVAL passed: 6 to 0

Subject to:

- 1. Continue to comply with previous Conditions of Approval from SP-2016-54/PR-2016-17;**
- 2. The building addition shall match the existing 4,500 square foot building;**
- 3. Gravel parking on the north side of the building is not permitted per ordinance. Either remove the gravel and restore the area to grass (previous condition) and park the vehicles within the existing parking lot or the additional parking lot must be an improved surface (e.g. concrete or asphalt) and comply with the Commercial Design Guidelines;**
- 4. Build a sidewalk to the front of the existing building from North 100th Terrace and Troup Avenue. For specificity – a winding sidewalk extending from Troup Avenue between the two (2) northern rows of parking with a crosswalk across the drive aisle and tying into the ingress/egress sidewalk and on the north side of the building;**
- 5. Replace all dead trees from the original development and any deficiency;**
- 6. Detached temporary signs need to comply with the Sign Code, therefore, some need to be removed from the property;**
- 7. If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator;**
- 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. 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;
10. 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;
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. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
13. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
14. 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;

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. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
17. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;
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 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 five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
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.

Hearing starts at 3:02:46:

SPECIAL USE PERMIT APPLICATION SP2025-015 – BRIAN GLASSER–

SYNOPSIS: Special Use Permit for a short-term rental at 616 Elizabeth Avenue.

Detailed Outline of Requested Action: The applicant, Brian Glasser with aKCo Investments, is requesting a Special Use Permit to operate a short-term rental at 616 Elizabeth. This is the co-owner's primary residence although he is not on-site to manage the property when leased for short-term use. This would be the first and only permitted short-term rental on the 600 block of Elizabeth. There are previous Special Use Permits for the same operation, although the applicant ceased operations during the Covid pandemic.

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 April 14, 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:

➤ Brian Glasser, Applicant, 616 Elizabeth Avenue, Kansas City, Kansas 66101
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Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:04:34: Planning Director Hand stated that this request is for an owner-occupied short-term rental, but since the home will be rented while the owner is traveling for work, a Special Use Permit is required. The property is located in the Central Area Plan. Staff received no letters in support or in opposition. There are some older Notices of Violation from when the property was vacant before the current owner. Staff recommends approval with conditions, including a maximum of five (5) people on-site and two (2) cars on street.

Motion starts at 3:05:18:

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-015 for one (1) year:**

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

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

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

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

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

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

Hearing starts at 3:06:11:

PLAT APPLICATION PLAT2025-001 – PAUL GOEHAUSEN WITH GOEHAUSEN & COMPANY – SYNOPSIS:

Preliminary and Final Plat for Premier Farms, a four-lot, 34.47 acre Subdivision at 6224 North 107th Street. Detailed Outline of Requested Action: The applicant, Paul Goehausen with Goehausen & Co, is requesting a Preliminary and Final Plat for Premier Farms, a subdivision of an 120-acre parcel into four (4) individual lots. A single-family home resides on the subject property and will remain, while the other three (3) lots will be available to purchase for the creation of new single-family homes.

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 April 14, 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 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:

- Paul Goehausen, Applicant, 8435 Cherokee Lane, Leawood, Kansas 66206

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:08:13: Planning Director Hand stated that this request is for a plat for a four-lot subdivision, including three (3) new parcels with one large remainder parcel. The property is located in the Prairie-Delaware-Piper Area Plan. Staff received no letters in support or in opposition. There are some older Notices of Violation, which have all been rectified. While the property is not in a floodplain, there is concern with future flooding potential. The applicant has worked with staff to develop build-to lines to keep development out of the potential future flooding areas. Staff recommends approval with conditions.

Motion starts at 3:09:12:

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to **APPROVE of PLAT2025-001:**

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

Motion to APPROVE Passed: 6 to 0
Subject to:

1. Section 27-286 Subdivision proposals shall be designed to assure that all such proposals are consistent with the need to minimize flood damage, that all Public Utilities and facilities, such as sewer, gas, electric electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage and that adequate drainage is provided so as to reduce exposure to flood hazards. Subdivision shall be designed in accordance with the standards established in Article XXII, Division V, Subdivision III of this Chapter;
2. Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;
3. When the mylars are submitted to Staff to be recorded, submit the following fees:
 - a. \$32.00 per page payable to the Register of Deeds;
 - b. \$21.00 for three (3) lots payable to the Unified Treasurer;
4. 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;
5. Septic systems require the approval of Environmental Health prior to installation and permit;

6. 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;
7. 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;
8. The Subject Property has identified areas that Base Level Elevations indicate meet the criteria for 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, or Base Level Elevations per best available data. The Survey is required to be signed and sealed by and Kansas licensed surveyor or engineer;
9. The Subject Property, being within an area that meets the criteria for flooding per Base Level Elevation best available data, 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;
10. The proposed new development, being within an area that meets the criteria for flooding per Base Level Elevation best available data, should design such proposals to be consistent with the need to minimize flood damage;
 - a. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 - b. Adequate drainage is provided so as to reduce exposure to flood hazards;

- c. All private utilities and facilities, such as propane tanks, fuel or gas tanks, or other chemicals or pesticides be constructed and anchored to minimize or eliminate flood damage;
11. The Subject Property, being within an area that meets the criteria for flooding per Base Level Elevation best available data, 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;
12. The Subject Property, being within an area that meets the criteria for flooding per Base Level Elevation best available data, 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. 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;
14. All existing and future driveways must feature curb cuts that are constructed to UG standards; and,
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.

Hearing starts at 3:09:52:

PLAT APPLICATION PLAT2025-003 – BELMONT DEVELOPMENT COMPANY–

SYNOPSIS: Final Plat for the Re-Plat of Legacy Park Estates (Tract C) near 229 North 64th Terrace (in conjunction with BOZA2025-008, BOZA2025-009, and BOZA2025-010). Detailed Outline of Requested Action: The applicant, Shawn Smith of Belmont Development Company, is requesting a Final Re-Plat of Legacy Park Estates. The property is already subdivided and constructed, although a surveying error was discovered and needs administrative correction.

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 April 14, 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 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:

- Derrick Hamilton, Builder and Developer, representing the Applicant, 222 East Main Street, Oklahoma City, Oklahoma 73104

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:11:49: Planning Director Hand stated that this application is to correct an error by the applicant during a field survey that incorrectly sited three (3) of the homes in the subdivision. The case is being heard in conjunction with front yard setback variances BOZA2025-008, BOZA2025-009, and BOZA2025-010, which were all approved by the Board of Zoning Appeals earlier in the evening. This plat removes the build-to lines to enable the variances. The property is located in the PlanKCK Comprehensive Plan area in the midtown south neighborhood. Staff received no letters in support or in opposition. There are some older Notices of Violation from before the site was developed and have since been rectified. Staff recommends approval with conditions.

Motion starts at 3:12:51:

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **APPROVE of PLAT2025-003:**

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

Motion to APPROVE Passed: 6 to 0

Subject to:

1. 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;

2. Any grass or landscaping that appears patchy, dead, or in otherwise not healthy condition shall be replanted and maintained;
3. All existing and future driveways must feature curb cuts that are constructed to UG standards;
4. 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; and
5. 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.

Hearing starts at 3:13:42:

PLAN REVIEW APPLICATION PR2024-041 – AUSTIN THOMPSON WITH ATLAS LAND CONSULTING – SYNOPSIS: Final Development Plan to convert a vacant school building into a 25-unit apartment building at 313 North 10th Street (in conjunction with MPL2025-002) *Detailed Outline of Requested Action:* The applicant, Austin Thompson, is requesting a Final Development Plan Review and a Master Plan Amendment from Public/Semi-Public to High Density Residential (Central Area Plan) to convert a school building into apartments at 313 North 10th Street.

MASTER PLAN AMENDMENT APPLICATION MPL2025-002 – AUSTIN THOMPSON WITH ATLAS LAND CONSULTING – SYNOPSIS: Master Plan Amendment from Public/Semi-Public to High Density Residential in the Central Area Plan for a school to apartment building conversion at 313 North 10th 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 April 14, 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:

- Krystal Voth, Atlas Land Consulting

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:15:59: Planning Director Hand stated that this Final Plan Review is being heard in conjunction with MPL2025-002. This application is for a previously abandoned school being converted into apartments. The Change of Zone functioned as the Preliminary Development Plan and has previously been approved. The property is located in the Central Area Plan. Staff recommends approval with conditions.

Motion starts at 3:17:41:

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to **recommend APPROVAL of MPL2025-002:**

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

Motion to recommend APPROVAL passed: 6 to 0

Subject to:

- 1. No changes are being proposed to the exterior of the building. The engraving, façade, soffits and fascia shall be preserved;**
- 2. Any new rooftop equipment must be screened with a parapet or other method of screening;**
- 3. The sidewalks on North 10th Street and Splitlog shall be repaired and/or replaced;**
- 4. Per the applicant's submittal, the landscaping shall consist of the following:**
 - i. 10 trees as required by Section 27-460(f); These should be installed along the street on North 10th Street and Splitlog Avenue;**
 - ii. 16 shade trees and 48 shrubs as required for buffering by Section 27-700(b)(1) or Three (3) trees and 24 shrubs;**
 - iii. Additional hedges shall be added along the length of the parking lot to screen any headlights from shining onto nearby property;**
 - iv. A privacy fence shall be provided along the eastern property line of new Lot 1;**
- 5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building 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;**
- 6. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the**

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

7. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
8. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
9. If approved, the applicant must file and maintain a current business occupation tax application with this office;
10. All existing and future driveways must feature curb cuts that are constructed to UG standards;
11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
12. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
13. Proposed development within this plat will require civil drawings to be submitted, which may result in submitting a revised replat;
14. 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;
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. All new rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building.

- Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines;
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 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,
 18. In the event the a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or a section thereof and shall so notify the unified government in writing, or in the event the landowner shall fail to commence, as evidenced by receipt of building permits and start of construction, the planned development within 18 months after final approval has been granted or in the case of subsequent phases each shall be initiated within 24 months of the issuance of a certificate of occupancy on the entire preceding phase or the plan will be considered abandoned, then in either event such final approval shall terminate and shall be deemed null and void unless such time period is extended by the planning commission upon written application by the landowner. Whenever a final plan or section thereof has been abandoned as provided in this section, no development shall take place on the property until a new development plan has been approved.

Motion starts at 3:18:23:

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to **APPROVE** of PR2024-041:

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

Motion to APPROVE Passed: 6 to 0
Subject to the above conditions.

Hearing starts at 3:19:21:

PLAN REVIEW APPLICATION PR2025-003 – LUKE WILLIAMS WITH RAVINA FARMS – SYNOPSIS: Final Development Plan Review for site improvements for a landscaping business at 7301 State Avenue. Detailed Outline of Requested Action: The applicant, Luke Williams with Ravina Farms, is requesting a Final Plan Review for site

improvements for a landscaping business at 7301 State Avenue. The applicant is phasing the current plan to scale for future growth and mitigate the modification of Mill Creek watercourse, which was discovered after the prior petition.

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 April 14, 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 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 3:20:21: Planning Director Hand stated that this application is a Final Development Plan for a landscaping business. The Change of Zone functioned as the Preliminary Development Plan and has already been approved. The 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 from when work was done without permits before the current property owner. Staff recommends approval with conditions.

Motion starts at 3:22:20:

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to **APPROVE of PR2025-003:**

Carson	Chairman
Straws	Aye
Ward	Not Present
Armstrong	Not Present
Beth	Aye
Easterwood	Not Present
Ernst	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Schwartz	Not Present
Motion to APPROVE Passed: 6 to 0	
Subject to:	

1. This Final Development Plan has been revised to accommodate engineering needs regarding the modification of Mill Creek. Future phases or additions to the site will be subject to review, either through a Final Development Plan, Development Review Committee permit, and/or Floodplain Development Permit;
2. The site may need additional revisions as a result of FEMA's determination of acceptance of the Mill Creek Revision. This may include demolition or modifications of existing improvements currently depicted in this site plan, which may require another Final Development Plan, Variances, or other permit or entitlement to comply with ordinances and determinations;
3. All conditions from COZ2024-036 will continue to apply, including:
 - a. A sidewalk connection shall be provided to State Avenue, with a pedestrian pathway to the front door of the business.
 - b. 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.
 - c. Per C-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.
 - d. Additional bushes, shrubs, trees shall be provided on portion of frontage located east of the driveway entrance.
 - e. The pole sign on the property shall be removed, as it is an obsolete sign, now prohibited by the sign ordinance.
 - f. All lights on property shall have a 90-degree cutoff, to prevent light from being cast on nearby property, or the roadway.
4. 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;
5. Per Section 27-552(a)(2) Until a floodway is designated, no new construction, substantial improvements, or other development, including fill, shall be permitted within any unnumbered or numbered A zones, or AE zones on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community;
6. Per Section 27-551(c)(5) it is the duty of the Floodplain Administrator to notify adjacent communities and the Division of Water Resources, Kansas Department of Agriculture, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
2. 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 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.
3. 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.
4. 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).
5. 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.
1. 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;
2. 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;
3. If approved, the applicant must file and maintain a current business occupation tax application with this office;
4. 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;
5. All existing and future driveways must feature curb cuts that are constructed to UG standards;
6. 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;
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. 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;
9. 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;
10. 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; and,
 11. Section 27-573 acknowledges the use of the Commercial Design Guidelines and their use in this district as established by Ordinance O-50-06.
 12. Regarding BPU transformer screening, the following applies:
 - c. Gate doors are required for all types of screening that are placed in front of the transformers.
 - d. 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.
 - e. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.
 - f. For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.
 - g. 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).
 - h. 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.
 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.

Hearing starts at 3:23:15:

PLAN REVIEW APPLICATION PR2025-006 – JAMES LUKACOVIC WITH WSKF ARCHITECTS – SYNOPSIS: Final Development Plan to add a residence at 921 Homer Avenue. *Detailed Outline of Requested Action:* The applicant, James Lukacovic with WSKF Architects, Inc., is requesting a Final Plan Review to construct a single-family residence with a chapel at an existing monastery.

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 April 14, 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 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:

- John Freshnock, WSKF Architects, representing the Applicant, 707 Minnesota Avenue, Suite 506, Kansas City, Kansas 66101
- Constituent of Little Sisters of the Lamb, 36 South Boeke Street, Kansas City, Kansas 66101

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:27:25: Planning Director Hand stated that this application is for the Final Development Plan to add a home at an existing monastery. The property is located in the Central Area Plan. Staff received no letters in support or in opposition. There are some older Notices of Violation from before the property was developed into a monastery, which have all been rectified. Staff recommends approval with conditions.

Motion starts at 3:32:30:

On motion by Mr. Ernst, seconded by Mr. Straws, the Planning Commission voted as follows to **APPROVE** of PR2025-006:

Carson	Chairman
Straws	Aye
Ward	Not Present
Armstrong	Not Present
Beth	Aye
Easterwood	Not Present

APRIL 14, 2025

Ernst Aye
Jones Aye
Miller Aye
Mohler Aye
Schwartz Not Present
Motion to APPROVE passed: 6 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:
 - Per Section 27-575(d)(10), sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses;
 - Per Section 27-575(f)(3), buildings should be oriented primarily to the street;
 - Per Section 27-575(f)(5), entrances should be easily identifiable as primary points of access to buildings;
 - Per Section 27-596(c)(2), in order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade;
 - Per Section 27-575(e)(2)(a), exterior building materials shall not include split shakes, rough sawn, or board and batten wood;
 - Per Section 27-575(e)(4) all building facades shall be at least 50 percent masonry;
 - Per Section 27-575(h)(1), windows, windows with awnings, and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots;
2. 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;
3. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
4. 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.
5. All existing and future driveways must feature curb cuts that are constructed to UG standards;
6. 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.

7. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
8. 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; and
9. In the event the a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or a section thereof and shall so notify the unified government in writing, or in the event the landowner shall fail to commence, as evidenced by receipt of building permits and start of construction, the planned development within 18 months after final approval has been granted or in the case of subsequent phases each shall be initiated within 24 months of the issuance of a certificate of occupancy on the entire preceding phase or the plan will be considered abandoned, then in either event such final approval shall terminate and shall be deemed null and void unless such time period is extended by the planning commission upon written application by the landowner. Whenever a final plan or section thereof has been abandoned as provided in this section, no development shall take place on the property until a new development plan has been approved.

Reports at 3:33:31:

Mr. Mike Farley, Assistant Legal Counsel, gave a presentation on proposed amendments to the zoning code, which would change the members of the Board of Zoning Appeals from appointees to members of the Board of Commissioners.

There being no further business, the meeting adjourned 9:49 p.m.



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Special Use Permit Petition SP2025-020

GENERAL INFORMATION

Applicant Information:

Kathryn Dumovich
McAnany, Van Cleave & Phillips, P.A.
10 East Cambridge Circle Drive,
Suite 300
Kansas City, Kansas 66103

Subject Property:

7949 Splitlog Avenue
Kansas City, Kansas 66112

Requested Action and Purpose:

Approval of Special Use Permit
(Renewal) to continue to allow tractor
trailer truck parking at the American
Motel.

Commission Districts:

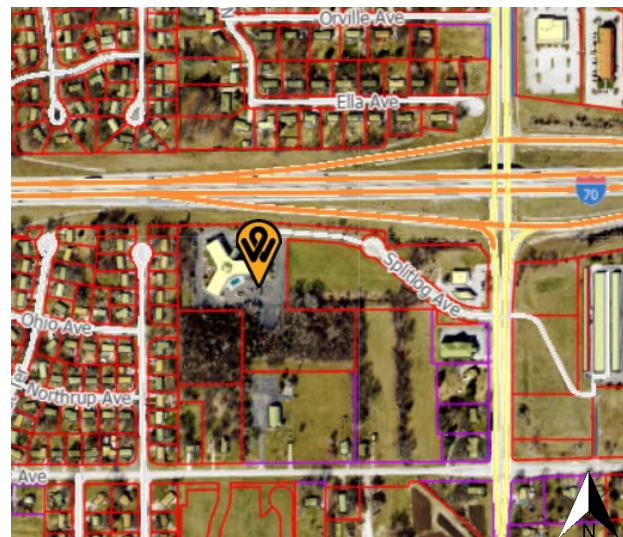
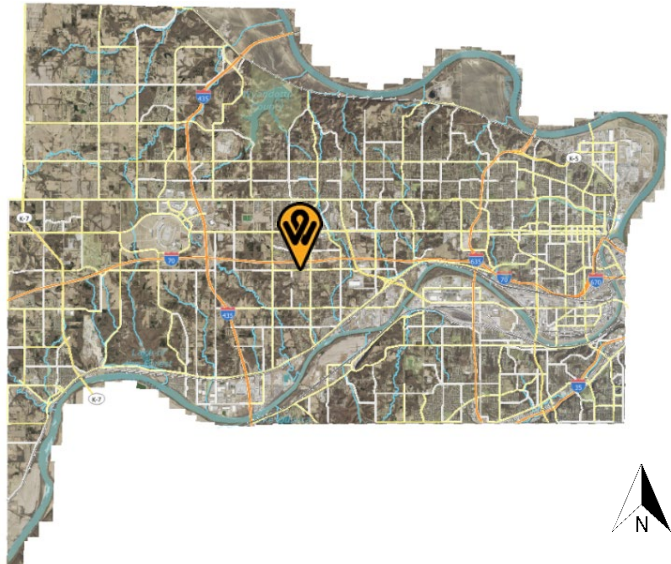
Commissioner At-Large, District #1:
Melissa Bynum
District #8 Commissioner:
Andrew Davis

Existing Zoning District(s):

CP-1 Planned Limited Business and
R-1 Single Family Districts

Comprehensive Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	None	KDOT Right-of-Way (Interstate 70)
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 residences

Total Tract Size: 6.71 Acres

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Community Commercial, which allows 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 North 78th Street as a Major Arterial and Splitlog Avenue as a Local Street.

Parking Requirement: Section 27-452(e) Two (2) off street parking spaces shall be provided on the premises for each single-family dwelling. There are no residences on the property. There are parking spaces for employees to parking on the premises.

Landscaping Requirement: Sec. 27-668(a)(8) One (1) space for each guest room plus one (1) space for each two (2) employees on the largest shift, plus adequate parking for banquet rooms, meeting rooms, restaurants and lounge areas. The property owner created a parking pad for these trailers separate from the parking requirement for the motel guests and employees. The use does not require additional parking.

Advertisement: The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearing: May 12, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Kathryn Dumovich with McVanany, Van Cleave & Phillips, P.A., on behalf of the American Motel applied for the renewal of a Special Use Permit (expires on June 1, 2025) to continue to park tractor trailer trucks at the American Motel at 7949 Splitlog Avenue. The continuation of the use includes parking for 7 tractor trucks and trailers in the southeast corner of the parking lot.

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. Prior to 2023: There have been over 100 police calls for service on the subject property since the previous approval in 2020, with issues ranging from battery, assault, property theft, property damage, rape, and drug offenses.
2. Prior to 2023: Of the over 200 calls to the property, 60 of them involved complaints regarding vehicles, including stolen and recovered autos, abandoned vehicles checks, suspicious vehicle checks, and vehicle tows. KCKPD was not able to confirm whether any of these cases involved the semi-truck parking.

Building, Zoning, or Code Enforcement Complaints:

1. There are no notices of violation on the subject property since 2020.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. SP2023-007 – to continue to allow tractor trailer truck parking at the American Motel for two (2) years. Permit expires on June 1, 2025.
2. SP-2020-96 – to continue to allow tractor trailer truck parking at the American Motel for two (2) years. Expired on April 30, 2023.
3. SP-2018-45 – to allow tractor trailer truck parking at the American Motel for two (2) years.

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The subject property is located within the Muncie-Stony Point Statistical Group and Block Group #0440012. The neighborhood consists of single-family residences to the east, south and west, with Interstate 70 and 78th Street exit ramp abutting the north property line.

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 parking of tractor trailers and the intensity of the commercial use is not compatible with the single-family residences to the west. Screening has been installed along the west property line, blocking the view of the trucks and trailers from the 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 to be used for tractor trailer parking, as it is a large parking lot with space for maneuvering and appropriate screening. The removal of restrictions will not detrimentally affect nearby property as long as the property and use are managed properly.

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

The property is not vacant. The motel is an existing business operating since 1986.

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

Special Use Permits are not addressed in the Comprehensive Plan. The PlanKCK Comprehensive Plan designates the subject property as Community Commercial, which allows Uses may include medium-sized box stores with small-scale accessory commercial uses and small-scale commercial centers. The proposed use conforms to the community commercial designation with 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 is a continuation of the existing on-site use, and thus will not result in the increase in traffic along Splitlog Avenue, a Local Street, or increase

the demand for on-site parking on the subject property. The majority of the trucks arrive in the late evening hours on Splitlog Avenue, which only serves the motel at this location.

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 could be seen as a convenience to the public as it allows tractor truck operators a place to lodge during their trip. Since the screening has been installed, the proposed use will not 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.*

The movement of tractor trailer trucks late at night could create problems associated with noise and illumination for nearby single-family residences.

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

The proposed use is a continuation of use and will not pollute the air, land, or water, as it is located on an existing, built-out commercial site, along a major interstate (Interstate 70).

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

The proposed use is a continuation of use and will not damage or destroy an irreplaceable natural resource, as it is located on an existing, built-out commercial site.

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 the public health, safety and welfare is negligible for the proposed use, however, it would be a hardship on the individual landowner to prevent tractor trailer trucks from continuing to be parked on the site.

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 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.

If the owner continues to allow 7 tractor trailer trucks to be parked on site, the proposed use will not result in overcrowding of land on the property. There is enough parking on site for guests as not to cause undue concentrations of population.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via videoconference on April 23, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Previous Conditions of Approval
Security
Parking
Noise
Illumination
Screening

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. This Special Use Permit is a continuation of a Temporary Use of Land for Commercial or Industrial Purposes. Planning Staff is honoring existing Special Use Permits for the Temporary Uses of Land prior to April 2020.

Applicant Response: No response required.

2. How have you complied with the conditions of approval for SP2023-007?

Applicant Response: Yes.

Previous Conditions of Approval – SP2023-007:

1. Tractor trailer trucks are to be parked only in the 7 designated parking spaces in the southeast corner of the parking lot.
2. All parking lot lighting shall have 90-degree cutoff fixtures on them, as not to exceed one (1) footcandle at the property line.
3. The applicant will need to file and maintain a current business occupation tax application with the Business License Division.
4. No outside storage on site.
5. No inoperable vehicles kept on site.

6. All waste on the site must be cleaned and waste must be managed properly on site.
7. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance.
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 Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only.
10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
11. All existing and future driveways must feature curb cuts that are constructed to UG standards.
12. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
13. 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.
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. 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.
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.

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) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
- 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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2025-020** subject to all comments and suggestions outlined in

this staff report, and summarized by the following conditions:

1. Tractor trailer trucks are to be parked only in the 7 designated parking spaces in the southeast corner of the parking lot;
2. All parking lot lighting shall have 90-degree cutoff fixtures on them, as not to exceed one (1) footcandle at the property line;
3. Subject to approval, 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;
4. No outside storage on site;
5. No inoperable vehicles kept on site;
6. All waste on the site must be cleaned and waste must be managed properly on site;
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
8. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
9. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
10. All existing and future driveways must feature curb cuts that are constructed to UG standards;
11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
12. 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;

- 13. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;**
- 14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
- 15. The Special Use Permit 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. 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; and,
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.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Site Photographs

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2025-020** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

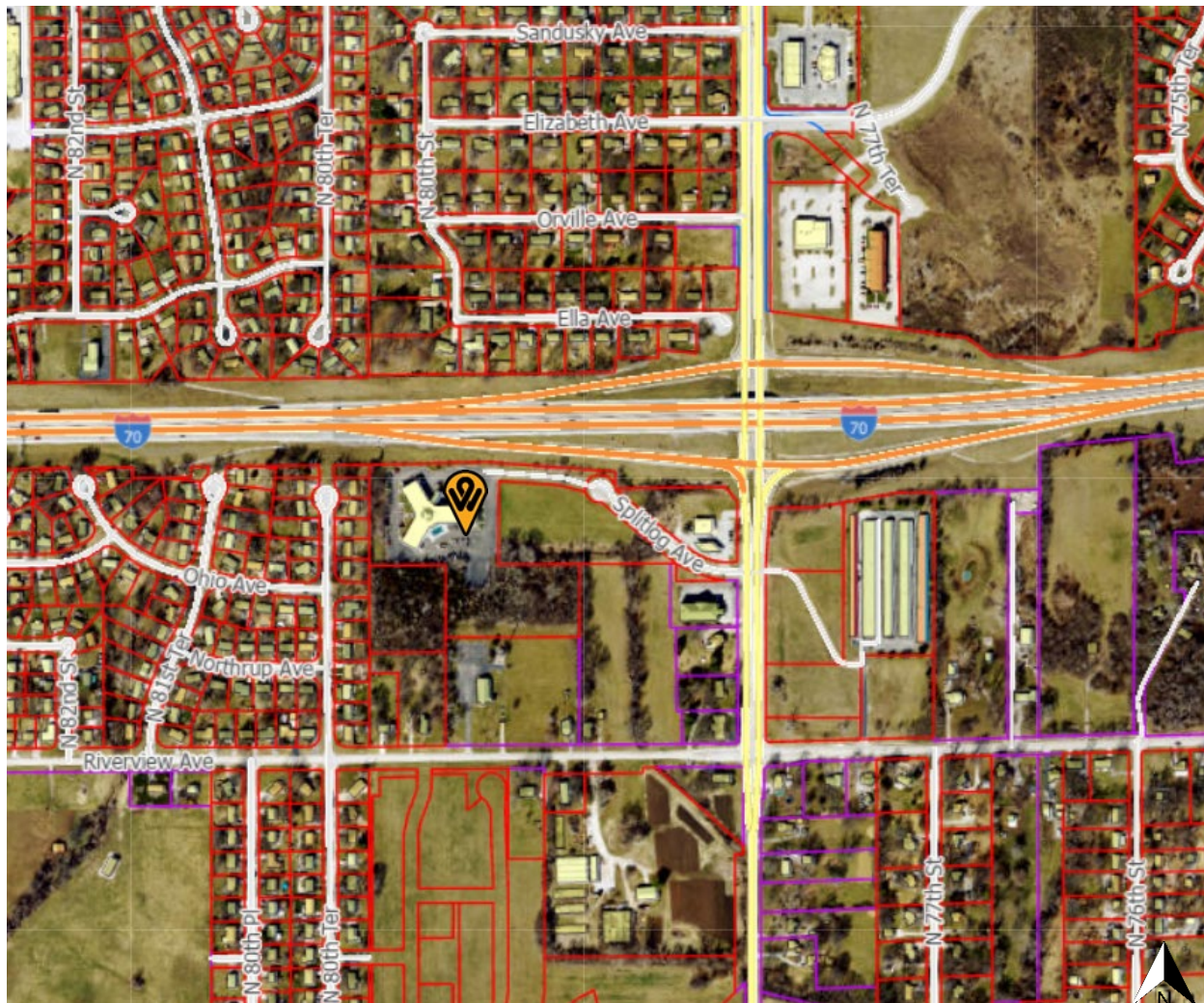
1. _____;
2. _____; And
3. _____.

OR

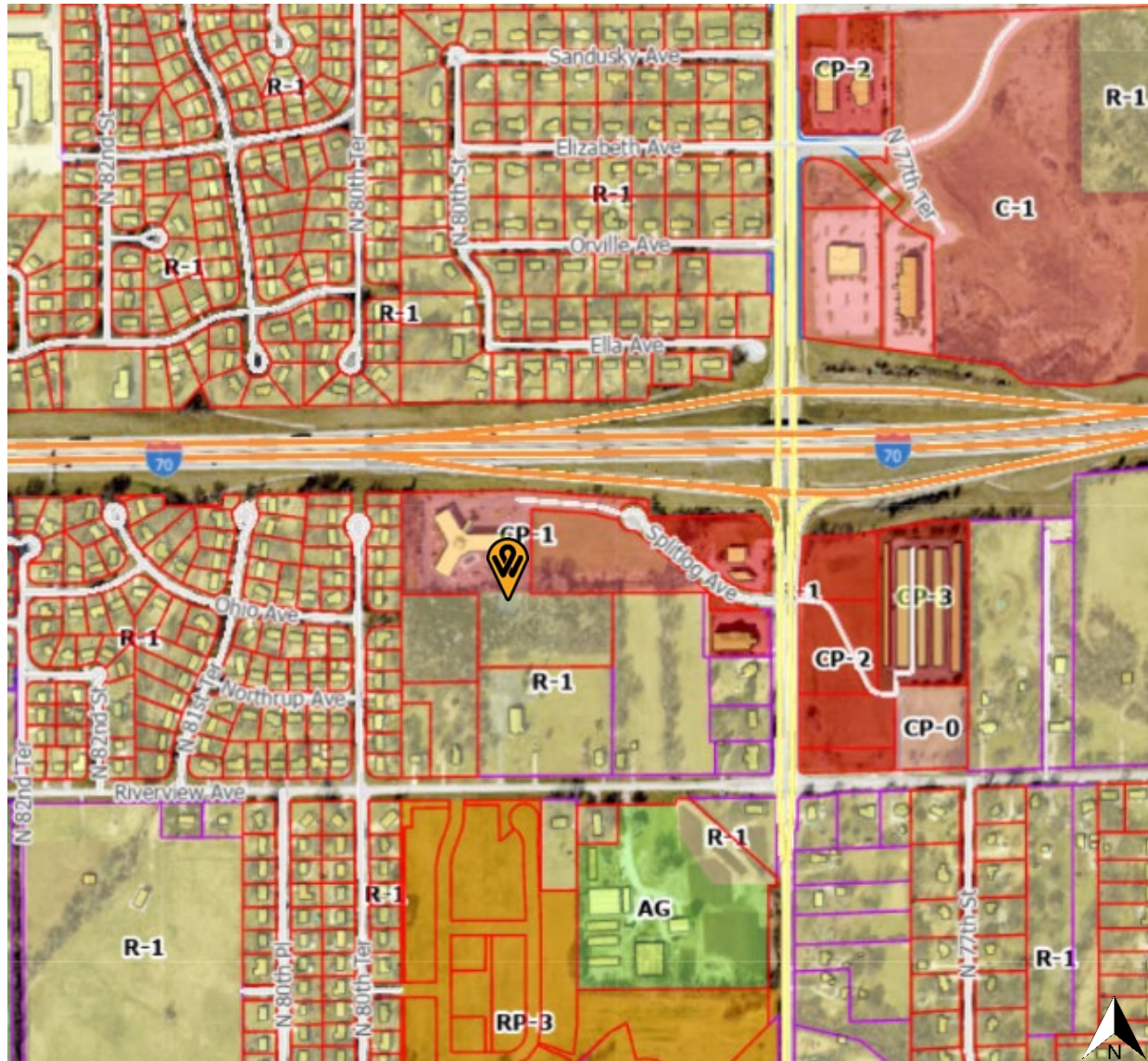
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2025-020**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



ADDITIONAL ATTACHMENTS



mvplaw.com

McAnany, Van Cleave & Phillips, P.A.
10 East Cambridge Circle Dr.
Suite 300
Kansas City, KS 66103
913.371.3838 Phone
913.371.4722 Fax

April 24, 2025

Sent via email to EDR@wycokck.org
Byron Toy
Dept. of Urban Planning and Land Use
Unified Government Wy Co/KCK
701 N. 7th Street, Suite 423
Kansas City, KS 66101

Re: American Inn Motel – Truck/Trailer Parking – SP-2020-96
MVP File No.: 3547.00000

Dear Byron:

Below please find answers to the questions posed in the Draft Staff Report:

1. This Special Use Permit is a continuation of a Temporary Use of Land for Commercial or Industrial Purposes. Planning Staff is honoring existing Special Use Permits for the Temporary Uses of Land prior to April 2020.

Response: No response required.

2. How have you complied with the conditions of approval for SP2023-007?

Response: Yes.

If you have any questions or need anything further, please feel free to contact me.

Regards,

/s/ Kathryn M. Dumovich

Kathryn M. Dumovich
Direct: (913) 573-3326
kdumovich@mvplaw.com

cc: Rose Morris
Ron White
Don White
Pamela Hayward

9P55428.DOCX

MINUTES FOR NEIGHBORHOOD MEETING

Application #SP-2023-007

Meeting Held: April 23, 2025, by videoconference

Meeting called to order at 5:30 p.m.

Attendees:

- Don White
- Pamela Hayward
- Kathryn M. Dumovich

No neighbors attended the meeting, so no presentation was given and no questions were asked. Mr. White, Ms. Hayward and Ms. Dumovich remained in the video call for 30 minutes, until 6:00 p.m. to ensure that no neighbors were running late.

Meeting adjourned at 6:00 p.m.

Minutes taken by: Kathryn M. Dumovich

9P55448.DOCX

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

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

1. That I am the petitioner for Petition #SP-2025-020.
2. That I conducted a neighborhood meeting on April 23, 2025.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

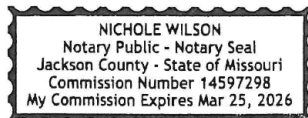
Further affiant saith not.

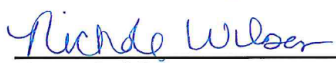


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25th day of April, 2025.

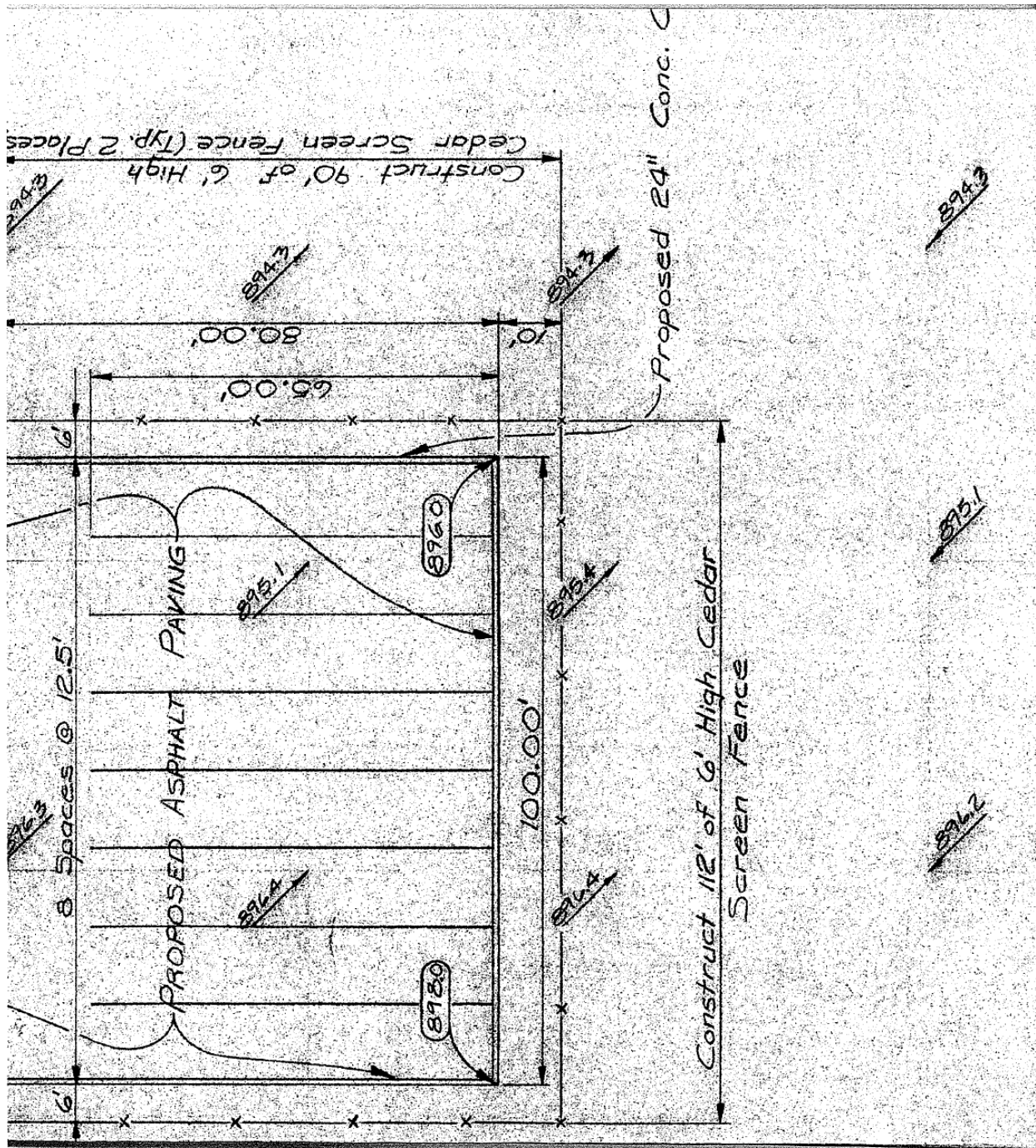
My commission expires 25th of March, 2026.





Notary Public

9P55459.DOC







Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Final Plan Petition PR2025-010

GENERAL INFORMATION

Applicant Information:

Dustin Burton
Representative
Renaissance Infrastructure Consulting
400 East 17th Street
Kansas City, Missouri 64108

Subject Property:

11100 State Avenue
Kansas City, Kansas 66109

Request Action and Purpose:

Approval of a Final Development Plan to build a multi-family complex consisting of cottage single-family and duplexes – previous FDP (PR2023-006) expires August 13, 2025.

Commission Districts:

At-Large District Commissioner #2:
Tom Burroughs
District #7 Commissioner:
Chuck Stites

Existing Zoning District(s):

RP-4 Planned Garden Apartment District

Plan Area:

Prairie Delaware Piper Area Plan



	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture and RP-5 Planned Apartment District	Apartments and undeveloped land
South	A-G Agriculture District	Kansas Speedway
East	A-G Agriculture District	Undeveloped land
West	A-G Agriculture District	Undeveloped land

Total Tract Size: 32.19 Acres

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Urban Medium-Density Residential, which allows attached residential development to promote infill development and investment by allowing for greater densities, while preserving the overall character of the existing neighborhoods at a recommended density of four (4) to 16 units per acre.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates State Avenue as a Major Arterial and Delaware Parkway as a Collector.

Parking Requirement: Sec. 27-460(d) states one and one-half (1.5) 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. There are 41 one (1) bedroom unit and 191 two (2) and three (3) bedroom units; therefore 444 parking spaces are required. 492 off-street parking spaces are provided.

Landscaping Requirement: Section 27-459(f) Trees are required at not less than one (1) per 4,500 square feet of site area. Six-foot (6') architectural or landscape screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property.

Section 27-700(b)(1) 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. In district R-M and C-O, buffer plantings may be required to be concentrated along potentially unsightly areas or where sensitive areas exist on adjacent property. All multifamily residential projects shall include at least one (1) shade tree per 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. 341 trees and 262 shrubs are required. 341 trees and 262 shrubs are provided.

Advertisement:	<u>The Wyandotte Echo</u> – Not Required <u>Letters to Property Owners</u> – March 21, 2025 and April 14, 2025
Public Hearing(s):	May 12, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Pretlow Riddick with CPC Land Acquisition Company LLC, is requesting a Final Development Plan to renew a previously approved Final Development Plan (PR2023-006) to extend the 18-month approval period for a building permit by the City Planning Commission. The Final Development is to build a for-rent multi-family development of cottage-style, single-family homes and duplexes totaling 232 units, a clubhouse, and other on-site amenities on 32.19 acres.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VI Section 27-212, 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. PR2023-006 and PLAT2023-008 (Cottages at Village West Final Plat) was approved by the City Planning Commission on March 13, 2023.
2. COZ2022-033 and MPL2022-020 was approved by the Unified Government Board of Commissioners on October 27, 2022.

Previous Planning Actions:

1. In 2007, a rezoning from A-G Agriculture District to CP-2 Planned General Business District (COZ 2929) and Special Use Permit (SP-2007-42) for a 1,224,000 square foot resort casino was approved by the Board of Commissioners on December 4, 2007. (Withdrawn by the applicant).

FACTORS TO BE CONSIDERED

- 1. *The site is capable of accommodating the buildings, parking areas and drives with appropriate open space.***

The site is 32.19 acres, which affords enough space for the proposed development to provide adequate parking, required setbacks, and required landscaping and buffers as per the Code of Ordinances.

Additional street trees shall be planted along Delaware Parkway, State Avenue and the internal private street network to comply with Section 27-700(b)(1).

- 2. *The plan provides for safe and easy ingress, egress and internal traffic circulation.***

The proposed use provides adequate site access, directly from Delaware Parkway and State Avenue. The site does not currently have pedestrian access to Delaware Parkway or State Avenue, but through this Plan Review and future building permit, sidewalks will be constructed internal to the development, connecting to and along State Avenue and Delaware Parkway.

- 3. *The plan is consistent with good land planning and site engineering design principles, particularly with respect to safety.***

The proposed plan is consistent with good site engineering design principles, as it does provide adequate space for vehicles to navigate the site safely. The parking is on personal driveways, on-street and within small parking lots dispersed throughout the development.

4. ***The architectural designs are consistent with unified government policies and regulations, compatible with surrounding features, and overall character of the neighborhood.***

The proposed plan is consistent with Unified Government regulations for new multi-family development. The plan addresses and conforms with the pre-existing Multi-Family Residential Design Guidelines (City-Wide Master Plan) with respect to materiality of the exterior building using stone veneer, cementitious siding, and asphalt shingles.

5. ***The degree of conformance of the proposed use to the Master Plan, Major Street Plan, Sidewalk & Trails Master Plan, and other adopted planning policies.***

The proposed use conforms to the PlanKCK Comprehensive Plan, which designates the property as Medium-Density Residential and the goDotte Countywide Strategic Mobility Plan, which has sidewalks throughout the development linking Delaware Parkway to State Avenue.

6. ***Right-of-way, as determined by the public works department, has been identified for dedication.***

The proposed use accesses the existing Delaware Parkway and State Avenue. The internal, private roads shall comply with Public Works Department technical standards.

7. ***Amenities or conditions to be gained by the community are of an equal or higher quality than those required of nonplanned development.***

This is not applicable, as the proposed development is occurring within an already established planned zoning district and there would be no additional amenities created.

8. ***Planned zoning is not being used as a refuge from the requirements of these regulations as to the intensity of land use, amount of open space, or other established development criteria.***

This is not applicable, as the proposed development is occurring within an already established planned zoning district and there is no change of zone being sought with the use as proposed.

9. ***The submitted final plan does not contain any significant changes from the previously approved Preliminary Plan.***

This Final Development Plan does not contain any significant changes from the previously approved Preliminary Plan/Change of Zone. There is a change in

duplex design, but the exterior materials remain stone and cementitious siding in a batten board style. The change still conform to the Multi-Family Design Guidelines.

NEIGHBORHOOD MEETING INFORMATION

A neighborhood meeting is not required for a Final Development Plan.

KEY ISSUES

KCKFD Access
Open Space Preservation
Traffic
PlanKCK Comprehensive Plan
Parking
Landscaping, Screening and Buffering
Lighting
Stream Buffer

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

General Planning:

1. The request is simply to extend the 18-month approval period to obtain a building permit from the Development Review Committee following approval of a Final Development Plan.
2. Confirm that nothing has changed from the previous FDP approval.

Applicant Response: Acknowledged.

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) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
- 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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and **APPROVE** Petition **PR2025-010** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. Add a crosswalk across all surface off-street lots, connecting sidewalks. The crosswalk hatched path or integrally-colored concrete is to ensure a clear route for residents and guests to walk in of these curb cuts;
2. In addition to establishing greater pedestrian connectivity throughout the development, where there are major parking lot crossings, crosswalks and/or other traffic calming devices shall be painted in the drive aisles, so residents and guests are alert to look for pedestrians;
3. Greater emphasis needs to be put on the pedestrian entrance rather than garage/vehicle entrance in the detached single-family residences and duplex units. A sidewalk from the street should lead directly to the front door of each unit rather than garage serving as the primary pedestrian access;
4. Pedestrian entrances must be the most prominent entrances on site and not garages, especially public rights-of-way and/or private trees;
5. Add sidewalks for enhanced pedestrian connectivity to the rear, ground floor units to the sidewalk network within the development for Units A1 and B1;
6. Residential amenities need to be spread throughout the development so the burden of residents who live in the southwest corner of the site should not have to drive in their vehicle to enjoy the amenity in the northeast corner of the site;
7. Sec. 27-461(c)2.e. For parking and other paved areas: Not less than 25 feet from any street line and not less than six (6) feet from any other property line;
8. Sec. 27-281(a) arrangement of major streets shall conform as nearly as possible to the major street plan. Except for courts and cul-de-sacs, streets normally shall connect with street already dedicated in adjoining or adjacent subdivisions, or provide for future connections to adjoining unsubdivided tracts;
9. The final development plan will include FEMA compliant storm shelters either in the individual living units or in communal safe rooms located at the Clubhouse and/or Maintenance Building;
10. All existing and future driveways must feature curb cuts that are constructed to UG standards;
11. Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the

- platted street right-of-way abutting the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided;
12. Install a five (5) foot sidewalk along the length of the property line adjacent to Delaware Parkway;
 13. Per the goDette Mobility Plan, a 10-foot concrete sidewalk/trail shall be constructed on State Avenue, along the entire southern property line at the right-of-way;
 14. Minimum 4-foot pedestrian path with landscape buffer and pedestrian lighting from parking areas to buildings;
 15. Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;
 16. Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside;
 17. Utility easements shall connect with easements established in adjoining properties;
 18. Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided.
 19. Per the PlanKCK Comprehensive Plan (formerly the City-Wide Master Plan) Multi-Family Residential Design Guidelines, all sides of a multi-family building shall display a similar level of quality and architectural interest. A building's architectural features and treatments shall not be restricted to a single façade;
 20. Per the PlanKCK Comprehensive Plan (formerly the City-Wide Master Plan) Multi-Family Residential Design Guidelines, all multi-family buildings including duplexes, triplexes, fourplexes and townhomes, an amount equal to 40 percent of the total net exterior wall area of each building elevation, excluding gables, windows, doors, and related trim, shall be brick or stone. The balance of next exterior wall may be lap siding (excluding vinyl lap siding) and/or stucco. Hardie board (cementitious siding) is considered a masonry material, in addition to brick and stone;
 21. Downspouts shall be painted to architecturally blend into the building and recessed into the corners of building as not to be in plain view of the public;
 22. Staff wants to see preservation buffering of stream and existing trees stands along the north and west sides of the site. Note on the Final Plat;
 23. Provide a site line cross-sections and perspective drawings of the development along Delaware Parkway, State Avenue, from the east and west property lines, and within the development itself;
 24. Sec. 27-460(f) 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;

25. Sec. 27-700(b)(1) All multi-family residential projects shall include at least one (1) shade tree per 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 site is 32.19 acres, which requires 312 trees, 29 additional evergreen or shade trees and 232 shrubs for buffering per the zoning district;

26. One (1) street tree shall be provided per 30 feet of frontage along a major street. State Avenue is classified as a Class A Thoroughfare and Delaware Parkway is classified as a Parkway; therefore 36 trees are required to be planted along State Avenue and 14 trees are required along the Delaware Parkway frontage;
27. All shade trees shall be at least two (2) inch caliper when planted. Ornamental deciduous trees shall be between five (5) and 8 feet in height when planted. Evergreens shall be between five (5) and six (6) feet in height when planted. Shrubs size varies determined by function. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
28. All landscaping shall be irrigated;
29. 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;
30. 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;
31. Only decorative lighting can be used on the exterior of the building(s). No pack lights or flood lights are allowed;
32. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
33. All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
34. All electrical meter banks, typically on the side of the building shall be screened from public view;
35. Satellite dishes shall not be erected on the exterior of patios and decks. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets and the public;
36. 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;
37. All trash and recycling receptacles shall be enclosed on all sides with an opaque wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides. When possible, the enclosure's gate shall face away from streets or adjacent land uses. All screening materials must be well maintained at all times;
38. 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;
39. Subject to approval, the applicant must file and maintain a current business occupation tax application. Renew annually 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 buisnesslicense@wycokck.org;
40. 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;
41. All existing and future driveways must feature curb cuts that are constructed to UG standards;
42. 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;
43. 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;

44. 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;
45. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) Permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks, or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;
46. 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; and,
47. In the event the a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or a section thereof and shall so notify the Unified Government in writing, or in the event the landowner shall fail to commence, as evidenced by receipt of building permits and start of construction, the planned development within 18 months after final approval has been granted or in the case of subsequent phases each shall be initiated within 24 months of the issuance of a certificate of occupancy on the entire preceding phase or the plan will be considered abandoned, then in either event such final approval shall terminate and shall be deemed null and void unless such time period is extended by the planning commission upon written application by the landowner. Whenever a final plan or section thereof has been abandoned as provided in this section, no development shall take place on the property

until a new development plan has been approved.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Site Plan
Grading Plan
Landscape Plan
Building Elevations
BPU Transformer Screening Details
Site Photographs taken by Planning Staff on September 14, 2022.

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Final Plan Review	May 12, 2025	Not Required

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **APPROVE** of Petition **PR2025-010** 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 of the Kansas City, Kansas City Planning Commission:

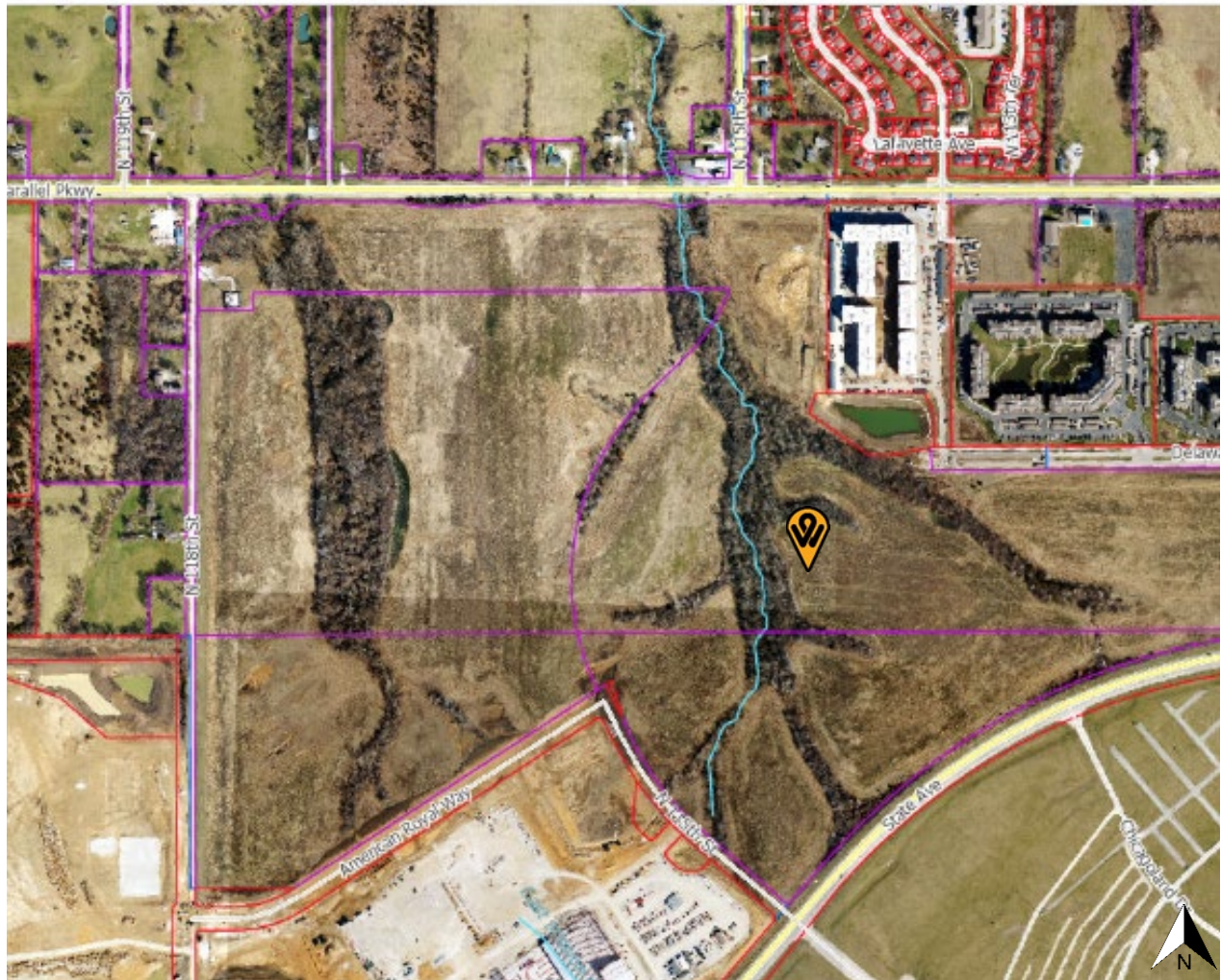
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OR

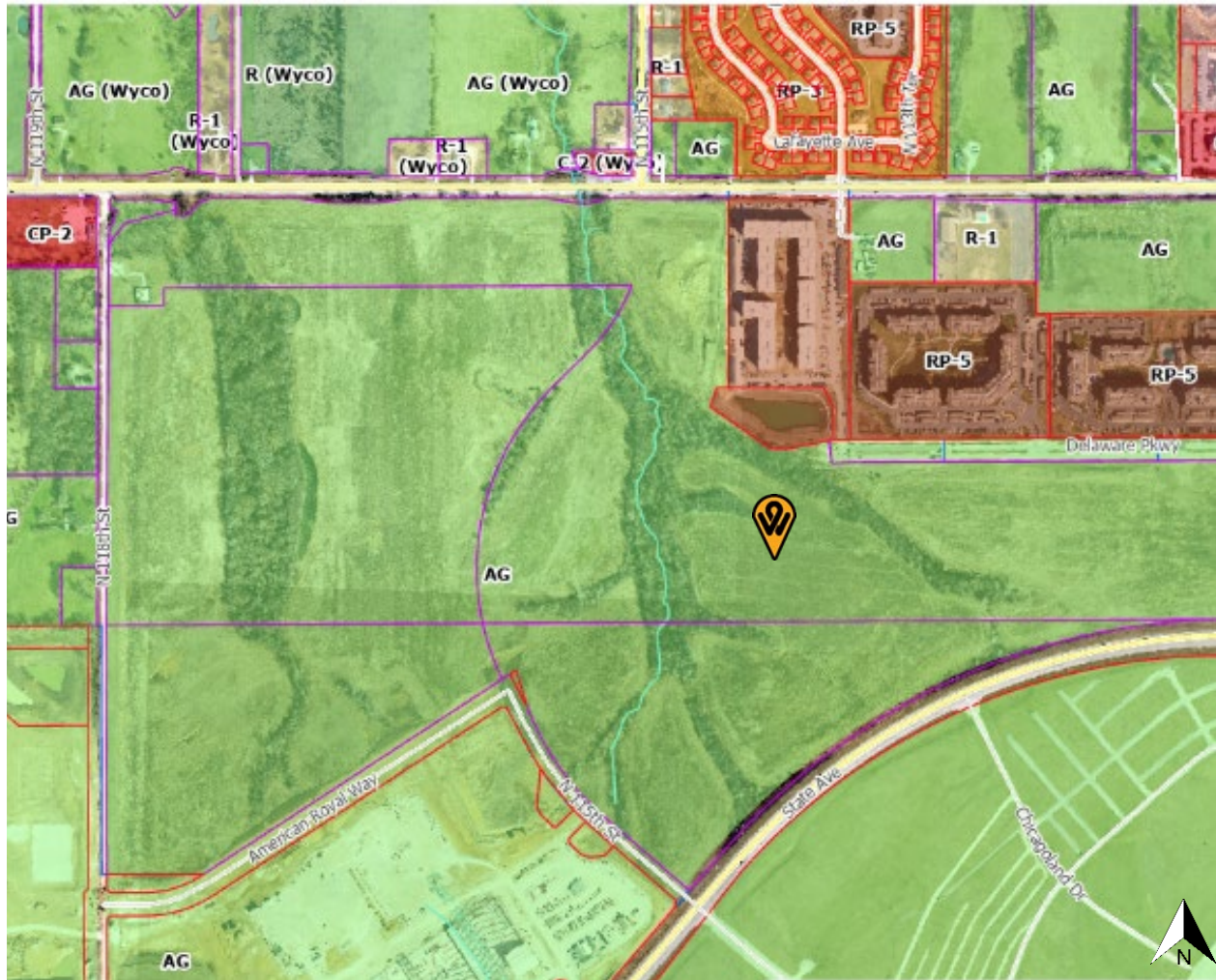
I move the Kansas City, Kansas City Planning Commission **DENY** of Petition **PR2025-010**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP

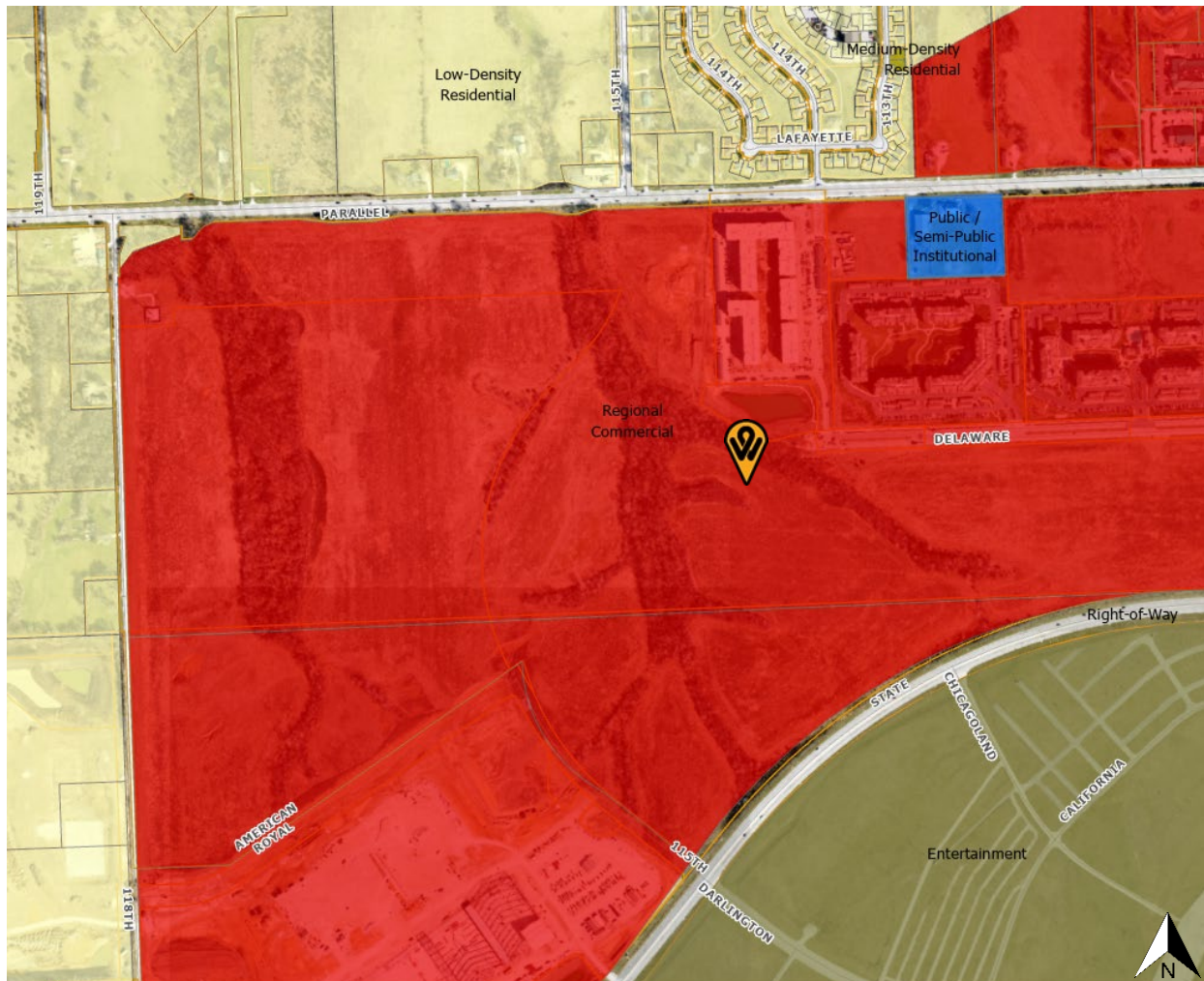


Figure 1. MPL2022-020 was approved by the Board of Commissioners on March 13, 2023 from Planned Commercial (Prairie Delaware Piper Area Plan) to Medium-Density Residential (PlanKCK Comprehensive Plan).

ADDITIONAL ATTACHMENTS



April 16, 2025

Byron Toy, AICP; Lead Planner
Department of Planning + Urban Design
Unified Government of Wyandotte County
701 N 7th Street, Suite 423
Kansas City, Kansas 66101

**Re: Final Plan Petition PR2025-010
"Cottages at Village West"
11100 State Avenue
Kansas City, Kansas 66109**

Mr. Toy,

Thank you for your consideration and review of the Final Plan Petition for the Cottages at Village West project submitted on 02/28/2025. We appreciate the collaborative approach the Staff has taken and are excited to move the project forward.

Below you will find documentation of various conversations between the applicant's project team and City staff regarding the aforementioned project in the DRAFT Staff Report dated April 14, 2025. Staff responses to original inquiries are in red, responses from the applicant are in blue.

GENERAL INFORMATION

- The adjacent land use listed in the table on page 2 indicates single-family to the North. The uses to the north are Apartments and undeveloped.
- The Parking Requirements state that 462 stalls are provided. The project plans provide 492 stalls.
- Under the PROPOSAL header, for the *Detailed Outline of Requested Action*: the applicant is no longer Todd Thomas. That should be changed to Pretlow Riddick.

STAFF RESPONSE [April 3, 2025]: I will modify the aforementioned items.

APPLICANT RESPONSE [April 15, 2025]: Acknowledged and appreciated.

STAFF COMMENTS AND SUGGESTIONS

Previous Conditions of Approval

- Applicant requested clarification that the 40% requirement for "brick or stone" could be modified to indicate "masonry" as a more holistic term. It has previously been coordinated with staff that this project is using cementitious siding, resulting in 100% of the net exterior material as masonry.
 - 19. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, all multi-family buildings including duplexes, triplexes, fourplexes and townhomes, an amount equal to 40 percent of the total net exterior wall area of each building elevation, excluding gables, windows, doors, and related trim, shall be brick or stone. The balance of next exterior wall may be lap siding (excluding vinyl lap

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siding) and/or stucco. Hardy board (cementitious siding) is considered a masonry material. Provide a table citing the percentage breakdown for each façade for each building type and revise accordingly to ensure that 40 percent of each façade is indeed stone or brick.

STAFF RESPONSE [April 3, 2025]: I will double check the condition of approval. If the original approval states “brick or stone”, we cannot change it do masonry.

APPLICANT RESPONSE [April 15, 2025]: Project team has not received clarification, but it is understood that the architectural design is compliant with this condition as supported by the following statements in the staff report:

FACTORS TO BE CONSIDERED:

[FACTOR] 4. The architectural designs are consistent with unified government policies and regulations, compatible with surrounding features, and overall character of the neighborhood.

[STAFF COMMENT] The proposed plan is consistent with Unified Government regulations for new multi-family development. The plan addresses and conforms with the pre-existing Multi-Family Residential Design Guidelines (City-Wide Master Plan) with respect to materiality of the exterior building using stone veneer, cementitious siding, and asphalt shingles.

[FACTOR] 9. The submitted final plan does not contain any significant changes from the previously approved Preliminary Plan.

[STAFF COMMENT] This Final Development Plan does not contain any significant changes from the previously approved Preliminary Plan/Change of Zone. There is a change in duplex design, but the exterior materials remain stone and cementitious siding in a batten board style. The change still conform to the Multi-Family Design Guidelines.

- Applicant requested clarification of the following condition:
 - The **Standard Conditions** state that downspouts are to be internalized. This is not anticipated for the single-family, built-to-rent type of product. Item 20 under **Previous Conditions of Approval** states that downspouts are to be painted to blend in and be recessed into the corners. This is what we anticipate for this project. Please confirm. We propose that item 2. Under standard conditions be struck from the report.

STAFF RESPONSE [April 3, 2025]: I will modify my comment to reflect the exact condition of approval.

APPLICANT RESPONSE [April 15, 2025]: Acknowledged and appreciated.

- Applicant requested clarification of the following condition:
 - 44. All conditions of approval herein must be constructed, executed, implemented, or otherwise completed within six (6) months of approval unless otherwise determined by the Director of Planning or their designee.

STAFF RESPONSE [April 3, 2025]: Six (6) months is based the original Change of Zone. You have 18 months of obtain a building permit for a Final Development Plan.



APPLICANT RESPONSE [April 15, 2025]: Acknowledged. With this being a final development plan application, the developer understands that it must obtain a building permit within 18 months of approval.

- Applicant requested clarification of the following condition:
 - Both the **Previous Conditions of Approval** and the **Standard Conditions** state the following for plant material sizes: *"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."*
 - Design team noted that this is in excess of the current requirements outlined in the UDO: *"Shade trees. Two-inch caliper as measured 12 inches above ground. Ornamental deciduous trees. Six feet to eight feet in height. Evergreen trees. Five feet to six feet in height."*
 - Design team also noted that a global increase in plant material size may not be applicable, providing the example that not all shrubs will come in (5) gallon sizes.

STAFF RESPONSE [April 3, 2025]: The City Planning Commission or Unified Government Board of Commissioners can approve more stringent conditions of approval than what the code requires. The five (5) gallon shrubs have been a standard comment in our projects since we have had issues with developers planting one (1) gallon shrubs when they should have been three (3) gallons.

APPLICANT RESPONSE [April 15, 2025]: We acknowledge that the governing body has the authority to approve more stringent requirements, but we respectfully request that staff reconsider the global increase in the conditions of approval. We recognize that the staff's response only addresses the example provided by the design team regarding shrubs, but increases to the ornamental and evergreen tree sizes were also noted in the condition, and are significant increases. The requirements of the UDO should be updated universally if projects are to be held to these standards, and we would note that not all shrubs will have a (5) gallon option. We understand the intent and appreciate the staff's concerns, but each project should be judged on its own merit at the time of landscape installation. We would also respectfully request that changes to the design documents requested by staff be noted within the plans during the review process to help ensure that these changes can be incorporated into the drawing sets for permitting and construction efforts.

We appreciated your time and attention to this matter. If you have any questions, please feel free to reach out.

Sincerely,

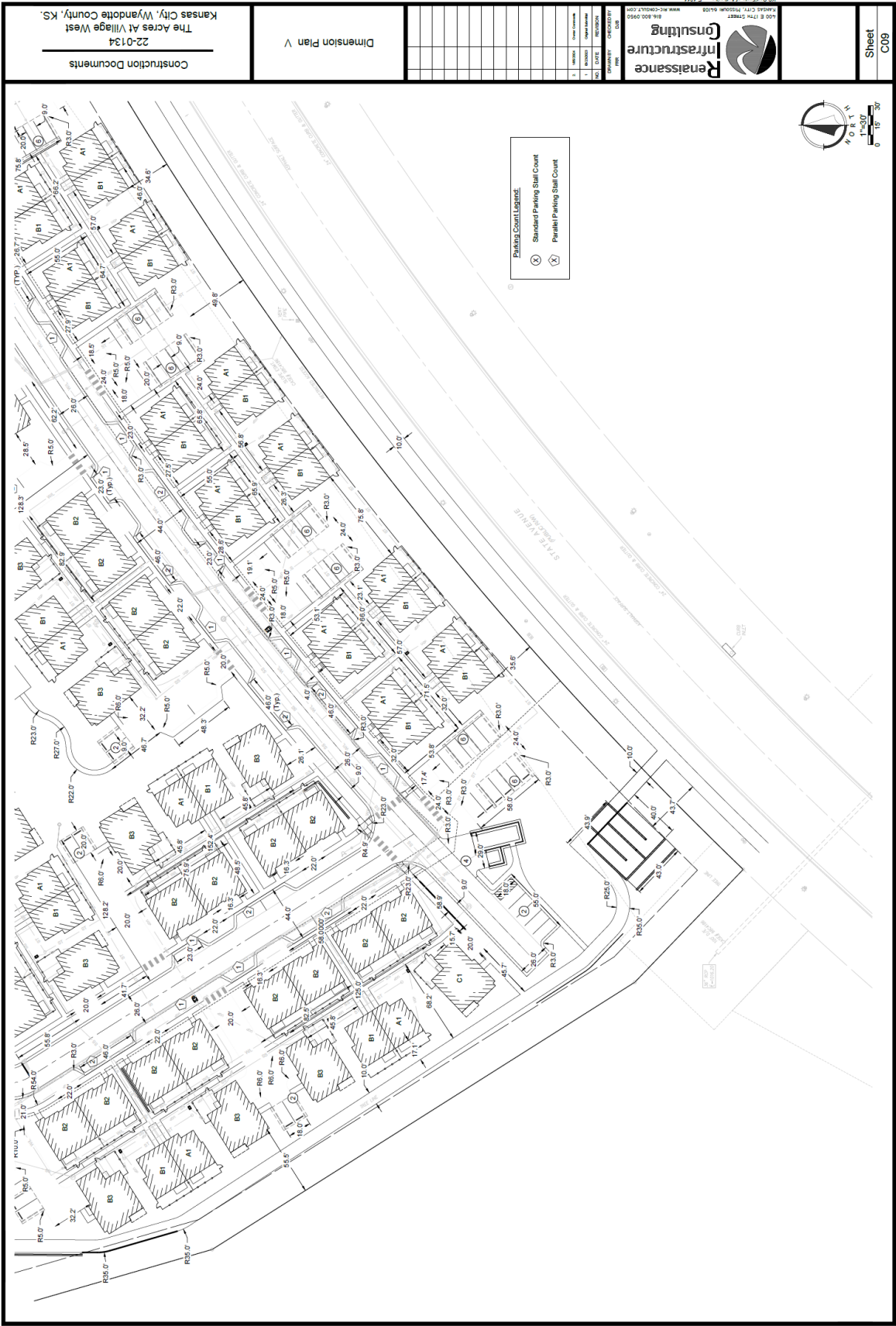
A handwritten signature in blue ink, appearing to read 'Theresa Sipe Curtis', written in a cursive style.

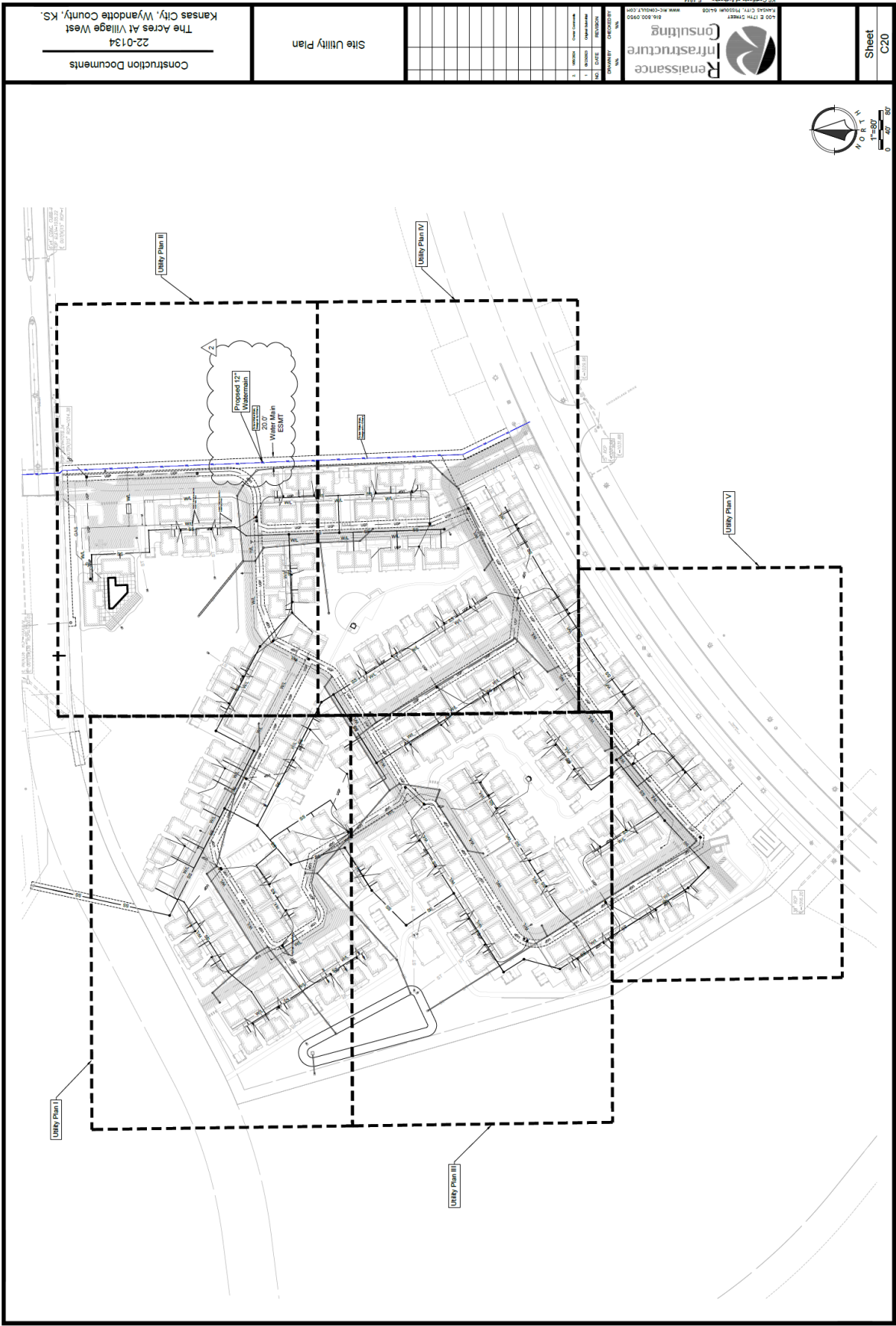
Theresa Sipe Curtis, AIA, NCARB

NSPJ Architects, P.A.
C-Corporation, # 48-0800449









PLANT LIST

Code	Common Name	Botanical Name	Size
1	Red-Tipped Dogwood	<i>Cornus alternifolia</i>	5' DBH
2	White Flowering Dogwood	<i>Cornus florida</i>	5' DBH
3	Black Gum	<i>Nyssa sylvatica</i>	5' DBH
4	White Oak	<i>Quercus alba</i>	5' DBH
5	Red Oak	<i>Quercus rubra</i>	5' DBH
6	White Birch	<i>Betula papyrifera</i>	5' DBH
7	Black Birch	<i>Betula nigra</i>	5' DBH
8	Red Maple	<i>Acer rubrum</i>	5' DBH
9	White Maple	<i>Acer saccharum</i>	5' DBH
10	Black Maple	<i>Acer nigrum</i>	5' DBH
11	Red Elm	<i>Ulmus rubra</i>	5' DBH
12	White Elm	<i>Ulmus americana</i>	5' DBH
13	Black Elm	<i>Ulmus nigra</i>	5' DBH
14	Red Willow	<i>Salix alba</i>	5' DBH
15	White Willow	<i>Salix nigra</i>	5' DBH
16	Black Willow	<i>Salix nigra</i>	5' DBH
17	Red Dogwood	<i>Cornus alternifolia</i>	5' DBH
18	White Dogwood	<i>Cornus florida</i>	5' DBH
19	Black Dogwood	<i>Cornus florida</i>	5' DBH
20	Red Dogwood	<i>Cornus florida</i>	5' DBH
21	White Dogwood	<i>Cornus florida</i>	5' DBH
22	Black Dogwood	<i>Cornus florida</i>	5' DBH
23	Red Dogwood	<i>Cornus florida</i>	5' DBH
24	White Dogwood	<i>Cornus florida</i>	5' DBH
25	Black Dogwood	<i>Cornus florida</i>	5' DBH
26	Red Dogwood	<i>Cornus florida</i>	5' DBH
27	White Dogwood	<i>Cornus florida</i>	5' DBH
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29	Red Dogwood	<i>Cornus florida</i>	5' DBH
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98	Red Dogwood	<i>Cornus florida</i>	5' DBH
99	White Dogwood	<i>Cornus florida</i>	5' DBH
100	Black Dogwood	<i>Cornus florida</i>	5' DBH

THE ABOVE PLANT LIST IS A RANGE OF POTENTIAL PLANT MATERIALS AND IS SUBJECT TO CHANGE.

GENERAL NOTES

1. THE LANDSCAPE ARCHITECT HAS VISITED THE SITE OF THE PROPOSED WORK AND EXAMINED THE SITE CONDITIONS. HE SHALL ALSO CONDUCT A VISUAL ANALYSIS OF THE PROPOSED WORK AND EXAMINE THE SITE CONDITIONS. HE SHALL ALSO CONDUCT A VISUAL ANALYSIS OF THE PROPOSED WORK AND EXAMINE THE SITE CONDITIONS.
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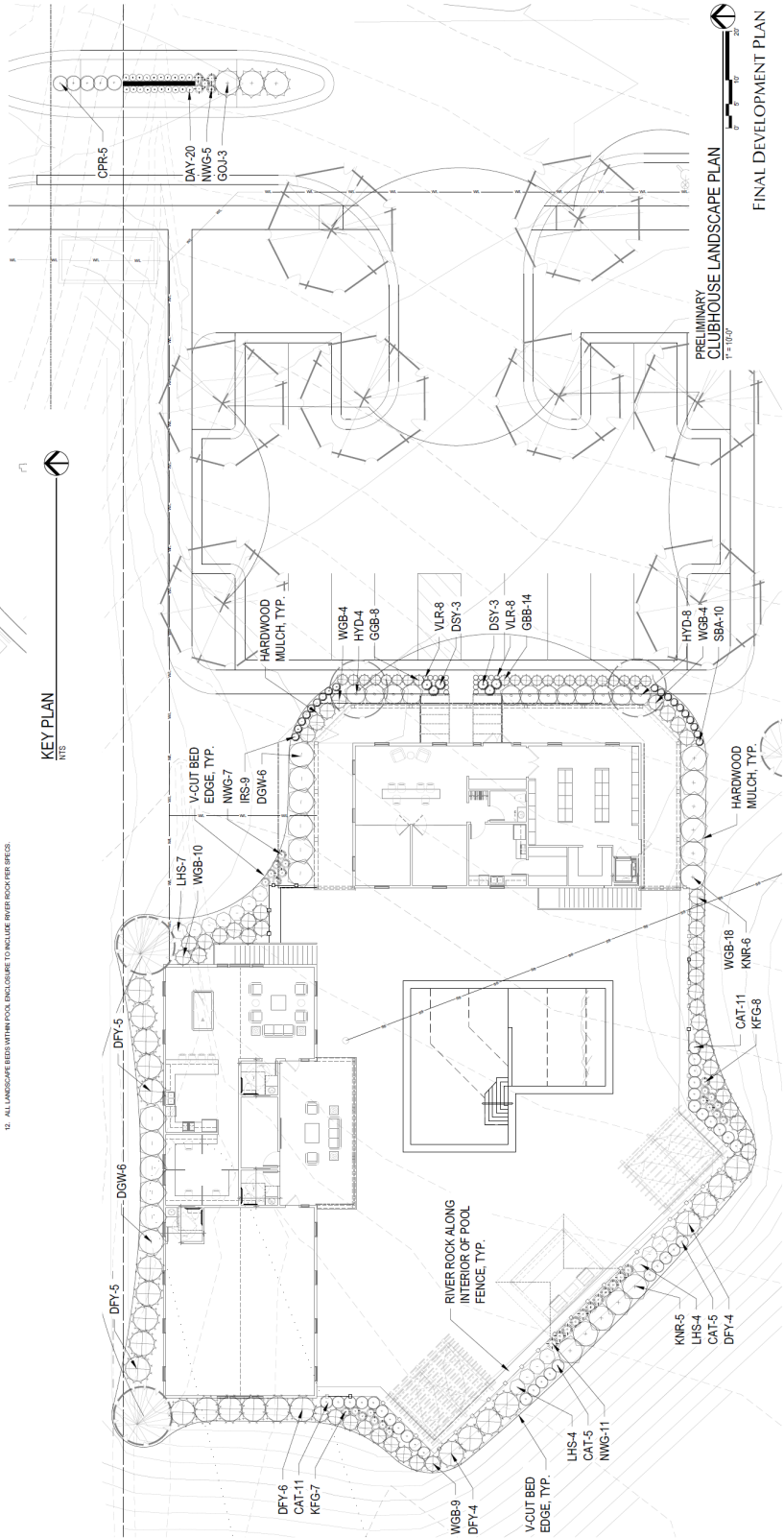
KEY PLAN



COTTAGES AT VILLAGE WEST

KANSAS CITY, KANSAS

ARCHITECTS
NSPJ
P. 913.831.1415
NSPJARCH.COM
515 W. 75TH ST., SUITE 201
PRAIRIE VILLAGE, KS 66208



PRELIMINARY CLUBHOUSE LANDSCAPE PLAN

DATE

01/27/2023

7/2/2022

WHP/CBB/HH

7/2/2022

7/2/2022

7/2/2022

7/2/2022

7/2/2022

7/2/2022

7/2/2022

7/2/2022

7/2/2022

FINAL DEVELOPMENT PLAN

L2.00

PLANT LIST

Common Name	Botanical Name	Size
Arbutus	Arbutus	5' - 6'
Burns	Burns	5' - 6'
Cherry	Cherry	5' - 6'
Cornus	Cornus	5' - 6'
Crabapple	Crabapple	5' - 6'
Daylily	Daylily	2' - 3'
Hydrangea	Hydrangea	2' - 3'
Japanese Maple	Japanese Maple	2' - 3'
Juniper	Juniper	2' - 3'
Laurel	Laurel	2' - 3'
Maple	Maple	2' - 3'
Mountain Laurel	Mountain Laurel	2' - 3'
Philadelphus	Philadelphus	2' - 3'
Prunella	Prunella	2' - 3'
Rose	Rose	2' - 3'
Spiraea	Spiraea	2' - 3'
Staphylea	Staphylea	2' - 3'
Thornapple	Thornapple	2' - 3'
Yucca	Yucca	2' - 3'
Zinnia	Zinnia	2' - 3'

THE ABOVE PLANT LIST IS A RANGE OF POTENTIAL PLANT MATERIAL AND IS SUBJECT TO CHANGES.

GENERAL NOTES

1. THE LANDSCAPE ARCHITECT HAS PROVIDED THE PLANT LIST FOR THE PROPOSED DEVELOPMENT. THE LANDSCAPE ARCHITECT HAS PROVIDED THE PLANT LIST FOR THE PROPOSED DEVELOPMENT. THE LANDSCAPE ARCHITECT HAS PROVIDED THE PLANT LIST FOR THE PROPOSED DEVELOPMENT.
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KEY PLAN

NTS

ARCHITECTS
NSPJ
P. 913.831.1415
NSPJARCH.COM
PRAIRIE VILLAGE, KS 66208



COTTAGES AT VILLAGE WEST
A NEW RESIDENTIAL DEVELOPMENT

KANSAS CITY, KANSAS

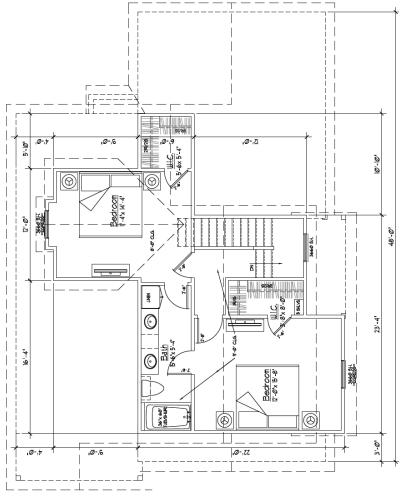
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01/27/2023 - PIP SUBMITTAL
02/01/2023 - PIP SUBMITTAL
02/01/2023 - PIP SUBMITTAL
02/01/2023 - PIP SUBMITTAL

REVISIONS

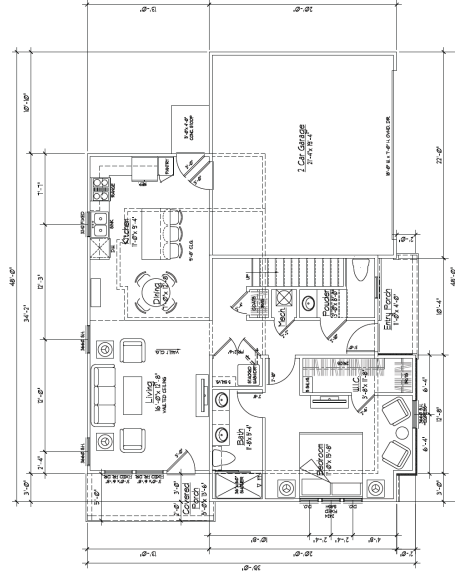
DATE
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7/21/2023

FINAL DEVELOPMENT PLAN
L2.01

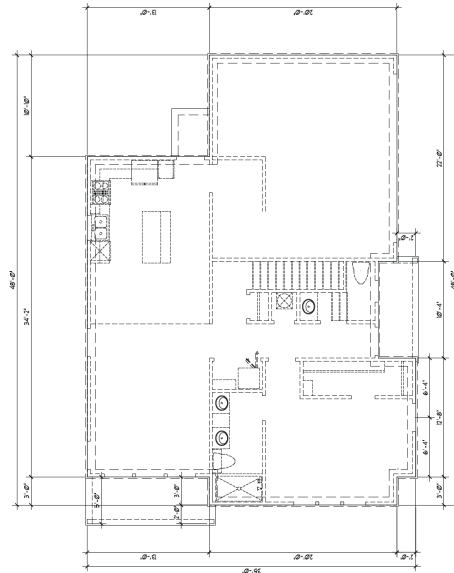
PRELIMINARY
LANDSCAPE PLAN - POD 1
7/11/2023



SECOND FLOOR PLAN
CL - THREE BEDROOM DETACHED UNIT
3/6' x 7-0'



FIRST FLOOR PLAN
CL - THREE BEDROOM DETACHED UNIT
30'6" x 7'-0"
1st FLR. 948 SQ. FT.
2nd FLR. 648 SQ. FT.
LOFT 502 SQ. FT.



FOUNDATION/SLAB PLAN
C1 - THREE BEDROOM DETACHED UNIT
10.6.1 - 12.01



A NEW RESIDENTIAL DEVELOPMENT:
COTTAGES AT VILLAGE WEST

KANSAS CITY, KANSAS

DRAWING RELEASE LOG

08.26.2022 - PDF SUBMITTAL	
09.26.2022 - PDF #465.0001TAL	
10.05.2022 - PDF #465.0001TAL R2	
10.31.2022 - CURRENT R2 R3 ALT	
11.08.2022 - FLOOR PLANS TO R3	
11.08.2022 - REMAINING CURRENT	
12.16.2022 - FLOOR PLANS TO R3	
12.16.2022 - UPDATED CLUBHOUSE & LEASING PLANS	
12.22.2022 - R365 PDF SUBMITTAL	
01.27.2023 - OWNER REVIEW SET	
01.27.2023 - PDF SUBMITTAL	

REVISIONS

EXTERIOR MATERIALS

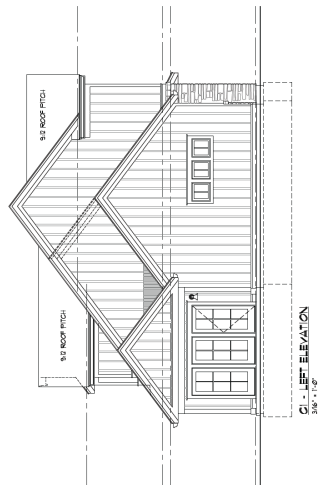
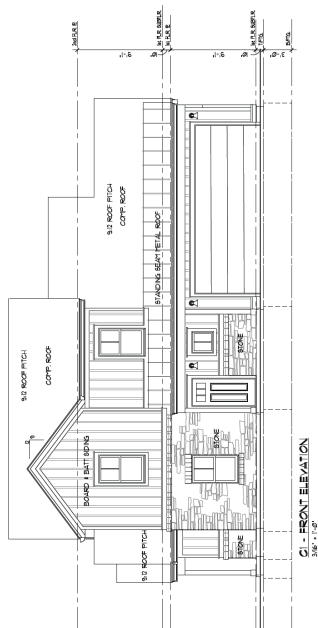
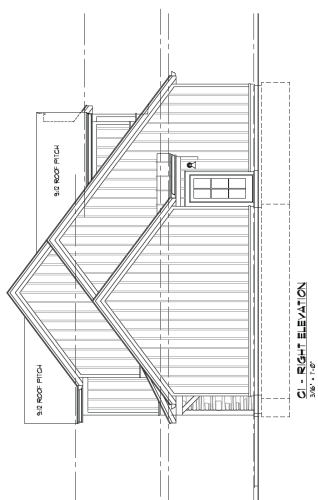
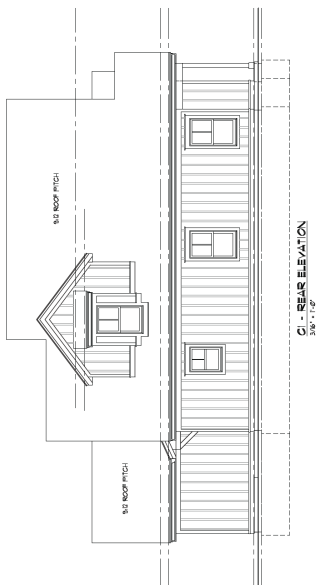
- JAMES HARDIE BOARD & BATT AND LAP SING SHALL BE THE PRIMARY EXTERIOR MATERIALS.
- STONE SHALL BE A VARIABLE EXTERIOR MATERIAL.

DATE 01/27/2023

721822
DRAWN BY:
WHP/CSB/BNH
SHEET NO.

FINAL DEVELOPMENT PLAN

8





A NEW RESIDENTIAL DEVELOPMENT:
COTTAGES AT VILLAGE WEST
KANSAS CITY, KANSAS

DRAWING RELEASE LOG



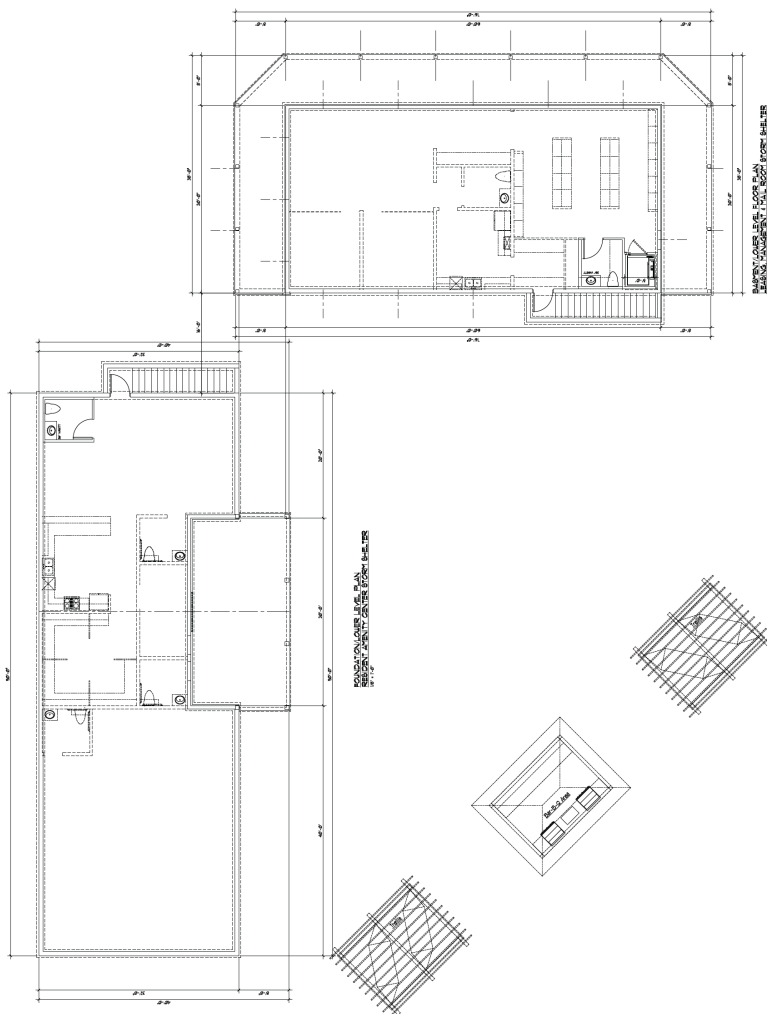
- 08.26.2022 - POP SUBMITTAL
- 09.26.2022 - POP #452.8MM TYPAL
- 10.06.2022 - POP #452.8MM TYPAL #2
- 10.31.2022 - CURRENT #2 RZ AL.7 FLOOR PLANS TO R/C
- 11.08.2022 - REMAINING CURRENT FLOOR PLANS TO R/C
- 12.16.2022 - UPDATED CLUBHOUSE & LEASING PLANS
- 12.22.2022 - PRE-POP SUBMITTAL OWNER REVIEW SET
- 01.27.2023 - POP SUBMITTAL

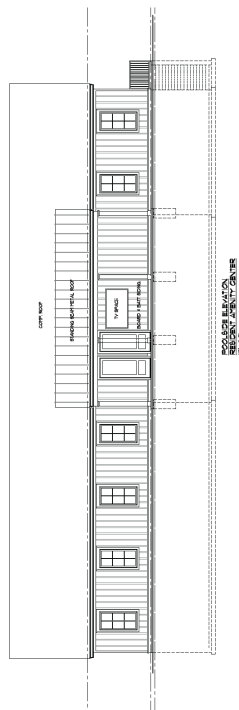
REVISIONS

DATE
01/27/2023
JOB NO.
721822
DRAWN BY:
WHP/CSB/BNH
SHEET NO.

FINAL DEVELOPMENT PLAN

9





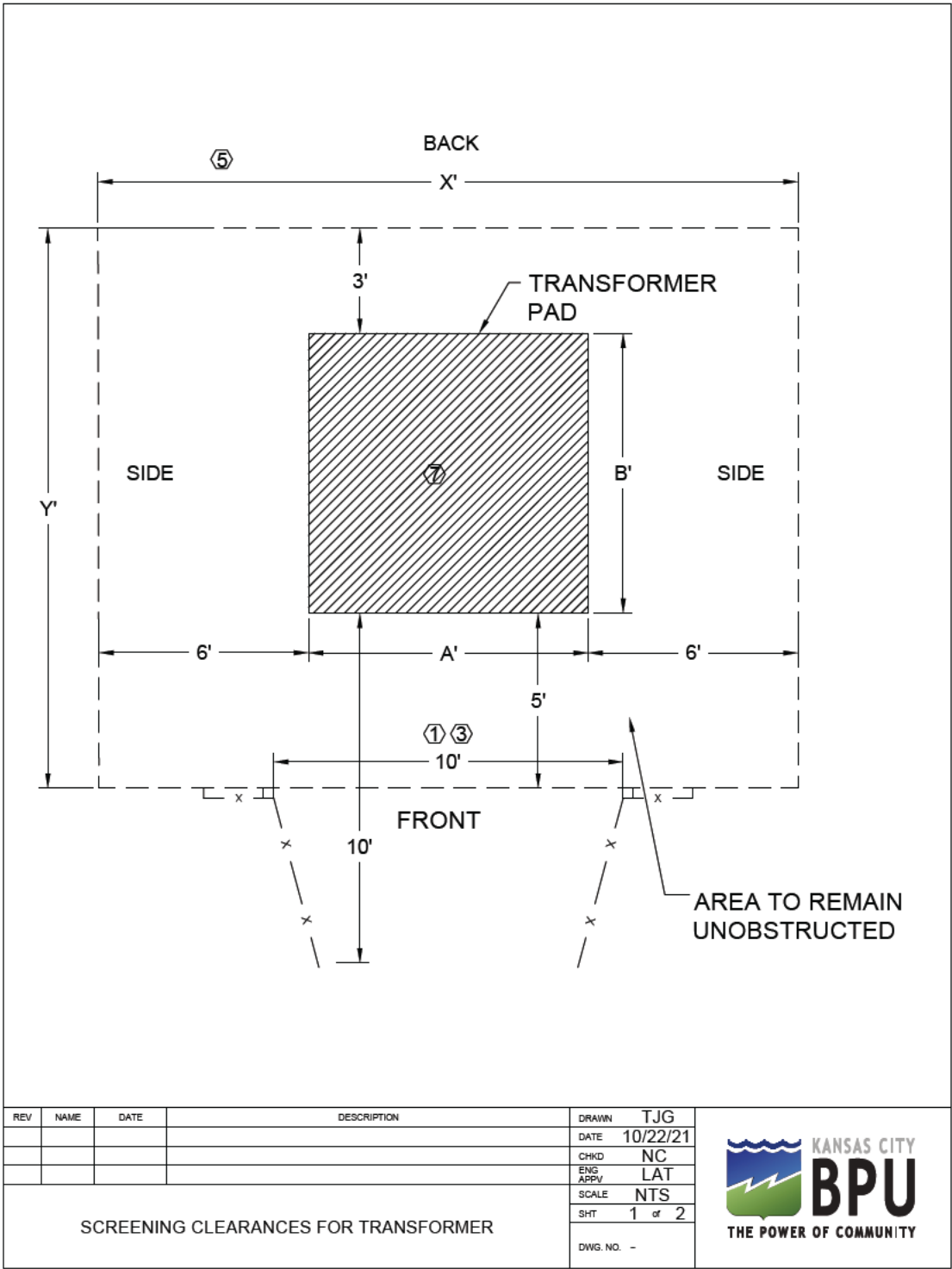


TABLE 1: DIMENSION REQUIREMENTS FOR TRANSFORMER

	"X"	"Y"	"A"	"B"
3 PHASE 75 TO 500KVA TRANSFORMERS	18' - 8"	13' - 6"	6' - 8"	5' - 6"
3 PHASE 750 TO 2500KVA TRANSFORMERS	20' - 0"	16' - 0"	8' - 0"	8' - 0"

***FOR SCREENING USING EVERGREEN TREE, SEE NOTES 5 AND 6

NOTES

1. GATE DOORS ARE REQUIRED FOR ALL TYPES OF SCREENING THAT ARE PLACED IN FRONT OF THE TRANSFORMERS.
2. FENCES SHALL BE INSTALLED 2' OFF THE GROUND AND HAVE ADEQUATE CLEARANCE TO OPEN GATE DOORS AT 180° AND HAVE 10' CLEARANCE FROM PAD WHEN GATE DOORS OPEN.
3. POSTS FOR GATE DOORS MUST BE INSTALLED A MINIMUM DISTANCE OF 10' APART IN THE FRONT.
4. FOR SLAT FENCES, CUSTOMER SHALL INSTALL A MINIMUM 4" SLATS AND HAVE 4" OF SPACE BETWEEN EACH SLAT.
5. CUSTOMER MUST TAKE ACCOUNT OF THE MATURITY SIZE OF THE EVERGREEN TREE WHEN PLANTING SAPLINGS SO THAT THE TREES CAN GROW OUTSIDE OF THE REQUIRED CLEARANCE
6. FOR EVERGREEN TREES, CUSTOMER SHALL PLANT EACH TREE SO THAT THERE IS 2' OR MORE OF SPACE FROM EDGE TO EDGE BETWEEN EACH TREE AT MATURITY. (E.G. BLUE ARROW JUNIPER GROWS UP TO 2' WIDE, SO THERE SHALL BE 4' OF SPACING BETWEEN EACH TREE TAKING ACCOUNT THE GROWTH OF SAPLINGS)
7. PAD MUST HAVE A MINIMUM CLEARANCE OF 6' ON EACH SIDE, 3' ON THE BACK, AND 5' ON THE FRONT ALLOWING FOR 10' ON THE FRONT WHEN GATE DOORS OPEN.

REV	NAME	DATE	DESCRIPTION	DRAWN	TJG
				DATE	10/22/21
				CHKD	NC
				ENG	LAT
				SCALE	NTS
				SHT	2 of 2
				DWG. NO.	-
SCREENING CLEARANCES FOR TRANSFORMER NOTES				 THE POWER OF COMMUNITY	







Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Change of Zone Petition COZ2025-002

GENERAL INFORMATION

Applicant Information:

Oracio Perez
Property Owner
1826 South 16th Street
Kansas City, Kansas 66103

Subject Property:

3505 Sortor Drive
Kansas City, Kansas 66104

Requested Action and Purpose:

Approval of a Change of Zone from
R-1(B) Single Family Residential to
A-G Agriculture District to garden and
maintain farm animals.

Commission Districts:

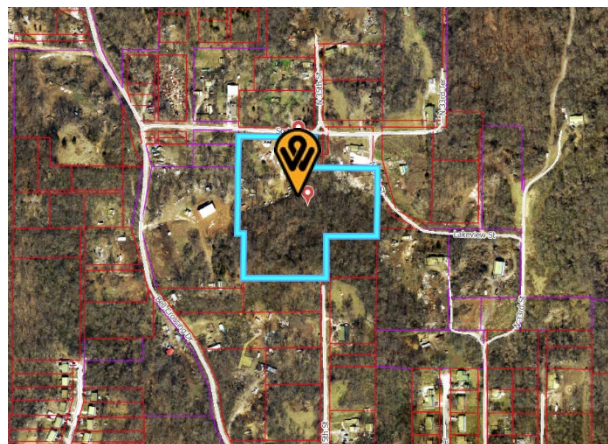
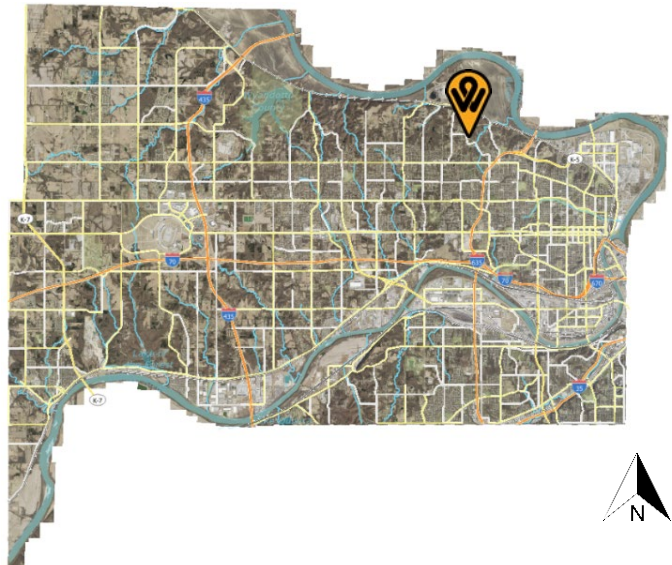
At-Large Commissioner, District #1:
Melissa Bynum
District #1 Commissioner:
Gayle Townsend

Existing Zoning District(s):

R-1(B) Single-Family District

Proposed Zoning District(s):

A-G Agriculture District



	Adjacent Zoning	Adjacent Uses
North	R-1(B) Single Family District	Single Family Residence, Industrial Material Salvage and Laydown Yard
South	R-1(B) Single Family District	Open Space, Agricultural and Industrial Laydown Yard
East	R-1(B) Single Family District	Large Lot Single-Family Residence with Contractor Laydown Yard
West	R-1(B) Single Family Residential and A-G Agriculture Districts	Illegal Non-Conforming RV Park, Commercial and Industrial Laydown Lot, Agricultural Open Space,

Total Tract Size: 7.345 Acres

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Agricultural, which allows for the production and cultivation of food stuffs, livestock and other agricultural activities such as apiary, forest products, hay production, etc.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates Sortor Drive as a Local Street

Parking Requirement: Section 27-452(e) states “Two off-street parking spaces shall be provided on the premises for each single-family dwelling”. There is no single-family dwelling on the property, as it was demolished. The subject property has acres of unimproved parking on the site, comprised of dirt, gravel, asphalt, or other similar materials.

Landscaping Requirement: The proposed A-G Agriculture District does not define specific landscaping requirements for this district. The current zone requires one (1) shade tree per dwelling unit required in the front or corner side yard per Section 27-700(a). The subject property has no dwelling unit to define yardage, but retains a number of trees towards the rear of the property, meeting this requirement.

Advertisement:	<u>The Wyandotte Echo</u> – February 13, 2025 <u>Letters to Property Owners</u> – February 21, 2025; March 20, 2025; and April 18, 2025
Public Hearing(s):	April 14, 2025 and May 12, 2025
Public Support:	None to date.
Public Opposition:	Staff received one (1) phone call from a neighbor in opposition.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Oracio Perez, is requesting a Change of Zone from R-1 Single Family District to A-G Agriculture District to pursue agricultural activities. The applicant wishes to keep a garden and maintain a number of roosters and fowl. The applicant also wishes to construct a large barn for keeping horses and cattle.

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 recent noise or disturbance complaints on the subject property”

Building, Zoning, or Code Enforcement Complaints:

1. 2022: PDEMO22-0034 – Private Demolition for Unfit Structure (closed)
2. 2022: UDEMO22-0010 – UG Demolition for Unfit Structure (closed)
3. 2022: FIRE22-0080: Fire Report – Vacant House, Vehicles (closed)
4. 2022: TOW22-0041: Fire Report – Towed Burned Vehicles (closed)
5. 2022: CMP22-1857: *Unsafe structure (closed)*

Outstanding or Related Permit and Cases:

1. There are no outstanding permits on the subject property.

Previous Planning Actions:

2. 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 Quindaro Bluffs Statistical Neighborhood and the Leavenworth Road Association Group. The neighborhood consists primarily of large lot single-family residences and agricultural lots. The neighborhood is rural in nature with various degrees of industrial activity pertaining to salvage, refuse, and material storage. Streets are gravel or asphalt and have minimal improvements.

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

The zoning and uses of nearby property are set out above. The property is surrounded by primarily Single Family District zoning, with limited A-G Agriculture Zoning in the vicinity. Most surrounding properties are used for industrial or agricultural purposes. Use of the subject property for agricultural purposes is expected to be compatible if managed properly.

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 proposed use is suitable for agricultural purposes in terms of acreage, however usable space for agricultural purposes on the property is limited. There are steep terrain changes that make large portions of the land unsuitable for grazing or crop production. Portions of the property that are cleared and leveled have been denuded of natural vegetation and cover, leading to deep mud trenches with erosion and sediment, which was deeper than one (1) foot in some areas. The cleared land has been utilized for automobile salvage, recreational vehicle salvage, material salvage, and the potential for environmental hazards on the property requiring significant soil mitigation exists. The property was leased to other acquaintances of the applicant for the purpose of keeping large numbers of roosters. Staff estimates that approximately 200-300 roosters were on the property at the time of the staff site visit between the owner and the two (2) other lessees of the property. The limited land suitable for livestock keeping in combination with the environmental hazards dictate that this property is not suitable for agricultural purposes in the scale allowed by a change of zone petition.

The removal of restrictions may detrimentally affect nearby property as prolonged erosion control issues will become exasperated by additional land clearing. The ability to keep large quantities of fowl livestock in areas in which grazing fields are not established has the propensity to create stockyard-like atmosphere, which may be considered a nuisance to adjacent residents.

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 is not vacant. It has been utilized by various property owners, although they have largely been off-site owners. The private residence on the property was demolished in 2022, although the residence was vacant prior to 2005. The accessory shed still remained on the property and is currently utilized as a chicken coop. Additional chicken coops were constructed on the property without permit within the last year.

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 as it is for the owner's private use. The proposed use has the propensity to negatively affect adjacent property owners as the property is not physically suitable for agricultural activity.

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 increase traffic as it is for the private use of the property owner, however, any increase in traffic would exceed the capacity of Sortor Drive, which is a rural, dirt road with no infrastructure, designated as 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 Agricultural, which allows for the production and cultivation of food stuffs, livestock and other agricultural activities such as apiary, forest products, hay production. The proposed use complies with the plan if managed properly and operates in conformance with a Conservation Plan and in accordance with local ordinances, including animal control.

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

The keeping of large quantities of fowl, horses, cows, or other livestock can cause environmental harm, through contaminated run-off and sediment control. Additionally, preparing the site to correctly keep these animals may result in harm, as horses, cows, and other livestock require large open space areas, which the property currently does not adequately provide. To provide this space would require removal of a significant amount existing tree stand and landscaping, which would cause environmental harm in the form of increased

erosion and run-off and decreased stormwater management. The current cleared space does not provide adequate ground cover to maintain agricultural uses.

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. It is unknown if these services are in use at the property.

b. *Sanitary Sewer Service*

There is no sanitary sewer service on the property. It is unclear if a septic tank has been properly remediated with the demolition of the residence.

c. *Storm Water Control*

There is no storm water control on the subject property or Sortor Drive.

d. *Police*

Police service is provided by West Patrol, District #223

e. *Fire*

Fire service is provided by Station #18, which is two (2) miles away from the subject property.

f. *Transit*

There is no transit service in close proximity to the subject property.

g. *Schools*

Public Education is provided by Welborn Elementary School, Gloria Willis Middle School and Schlagle 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 as it is for the private use and enjoyment of the property owner.

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

The proposed use is capable of meeting applicable ordinance requirements as long as the animals are kept and maintained, and the property is conserved and managed properly. There is conflict however, as to provide the necessary land area for the animals, the applicant will have to remove a significant amount of tree stand, which will increase the chances for run-off, erosion, and decreased storm-water management. There are a number of non-permitted structures on the site, salvage vehicles, unimproved parking surfaces, unregistered and unaltered animals, and numerous other violations on-site. The applicant has stated that they have removed a number of these violations since the staff visit, although staff has yet to verify these changes as of the date of this report.

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 will be minimal. There are concerns with the increasing care for the animals with the current state of the site as well as concerns water runoff and contamination of water runoff, due to animal waste and removal of existing tree-stand. If denied, the applicant would still be able to keep animals, however, they would then require a variance to keep multiple accessory structures and to keep accessory structures without a primary structure.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting on February 24, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Conservation Plan
Maintenance of Property
Notices of Violation
Number of Animals
Roosters
Leasing of Property
Property Access and Driveway
Unpermitted Structures
Waste Management Plan
Land Disturbance

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. During a site visit on January 31, 2025, Animal Services and Planning + Urban Design Staff identified several violations, including:
 - a. Approximately 200-300 roosters from various tenants the property owner was leasing areas of the property to
 - b. Salvage Vehicles
 - c. Salvage Campers
 - d. Salvage Food Trucks
 - e. Unsecure structures;
 - f. Cars parked on unimproved surfaces;
 - g. Trash in various locations on the property;
 - h. Unpermitted accessory structures;
 - i. Unregistered animals;
 - j. Improperly kept animals;

Staff Update – May 12, 2025: A second site visit was conducted at the property after the prior Planning Commission hearing. Staff observed that a significant number of vehicles and equipment were removed, however several remain. The roosters belonging to tenants on the property were removed, however the large structure at the west of the property remained. A significant amount of asphalt, gravel, dirt, and similar surface remains, without any grass to provide for rotational grazing. Upon discussion with the applicant, the applicant said he will continue to tear down structures he does not feel he will be permit-worthy and will continue to work on property clean up. Staff believes that while there is good faith effort to provide for these efforts on the property, there is not enough grass or open space to allow the desired uses of horses or livestock. Staff believes if the applicant continues their clean-up efforts and works with the Conservation District to mitigate soil conditions, additional uses could be permitted on the property at a future date.

2. There are several unpermitted structures on the property; These structures either need to be removed, or a retroactive building permit must be sought out.

Applicant Response Summarized: They will be removed or repaired.

Staff Update – May 12, 2025: A second site visit was conducted and the legal non-conforming shed remained as well as the non-permitted coup/enclosure to the west.

3. The applicant must submit a Conservation Plan. Work with the Wyandotte County Conservation District to develop a conservation plan for the property. The conservation district can be contacted at wycoco.conservations@gmail.com or (913) 334-6329.

Applicant Response Summarized: Okay, I'm just trying to make money off my property by letting my friends pay me here. I cannot work anymore and need to make money off my property.

4. What are all the intended uses of the property?

Applicant Response Summarized: I want to have a garden and keep my rooster and chickens. I sell them to make money.

Note: Staff acknowledges there may be some language barriers in communicating with the applicant.

Staff Update – May 12, 2025: The applicant concluded with staff that they do intend to keep horses and possibly other livestock at the property and construct a large barn.

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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **DENIAL** of Petition **COZ2025-002** subject to all comments and suggestions outlined in this staff report and summarized by the following conditions:

1. The applicant has indicated that they would like to keep a garden, which they are allowed to do without the Change of Zone;
2. The agricultural uses on the property are limited by contamination, lack of open space, or salvage uses;
3. The proposed use does not meet Factor to be Considered #3. The property itself is not suitable for large quantities of fowl, horses, livestock, or crop production as it does not afford the required open space and has significant environmental contamination. To provide this open space, the applicant would need to remove a significant amount of existing tree stand and foliage, which then creates an issue with potential erosion and run-off;
4. The property has largely been utilized by persons other than the applicant to harbor large quantities of roosters, inconsistent with appropriate agricultural activities (Factor to be Considered #3); and,

5. The proposed use does not meet Factor to be Considered #8. Keeping fowl or livestock requires a significant amount of open space. To provide this open space, the applicant would need to remove a significant amount of existing tree stand and foliage, which then exacerbates erosion and run-off, especially contamination of run-off through the keeping of livestock. Either scenario creates environmental harm as well as potential harm to the animals on the property.

If the City Planning Commission recommends APPROVAL of **Special Use Permit (petition number to be assigned)**, Staff recommends that the following conditions apply:

1. In lieu of a Change of Zone, staff recommends a Special Use Permit for one (1) year for twenty (20) chicken and no roosters be granted to the applicant while the property is improved and environmental damage mitigated. This aligns with Factor to be Considered #8, as these conditions of approval include steps to mitigate environmental damage, thus providing some degree of enhancement;
2. The applicant must submit a Conservation Plan. Work with the Wyandotte County Conservation District or Planning Department Staff to develop a conservation plan for the property. The conservation district can be contacted at wyco.conservation@gmail.com or (913) 334-6329. This application will not be published until an approved Conservation Plan is submitted;
3. All animals on the property must be registered with Animal Services;
4. All inoperable vehicles, recreational vehicles, salvage vehicles, food trucks, etc. must be removed from the property;
5. The right-of-way approach must be improved to UG standards;
6. A Variance must be applied for to maintain the accessory structure left standing after the residential demolition as there is no longer a primary structure;
7. All produce and animal keeping, processing, culling, harvesting, sales, or similar activity, either direct to consumer or otherwise sold or provided to a third-party off-site must follow Kansas Department of Agriculture guidelines and regulations;
8. The right-of-way must be restored to native grasses;
9. Gravel, asphalt, or other unimproved parking surface must be removed except by areas approved by staff;
10. The property is not to be leased to third parties and shall be for private use of the owner;
11. The property must no longer be informally accessed by the adjacent property owner to reach their barn without incorporating this access agreement into the staff-approved Conservation Plan, as it incorporates significant unimproved surface for access;
12. This Special Use Permit is limited to twenty (20) chickens and zero (0) roosters;
13. All trash and other debris must be removed from the subject property;

14. All other existing code violations must be corrected. This petition will not be published until the violations are shown to be corrected;
15. All cars and other vehicles must be parked on a paved, improved surface;
16. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;
17. Lighting shall be installed to have a 90-degree cutoff;
18. 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;
19. All existing and future driveways must feature curb cuts that are constructed to UG standards;
20. 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;
21. 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;
22. 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;
23. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinance. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
24. 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;

25. 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;
26. 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;
27. 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;
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; and,
29. 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.

If the City Planning Commission recommends APPROVAL of **COZ2025-002**, Staff recommends that the following conditions apply:

- 1. The applicant must submit a Conservation Plan. Work with the Wyandotte County Conservation District or Planning Department Staff to develop a conservation plan for the property. The conservation district can be contacted at wyco.conservations@gmail.com or (913) 334-6329. This application will not be published until an approved Conservation Plan is submitted;**
- 2. All animals on the property must be registered with Animal Services;**
- 3. All inoperable vehicles, recreational vehicles, salvage vehicles, food trucks, etc. must be removed from the property;**
- 4. The right-of-way approach must be improved to UG standards;**
- 5. The right-of-way must be restored to native grasses;**
- 6. All produce and animal keeping, processing, culling, harvesting, sales, or similar activity, either direct to consumer or otherwise sold or provided to a third-party off-site must follow Kansas Department of Agriculture guidelines and regulations;**
- 7. Gravel, asphalt, or other unimproved parking surface must be removed except by areas approved by staff;**
- 8. The property is not to be leased to third parties and shall be for private use of the owner;**
- 9. The property must no longer be informally accessed by the adjacent property owner to reach their barn without incorporating this access agreement into the staff-approved Conservation Plan, as it incorporates significant unimproved surface for access;**
- 10. All trash and other debris must be removed from the subject property;**
- 11. All other existing code violations must be corrected. This petition will not be published until the violations are shown to be corrected;**
- 12. All cars and other vehicles must be parked on a paved, improved surface;**
- 13. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;**
- 14. Lighting shall be installed to have a 90-degree cutoff;**
- 15. 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;**
- 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. 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;
19. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
20. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinance. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
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. 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,

23. 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
Staff Site Visit Photos Dated January 31, 2025

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	April 14, 2025 (Held Over) May 12, 2025	May 29, 2025

STAFF CONTACT: **Kallie McLaughlin, Planner, Floodplain Administrator**
kdmclaughlin@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **COZ2025-002** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

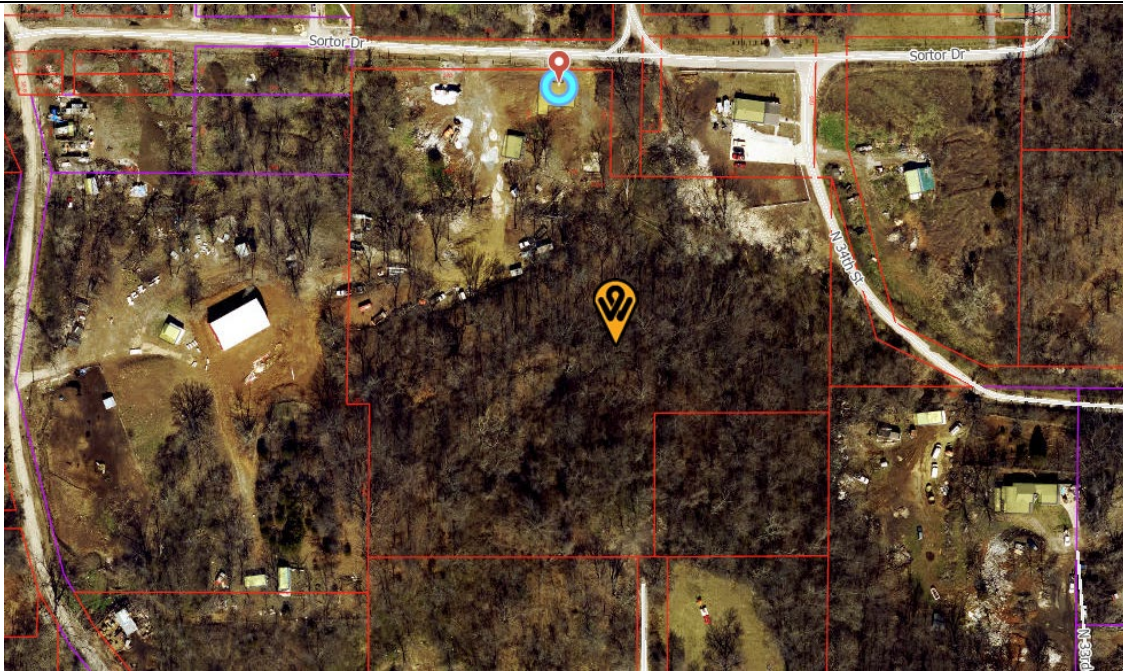
1. _____;
2. _____; And
3. _____.

OR

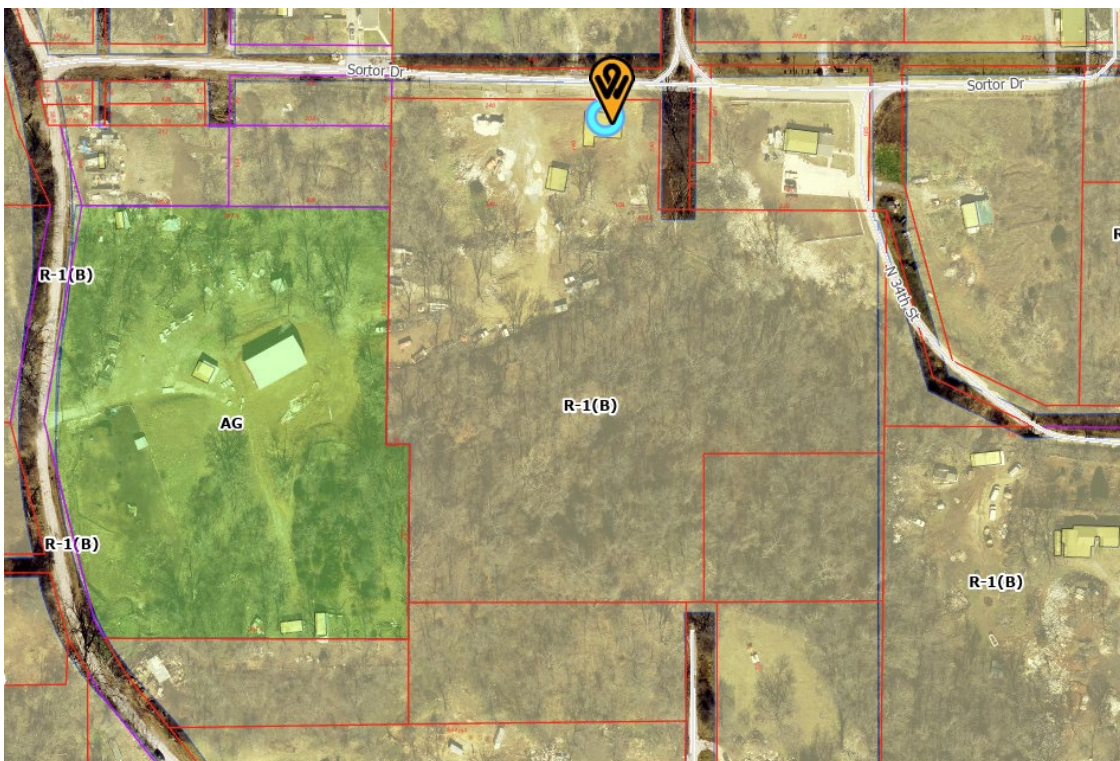
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **COZ2025-002**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

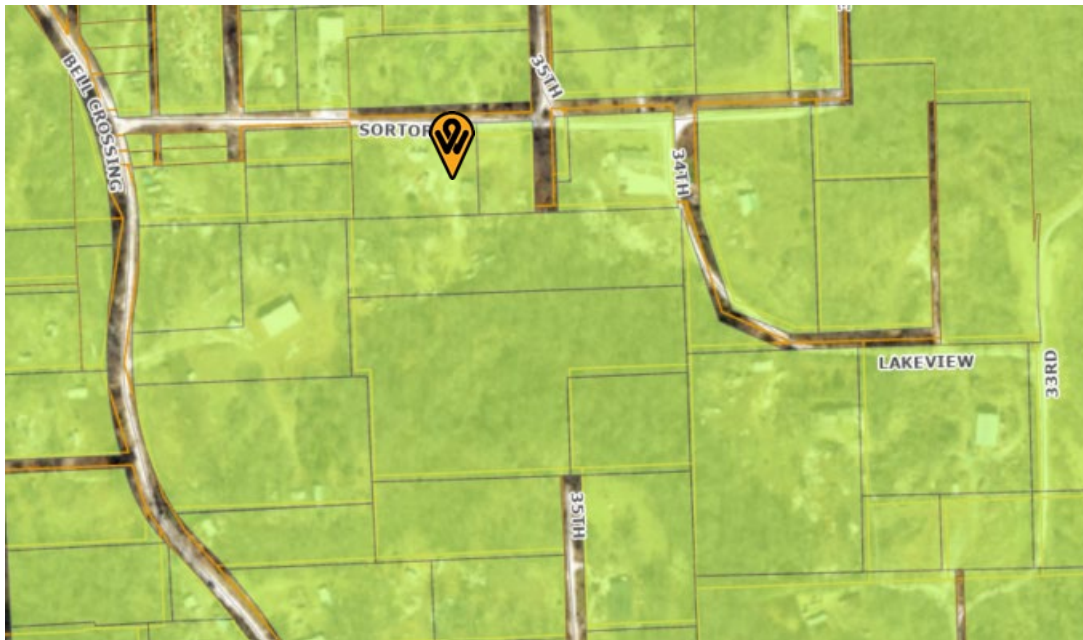
AERIAL IMAGERY



ZONING MAP

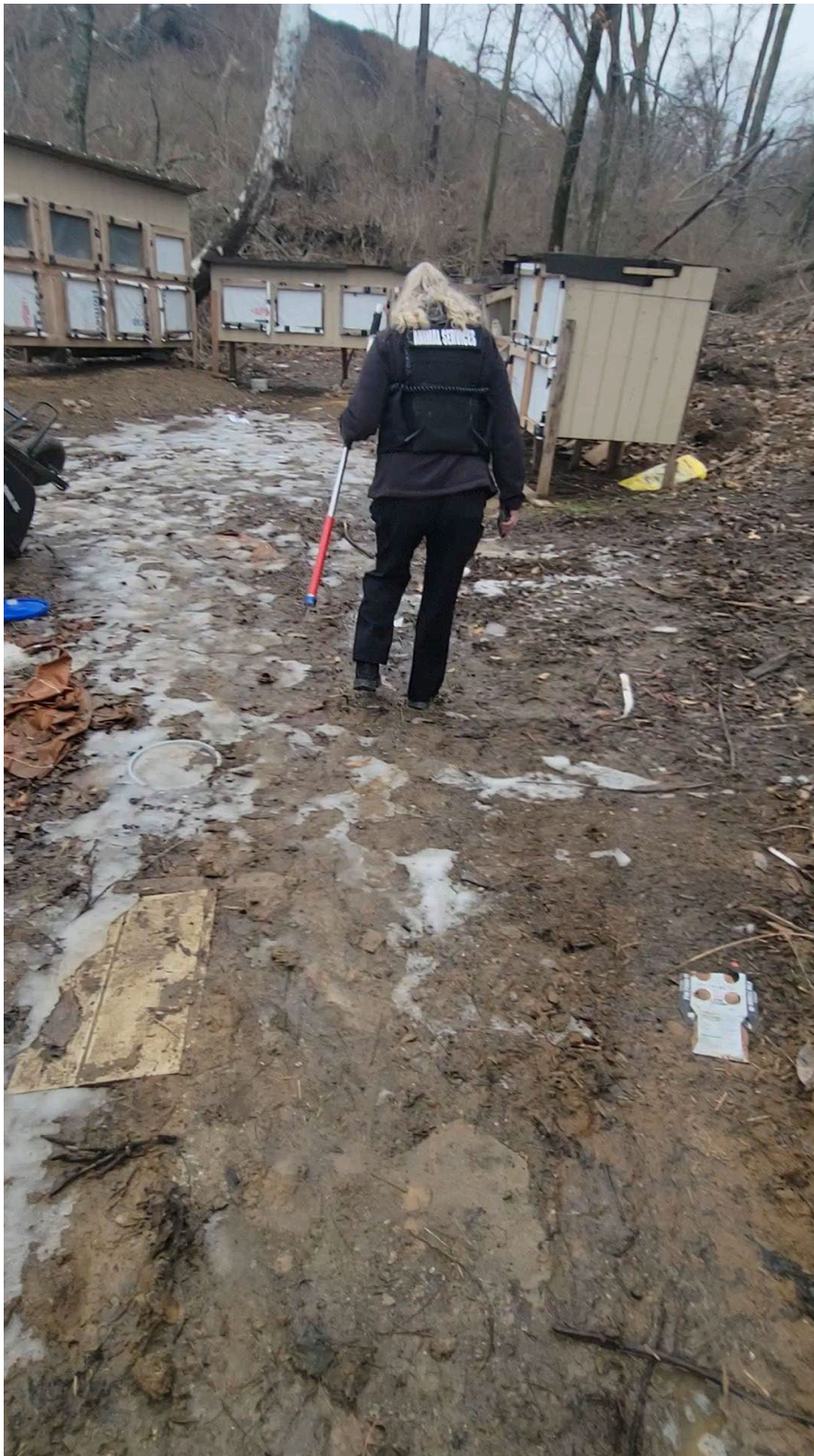


LAND USE MAP















Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Change of Zone Petition COZ2025-004

GENERAL INFORMATION

Applicant Information:

Mike McCown
Applicant
MLBC-2 LLC
20924 Floyd Street
Bucyrus, Kansas 66013

Subject Property:

13100 and 13130 State Avenue
Kansas City, Kansas 66109

Requested Action and Purpose:

Approval of a Change of Zone from
CP-2 Planned General Business
District to CP-3 Planned Commercial
District to build 99,800 square foot
climate controlled and contractor flex
use storage buildings.

Commission Districts:

At-Large Commissioner, District #2:
Tom Burroughs
District #7 Commissioner:
Chuck Stites

Existing Zoning District(s):

CP-2 Planned General Business
District

Proposed Zoning District(s):

CP-3 Planned Commercial District



	Adjacent Zoning	Adjacent Uses
North	RP-5 Planned Apartment District	Townhomes
South	None (City of Bonner Springs)	Wooded, undeveloped land
East	CP-2 Planned General Business District	Casey's Gas Station
West	RP-2 Planned Two Family District	Delaware Ridge wooded common space and duplexes

Total Tract Size: 5.39 Acres

Comprehensive Plan Area: Prairie Delaware Piper Area Plan

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates the subject property Planned Commercial, which allows for commercial retail, limited commercial services, and convenience retail.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates State Avenue as a Major Arterial and North 130th Street 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. 399 parking spaces are required. Four (4) spaces are provided. A variance from the Board of Zoning Appeals is required for a reduction of 395 parking spaces.

Landscaping Requirement: Section 27-467(g) 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) Landscaping shall exceed the typical code requirements by at least 75 percent.

59 trees are required to be planted, however this does not include trees required for screening and buffering, along the street right-of-way, or parking lot islands.

Advertisement:	<u>The Wyandotte Echo</u> – March 20, 2025 <u>Letters to Property Owners</u> – March 21, 2025 and April 4, 2025
Public Hearing(s):	April 14, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Mike McCown with AP KCK, LLC, is requesting a Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District to build a multi-building, 99,800 square foot climate controlled and contractor flex use storage facility at 13100 and 13130 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 are no notices of violation on the subject property.

Outstanding or Related Permit and Cases:

1. BOZA2025-012 – Variance for a reduction in parking – to be heard by the Board of Zoning Appeals on May 12, 2025.
2. 2009 – 93000-00654 – Building Permit – Casey’s Gas Station.

Previous Planning Actions:

1. Approval of a Preliminary Plan Review (PR-2007-33) for a 35,318 square foot shopping center in 2007.
2. Approval of a Final Plan Review (PR-2008-13) and Final Plat (Delaware Ridge Commercial) for 35,318 square foot shopping center in 2008.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Prairie-Piper Statistical Neighborhood and Block Group 0448032. The neighborhood consists of an established mixed residential subdivision to the north and west, Delaware Ridge neighborhood, which is comprised of single-family homes, duplexes and townhomes. There is a self-storage facility on the east side of North 130th Street, across from Casey's gas station/convenience store. Across State Avenue to the south is a heavily forested parcel, which is within the City of Bonner Springs.

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 the RP-5 Planned Apartment and RP-2 Planned Two Family Districts to the north and west, respectively. The proposed use, which is commercial in nature, is not compatible with nearby uses as there is a self-storage facility east on North 130th Street and the existing zoning is CP-2 Planned General Business District, which was originally entitled for a shopping center to serve the existing residential neighborhood.

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 proposed use is suitable for the subject property as the site is already graded flat and downhill from the townhomes that abut the north property line.

The removal of restrictions will detrimentally affect nearby property as rezoning to CP-3 Planned Commercial District allows the highest intense commercial uses in the zoning code, self-storage uses are characterized by 24/7 traffic, high rates of overturn, and ongoing maintenance needs.

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 is vacant. The property has been vacant since at least 1991 in reviewing aerial photography.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public because self-storage, specifically contractor storage is a niche

need. The proposed use will affect the use, quality, or marketability of nearby property of adjoining properties, as the existing zoning had an approved Final Development Plan for a neighborhood retail shopping center that would serve the larger established residential neighborhood. Additionally, rezoning to CP-3 Planned Commercial District would allow higher high intensity uses by-right, thereby creating concentration of such uses, which may create its own nuisance.

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 has the potential to increase vehicular traffic, but should not exceed the capacity of State Avenue, a Major Arterial to accommodate it if managed properly.

The proposed use will increase parking demand as only four (4) spaces are provided for the entire development. Based on the district requirement, 399 parking spaces are required. A variance for a deficit of 395 parking spaces is required from the Board of Zoning Appeals.

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

The Prairie Delaware Piper Area Plan designates the subject property as Planned Commercial, which allows for commercial retail, limited commercial services, and convenience retail. The proposed use conforms to the Prairie Delaware Piper Area Plan because general commercial uses are permitted in the Planned Commercial land use designation.

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

The proposed use is not expected to cause environmental harm as all personal effects, commercial materials, equipment and/or vehicles will be stored inside the various buildings, however, hazardous storage as defined as “H” occupancy in the International Building Code could cause environmental harm, specifically if there are chemical spills that infiltrate the sanitary or storm sewer systems.

Such storage denoted as an “H” occupancy will require a Special Use Permit due to hazardous storage.

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, which flows south along the west property line and east along the south property line.

c. Storm Water Control

The UG provides storm water control to the property.

d. Police

Police service is provided by West Patrol, District #228.

e. Fire

Fire service is provided by Station #8, which is three (3) miles away from the subject property.

f. Transit

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

g. Schools

Public Education is provided by Delaware Ridge Elementary School, Robert E. Clark Middle School, and Bonner Springs High School, under Bonner Springs/Edwardsville USD 204.

h. Streets

See item #6 above.

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

The proposed use will have a beneficial economic impact by turning a vacant, undeveloped parcel into a tax generating use.

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

With revisions to the building elevations – exterior building materials, massing and articulation, landscaping, screening and buffering to comply with the Commercial Design Guidelines, the proposed use is capable of meeting these ordinance requirements.

The proposed use is not capable of meeting ordinance requirements because Section 27-467(e) states uses in this district require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the

building. Either the project scope and/or size needs to be reduced to comply with the parking code or a variance for reduction in parking is required from the Board of Zoning Appeals.

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

The relative gain to public health, safety and welfare is minimal. There is no tangible gain to the public health, safety and welfare as the proposed use serves only those patrons that need to use the self-storage facility, whether it be for their personal or business needs. If this application is denied, the owners will still have property that is able to be developed, however, not in the form they originally intended.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on March 27, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Parking
Buffering, Landscaping and Screening
Commercial Design Guidelines
Concentration of Similar Uses
Noise
Traffic

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

General Planning:

1. Only four (4) parking spaces are provided. A variance for 395 parking spaces must be applied for and be approved by the Board of Zoning Appeals for the proposed site design as submitted, otherwise provide the requisite parking or redesign.

Applicant Response: Acknowledged. A parking variance for this site has been submitted.

2. Provide site line cross sections that illustrate what is visible from the north, south, east and west property lines.

Applicant Response: Acknowledged. Cross sections have been added through

the site in each direction.

3. What are the proposed hours of operation?

Applicant Response: It would be anticipated that the contractor storage units and climate controlled self-storage would allow for access 24/7 for users.

4. Build an 8-foot sidewalk along the north side of State Avenue in compliance with the goDotte Countywide Strategic Mobility Plan and connect to the sidewalk the northwest corner of 130th Street and State Avenue intersection.

Applicant Response: Acknowledged. An 8-foot sidewalk along the north side of State Avenue has been added.

5. Section 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided.

Applicant Response: Acknowledged.

6. Section 27-576(j) If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements to accommodate the necessary public infrastructure to adequately screen the site.

Applicant Response: Acknowledged.

Building Architecture:

1. Section 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three (3) of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or,
 - e. Variation in rooflines.

Applicant Response: Techniques A, C, D, and E for Building A are used to break up the appearance of the facades. On the south and east façade of Building A, panels of 30 – 40 feet wide stucco are separated by 10 feet of insulated metal panel and repeated. The main entrance and office are located on the northeast corner of the building. This is differentiated by incorporating brick as the primary building material. Based on material, the parapets are at different heights. The

stucco panel has a four (4) door parapet and insulated metal panel has two (2) feet, six (6) inch parapet. On the second and third floor, 7' x 7' windows are located in the stucco panel section of the wall and 5' x 18' windows are located in the insulated metal panel sections. South façade has been revised to meet 25% glazing. (Can be seen on sheet A2.0).

2. Section 27-576(d)(5) A single, large dominant building mass shall be avoided. Changes in mass should be related to entrances, the integral structure, and/or the organization of spaces and activities.

Applicant Response: Building A is located in the middle of the site and is three (3) stories tall. This building is 30 feet tall to the low eave with two (2) feet, six (6) inch and four (4) foot parapets. Surrounding Building A on the north, east, and west sides are Buildings B, C, and D. These buildings are 17 feet to the low eaves. Building B is located to the east of Building A. This building has a similar footprint to Building A. Building C is located to the north of Building A. This building is on the perimeter of the site and is near the residential community. This building helps block the view of internal usage of this site.

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

Applicant Response: Materials used on this project are stucco, insulated metal panel, brick, ribbed metal panel, aluminum framed windows and storefront with insulated low-e glazing (non-reflective).

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

Applicant Response: Materials used on this project are stucco, insulated metal panel, brick and ribbed metal panel.

5. Section 27-576(g)(2) Three-dimensional rooftops are encouraged. Variation in roofline is suggested to reduce the scale of large buildings.

Applicant Response: Building A has a single sloped roof with a parapet roofline. The parapet height varies to break up the different use of material. Building B has a gable roof where the low eave is on the east and west side of the building. Buildings C and D have a single sloped roof where the low eave is on the internal side of the site.

6. Downspouts shall be internalized.

Applicant Response: Building A has a parapet where the roof drain is internal. Building B has a 0.5:12 gable pitched roof where the roof gutters are located on the low eaves of the roof. On the east and west sides of the building, the east side is the internal side of the site where Buildings A, C, and D are located, the west faces the Casey's gas station. Buildings C and D have 0.5:12 single-sloped roofs and the low eave is where the gutters and downspouts are located, face internally to the site.

Landscaping and Screening:

1. Section 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements.

Applicant Response: See revised landscape plan which includes additional shrubs for screening.

2. Per Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The site for the proposed development is 5.39 acres, 59 trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lots zoned CP-3 Planned Commercial District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands.

Applicant Response: See revised landscape plan. 59 trees are included, not counting street or parking lot trees.

3. All parking lot islands must have trees installed in them.

Applicant Response: See revised landscape plan which complies.

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

Applicant Response: See revised landscape plan which complies.

5. Section 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs

used in this area must not exceed a maximum height of 30 inches at maturity.

Applicant Response: See revised landscape plan which complies.

6. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every 30 feet of street easement or frontage.
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Credit is being taken for the large trees growing along State Avenue that will remain. The existing trees effectively screen the proposed land use and exceed the standards listed above.

7. Section 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.

Applicant Response: Shrubs have been added along 75% plus frontage of buildings along State Avenue. Credit is being taken along the west and north property lines for the existing vegetation in these areas. Trees have been added along the east property line to buffer view from the gas station.

8. All landscaping shall be with an in-ground irrigation system.

Applicant Response: Acknowledged.

9. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and trash enclosure.
 - a. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.

Applicant Response: There is no exterior trash enclosure.

10. Only decorative lighting can be used on the exterior of the building. No wall pack lights, or flood lights are allowed.

Applicant Response: Acknowledged. Lighting will meet City code.

11. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.

Applicant Response: Acknowledged.

12. All privacy fencing along the north and west shall have masonry columns every 32 feet running.

Applicant Response: See revised landscape plan. The only proposed fencing along the north and west property lines are located west of Building C and east of Building C. This fencing has been updated to include masonry columns.

13. All new rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building. Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines. Raise the rear parapet and hide the scuppers. Overflow drains (lamb's tongues) shall discharge a maximum of 9 inches above grade.

Applicant Response: Acknowledged. The north elevation of Building A has been revised to include a parapet. Building A will have roof drains.

14. Mini split units need to be screened from public view if mounted on the building.

Applicant Response: Acknowledged.

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) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
- 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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **COZ2025-004** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. This City Planning Commission case is being heard in conjunction with BOZA2025-012. 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 BOZA2025-012 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;
2. 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. Per Section 27-575(e)(4) All building facades shall be at least 50 percent masonry. Cementitious siding may be used to meet 50 percent of the total masonry requirement.
3. Build an 8-foot sidewalk along the north side of State Avenue in compliance with the goDotte Countywide Strategic Mobility Plan and connect to the sidewalk the northwest corner of 130th Street and State Avenue intersection;
4. Section 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
5. Section 27-576(j) If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements to accommodate the necessary public infrastructure to adequately screen the site;
6. Section 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three (3) of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or,
 - e. Variation in rooflines.
7. Section 27-576(d)(5) A single, large dominant building mass shall be avoided. Changes in mass should be related to entrances, the integral structure, and/or the organization of spaces and activities;
8. Section 27-576(e)(1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality prestressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls;

- b. Highly tinted glass or glass tinted in unnatural colors should be avoided;
- 9. Section 27-576(e)(2) Exterior building materials shall not include the following:
 - a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tee or double-tee concrete systems; or
 - f. EIFS at the ground level or comprising more than 15 percent of any façade;
- 10. Section 27-576(g)(2) Three-dimensional rooftops are encouraged. Variation in roofline is suggested to reduce the scale of large buildings;
- 11. Downspouts shall be internalized;
- 12. Section 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements;
- 13. Per Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The site for the proposed development is 5.39 acres, 59 trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lots zoned CP-3 Planned Commercial District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands;
- 14. All parking lot islands must have trees installed in them;
- 15. Section 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curb line of a private easement;
- 16. Section 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.
- 17. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every 30 feet of street easement or frontage;
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees;
- 18. Section 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers;
- 19. All landscaping shall be with an in-ground irrigation system;

20. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and trash enclosure
 - a. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;
21. Only decorative lighting can be used on the exterior of the building. No wall pack lights, or flood lights are allowed;
22. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
23. All privacy fencing along the north and west shall have masonry columns every 32 feet running;
24. All new rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building. Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines. Raise the rear parapet and hide the scuppers. Overflow drains (lamb's tongues) shall discharge a maximum of 9 inches above grade;
25. Mini split units need to be screened from public view if mounted on the building;
26. 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;
27. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);
28. 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;
29. All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
30. 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;
31. 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;
32. 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;
33. All existing and future driveways must feature curb cuts that are constructed to UG standards;
34. 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;
35. 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;
36. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;

37. For the Final Development Plan: A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;
38. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a Final CO; and,
39. 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
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Grading Plan
Utility Plan
Landscape Plan
Site Line Drawings
Floor Plans
Building Elevations
Building Rendering

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	May 12, 2025	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **COZ2025-004** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

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

OR

I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **COZ2025-004**, to the Unified Government Board of Commissioners 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

AERIAL IMAGERY



ZONING MAP



LAND USE MAP





Date: April 10, 2025

To: City of Kansas City, Kansas

From: Daniel Finn, P.E., Phelps Engineering, Inc.

Re: Responses to City Comments
PEI #240846

STAFF COMMENTS AND SUGGESTIONS

General Planning:

1. Only four (4) parking spaces are provided. A variance for 395 parking spaces must be applied for and be approved by the Board of Zoning Appeals for the proposed site design as submitted, otherwise provide the requisite parking or redesign.
Applicant Response: Acknowledged. A parking variance for this site has been submitted.
2. Provide site line cross sections that illustrate what is visible from the north, south, east and west property lines.
Applicant Response: Acknowledged. Cross sections have been added through the site in each direction.
3. What are the proposed hours of operation?
Applicant Response: It would be anticipated that the contractor storage units and climate controlled self-storage would allow for access 24/7 for users.
4. Build an 8-foot sidewalk along the north side of State Avenue in compliance with the goDotte Countywide Strategic Mobility Plan and connect to the sidewalk the northwest corner of 130th Street and State Avenue intersection.
Applicant Response: Acknowledged. An 8-foot sidewalk along the north side of State Avenue has been added.
5. Section 27-3147 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided.
Applicant Response: Acknowledged.

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6. Section 27-576(j) If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements to accommodate the necessary public infrastructure to adequately screen the site.

Applicant Response: Acknowledged.

Building Architecture

1. Section 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three (3) of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window Bays;
 - d. Separate entrances and entry treatment; or,
 - e. Variation in rooflines.

Applicant Response: Techniques a, c, d, and e for building A are used to break up the appearance of the façades. On the south and east façade of building A, panels of 30'-40' wide stucco are separated by 10' of insulated metal panel and repeated. The main entrance and office is located on the northeast corner of the building. This is differentiated by incorporating brick as the primary building material. Based on material, the parapets are at different heights. The stucco panel has a 4'-0" parapet and insulated metal panel has a 2'-6" parapet. On the second and third floor, 7'x7' windows are located in the stucco panel section of the wall and 5'x18' windows are located in the insulated metal panel sections. South façade has been revised to meet 25% glazing. (Can be seen on sheet A2.0).

2. Section 27-576(d)(5) A single, large dominant building mass shall be avoided. Changes in mass should be related to entrances, the integral structure, and/or the organization of spaces and activities.

Applicant Response: Building A is located in the middle of the site and is 3 stories tall. This building is 30 feet tall to the low eave with 2'-6" and 4'-0" parapets. Surrounding building A on the north, east, and west sides are buildings B, C, and D. These buildings are 17'-0" to the low eaves. Building B is located to the east of building A. This building has a similar footprint to building A. Building C is located to the north of building A. This building is on the perimeter of the site and is near the residential community. This building helps block the view of internal usage of this site.

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

Applicant Response: Materials used on this project are stucco, insulated metal panel, brick, ribbed metal panel, aluminum framed windows and storefront with insulated low-e glazing (non-reflective)..

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

Applicant Response: Materials used on this project are stucco, insulated metal panel, brick, and ribbed metal panel..

5. Section 27-576(e)(2) Three-dimensional rooftops are encouraged. Variation in roofline is suggested to reduce the scale of large buildings.

Applicant Response: Building A has a single sloped roof with a parapet roofline. The parapet height varies to break up the different use of material. Building B has a gable roof where the low eave is on the east and west side of the building. Buildings C and D have a single sloped roof where the low eave is on the internal side of the site..

6. Downspouts shall be internalized.

Applicant Response: Building A has a parapet where the roof drain is internal. Building B has a .5:12 gable pitched roof where the roof gutters are located on the low eaves of the roof. On the east and west sides of the building, the east side is the internal side of the site where building A, C, and D are located, the west faces the Casey's gas station. Buildings C and D have .5:12 single sloped roofs and the low eave is where the gutters and downspouts are located, face internally to the site..

Landscaping and Screening:

1. Section 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements.

Applicant Response: See revised landscape plan which includes additional shrubs for screening.

2. Per Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The site for the proposed development is 5.39 acres. 59 trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lot zoned CP-3 Planned Commercial District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands.

Applicant Response: See revised landscape plan. 59 trees are included, not counting street or parking lot trees.

3. All parking lot islands must have trees installed in them.

Applicant Response: See revised landscape plan which complies.

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

Applicant Response: See revised landscape plan which complies.

5. Section 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.

Applicant Response: See revised landscape plan which complies.

6. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:

- a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every 30 feet of street easement or frontage.
- b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Credit is being taken for the large trees growing along State Avenue that will remain. The existing trees effectively screen the proposed land use and exceed the standards listed above.

7. Section 27-577(d)(1) Landscape berms and/or continuous rows of shrubs are required to screen parking At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers

Applicant Response: Shrubs have been added along 75% plus frontage of buildings along State Avenue. Credit is being taken along the west and north property lines for the existing vegetation along these areas. Trees have been added along the east PL

to buffer view from the gas station.

8. All landscaping shall be with an in-ground irrigation system.

Applicant Response: Acknowledged.

9. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and trash enclosure.

- a. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from the streets or adjacent land uses. All screening materials must be well maintained at all times.

Applicant Response: There is no exterior trash enclosure.

10. Only decorative lighting can be used on the exterior of the building. No wall pack lights, or flood lights are allowed.

Applicant Response: Acknowledged. Lighting will meet City code.

11. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.

Applicant Response: Acknowledged.

12. All privacy fencing along the north and west shall have masonry columns every 32 feet running.

Applicant Response: See revised landscape plan. The only proposed fencing along the north and west property lines are located west of Building C and east of Building C. This fencing has been updated to include masonry columns.

13. All rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building.

Applicant Response: Acknowledged.

Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines.

Applicant Response: Acknowledged.

Raise the rear parapet and hide the scuppers.

Applicant Response: The north elevation of Building A has been revised to include a parapet. Building A will have roof drains.

Overflow drains (lamb's tongues) shall discharge a maximum of 9 inches above grade.

Applicant Response: Acknowledged.

14. Mini split units need to be screened from public view if mounted on the building.

Applicant Response: Acknowledged.

Standard Conditions:

1. 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.

Applicant Response: Acknowledged.

2. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers).

Applicant Response: Acknowledged.

3. 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.

Applicant Response: Acknowledged.

4. All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.

Applicant Response: Acknowledged.

5. 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 off 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 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.

Applicant Response: Acknowledged.

6. 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) 573-8620 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.

Applicant Response: Acknowledged.

7. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
Applicant Response: Acknowledged.
8. All existing and future driveways must feature curb cuts that are constructed to UG standards.
Applicant Response: Acknowledged.
9. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by infor@wycokck.org to confirm if they need right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly.
Applicant Response: Acknowledged.
10. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
Applicant Response: Acknowledged.
11. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.
Applicant Response: Acknowledged.
12. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting.
Applicant Response: Acknowledged.

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, Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is 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 the issuance of a Final CO.

Applicant Response: Acknowledged.

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

Applicant Response: Acknowledged.

Planning Engineering:

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

- 1) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.

Applicant Response: Acknowledged. See responses below to Engineering Comments.

B) Items that are conditions of approval:

- 2) None

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

- 3) None

Applicant Response: Acknowledged.



Date: March 28, 2025

Meeting Date: March 27th, 6:00 PM

Location of Meeting: Virtual via Zoom

Project: COZ2025-004 and PR2025-007

Neighborhood Attendees: Monica Strathman 13004 Nebraska Ct, KC, KS 66109

Development Team: Daniel Finn – Phelps Engineering
Kaylee Nottestad – Hernly Associates, Inc.
Scott Jones – AP KCK, LLC

-
1. Monica Strathman was the only attendee of the Neighborhood Meeting.
 2. Around 6:00 PM, Daniel Finn welcomed the attendee. The proposed project was explained as well as the City's approval process and current anticipated schedule for public hearings. It was discussed that due to the required variance, the project would be continued 1 planning cycle, and another neighborhood meeting would occur to discuss the variance.
 3. Daniel Finn walked through the site plan, access points, parking, landscaping, and building elevations.
 4. Monica asked if the storage units and contractor garages would be included. It was explained that they were fully enclosed.
 5. Monica asked why this use specifically. It was explained that this property has sat vacant for a long time despite residential users in the area that could trigger other commercial uses. The contractor storage use is becoming more and more necessary to allow workers a place to store their truck that is not located within a residential development. The goal is to get more work trucks off of public streets and into safe secure contractor garages for both them and the public.
 6. Monica asked about the visuals from the neighborhood and the public street. It was explained that the site sits much lower in elevation than the existing townhomes. It was explained that all trees within the R/W along State Avenue would remain with this project as well as the trees on top of the R/W along the north property line. Additionally, more trees and shrubs along State Avenue are proposed with the project.

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7. Monica asked about potential negative impacts from the project. It was explained that this site would have a very minimal impact compared to other commercial developments. It was explained that contractor storage and self-storage are very low traffic generators. There would be no significant noise especially when compared to thru restaurants, auto mechanics, etc... which are also allowed within commercial zoning districts. It was explained that a detention basin has already been constructed to account for this development so there are no detrimental downstream stormwater impacts. It was explained that lighting would be minimal (building mounted only) which would be less than a typical parking lot.
8. Monica asked if there would be a detrimental hit to property value. The design team explained that, in their opinion, this development would not have a negative impact to property values. The minimal traffic, noise and light pollution that would occur from the development was touched on again.
9. The meeting concluded at around 6:45 pm

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

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

1. That I am the petitioner for Petition # COZ2025-004 and PR2025-007
2. That I conducted a neighborhood meeting on March 27, 2025.
3. The notice to nearby property owners was sent on March 13, 2025.
4. 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.

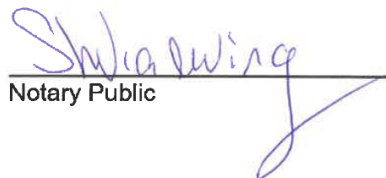
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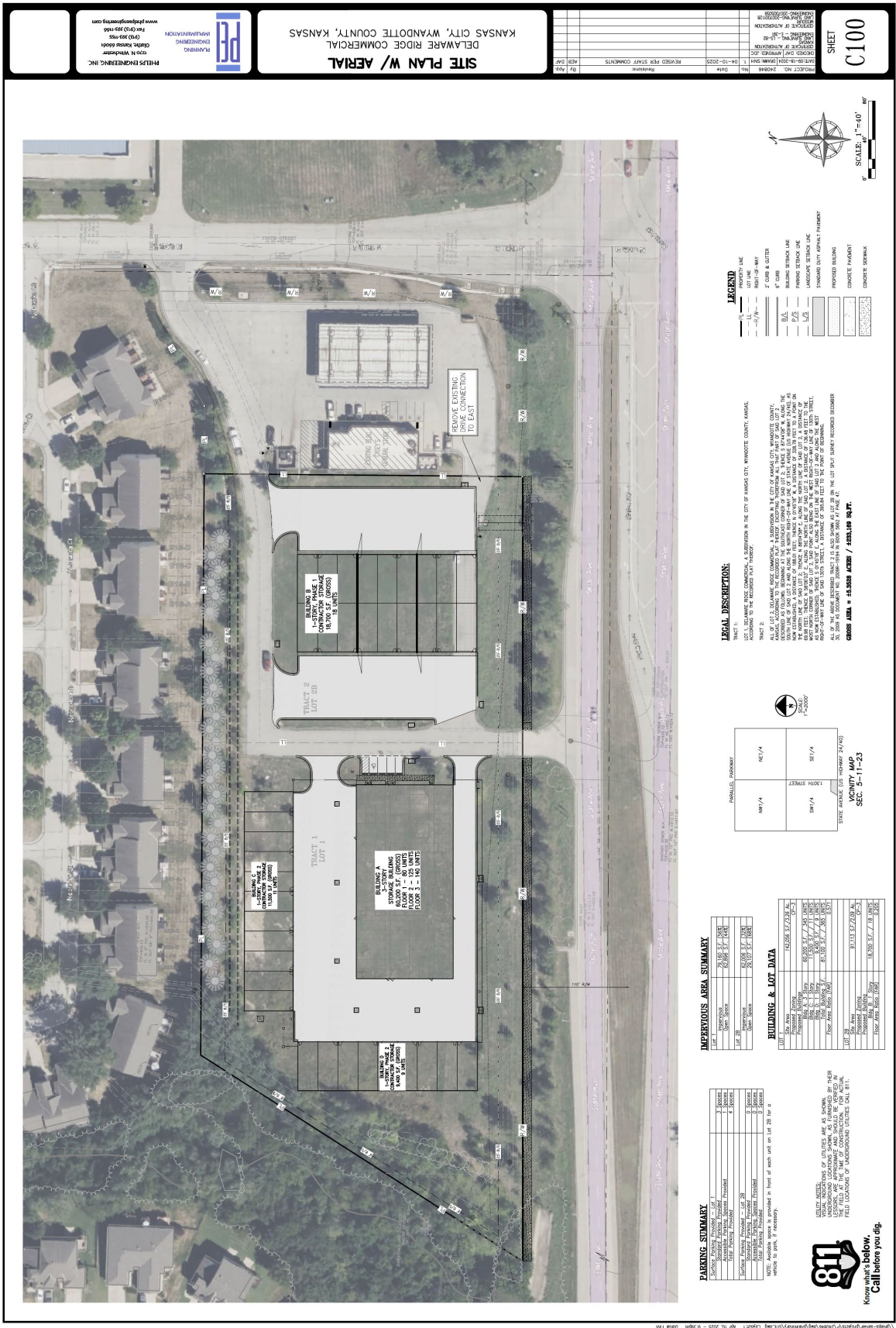

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 11th day of April, 2025.

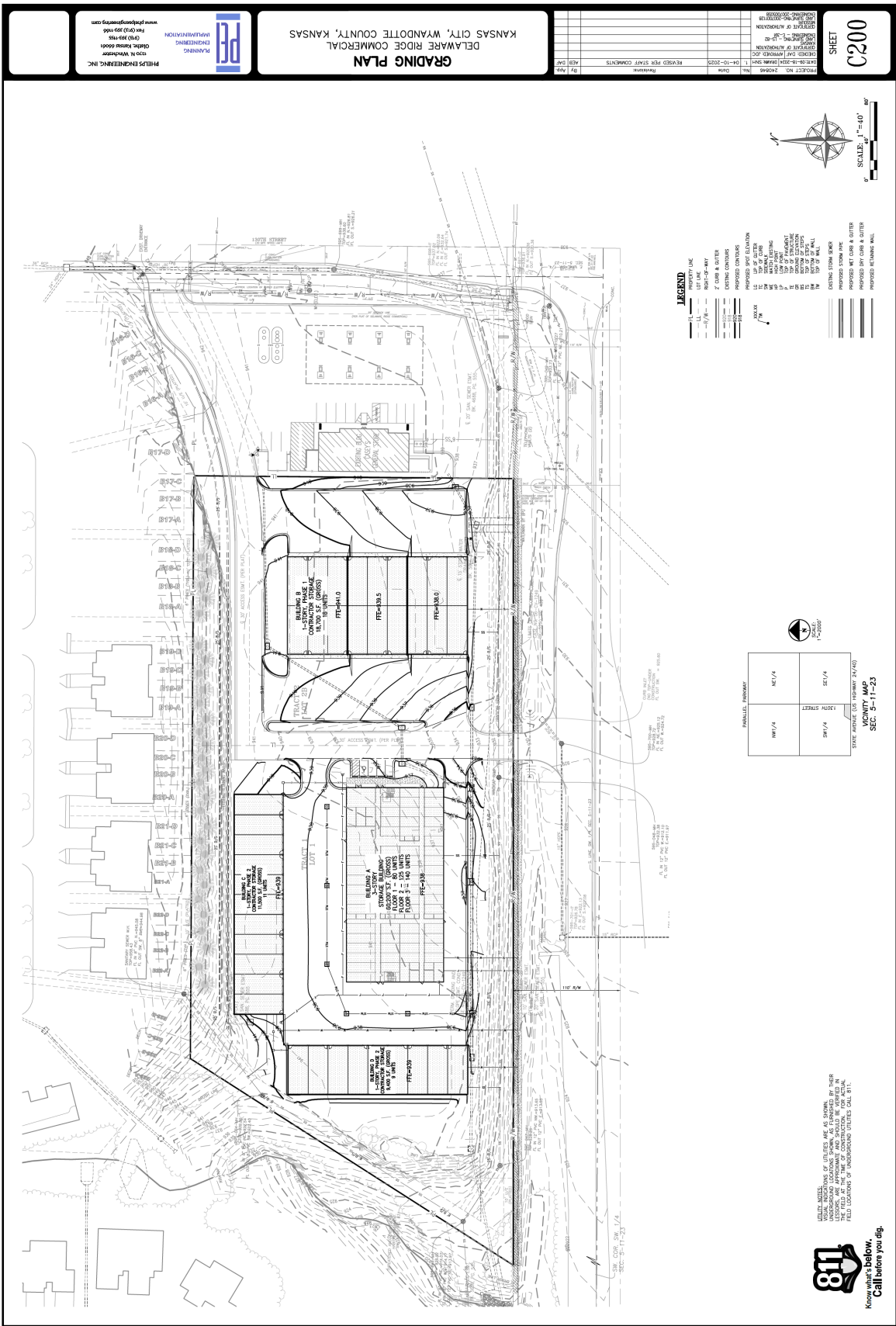
My commission expires _____ of _____, 20____.



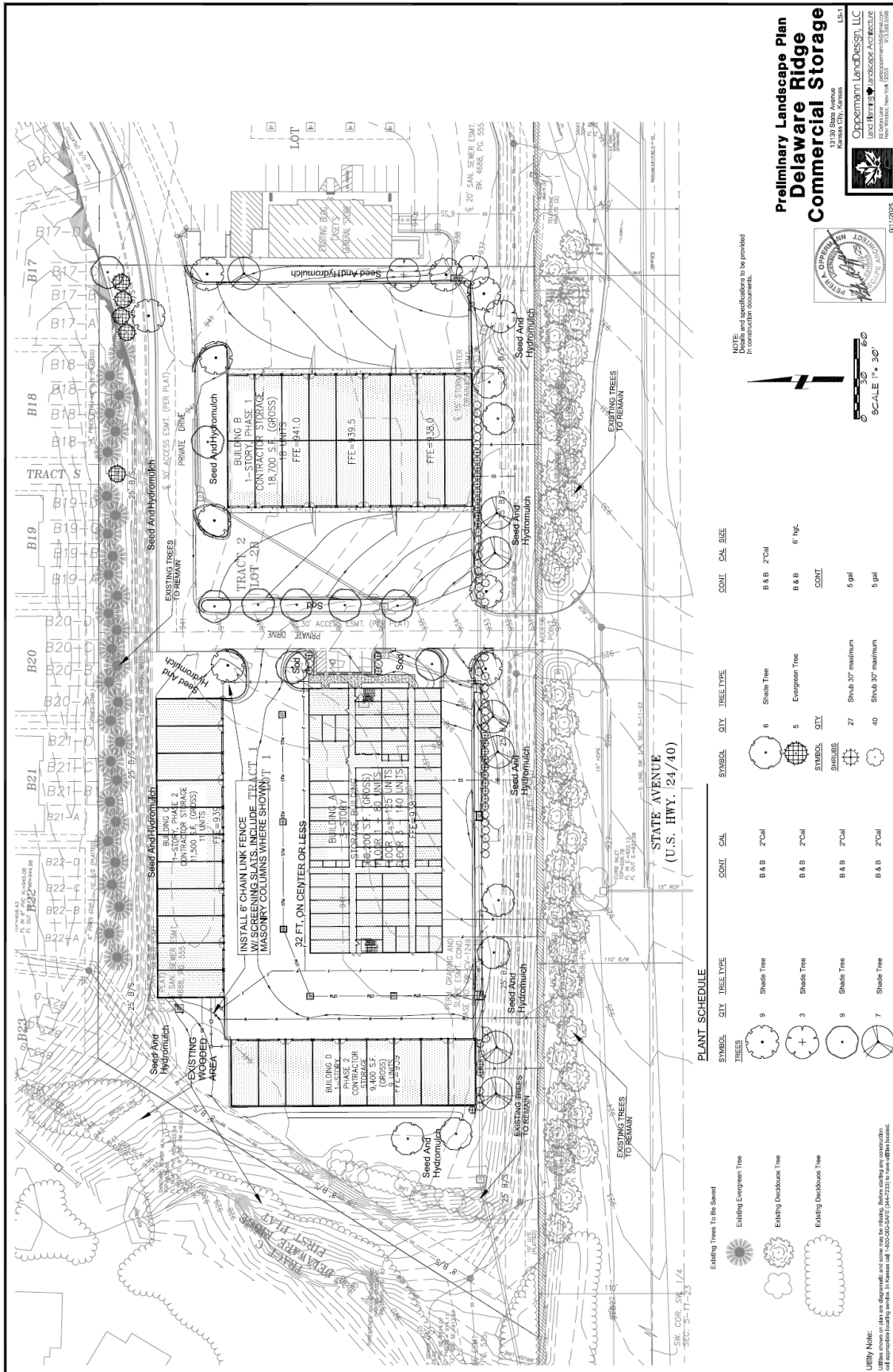

Notary Public

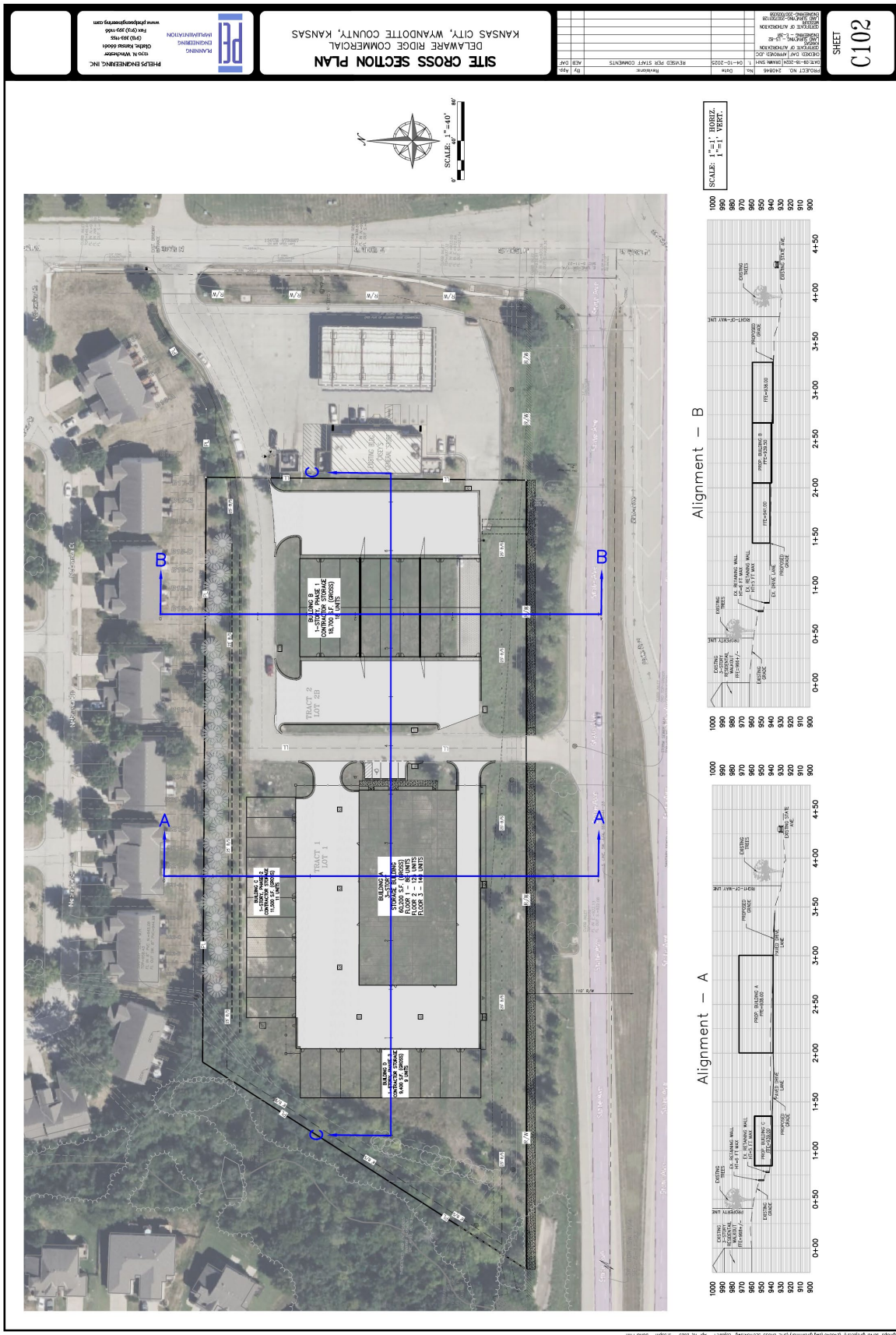


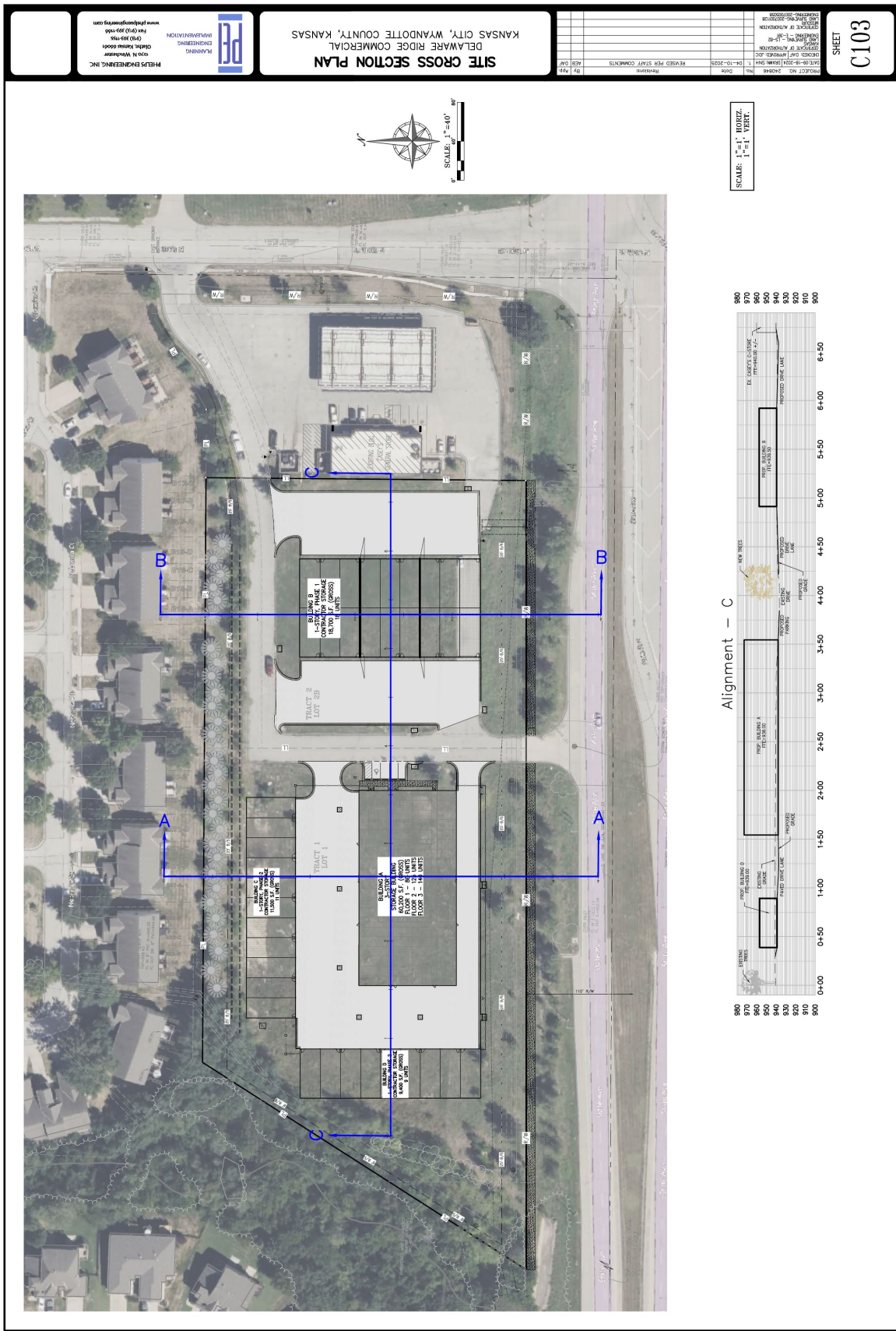


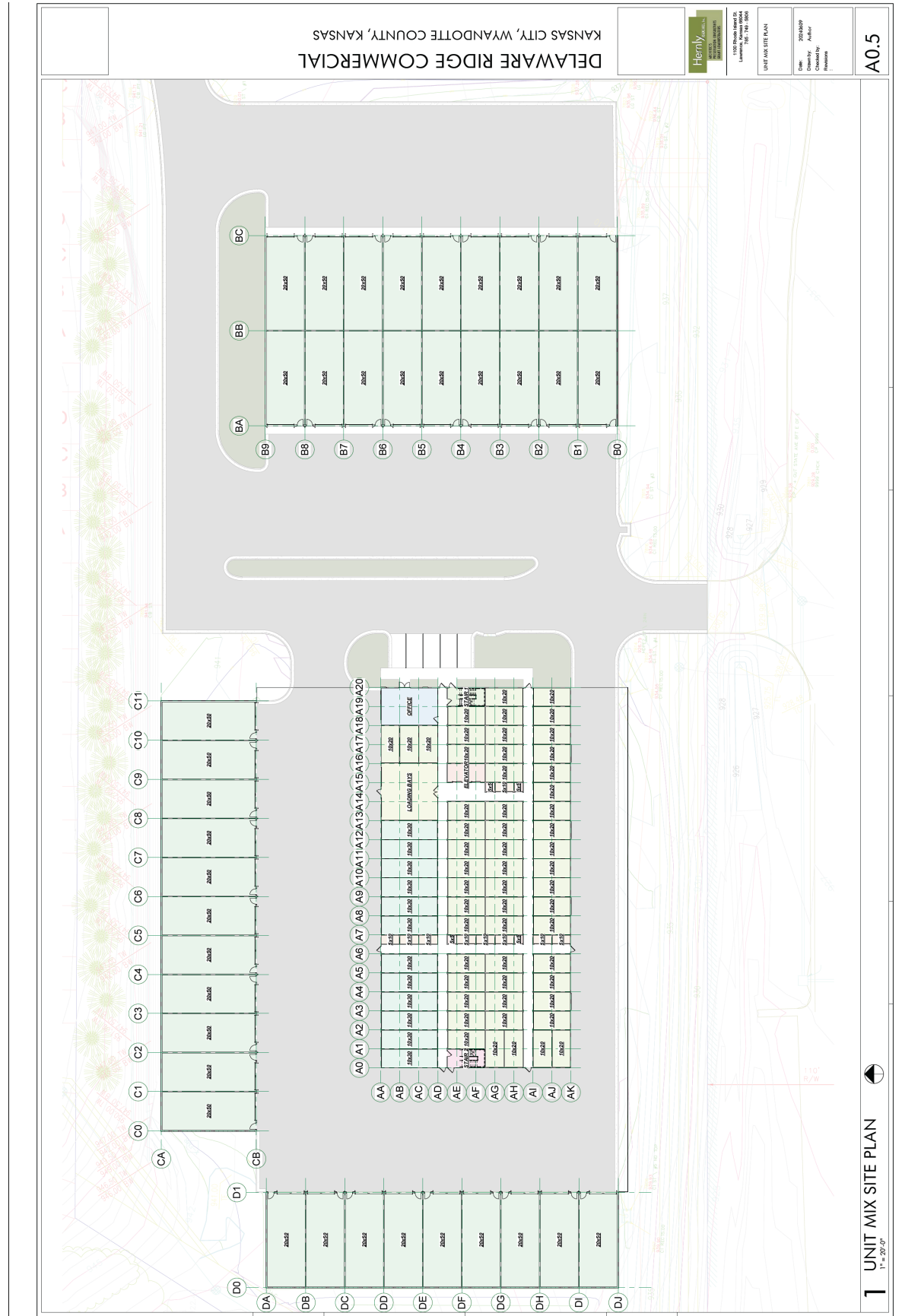




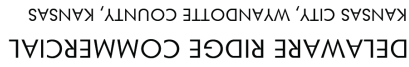


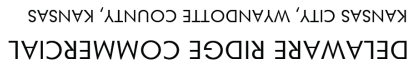


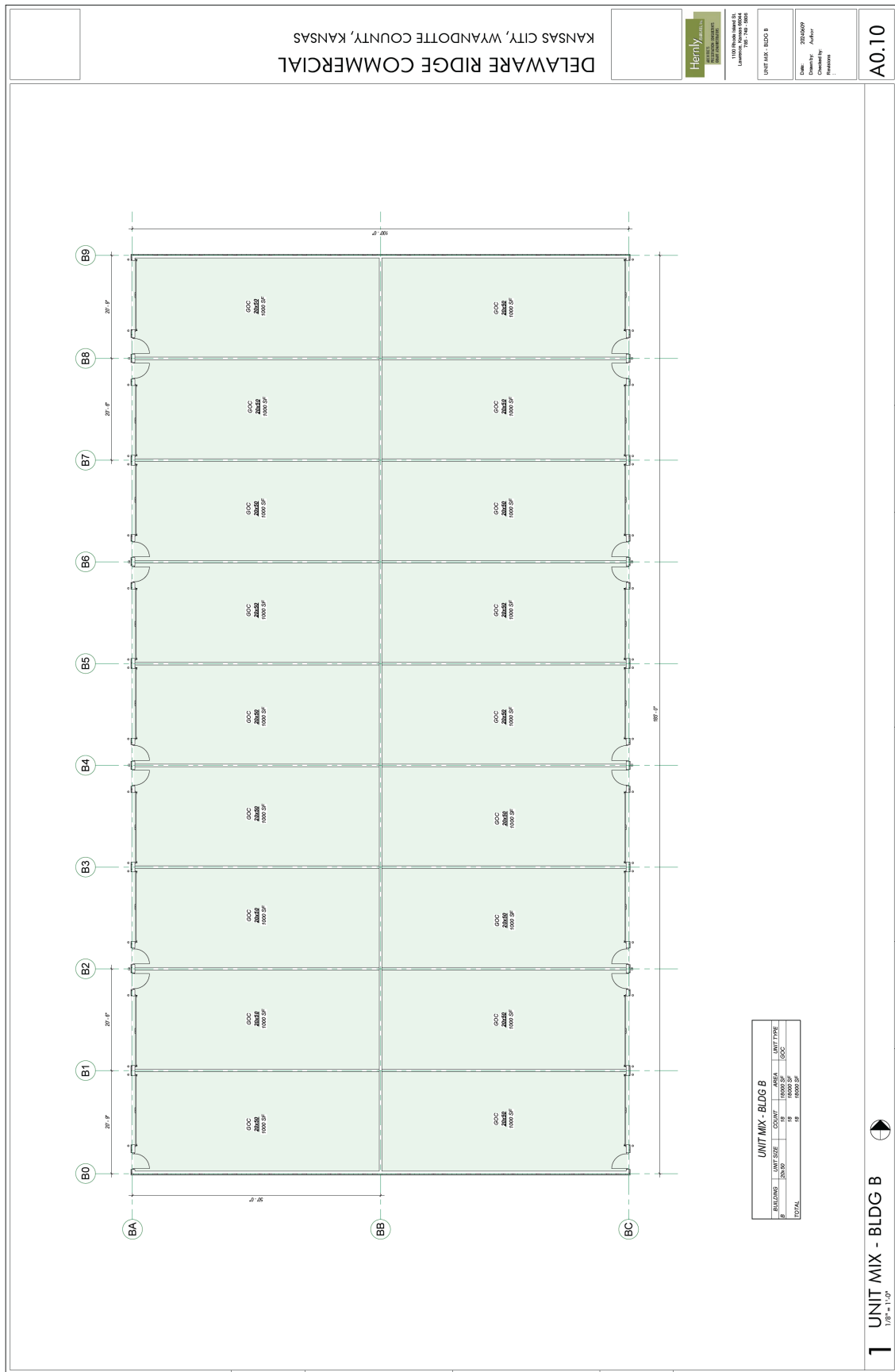


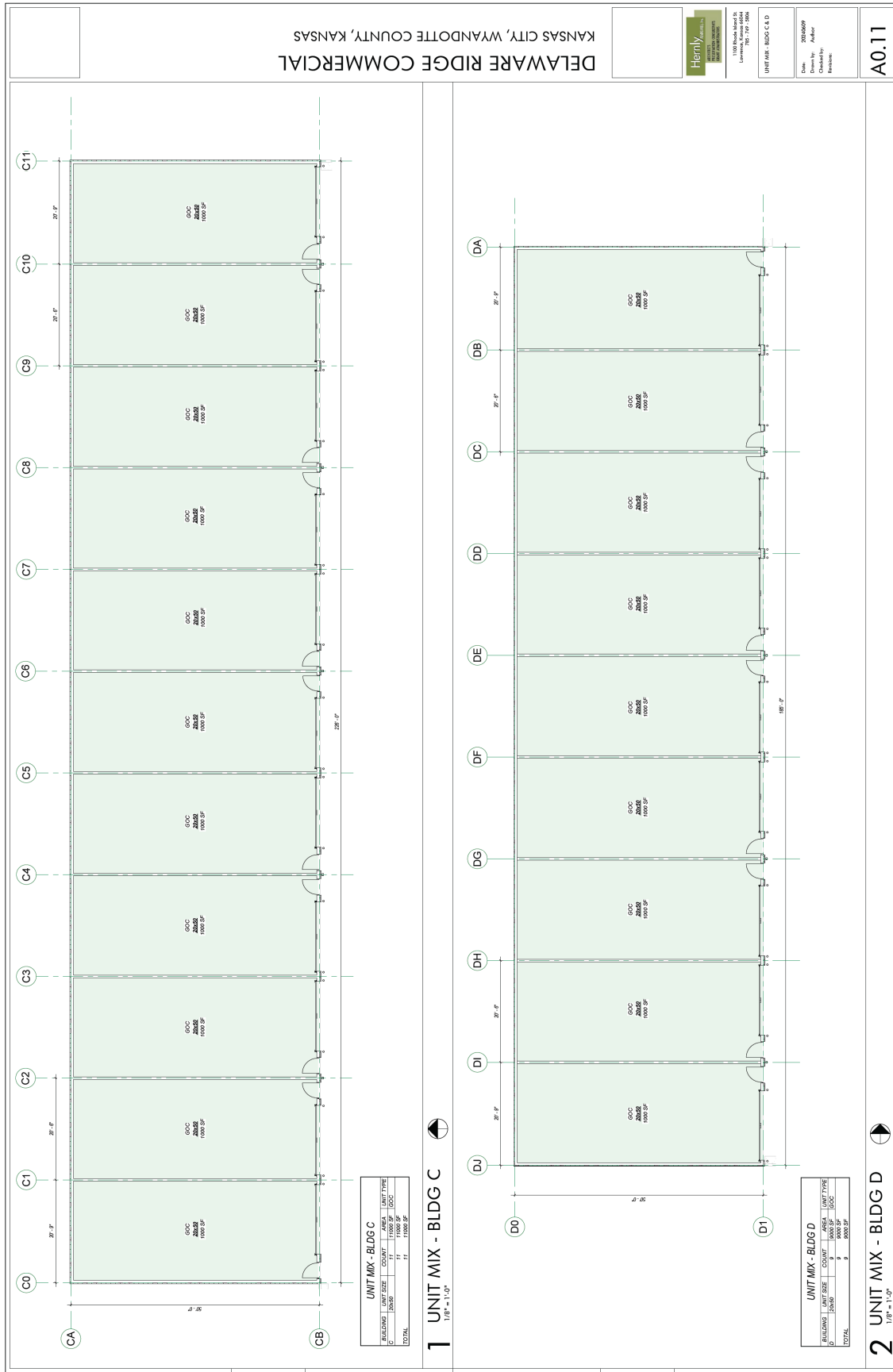


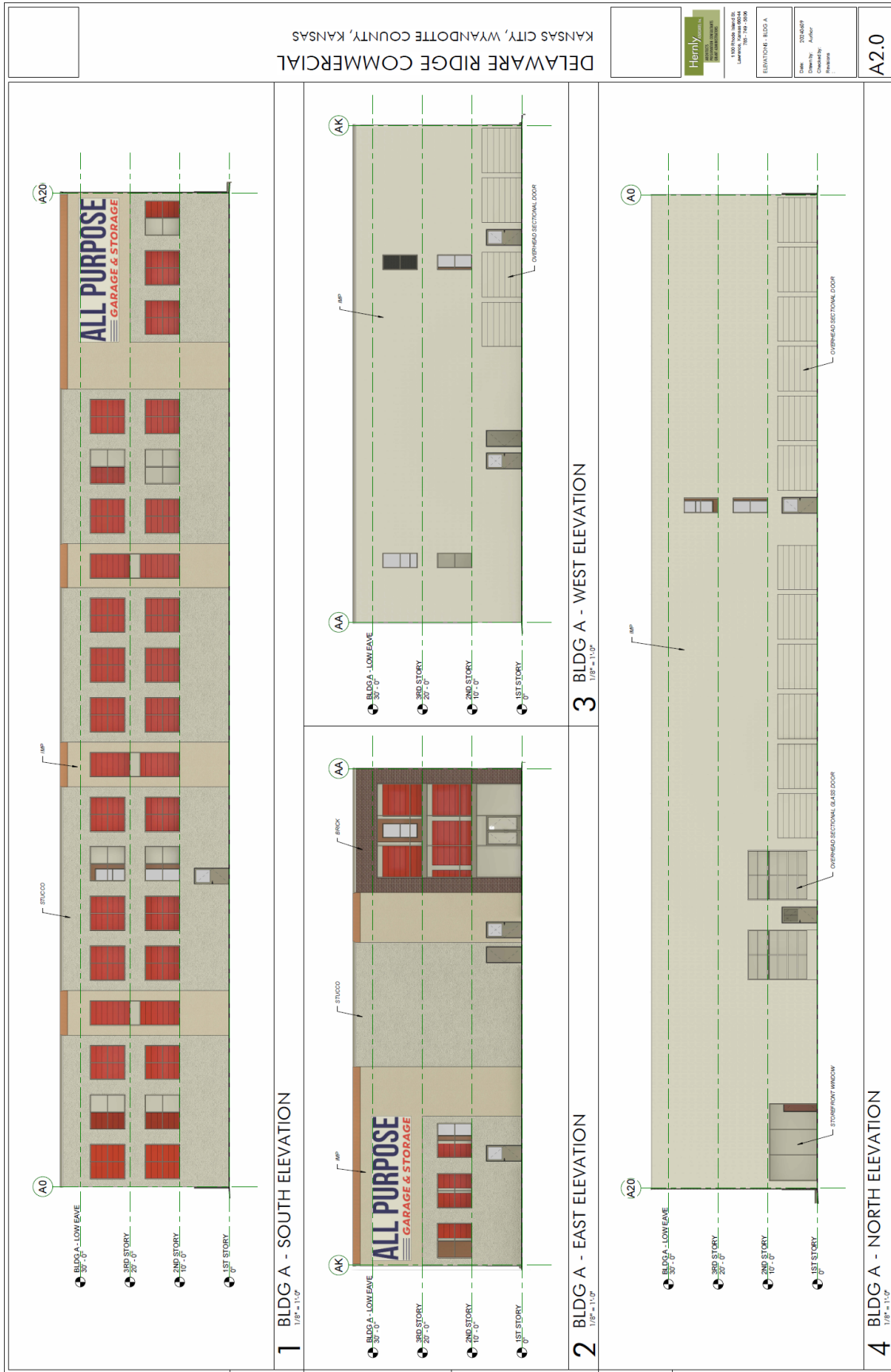


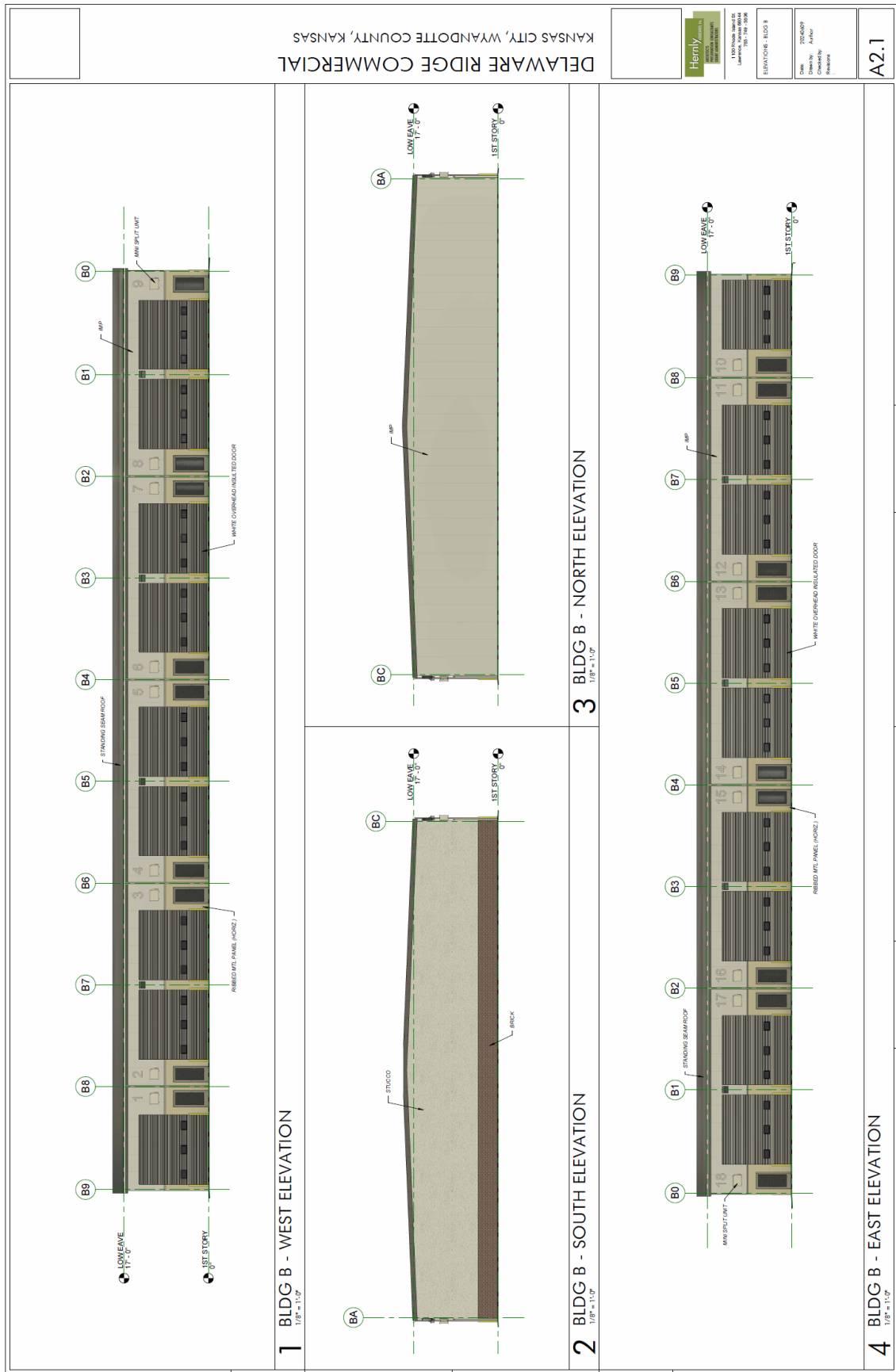


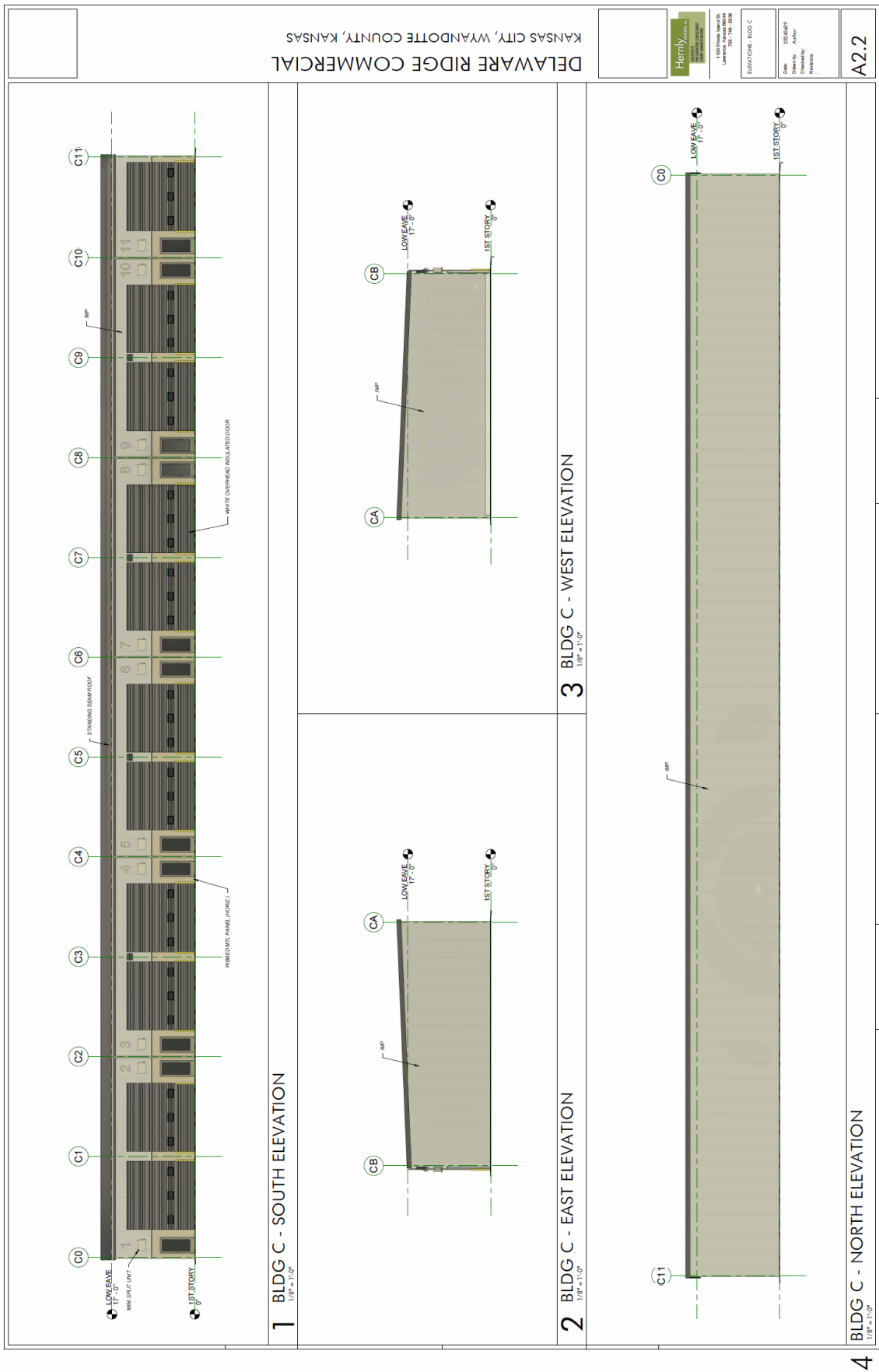


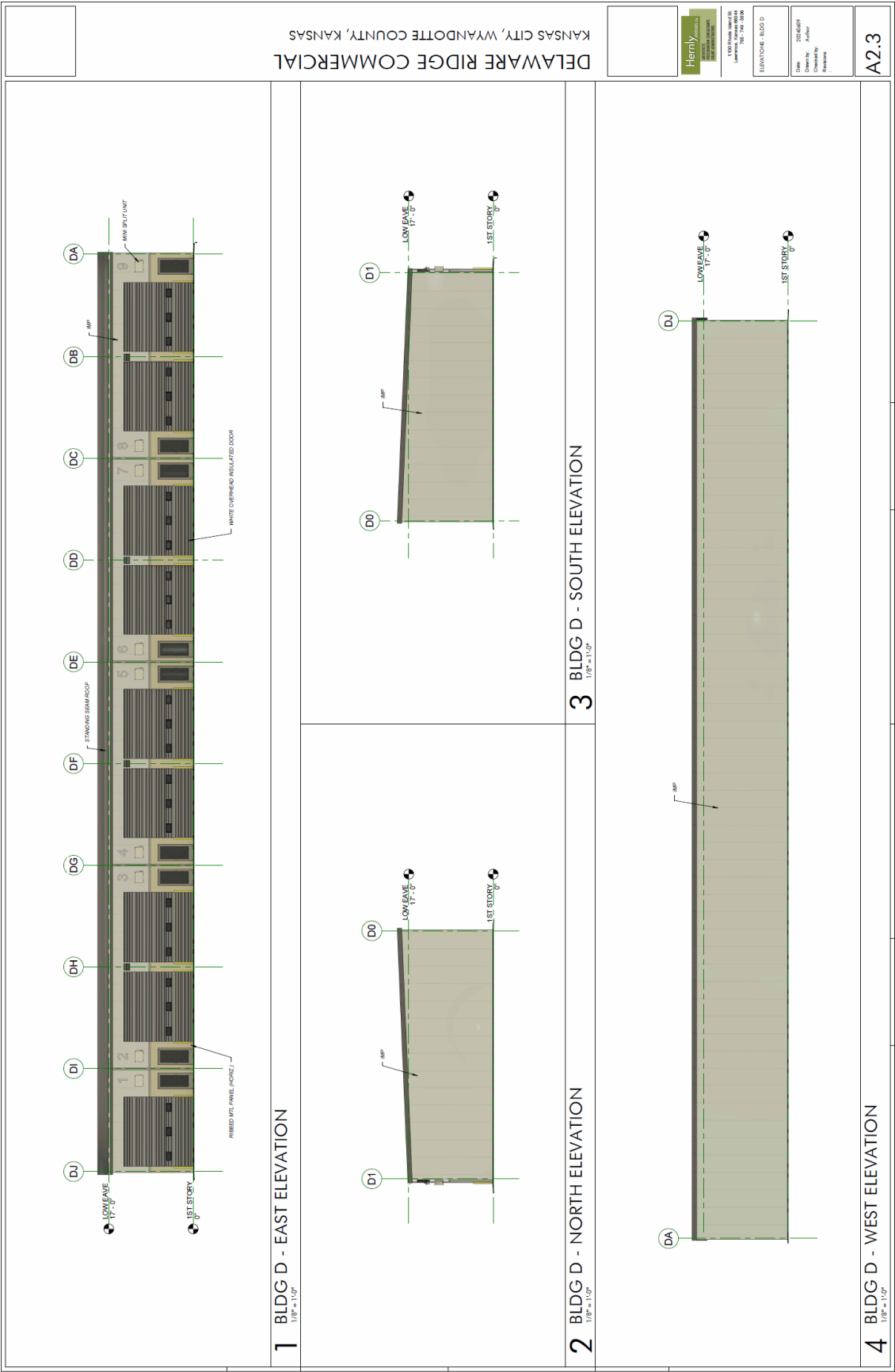


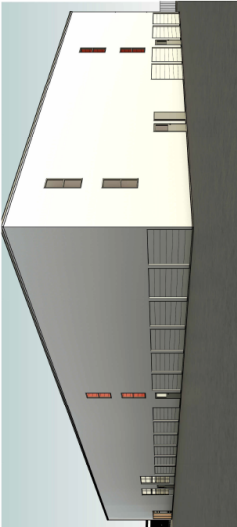
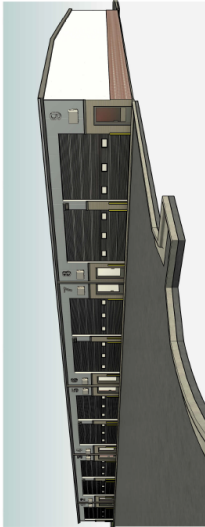
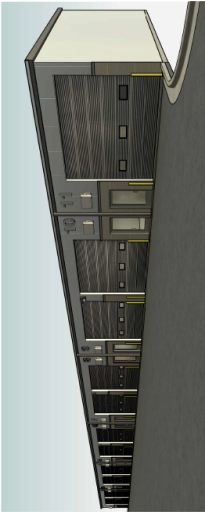










			DELAWARE RIDGE COMMERCIAL KANSAS CITY, WYANDOTTE COUNTY, KANSAS
1 BLDG A - SOUTH EAST PERSPECTIVE	2 BLDG A - NORTH WEST PERSPECTIVE	3 BLDG B - SOUTH WEST PERSPECTIVE	
			
4 BLDG C - SOUTH EAST PERSPECTIVE	5 BLDG D - NORTH EAST PERSPECTIVE		
DELAWARE RIDGE COMMERCIAL KANSAS CITY, WYANDOTTE COUNTY, KANSAS			A7.0
HERNLY ARCHITECTS, PLLC 1100 PINEHURST BLVD LAKEVIEW, MO 64501 781.724.0040 PERSPECTIVES DATE: 05/07/2025 DESIGNED BY: A. HERNLY CHECKED BY: A. HERNLY REVISIONS:			



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Special Use Permit Petition SP2024-088

GENERAL INFORMATION

Applicant Information:

Jesus Santoyo
2542 South 12th Terrace
Kansas City, KS 66103

Subject Property:

2542 South 12th Terrace
Kansas City, KS 66103

Requested Action and Purpose:

Approval of a Special Use Permit
keep pigeons on the property. (The
applicant has not provided the
quantity).

Commission Districts:

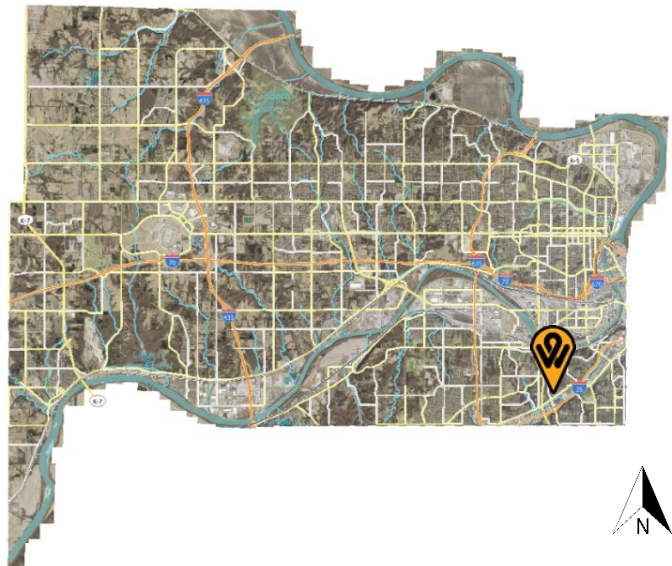
Commissioner At-Large, District #2:
Tom Burroughs
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):

R-1(B) Single Family District

Comprehensive Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1(B) Single Family District	Vacant land
South	R-1(B) Single Family and C-1 Limited Business Districts	Commercial building (restaurant)
East	R-1(B) Single Family District	Single-family home
West	R-1(B) Single Family District	Single-family home

Total Tract Size: 0.25 Acre

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the property as Low-Density Residential, 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.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates South 12th Terrace and Oak Grove Road as Local Streets.

Parking Requirement: Section 27-455(d) Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling. Applicant is providing two (2) off-street 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. One (1) tree is required. One (1) tree is provided.

Advertisement: The Wyandotte Echo – September 19, 2024
Letters to Property Owners – September 20, 2024, October 8, 2024, November 4, 2024, December 3, 2024, January 9, 2025, February 11, 2025 and April 16, 2025

Public Hearings: February 10, 2025, April 14, 2025 and May 12, 2025

Public Support: None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jesus Santoyo, wants to keep pigeons in coops/lofts in the side and rear yard on the property at 2542 South 12th Terrace.

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. In 2024, citation for pigeons and pigeon coops on the property. Case open.
2. In 2004, citation for fire damage. Case closed.

Outstanding or Related Permit and Cases:

1. BOZA2024-027 – Variance to keep three detached accessory structures (coops/lofts) to house pigeons (to be heard by the Board of Zoning Appeals on October 14, 2024).
2. In 2010, an electrical permit was issued by Building Inspection to repair/replace meter can.
3. In 2005, a residential building, electrical, mechanical, and plumbing permit was issued by Building Inspection for interior and exterior remodel.

Previous Planning Actions:

1. None

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Shawnee Heights Statistical Neighborhood and Block Group #0450003. This property is on the corner of South 12th Terrace and Oak Grove Road, where single-family homes and vacant parcels are the predominate feature to the north, west and east. About one-half (½) block to the south is Merriam Lane, which is a commercial corridor in

southwest Rosedale, before the roadway turns into Southwest Boulevard.

- 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 homes and is in close proximity to Merriam Lane, a commercial corridor in Rosedale. There are single-family residences in close proximity to this property, which may create conflicts due to noise and odor if not properly addressed.

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

The proposed use is suitable for the subject property, however, if not managed properly, issues such as noise and illumination may impact nearby residences. Staff cannot determine if the removal of restrictions will not detrimentally affect nearby property because the total number of pigeons being kept on the property has not been provided.

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

The property is not vacant. The applicant is the property owner and resides in the single-family home.

- 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 Low-Density Residential designation, which allows detached, single-family 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.

- 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 vehicle traffic to the point where it exceeds the capacity of the street network South 12th Street, a Local Street, to accommodate it because the keep of pigeons is a private hobby of the property owner.

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.*

As long as the property is well maintained, there should not be an adverse effect on adjoining properties provided Staff gets a total number of pigeons kept on the property and a Conservation Plan from the Wyandotte County Conservation District. The proposed use must abide by the conditions of approval, and mitigate the issues, such as noise, smell, and waste, the use is not expected to impact the use, quality, and marketability of nearby property.

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

Animals such as pigeons can create noise and waste that could be a problem for near-by properties if the applicant does not maintain the property in an appropriate manner or adhere to the conditions of approval.

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

If the animals are not well kept, waste has the potential to accumulate, leading to odor and increased polluted stormwater runoff into the Unified Government's stormwater drainage system.

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 the use is not altering the property in terms of removing mature trees or grading the property.

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 minimal. If denied, the property owner may not keep pigeons or their respective coops, but they can continue to use the property as a single-family residence. The applicant/owner could not reapply for the same use for one (1) year. The applicant can keep six (6) pigeons by right, without a Special Use Permit or Variance.

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 any comments generated by the Wyandotte County Conservation District, and all conditions of approval.

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

The proposed use could potentially result in the overcrowding of land as Staff does not know the total number of pigeons being kept on the property.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 2542 South 12th Terrace, Kansas City, Kansas 66103 on April 30, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Number of pigeons
Accessory structures

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

NOTE: After repeated phone conversations and e-mails with the applicant, the applicant did not respond to the Staff's comments and questions.

1. Based on aerial photography, it appears that two (2) coops are on an adjacent property, specifically 2532 South 12th Terrace, which is owned by the Wyandotte County Landbank. All activity must remain on 2542 South 12th Terrace.
 - a. Are you in the process of acquiring 2532 South 12th Terrace from the Landbank?
2. The applicant must coordinate with Wyandotte County Conservation District to develop a Conservation Plan for land management. This Special Use Permit will not proceed with a recommendation from Planning Staff until a Conservation Plan is created.

Staff Response: The Wyandotte County Conservation District did not provide the applicant or Planning Staff a Conservation Plan due to staffing volume.

3. Contact Animal Control to see if there any additional measures needed to keep pigeons on the property.
4. How many pigeons are being kept on the property?
 - a. How many pigeons are in each coop?
5. Describe how you will manage the day-to-day operation of keeping pigeons on the property?
6. How will you manage waste? Describe the clean-up process and how often the waste is cleaned up.
7. What is the distance (in feet) are the coops to the closest property line? Revise the drawing/sketch to include dimensions.

8. Where and how is the feed stored?
9. Are the pigeons allowed to roam free on the property? If so, how do you ensure that they stay within the property and do not interfere with neighboring properties?

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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **DENIAL** of Petition **SP2024-088** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **Staff has conversed with the applicant via phone and e-mail regarding replying to the draft staff report comments, but the applicant has not responded to Staff's questions and comments after being held over for an additional 30 days at the April 14, 2025 City Planning Commission meeting;**
2. **The proposed use does not meet Factor To Be Considered #1. The proposed use of keeping pigeons greater than six (6) does not fit the character of the neighborhood, which is low density, single-family residential;**
3. **The proposed use does not meet Factor To Be Considered #2. The proposed use is not compatible with adjacent residential properties;**
4. **The proposed use does not meet Factor To Be Considered #7. The proposed use may substantially injure the appropriate use, visual quality, and marketability of adjoining property, especially a vacant, developable parcel to the north because the Applicant must mitigate noise, smell, and waste that is often associated with the keep of fowl;**
5. **The proposed use does not meet Factor To Be Considered #9. The proposed use has the potential to pollute the air and land if issues such as animal waste is not properly addressed and managed on-site; and,**
6. **The proposed use does not meet Factor To Be Considered #13. Without knowing the exact number of pigeons, Staff cannot determine if the proposed use will result in overcrowding of land or cause undue concentrations of population.**

If the City Planning Commission are to recommend APPROVAL of **SP2024-088**, Staff recommends that the following conditions apply:

- 1. This City Planning Commission case is being heard in conjunction with BOZA2024-027. 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 BOZA2024-027 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
- 2. Per Section 27-609(2), the exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;**
- 3. Contact Animal Control to see if there any additional measures needed to keep pigeons on the property;**
- 4. Submit a plot plan with the building permit application for the coops and shed to the Building Inspection Division;**
- 5. Relocate the pigeon coops wholly onto 2542 South 12th Terrace and off 2532 South 12th Terrace, which is owned by the Wyandotte County Landbank;**
- 6. Section 7-175(c) Except where fowl or animals are kept for sale within a bona fide produce market, commission house or store for the purposes of trade and while so kept are confined in small coops, boxes or cages, or where such animals or fowl are kept for purposes of research in a laboratory, or less than five birds are kept in a home as pets, such as canaries, parakeets, parrots, finches, and doves, it shall be unlawful for any person to keep or maintain any chicken coop, dove cote, rabbit hutch or other yard establishment for the housing of fowl or small animals closer than 25 feet to the nearest portion of any building occupied by or in anywise used by human beings, other than the dwelling occupied by the owner or keeper of the animals or fowl, or closer than ten feet to the property line of the lot. Animals and fowl so kept or maintained shall be enclosed on all sides and shall not be allowed to run or fly at large, except for homing pigeons;**
- 7. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinances. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;**

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 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;
9. All existing and future driveways must feature curb cuts that are constructed to UG standards;
10. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
11. A Special Use Permit cannot be transferred to the new property owner or operator;
12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
13. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
15. The Special Use Permit 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. 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;
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 – PlanKCK Comprehensive Plan
Neighborhood Meeting Documents
Site Plan

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2024-088**, to the Unified Government Board of Commissioners 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.

OR

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2024-088** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

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

ATTACHMENTS

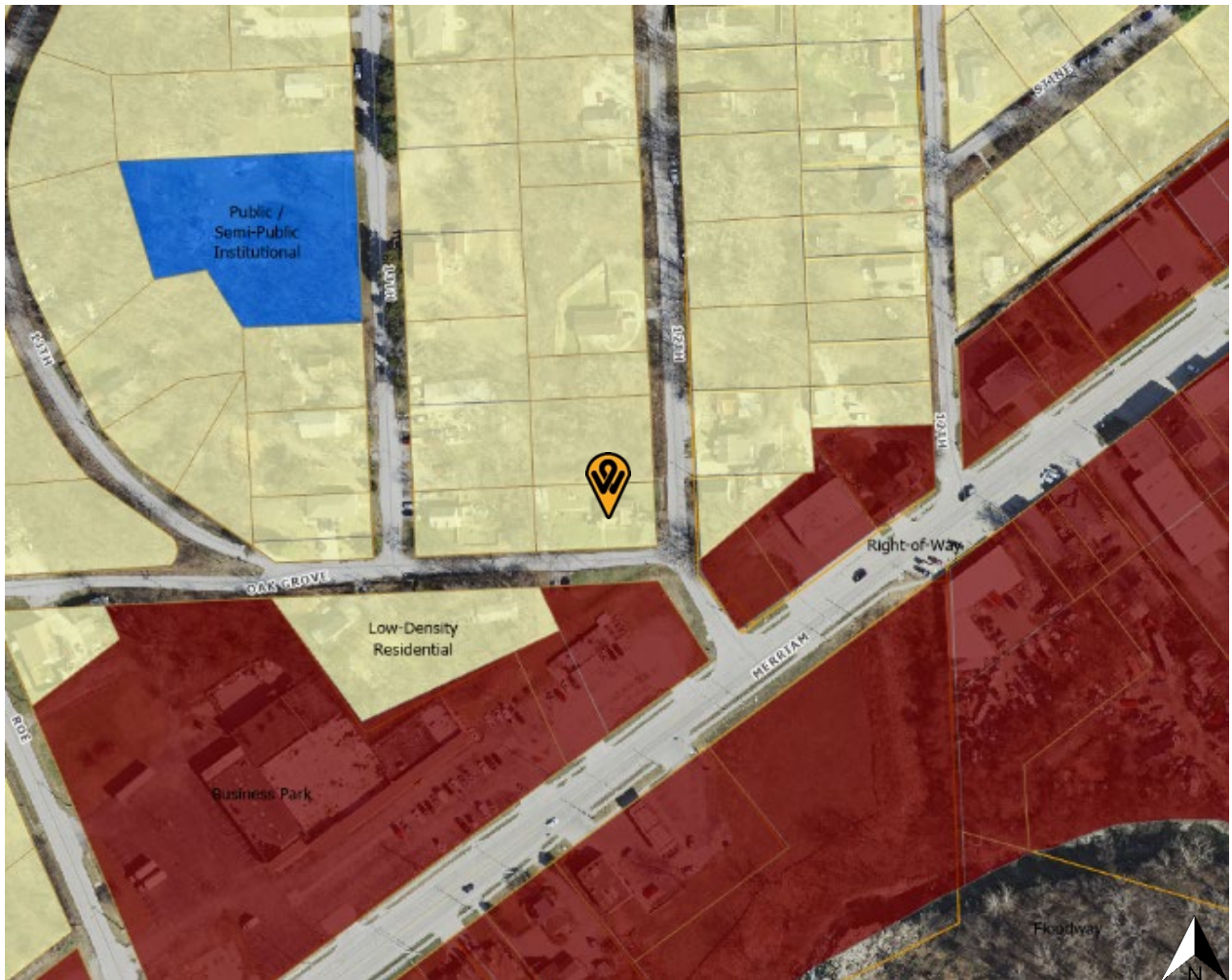
AERIAL MAP



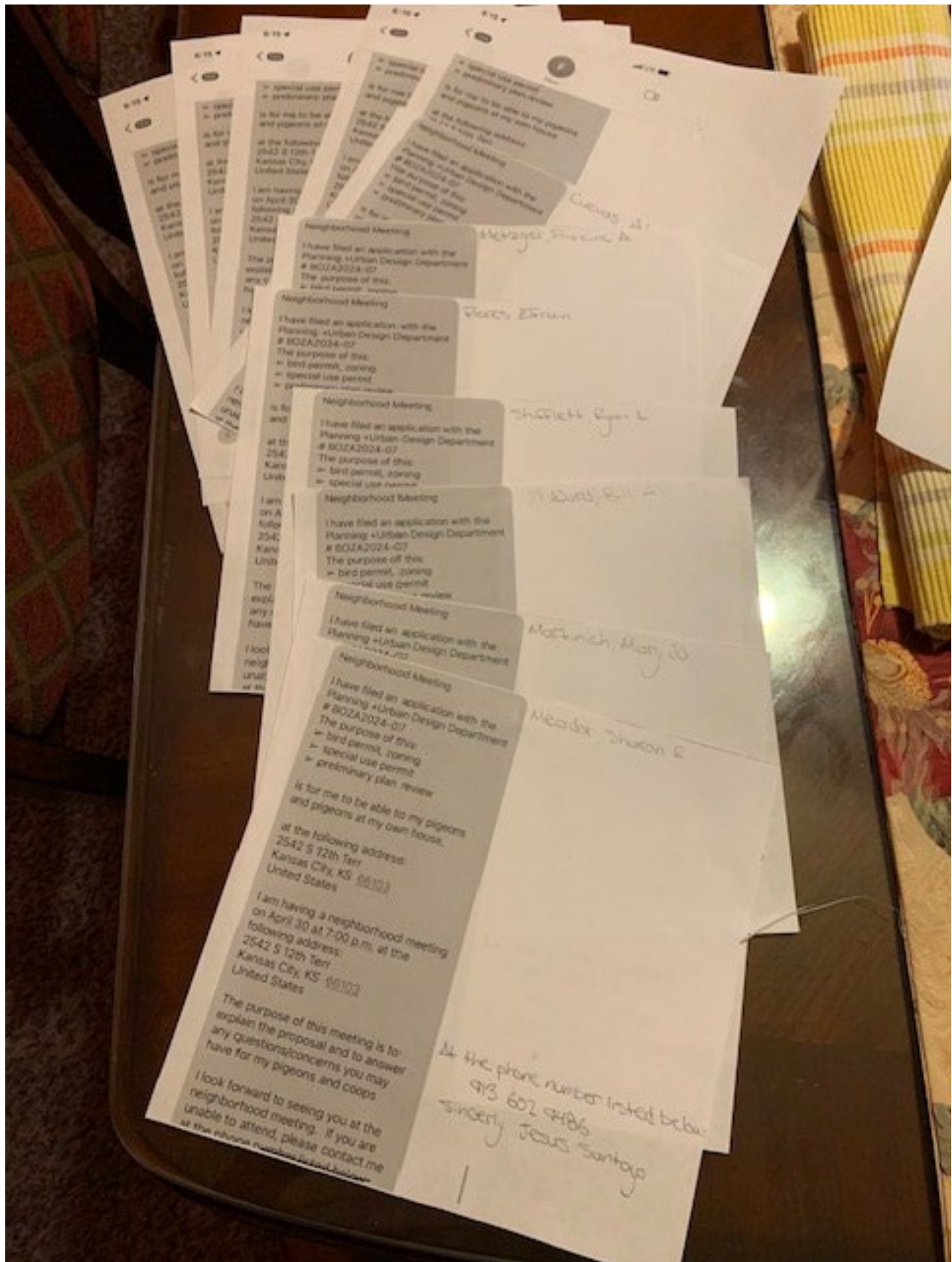
ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS

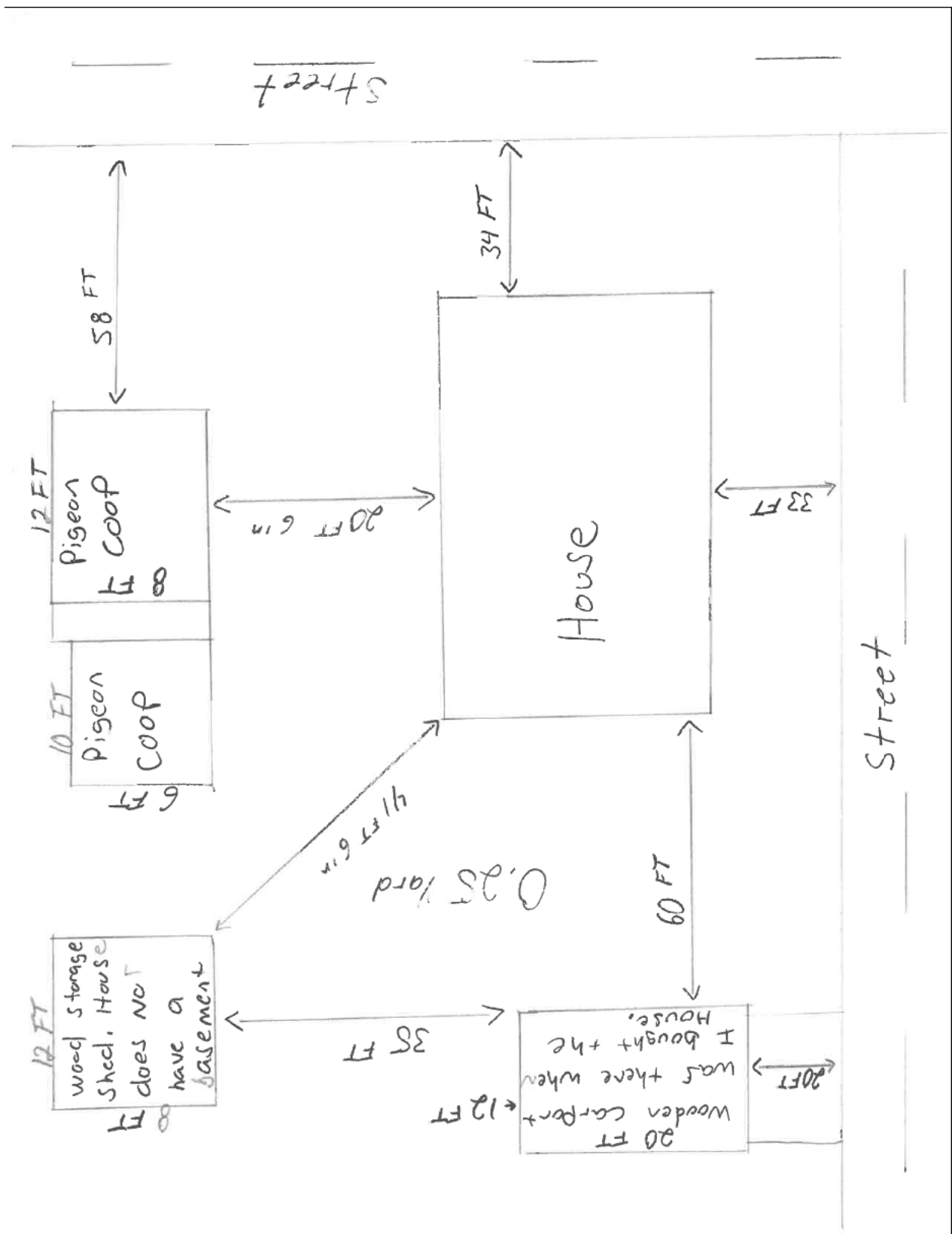


The meeting i did with the neighbors
i did that yall asked for was
Wednesday 30th of April at 7pm
i sent the letters how yall asked
me to and unfortunately no one
went i was waiting over 30
minutes and no one came

Wednesday, April 30, 2025 7:00pm
Meeting BOZA2024027

Olivia Mrs. Shawn McHown 2532
~~for time~~ 2545
Linda Bayle 1247 OAK GROVE
Luis Lopez 2544 Oak Grove

These are my neighbors
signatures that don't have
any problem with my pigeons





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Special Use Permit Petition SP2024-100

GENERAL INFORMATION

Applicant Information:

Tina Alonge
The 913
2401 Windmill Drive
Platte County, Missouri 64079

Subject Property:

6102 State Avenue
Kansas City, Kansas 66102

Requested Action and Purpose:

Approval of a Special Use Permit for
live entertainment at a drinking
establishment.

Commission Districts:

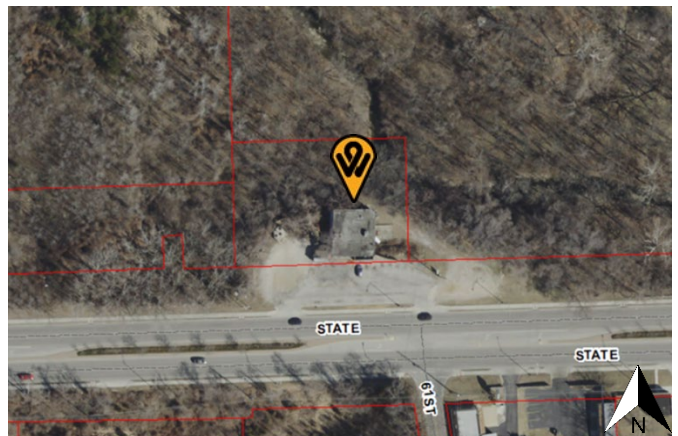
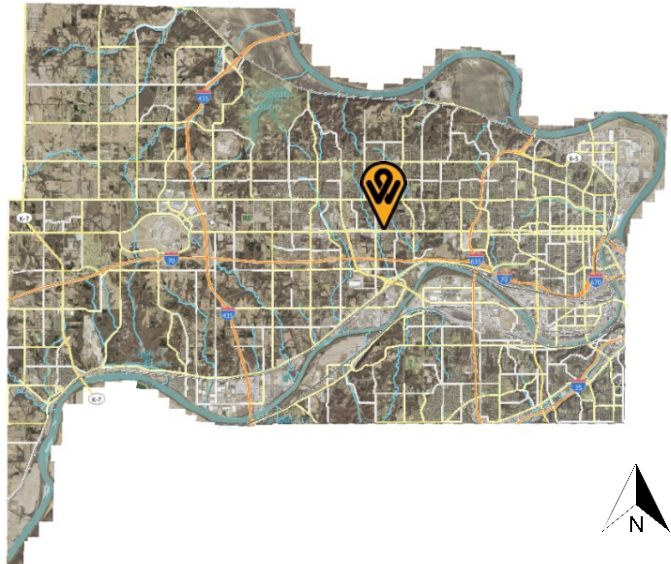
Commissioner At-Large, District #1:
Melissa Bynum
District #8 Commissioner:
Andrew Davis

Existing Zoning District(s):

C-1 Limited Business District

Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	RP-5 Planned Apartment District	Mobile-Home Park
South	R-1 Single Family District	Vacant Lot
East	C-1 Limited Business District	Vacant Lot
West	C-1 Limited Business District	Vacant Lot

Total Tract Size: 0.71 Acre

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

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates State Avenue as a Major Arterial.

Parking Requirement: 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. This building is approximately 2,800 Square Feet. This business would required to provide at least 12 parking spaces. The property provides 14 spaces.

Landscaping Requirement: Section 27-464(g) states “Trees are required at not less than one per 7,000 square feet of site area. Six-foot (6’) tall architectural or landscape screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property”.

Advertisement: The Wyandotte Echo – November 14, 2024
Letters to Property Owners – November 15, 2024, December 3, 2024, January 9, 2025 and February 11, 2025

Public Hearing(s): February 10, 2025 and May 12, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Tina Alonge, is requesting a Special Use Permit for live entertainment at an existing drinking establishment at 6102 State Avenue. The applicant previously had a Special Use Permit, however, that has since expired.

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 several calls for police service since the previous approval:
 - a. 2023 – 2023-42736 – Drug Possession
 - b. 2023 – 2023-10616 – Criminal Trespass
 - c. 2023 – 2023-10616 – Disorderly Conduct
 - d. 2023 – 2023-10616 – Assault of a Law Enforcement Office
 - e. 2022 – 2022-66619 – Criminal Damage and Burglary

Building, Zoning, or Code Enforcement Complaints:

1. There are no Notice of Violations on this property.

Outstanding or Related Permits and Cases:

1. There are no outstanding permits or related permits or cases at this property.

Previous Planning Actions:

1. Approval of a Special Use Permit (SP2022-029) for live entertainment in 2022.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Coronado Statistical Neighborhood, the Coronado Hills Neighborhood Group, and the Leavenworth Road Association. The neighborhood consists of a diversity of uses, including a multi-family mobile-home park across the creek to the north, a mix of commercial uses and single-family homes to the west and south, and light-industrial uses to the south and east. State Avenue is a major east/west throughfare through Kansas City, KS, comprised of both Commercial Uses and Residential Uses.

- 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 adjacent uses are set out above. The proposed use is compatible and allowed in the C-1 Limited Business District with a Special Use Permit. The drinking establishment portion of the business is a legal non-conforming business, that does not require a Special Use Permit. The proposed use is relatively compatible with the surrounding commercial properties but may conflict with nearby residential properties. The surrounding properties feature a mix of commercial zoning including C-1 and C-3, and residential zoning, including R-1 and RP-5.

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

The removal of the restrictions preventing live entertainment will not detrimentally affect nearby properties if the conditions are adhered to. A drinking establishment is a permitted use per the C-1 Limited Business District with a Special Use Permit, and the establishment is surrounded by other commercial uses. It is possible that the proposed use could become a nuisance to the residential properties surrounding it if the live entertainment is not managed properly. There have been calls for police service since the previous approval.

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

The property has been operating under current ownership 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 Corridor Mixed Use, which allows medium scale, up to five story buildings that integrate complimentary land uses such as retail, office, small businesses and residential. The proposed use does not conform to the comprehensive plan designation, however, the plan is anticipating future redevelopment.

- 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 should not result in an increase in traffic to the point where it exceeds the capacity of State Avenue, a Major Arterial, 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 not reasonably necessary for the convenience and welfare of the public as it is not a public good. The proposed use also has the possibility to affect the quality and marketability of adjoining and surrounding properties due to noise, vibration and illumination from live entertainment if it is 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 expected to occur in durations as to create issues with nearby properties, since it appears the live entertainment is occurring both indoors and outdoors. These issues may be mitigated, 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 would not pollute air or land as it is located in an existing, built out residential and commercial area. This use could potentially pollute water, as the northern (rear) side of the property is located within the floodway, however, if all conditions are adhered to and the site is managed properly, this should not be an issue.

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

The proposed use could potentially have negative effects on the creek in the rear (north) side of the property if the site is not managed properly and conditions are not adhered to.

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

The gain to public health, safety, and welfare would be minimal. A denial of this application would cause the business owner to have to find a new location for their business or cease live entertainment on the property.

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

The applicant has not maintained the proposed use as originally proposed or according to previous conditions of approval. The applicant did not pave the parking lot as required, nor did they restripe their parking lot as required.

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

The proposed use could result in undue concentrations of population if the occupancy limits and other conditions of approval are not adhered to. The proposed use could result in the overcrowding of land, if conditions of approval are not met. It should be noted that currently, overflow parking is located in the grass on the east side of the property, which is an unimproved surface and not allowed.

NEIGHBORHOOD MEETING INFORMATION

The neighborhood meeting can be held by the following:

1. In person
2. Virtual Meeting

The deadline for the neighborhood meeting is **November 25, 2024, and on November 27, 2024 you are required to send your information to** Janet L. Parker, CMA/CSC/APC, Executive Assistant, either by email (jparker@wycokck.org) or U.S. mail (Department of Planning + Urban Design, 701 North 7th Street, Suite 423, Kansas City, Kansas 66101), which includes;

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

KEY ISSUES

Calls for Police Service
Previous Conditions of Approval

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. The applicant has not completed the following conditions of approval:
 - a. The applicant shall pave over the unimproved surface on the east side of the property before they can continue to utilize that space as overflow parking, as parking on unimproved surfaces is prohibited per the Code of Ordinances Section 27-675(a).
 - b. The applicant shall restripe their parking lot and existing parking spaces, as well as add a marking on the pavement for their ADA compliant spaces.
 - c. The applicant must maintain a right-of-way permit to continue parking within the right-of-way.
2. There have been multiple calls for police service to the subject property. Can the applicant explain the nature of these calls?

Floodplain Conditions:

1. 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.
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.
3. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for the Storage of Materials and Equipment:
 - a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
 - b. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.

Standard Conditions:

1. 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.
2. All entertainment must cease by at least 1:00 AM.
3. Doors and windows must stay closed during any entertainment performance.
4. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
 - a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
 - b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
 - c. An I.D. scanner will be used at all times;
 - d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles.
5. No amplified speakers or entertainment is allowed in outdoor spaces.
6. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses.
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.
8. If approved, the applicant must file and maintain a current business occupation tax application and entertainment license 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.

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

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.

Staff Response: The applicant has not responded to any questions and comments in the draft staff report.

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 Update – May 12, 2025:

This petition was held over by the City Planning Commission for 90 days at the February 12, 2025 meeting to give the applicant additional time to hold a neighborhood meeting and comply with the previous conditions of approval.

The applicant did not fulfill the conditions of approval as previously stipulated and while a neighborhood meeting was held on November 18, 2024, letters were mailed to property owners at within 14-days prior to the neighborhood meeting (November 10, 2024).

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **DENIAL** of Petition **SP2024-100** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **The applicant has failed to comply with any of their previous conditions of approval, specifically:**
 - a. **The applicant shall pave over the unimproved surface on the east side of the property before they can continue to utilize that space as**

- overflow parking, as parking on unimproved surfaces is prohibited per the Code of Ordinances Section 27-675(a);
- b. The applicant shall restripe their parking lot and existing parking spaces, as well as add a marking on the pavement for their ADA compliant spaces;
 - c. The applicant must maintain a right-of-way permit with the Public Works Department to continue parking within the right-of-way; and,
2. The applicant held a neighborhood meeting on November 18, 2024, but mailed letters to property owner on November 10, 2024, less than 14 days before the scheduled neighborhood meeting.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Site Plan
Neighborhood Meeting Documents
Site Photographs taken by Staff, Dated November 15, 2024
Site Photographs taken by Staff, Dated May 7, 2025

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	February 10, 2025 Held Over May 12, 2025	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2024-100**, to the Unified Government Board of Commissioners 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.

OR

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2024-100** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

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

ATTACHMENTS

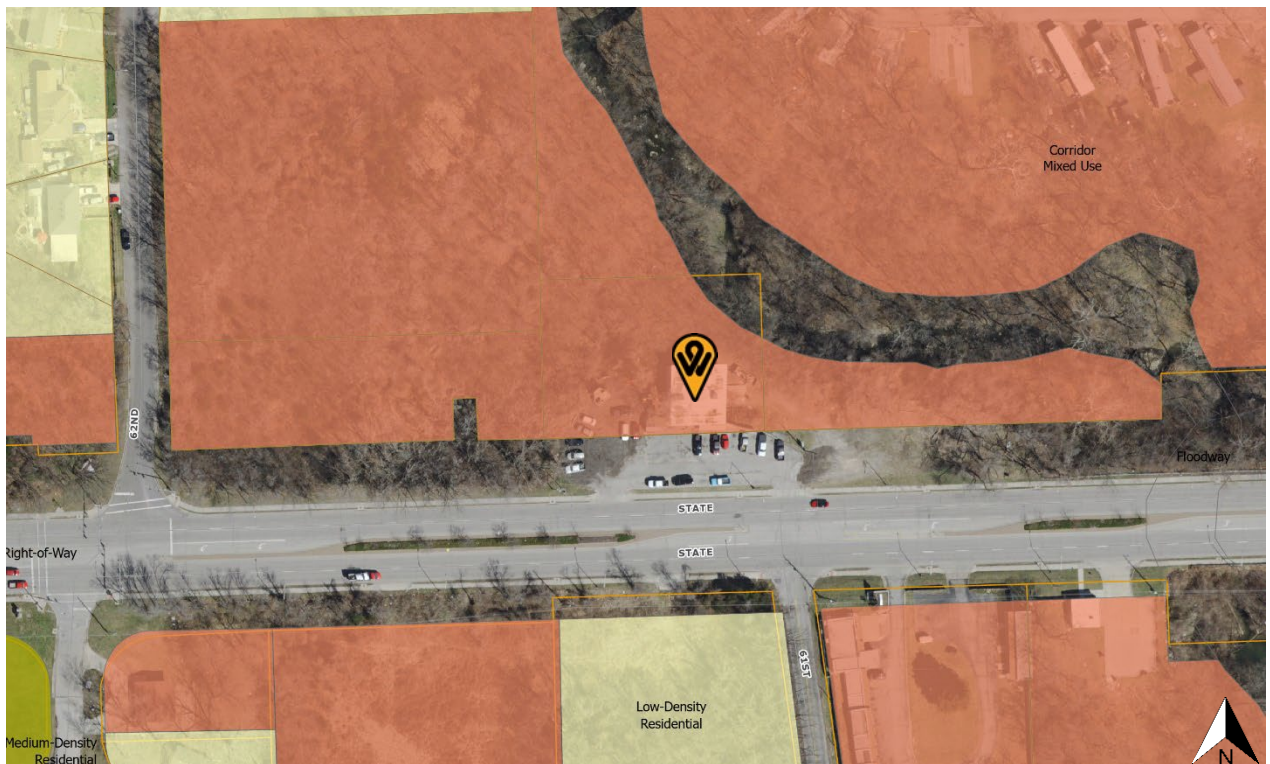
AERIAL IMAGERY



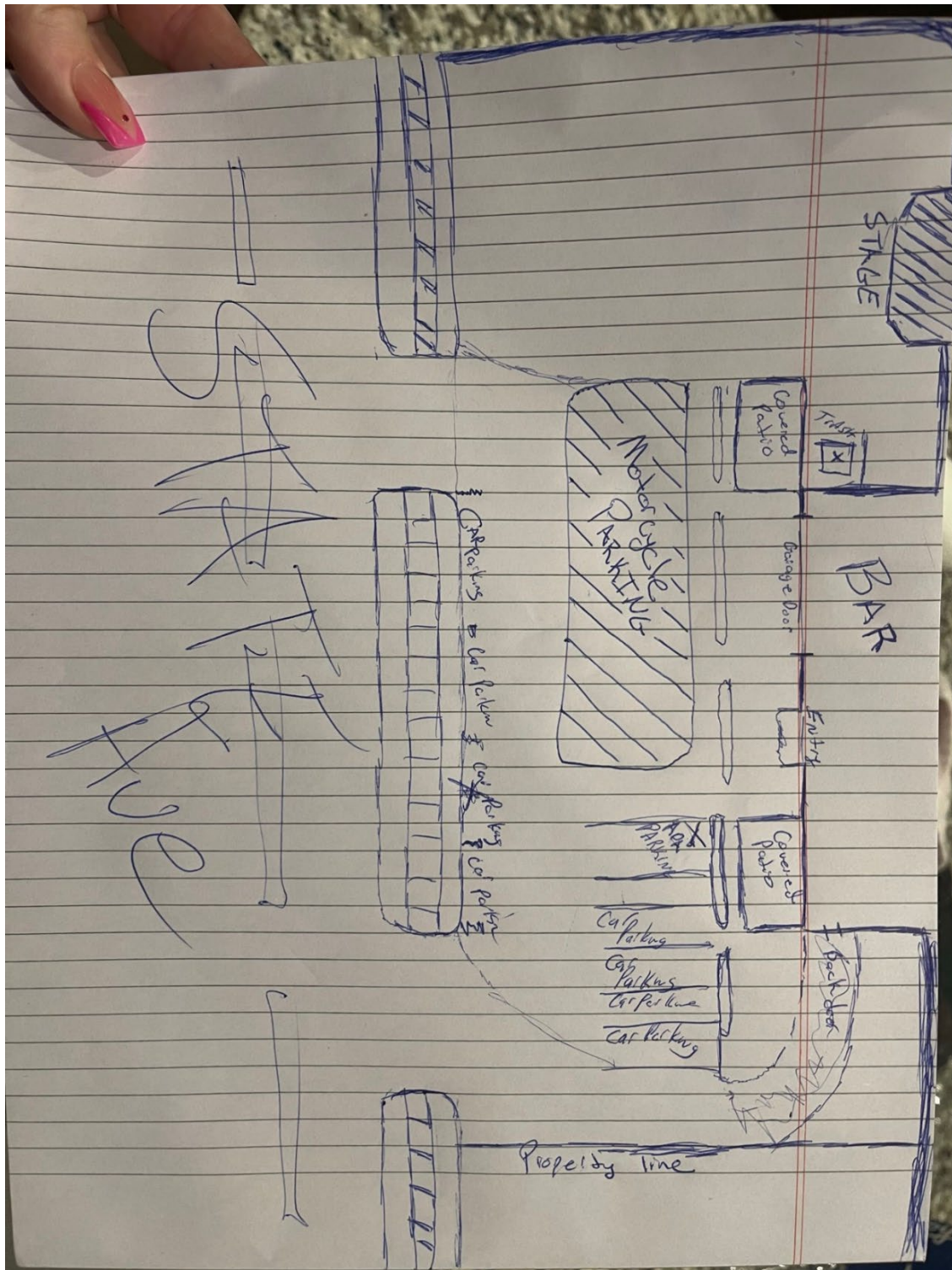
ZONING MAP



LAND USE MAP



SITE PLAN



MEETING MINUTES

Date: November 18

Time: 5:00 PM

Meeting called to order by: Tina Alonge

IN ATTENDANCE

LOU BRASWELL/LEAVENWORTH ROAD ASSOCIATION

CORONADO HILLS NEIGHBORHOOD ASSOCIATION

CARROLL CREEK MHP KC HOMES LLC

FANNIN, STEPHEN WAYNE

HSU, BOWEN

JOSHL, HEMANT

PATEL, JANAK D

PATEL, SHIVALI R

WYANDOTTE COUNTY LANDBANK

COMMISSIONER MELISSA BYNUM

COMMISSIONER ANDREW DAVIS

MEETING MINUTES

Special Use Permit meeting minutes are records documenting decisions made during meetings related to approving The 913 SUP SP2024-100.

The above listed invites were send out on of November 10,2024 to discuss the approval of The 913 SUP.

Final Decision. The listed invites were not in attendance allowing for a community approval of The 913 SUP

MEETING MINUTES

Date: November 18

Time: 5:00 PM

Meeting called to order by: Tina Alonge

IN ATTENDANCE

LOU BRASWELL/LEAVENWORTH ROAD ASSOCIATION

CORONADO HILLS NEIGHBORHOOD ASSOCIATION

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











Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Special Use Permit Petition SP2024-116

GENERAL INFORMATION

Applicant Information:

Nadia Griffitt
Latin Quarters Inc.
508 Kansas Avenue
Kansas City, Kansas 66105

Subject Property:

508 Kansas Avenue
Kansas City, Kansas 66105

Requested Action and Purpose:

Approval of a Special Use Permit to
operate a drinking establishment with
live entertainment and events.

Commission Districts:

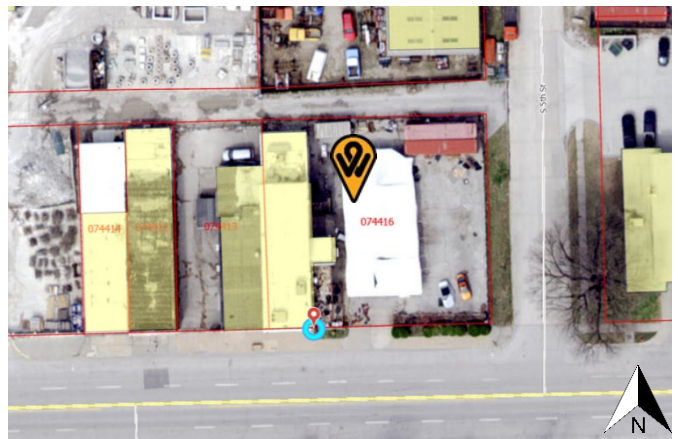
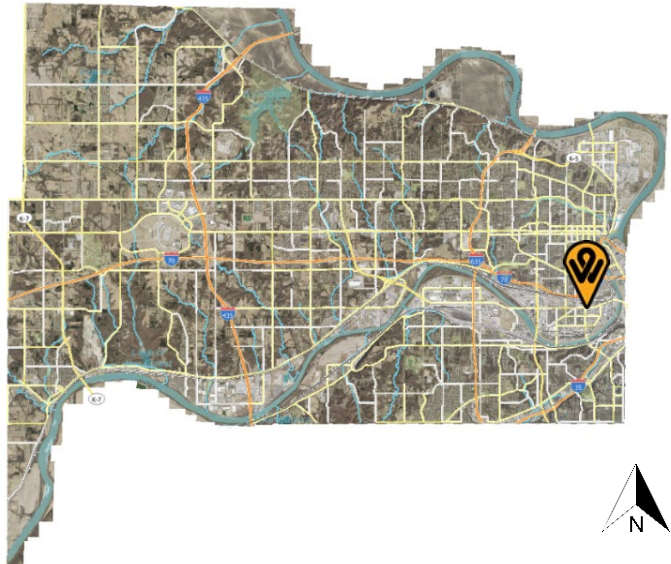
At-Large Commissioner, District #2:
Tom Burroughs
District #2 Commissioner:
William (Bill) Burns

Existing Zoning District(s):

M-2 General Industrial District

Plan Area:

Armourdale Area Plan



	Adjacent Zoning	Adjacent Uses
North	M-3 Heavy Industrial District	Industrial Business
South	M-2 General Industrial District	Office Building
East	M-2 General Industrial District	KCK Fire Department Station #3
West	M-2 General Industrial District	Commercial Building

Total Tract Size: 0.33 Acre

Comprehensive Plan Designation: The Armourdale Area Plan designates this area as Mixed-Use, which allows for mixed-use residential and commercial.

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

Parking Requirement: Section 27-668(a)(5) states “one (1) space per 50 square feet of seating area, plus one (1) space for 200 square feet of remaining total floor area. One (1) out of every 25 parking spaces must be ADA Compliant.

The property is required to have 40 spaces. The applicant received a variance in 2016 to allow 32 parking spaces. This variance was based off of utilizing the upstairs as apartment dwellings, however the upstairs dwellings have been renovated to another dance floor with a dancing pole, thus the required parking has changed. A new variance to accompany the expanded uses is now required to comply with ordinance requirements.

Landscaping Requirement: Section 27-469(g) states “Trees are required to be provided at not less than one (1) per 10,000 square feet of site area”. The applicant has no trees on site currently.

Advertisement: The Wyandotte Echo – January 16, 2025
Letters to Property Owners – January 17, 2025; February 21, 2025; March 20, 2025; and April 16, 2025

Public Hearings: April 14, 2025 and May 12, 2025

Public Support: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Nadia Griffitt, is requesting a Special Use Permit to operate a drinking establishment with live entertainment and events at 508 Kansas Avenue. The applicant has operated at the location since approximately 2016 under various business names, now Latin Quarters. The building owner, Israel Mendez, has operated at the location as early as 2008, but joined the Applicant as a business officer with the formation of Latin Quarters in 2016.

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 multiple calls for police service since the approval of the first Special Use Permit in 2016, Nearby businesses, including Fire Station #3 and Armourdale Renewal Association, have noted issues with loud outdoor drinking, automotive burnouts occurring from patrons, and other noise issues.
 - a. 2022: 2022-00114739 – Criminal Damage to Property <\$1000 Value.
 - b. 2022: 2022-00050952– Criminal Damage to Property without consent value \$10,000 to \$25,000.
 - c. 2022: 2022-00050952 – Vehicular Burglary with intent to steal a firearm.
 - d. 2022: 2022-00026425 – Battery – Knowingly or recklessly causing bodily harm to another person.
 - e. 2021: 2021-00040008 – Traffic Complaint.
 - f. 2021: 2021-00030529 – Other.
 - g. 2021: 2021-00027684 – Fire/EMS Assist.
 - h. 2021: 2021-00012449 – Shots Fired.
 - i. 2021: 2021-00012420 – Shots Fired.
 - j. 2021: 2021-00140768 – Vehicular Burglary with intent to steal a firearm.
 - k. 2021: 2021-00140768 – Criminal Damage to Property <\$1000 Value.
 - l. 2021: 2021-00140152 – Vehicular Burglary with intent to steal a firearm.
 - m. 2021: 2021-00140152 – Criminal Damage to Property <\$1000 Value.
 - n. 2021: 2021-00135681 – Vehicular Burglary with intent to steal a firearm.
 - o. 2021: 2021-00135681 – Criminal Damage to Property <\$1000 Value.
 - p. 2021: 2021-00133902 – Criminal Damage to Property without consent value \$10,000 to \$25,000.
 - q. 2021: 2021-00133902 – Vehicular Burglary with intent to steal a firearm.
 - r. 2021: 2021 -00130953 – Criminal Damage to Property <\$1000 Value.
 - s. 2021: 2021 -00130953 – Vehicular Burglary to commit felony, theft, or sexually motivated crime.
 - t. 2021: 2021-00127143 – Criminal Damage to Property <\$1000 Value.

- u. 2021: 2021-00127164 – Vehicular Burglary to commit felony, theft, or sexually motivated crime.
- v. 2021: 2021-00127182 – Theft of Property/Services; Firearm with value less than \$25,000.
- w. 2021: 2021-00127182 – Vehicular Burglary with intent to steal a firearm.
- x. 2021: 2021-00125747 – Criminal Damage to Property <\$1000 Value.
- y. 2021: 2021-00125747 – Vehicular Burglary with intent to steal a firearm.
- z. 2021: 2021-00125723 – Criminal Damage to Property <\$1000 Value.
- aa. 2021: 2021-00125723 – Vehicular Burglary with intent to steal a firearm.
- bb. 2021: 2021-00126497 – Criminal Damage to Property <\$1000 Value.
- cc. 2021: 2021-00126497 – Vehicular Burglary with intent to steal a firearm.
- dd. 2021: 2021-00126942 – Criminal Damage to Property <\$1000 Value.
- ee. 2021: 2021-00126942 – Vehicular Burglary with intent to steal a firearm.
- ff. 2021: 2021-00125723 – Criminal Damage to Property <\$1000 Value.
- gg. 2021: 2021-00106950 – Criminal Damage to Property <\$1000 Value.
- hh. 2021: 2021-00106950 – Burglary; Vehicle to commit felony, theft, or sexually motivated crime.
- ii. 2021: 2021-00030529 – Battery – Knowingly or recklessly causing bodily harm to another person.
- jj. 2020: 2020-00125238 – Auto Burglary.
- kk. 2020: 2020-00125276 – Criminal Damage.
- ll. 2020: 2020-00125276 – Auto Burglary.
- mm. 2020: 2020-00125238 – Criminal Damage.
- nn. 2020: 2020-00118267 – Auto Burglary.
- oo. 2020: 2020-00118267 – Criminal Damage.
- pp. 2020: 2020-00109993 – Criminal Damage.
- qq. 2019: 2019-00084364 – Suspicious Crowd/Activity.
- rr. 2018: 2018-00078752 – Drug Offense.
- ss. 2018: 2018-00078752 – Burglary.
- tt. 2018: 2018-00047944 – Alarm Check.
- uu. 2018: 2018-00041170 – Disturbance.
- vv. 2018: 2018-00029236 – Follow Up.
- ww. 2018: 2018-00028679 – Alarm Check.
- xx. 2018: 2018-00010678 – Alarm Check.
- yy. 2017: 2017-00126684 – Alarm Check.
- zz. 2017: 2017-00116899 – No Report Taken.
- aaa. 2017: 2017-00112761 – Disturbance.
- bbb. 2017: 2017-00048445 – Alarm Check.
- ccc. 2017: 2017-00046723 – Alarm Check.
- ddd. 2017: 2017-00039624 – Traffic Complaint.
- eee. 2017: 2017-00027571 – Alarm Check.
- fff. 2016: 2016-00065402 – Alarm Check.
- ggg. 2016: 2016-00029357 – Theft.
- hhh. 2016: 2016-00054458 – Shots Fired.

Building, Zoning, or Code Enforcement Complaints:

1. There have been no Notices of Violation on the subject since 2015.

Outstanding or Related Permits and Cases:

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

Previous Planning Actions:

1. 2016: SP-2016-070 - Approval of a Special Use Permit for two (2) years in 2016 for a drinking establishment with live entertainment.
2. 2016: BZA2230 - Approval of a Variance in 2016 for a reduction in parking spaces.
3. 2019: SP-2019-024 - Approval of a Special Use Permit for a drinking establishment (Withdrawn).
4. 2021: SP2021-029 - Approval of a Special Use Permit for one (1) year for a drinking establishment with live entertainment.
5. 2022: SP2022-121 - Approval of a Special Use Permit for six (6) months in 2023 for a drinking establishment with live entertainment.
6. 2024: SP2024-012 - Approval of a Special Use Permit for one (1) year in 2024 for a drinking establishment only.
 - a. This ordinance was not published and was considered terminated.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Armourdale Statistical Neighborhood. Kansas Avenue is a major corridor with a mix of commercial, residential and industrial uses. Epiq Systems, Inc. is a legal service and technology company with offices directly to the south. Kansas City, Kansas Fire Department Station #3 is directly to the East. Nearby properties on Kansas Avenue include restaurants and a hardware store. There are industrial uses and a rail yard to the North.

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

The zoning and uses are set out above. The property is surrounded by other commercial and industrial uses, which are generally considered compatible in terms of noise and continuous activity, however, the proposed use has had a history of issues relating to parking, noise, and trash, which creates incompatibility with nearby property on an active commercial/industrial corridor.

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 use as a bar/night club or other small commercial business. The property could be suitable for a bar with live entertainment and events if properly managed. Noise, crowds, and trash however, have historically been an issue with the property as noted by neighboring businesses who have voiced concerns to staff in previous applications.

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

The property is not vacant and has been used as a restaurant, bar, or night club since 2007. It is undetermined when the upstairs apartments were converted into a second dance floor, as no building permits were obtained for the Change of Occupancy for this use.

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

Special Use Permits are not addressed in the Area Plan. The Armourdale Area Plan designates this area as mixed-use. This allows for mixed-use development with commercial and residential uses. The property was formerly a mixed-use development prior to the non-permitted upstairs conversion, which has renovated the property into a non-mixed use commercial development. The addition of adult entertainment is not compatible with mixed-use designation, as adult entertainment requires a non-residential buffer of at least 500 feet.

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 Kansas Avenue, a Major Arterial, to accommodate it if managed properly while it hosts live entertainment and events. In previous staff reports, it was noted that adjacent businesses and Fire Station #3 have reported on-street parking exceeding capacity of the lot as well as off-street parking, often parking in their private lots. The Latin Quarters website offers valet parking packages for up to 150 vehicles, which may cause congestion and impede access. The adjacent Fire Station and Epiq Systems, Inc., accessibility has been an issue of concern since before the approval of the applicant's first approval in 2016. The propensity of generating over 100 trips per hour meets the public works standard for a traffic memo to better evaluate if a full traffic study is warranted.

- 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 convenience in the form of entertainment. This business, however, has had issues with noise, parking, and trash, which may negatively impact nearby property.

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

Noise, vibration, and illumination are issues that are related to live entertainment and could create problems for nearby businesses. It has been reported that entertainment has been occurring outside in the parking lot, including a DJ and pool parties. Dust is not expected to be an issue because parking is supposed to occur on an improved surface parking lot.

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

The proposed use has the propensity to pollute the land and water, as frequent reports of trash have been noted.

- 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, 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.***

During the course of this Special Use Permit, there have been several instances where the Applicant has not maintained the proposed use as originally proposed or according to previous conditions of approval. Issues have included hosting events outdoors, filling the designated parking lots with equipment, resulting in parking solely along Kansas Avenue and in nearby, private parking lots, operating without proper permits, as well as issues with litter stemming from this business. The original proposal in 2016 was for alcohol service for a breakfast

restaurant “similar to First Watch” and for special events such as weddings or holiday gatherings only. The current use is for a nightclub that hosts regular night events and private parties. The applicant has not demonstrated the ability to maintain the use in the condition as opposed.

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. The Fire Department has previously expressed concern about the safety of the building due to potential overcrowding. Additionally, the parking lot has been shown to be overcrowded with equipment and containers. While the applicant has removed these items, previous history has shown that the applicant reverts to storing these items in the parking lot after they have been approved for operation, likely as a result of having unpermitted outdoor events. Although only 32 parking spaces are provided, the applicant is advertising valet service of 150 vehicles, causing a planned overflow of up to 118 vehicles in addition to any spaces reserved by staff. No parking agreement was found on file. The resulting overcrowding of the building site has the propensity to impede the fire department from properly utilizing the street network to provide fire service coverage. It is unclear what the occupancy limits of the building are relative to the number of patrons who frequently occupy the space.

NEIGHBORHOOD MEETING INFORMATION

The applicant attempted two (2) neighborhood meetings:

1. A neighborhood meeting notice was mailed indicating that the meeting would be held on February 29, 2025 although it was held on March 1, 2025. This does not meet the standard for due notice. As the 2025 calendar year does not include February 29, the notice did not provide correct information for adjacent property owners to receive adequate notice; and,
2. On March 13, 2025, the applicant informed staff that new letters would be mailed March 14, 2025 for a meeting to occur March 28, 2025. On March 17, 2025, the applicant then stated that instead of mailing the letters on March 14, 2025 as previously indicated, that they had mailed the notices on February 12, 2025 to be held on March 28, 2025. This indicates that the applicant sent out notices for the second meeting prior to having completed the first meeting. It is unclear if the meeting requirement has been met.

KEY ISSUES

Noise
Unpermitted Outdoor Events
Operating without Permits
Parking

Outside Storage
Fire Department Access
Public Safety
Building Conversion
Occupant Load

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. The subject property and use have had complaints sent to Planning staff several times in the past for issues, such as excessive noise, parking issues, as well as unpermitted outdoor events.
 - a. Due to issues previously cited by staff, this property was limited to a drinking establishment only, with no live entertainment or events allowed.

Applicant Response: No Response Provided.

- b. How has the applicant addressed these issues?

Applicant Response: No Response Provided.

2. The applicant is once again using their parking lot as storage for various items. This has been strictly prohibited in previous approvals. Why is the applicant once again using the parking lot as storage?

Applicant Response: No Response Provided.

3. The applicant did not complete their previous application and thus has been operating without proper permits since February 2024.
 - a. Was the applicant aware of this? If so, why did the applicant not take steps to correct the issue?

Applicant Response: No Response Provided

4. Where are vehicles parked when utilizing valet service? Please provide the approved parking contracts for the overflow parking.

Applicant Response:

5. Which off-duty officers are providing the security detail? Please provide the contact information of the officers and details of their agreement, including contract commencement and termination dates.

Applicant Response:

6. There are multiple gun-related incidents, particularly vehicular burglaries in search of a firearm. Please illustrate how this occurs multiple times on the property, especially with the presence of off-duty police officers and other security staff?

Applicant Response:

7. The upstairs has been renovated to become a second dance floor and adult entertainment area. Why is the applicant's partner and building owner continuing to renew their rental license although this conversion has taken place?

Applicant Response:

8. Why were no building permits obtained for the building modifications, including the upstairs dance area or any other improvements?

Applicant Response:

9. The images and video of the establishment found on social media and online depict activity consistent with an adult entertainment establishment. The Special Use Permit will need to be expanded to continue the depicted activity.

Applicant Response:

10. A new variance must be obtained for parking to facilitate the expansion of uses apart from the original restaurant and apartment use to additional live and adult entertainment.

Applicant Response:

Staff Response: The Applicant did not respond to Staff's question and comments.

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

Standard Conditions:

1. All entertainment must cease by 1:00 AM on Friday, Saturday, and Holidays. No entertainment or events shall occur Sunday-Thursday evening.
2. Doors and windows must stay closed during any entertainment performance.
3. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Section 4-104,f), including:
 - a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
 - b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
 - c. An I.D. scanner will be used at all times;
 - d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles.

4. No amplified speakers or entertainment is allowed in outdoor spaces.
5. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses.
6. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.
7. If approved, occupying businesses must file and maintain a current business occupation tax application with this office.
8. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
9. All existing and future driveways must feature curb cuts that are constructed to UG standards.
10. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
11. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations.
12. 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.
13. 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;

14. 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.
15. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.
16. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Staff Comments – April 14, 2025:

1. The Applicant has not provided adequate neighborhood notification on multiple occasions or provided the information to staff by dates required.
 - a. The Applicant shall clarify dates on second meeting notice and answer the questions in the staff report;
2. The advertised valet service of up to 150 vehicles while only 32 parking spaces are provided lends to an over-concentration of vehicles on the property and traffic impediment concerns on-street. There are no known parking agreements with adjacent property owners. This impediment has the propensity to affect the adjacent Fire Department's ability to adequately respond to a fire or medical emergency and become a public safety risk to those within the fire station's coverage area.
 - a. The applicant shall address where these vehicles are being parked and provide proof of a parking arrangement.
 - b. As over 100 vehicles or trips to the site are advertised, a traffic memo is required to determine if a traffic study is required;
3. The second floor has been modified from an existing apartment to second dance floor without any apparent permits. The previous Variance for required parking was approved, under the conditions that the upstairs was calculated as apartments. The ground floor also appears to have expanded into the 510 Kansas side of the building. It is undetermined that the building is safe for the number of patrons/occupant load in the building with the assumed modifications;
 - a. The plans provided to date indicate that the upstairs is one (1) apartment, however rental history indicates it has always been two (2) apartments. The floor plans provided are outdated since renovations have occurred;

- b. The applicant shall submit a DRC Building Permit to capture these building occupancy changes with a code summary that determines occupancy limits on all spaces and indicates square footage of each use;
- 4. The parking variance in 2016 was calculated on the conditions that the upstairs of the property remain apartment units. A new variance must be applied to address the upstairs conversion to non-residential space
 - a. The Applicant shall determine the total square footage for each use, including areas where adult entertainment will occur and work with staff to calculate required parking.
 - b. A new parking variance must be approved of to utilize the upstairs and to continue adult entertainment uses;
- 5. There is an excessive history of gun-related disturbances at the property although the applicant has indicated that they have off-duty police officers and security guards in previous applications.
 - a. Provide details of the current security agreement, including the names of the off-duty officers and contract commencement and termination dates;
- 6. The Applicant has a history of not maintaining continuous permit coverage and continues operation during times not covered by an approved Special Use Permit, generally not adhering to the previous stated business operations plans or conditions of approval;
- 7. The website displays a video that demonstrates activity representative of or with having the propensity to classify the subject property as an “adult night club or cabaret” and while not prohibited, the activity requires a Special Use Permit to operate and the activity is not included in the current proposal. Additionally, adult night clubs and cabarets require a special parking calculation, not included in the proposed use or previously proposed Variance appeal, BOZA 2230; and,
- 8. The Applicant is still able to host four (4) events per year without the need for a Special Use Permit to host celebrations for cultural events and holidays without permitting continuous activity that has the propensity to exasperate on-site conditions previously noted.

Staff Comment – May 12, 2025:

On May 2, 2025 Planning Staff accompanied by KCK Fire Department performed an inspection on the property to discuss issues with occupancy, usage, parking, and future needs of the property. A summary of the results of that inspection are provided as such:

- 1. It is correct that the original proposal for this location was as a restaurant with some alcohol service and it has inadvertently been modified to a live event space. The owner states that business plans needed to pivot after Covid, but did not realize that this also modified the terms and conditions of previous agreements, thus the applicant became out of compliance;
- 2. The applicant admitted that a former entertainment company utilizing the space did add adult dancing poles to the upstairs and downstairs areas, however that agreement has since terminated and the poles have been removed with no plans to reinstall them;
- 3. The upstairs was converted into a live entertainment space and used as such without permit for a number of years, approximately 2020-2024. In 2021, the

KCK Fire Department reviewed the upstairs for occupancy use as a live entertainment space, although no formal building permit was ever obtained. Although it retains much of its live entertainment features, the upstairs is now being utilized as an apartment once again by the owner's son and fiancé. This is the proposed continued use of the upstairs, including the upstairs patio. The owner understands that the uses between live entertainment (A- Assembly occupancy type) and (R – Residential occupancy type) and uses are not interchangeable and that any further modifications will require a building permit and changes or revisions to other planning entitlement;

4. The website reference in former comments does exist and at one point represented Latin Quarters, however it was created by a family friend with limited knowledge of IT or web publishing and they are unaware of how to take the website offline, thus the outdated, embellished, and incorrect information remains;
5. The owner understand now that the use of the parking lot as an event area is not permissible without the approval of a new parking variance, as the use of the parking lot for anything other than parking means that no parking is provided, where as 32 spaces should be provided;
6. The applicant is asking to be held over for another 30-day period in order to apply for the parking variance. When applying for another parking variance, the opportunity will arise for a corrected neighborhood meeting;
7. The owner wishes to convert the parking lot into a pickleball-style courtyard, and will return to present a preliminary development plan for such in conjunction with the Variance appeal for no parking required. The pickleball court also requires the Special Use Permit to be expanded under 27-593(a)(24);
8. *The next steps for the applicant include:*
 - a. *Obtaining parking agreements to make up for the entire amount of parking required that is no longer being offered or apply for a parking Variance appeal. A variance appeal may be required if the total amount of parking is unable to be obtained through parking agreements;*
 - b. *Make necessary repairs to the facility as required by KCKFD during inspection (gas lines, electrical wiring, etc.);*
 - c. *Hold a new neighborhood meeting that meets ordinance requirements (required with or without the Variance appeal);*
 - d. *Work with an architect to provide a site plan to convert the parking lot into the pickleball court with a Final Plan Review level of detail;*
 - e. *Present the pickleball court plan with the parking agreements or variance with this Special Use Permit entitlement;*
9. *The resulting entitlement package will include:*
 - a. *A Final Plan Review level of detail for a pickleball court;*
 - b. *Special Use Permit for live entertainment, alcohol in excess of food sales, and the commercial facility for recreational activity similar to tennis or racquetball;*
 - c. *A Variance (appeal) for parking reduction and/or parking agreements; and,*
10. *The request is to hold over this application for 60 days, or until the July 14, 2025 CPC meeting date to allow for the applicant to apply for the Variance and/or obtain the necessary recorded parking agreements for off-street parking.*

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **HOLD OVER** of Petition **SP2024-116** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. The request is to hold over this application for 60 days, or until the July 14, 2025 City Planning Commission meeting date to allow for the applicant to apply for the Variance and/or obtain the necessary recorded parking agreements for off-street parking;
2. Obtain parking agreements to make up for the entire amount of parking required that is no longer being offered or apply for a parking Variance appeal. A variance appeal may be required if the total amount of parking is unable to be obtained through parking agreements;
3. Make necessary repairs to the facility as required by KCKFD during inspection (gas lines, electrical wiring, etc.);
4. Hold a new neighborhood meeting that meets ordinance requirements (required with or without the Variance appeal);
5. Work with an architect to provide a site plan to convert the parking lot into the pickleball court with a Final Plan Review level of detail;
6. Present the pickleball court plan with the parking agreements or variance with this Special Use Permit entitlement;
7. The resulting entitlement package will include:
 - a. A Final Plan Review level of detail for a pickleball court;
 - b. Special Use Permit for live entertainment, alcohol in excess of food sales, and the commercial facility for recreational activity similar to tennis or racquetball; and,
 - c. A Variance (appeal) for parking reduction and/or parking agreements.

If the City Planning Commission chooses to recommend **APPROVAL** of **SP2024-116**, Staff recommends that the following conditions apply:

1. A DRC Building Permit is required to account for the modifications to the building, including the upstairs and any expansion into the adjacent building at 510 Kansas;
2. The adult dancing poles must be removed, or the applicant must return within six (6) months to expand the Special Use Permit to include an adult club or cabaret, and the parking variance must be updated accordingly per Section 27-668(a)(1);
3. The tent must be removed from the property, as it prohibits the use of the 32-allotted parking spaces and has not been shown to be constructed of fire-retardant material or adequately anchored. It shall not be further erected on the property at any time without an updated building permit and parking variance;
4. A new parking variance or signed and recorded parking agreements shall be obtained to account for the change in building usage and required parking ratios accordingly;

5. All non-authorized signage shall be removed or permitted accordingly;
6. All entertainment must cease by 1:00 AM on Friday, Saturday, and Holidays. No entertainment or events shall occur Sunday-Thursday evening.
7. Doors and windows must stay closed during any entertainment performance;
8. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
 - a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
 - b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
 - c. An I.D. scanner will be used at all times;
 - d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles.
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 businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
13. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
15. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
16. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The

property may also be subject to enforcement actions and administrative citations;

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

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Site and Floor Plan
Elevations
Site Photos, Taken by Staff, Dated January 17, 2025
Website Screenshots
Event Advertisement with Second Floor DJ
Neighborhood Meeting Correspondence and Information

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025	TBD

STAFF CONTACT: Kallie McLaughlin, Planner, Floodplain Coordinator
kdmclaughlin@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2024-116** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

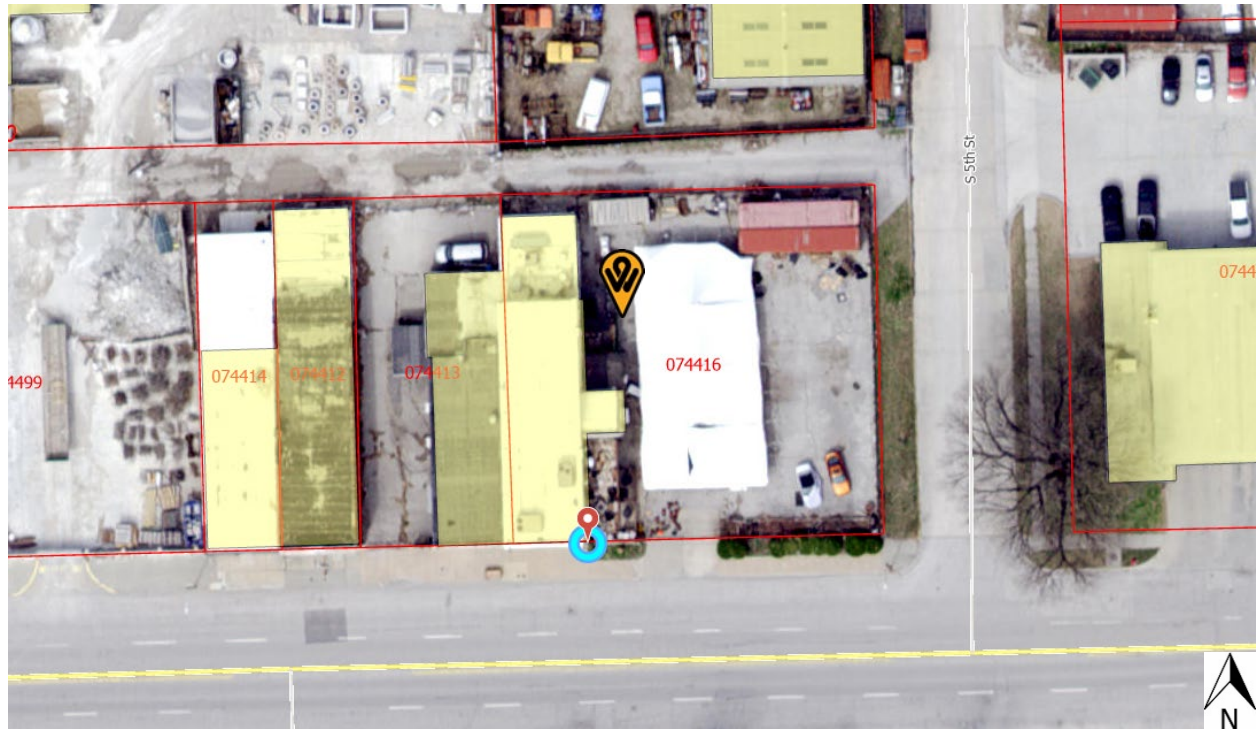
1. _____.
2. _____; And
3. _____.

OR

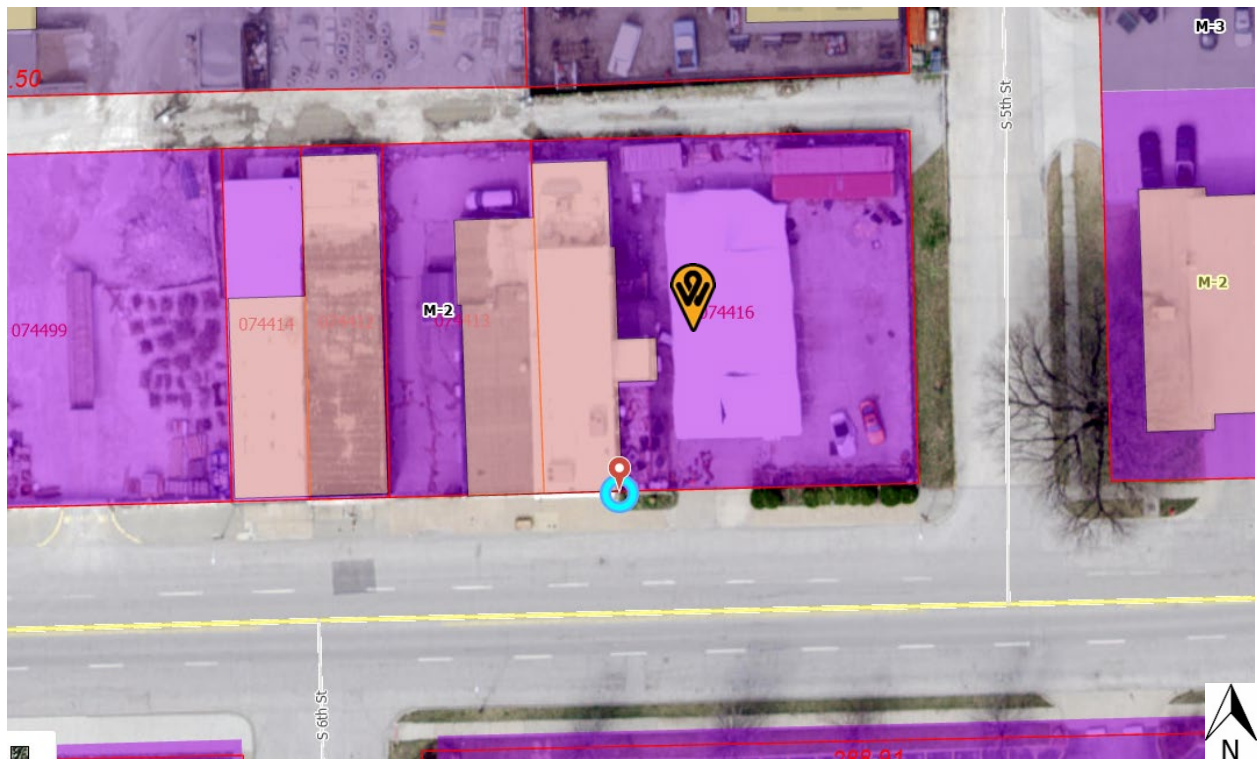
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2024-116**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

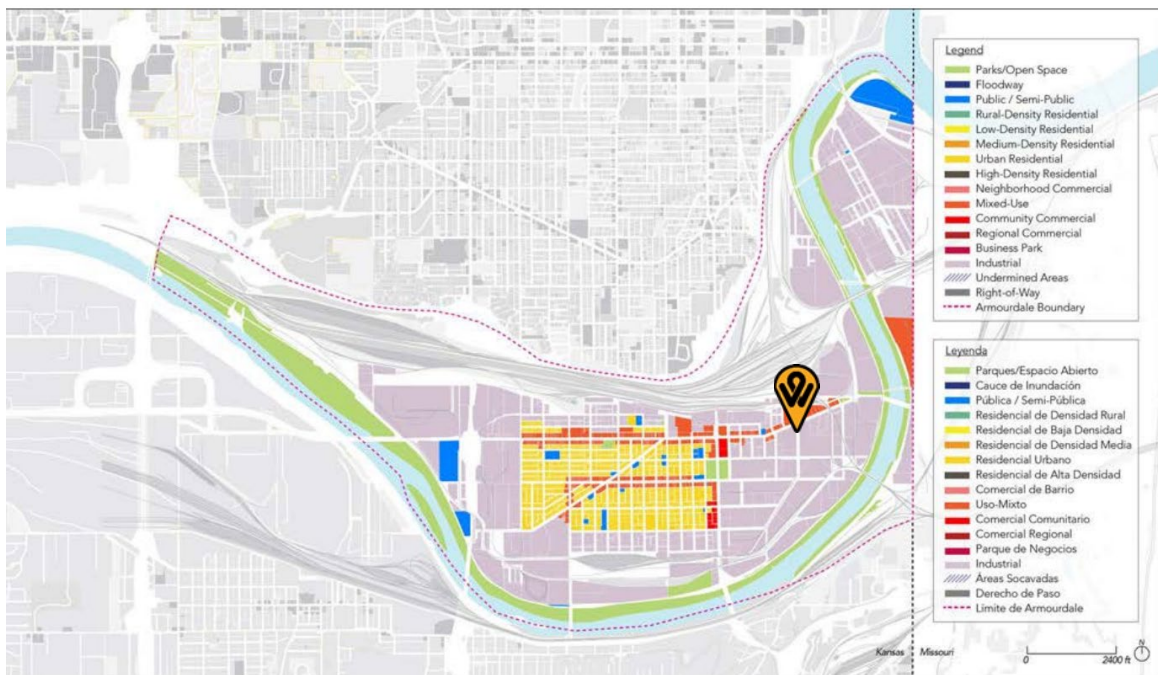
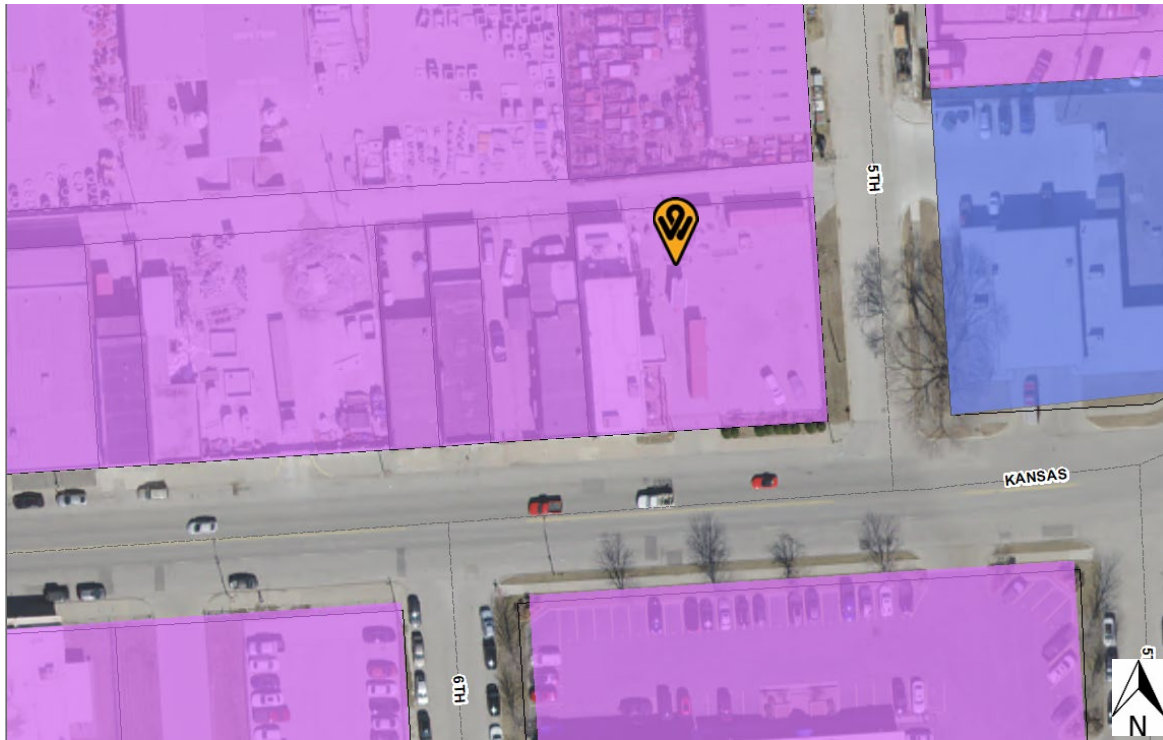
AERIAL IMAGERY



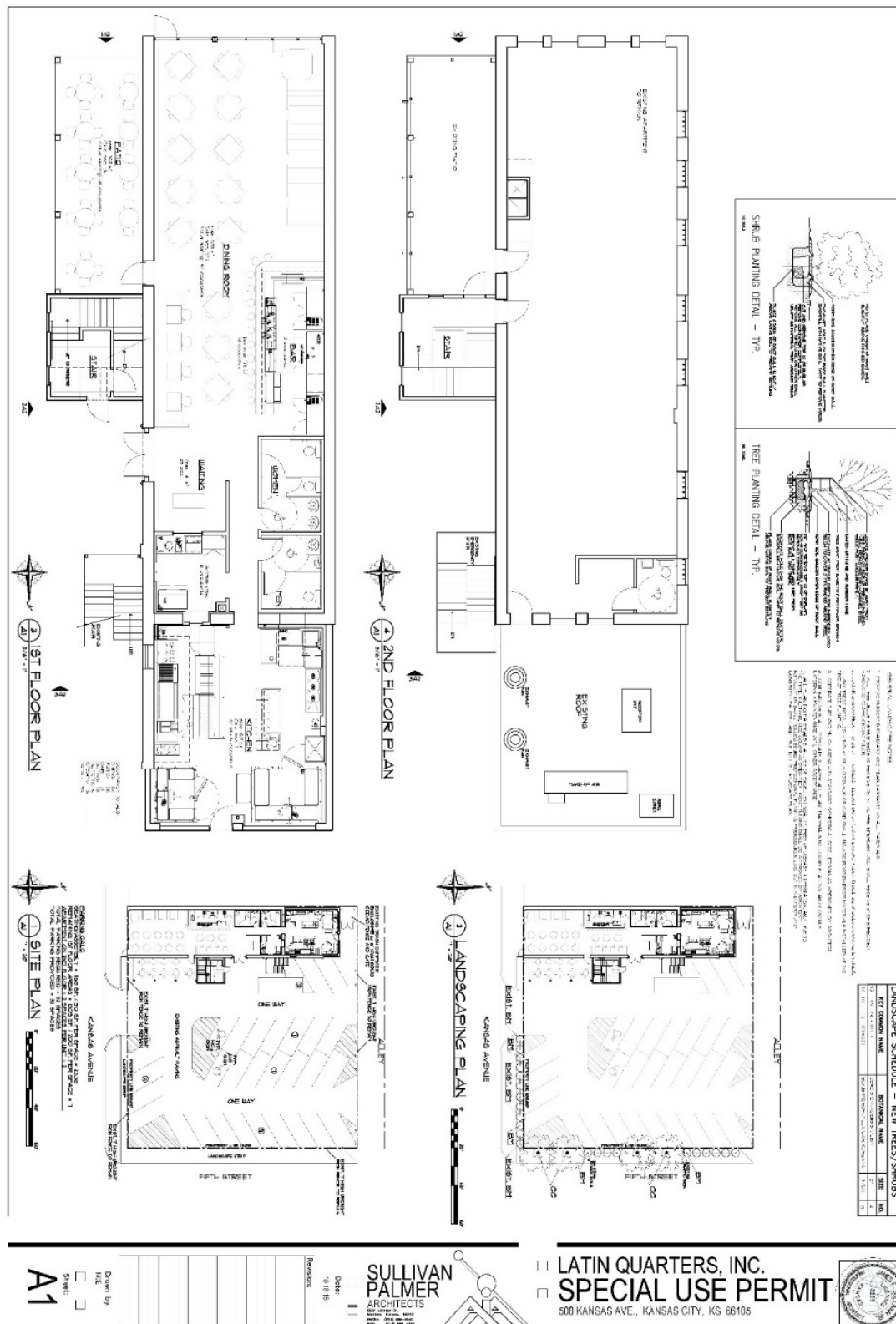
ZONING MAP



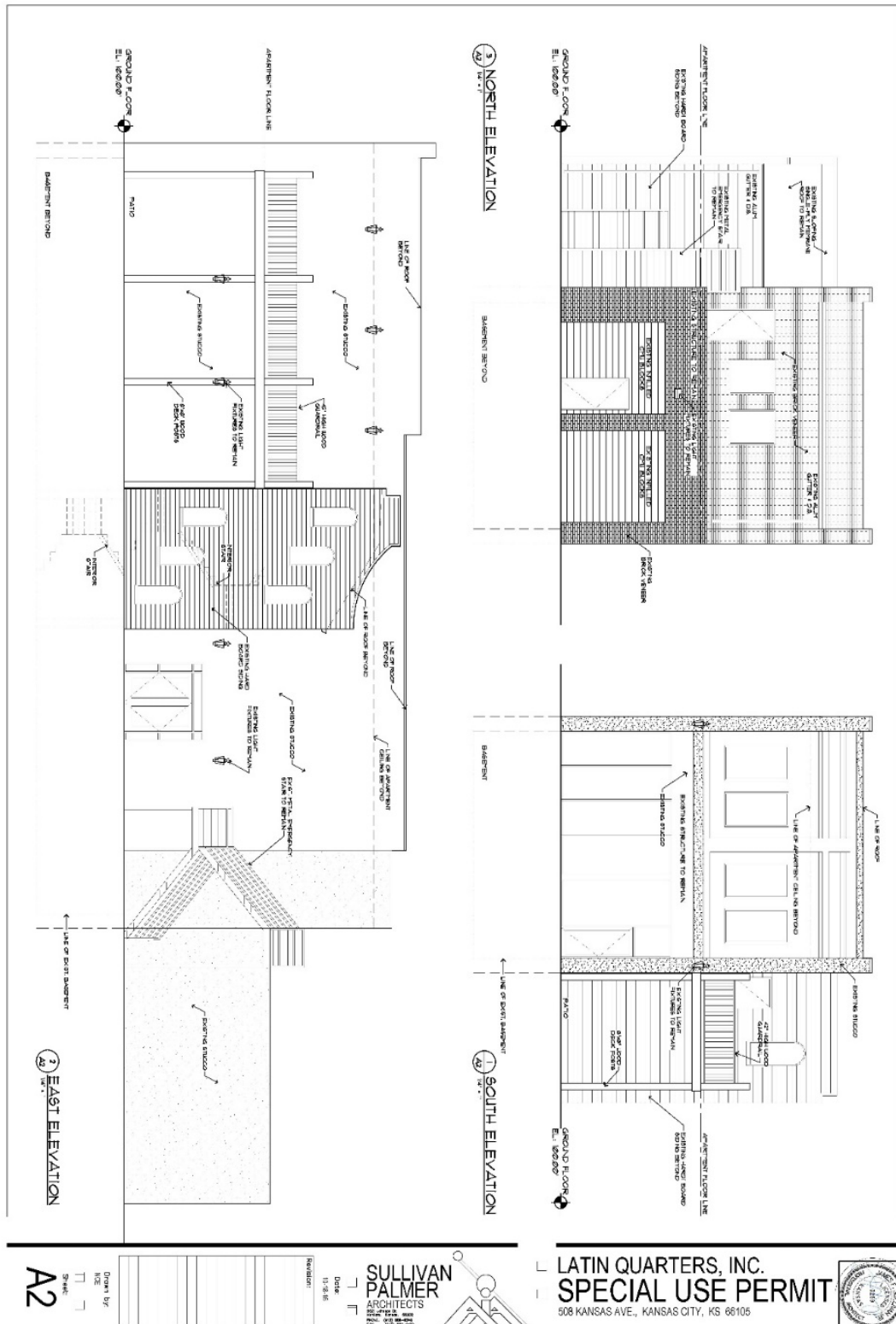
LAND USE MAP – ARMOURDALE AREA PLAN



The Unified Government of Wyandotte County and Kansas City, Kansas | Armourdale Area Master Plan / Reporte del Plan Maestro del Área de Armourdale | October 11th, 2021



ELEVATIONS



SITE PHOTOS, TAKEN BY STAFF, DATED JANUARY 15, 2025

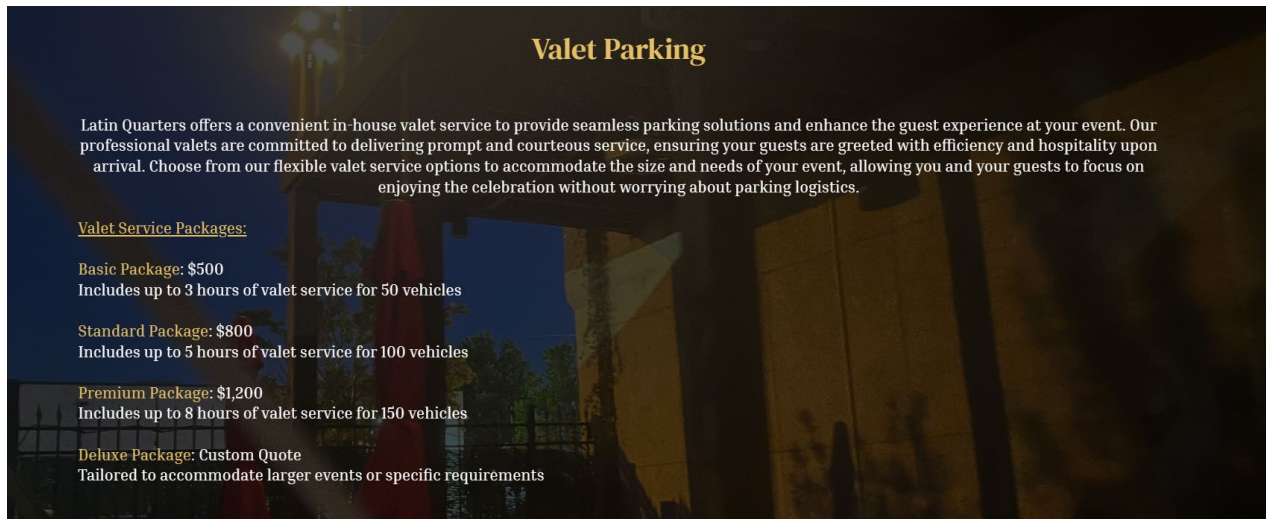


SITE PHOTOS, TAKEN BY STAFF, DATED JANUARY 15, 2025





WEBSITE SCREENSHOTS

A screenshot of a website section for 'Valet Parking'. The background is a dark, nighttime photograph of a building entrance with a red umbrella. The text is white and yellow. The title 'Valet Parking' is in yellow. The main text describes the service and lists four packages: Basic (\$500), Standard (\$800), Premium (\$1,200), and Deluxe (Custom Quote).

Valet Parking

Latin Quarters offers a convenient in-house valet service to provide seamless parking solutions and enhance the guest experience at your event. Our professional valets are committed to delivering prompt and courteous service, ensuring your guests are greeted with efficiency and hospitality upon arrival. Choose from our flexible valet service options to accommodate the size and needs of your event, allowing you and your guests to focus on enjoying the celebration without worrying about parking logistics.

Valet Service Packages:

Basic Package: \$500
Includes up to 3 hours of valet service for 50 vehicles

Standard Package: \$800
Includes up to 5 hours of valet service for 100 vehicles

Premium Package: \$1,200
Includes up to 8 hours of valet service for 150 vehicles

Deluxe Package: Custom Quote
Tailored to accommodate larger events or specific requirements

A screenshot of a video player. The video shows the open rear door of a black limousine, with blue interior lighting and people inside. The video player has a title bar, a 'Share' button, and a 'MORE VIDEOS' button.

AISLE 4 Aisle 4 Ent - Special Guest Productions At Moda Mansion

Share

MORE VIDEOS

DISTURBANCE REPORTS

INCIDENT SEARCH

Print Date/Time: 2/14/2019 9:11:26 AM

Incident Number	Call Date/Time	Dispositions	Location	Incident Type
2018-00078752	07/29/2018 23:47:12	Report Taken - 1	508 KANSAS AVE, Kansas City	Burglary
2018-00047944	05/11/2018 10:59:03	Alarm False - 1	508 KANSAS AVE, Kansas City	Alarm Residential/Business
2018-00041170	04/23/2018 16:51:30	No Report - 1	508 KANSAS AVE, Kansas City	Disturbance - Non Domestic
2018-00029236	03/22/2018 19:14:42	Alarm False - 1	508 KANSAS AVE, Kansas City	Alarm Residential/Business
2018-00028679	03/21/2018 14:15:58	No Report - 1	508 KANSAS AVE, Kansas City	Follow Up
2018-00010678	02/01/2018 02:29:55	Alarm False - 1	508 KANSAS AVE, Kansas City	Alarm Residential/Business
2017-00126684	12/02/2017 01:23:29	Alarm False - 1	508 KANSAS AVE, Kansas City	Alarm Residential/Business
2017-00116899	11/06/2017 13:51:01	No Report - 1	508 KANSAS AVE, Kansas City	Other
2017-00112761	10/25/2017 12:02:35	Report Taken - 1	508 KANSAS AVE, Kansas City	Disturbance - Non Domestic
2017-00048445	05/15/2017 11:11:14	Alarm False - 1	508 KANSAS AVE, Kansas City	Alarm Burglary
2017-00046723	05/10/2017 15:51:25	Alarm False - 1	508 KANSAS AVE, Kansas City	Alarm Residential/Business
2017-00039624	04/21/2017 11:45:27	No Report - 1	508 KANSAS AVE, Kansas City	Traffic Complaint/ Investigation
2017-00027571	03/20/2017 18:37:38	Alarm False - 1	508 KANSAS AVE, Kansas City	Alarm Residential/Business
2016-00065402	09/25/2016 02:19:58	Alarm False - 1	508 KANSAS AVE, Kansas City	Alarm Residential/Business
2016-00029357	06/21/2016 13:16:56	No Report - 1	508 KANSAS AVE, Kansas City	Theft

Total Rows: 15

Calls for service

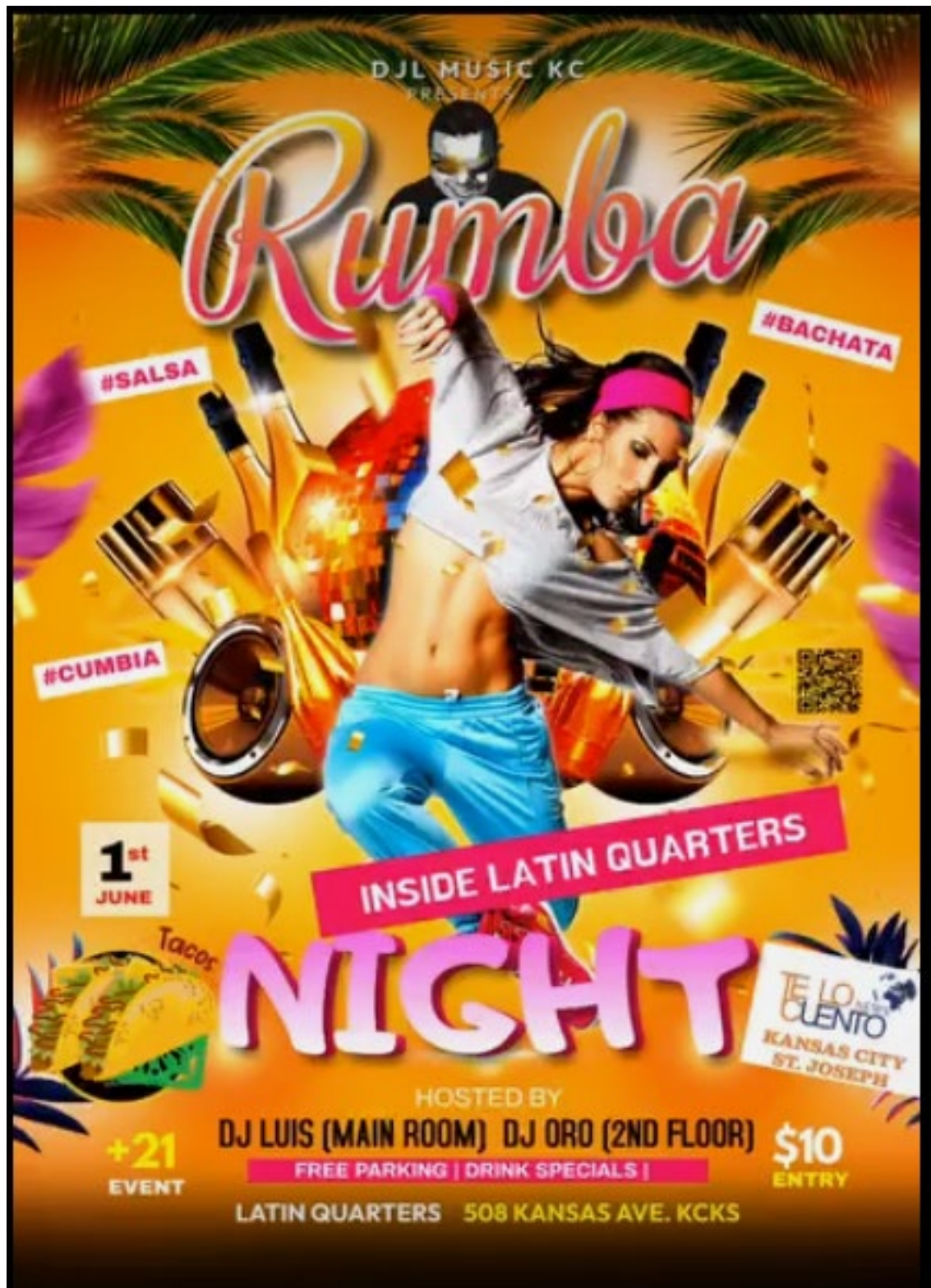
Police Case (27)

Police Calls for Service (43)

ID	Date	Details	Address
 2022-00114739	11/25/2022	Statute: 22-79 (a1) Description: Criminal Damage <\$1000 - Damage / Destroy without consent	508 KANSAS AVE
 2022-00050952	06/04/2022	Statute: 21-5813(a)(1)(C2) Description: Criminal damage to property; Without consent value \$1000 to \$25,000	508 KANSAS AVE
 2022-00050952	06/04/2022	Statute: 21-5807(a3)(c1)(B2) Description: Burglary; Vehicle with intent to steal a firearm	508 KANSAS AVE
 2022-00026425	03/26/2022	Statute: 22-34 (a)(1) Description: Battery - Knowingly or recklessly causing bodily harm to another person	508 KANSAS AVE
 2021-00140768	12/03/2021	Statute: 21-5813(a)(1)(C3) Description: Criminal damage to property; Without consent value < \$1000	508 KANSAS AVE
 2021-00140768	12/03/2021	Statute: 21-5807(a3)(c1)(B2) Description: Burglary; Vehicle with intent to steal a firearm	508 KANSAS AVE
 2021-00140152	12/03/2021	Statute: 21-5813(a)(1)(C3) Description: Criminal damage to property; Without consent value < \$1000	508 KANSAS AVE
 2021-00140152	12/03/2021	Statute: 21-5807(a3)(c1)(B2) Description: Burglary; Vehicle with intent to steal a firearm	508 KANSAS AVE
 2021-00135681	11/25/2021	Statute: 21-5807(a3)(c1)(B2) Description: Burglary; Vehicle with intent to steal a firearm	508 KANSAS AVE
 2021-00135681	11/25/2021	Statute: 21-5813(a)(1)(C3) Description: Criminal damage to property; Without consent value < \$1000	508 KANSAS AVE

Download Spreadsheet

< 1 2 3 4 5 >



A vibrant, tropical-themed poster for a Latin dance event. The background is a warm orange-yellow gradient with palm fronds at the top. A central image shows a woman in a white crop top and blue pants dancing. Surrounding her are various Latin dance-related elements: a DJ in a suit, confetti, and social media-style tags for #SALSA, #CUMBIA, and #BACHATA. At the bottom, there's a banner for 'NIGHT' and details about the event including the date, hosts, parking, and entry fee. A QR code is also present.

DJL MUSIC KC
PRESENTS

Rumba

#SALSA

#CUMBIA

#BACHATA

1st
JUNE

INSIDE LATIN QUARTERS

NIGHT

HOSTED BY
DJ LUIS (MAIN ROOM) DJ ORO (2ND FLOOR)

+21
EVENT

FREE PARKING | DRINK SPECIALS |

\$10
ENTRY

LATIN QUARTERS 508 KANSAS AVE. KCKS

TE LO ACORDO
KANSAS CITY
ST. JOSEPH

NEIGHBORHOOD MEETING CORRESPONDENCE AND INFORMATION

From: israel mendez <israelkcmo@gmail.com>

Sent: Wednesday, March 12, 2025 10:58 AM

To: Hcc Carlos <cgomez@hccgkc.com>; Murray, LaVert <lmurray@wycokck.org>; Nadia Mendez <nadiakcmo@gmail.com>; Mayor Garner <MayorGarner@wycokck.org>; Hand, Gunnar <ghand@wycokck.org>; PlanningInfo <Planninginfo@wycokck.org>

Subject: Latin Quarters

Some people who received this message don't often get email from israelkcmo@gmail.com. [Learn why this is important](#)

Good morning, gunner

I went into planning and zoning to pick up my sign to post in front of the property. I talked to Tori.

I made My letters for the month of March I just copied and paste because I didn't receive a new email specifying the deadlines or times for the new meeting

On my letters that I mailed out said that my meeting was gonna be held February 29. February only has 28 days. I still had my meeting March 1. No one came to the meeting.

Tori said that I don't have to have another meeting and I don't have to write any more letters. I just want to know if this is true so we don't have another technicality.

In addition, I'm gonna make more letters mail them tomorrow for a meetingb on the March 28th

If what Tori told me true, and I don't have to mail more letters or have another meeting

please email me back saying that the letters that I made for March 29 are OK.

I won't have another meeting and I won't mail any more letters. Please let me know my cell is also
816-842-2582.

Gunner, I hope what Tori told me it's true if not, please let me know ASAP so I can mail more letters and set my meeting for March 28. Please let me know if that's acceptable or my letters from last month. Thank you so much. I'll wait for your email or phone call.
Thank you

NEIGHBORHOOD MEETING CORRESPONDENCE AND INFORMATION

From: [israel mendez](#)
To: [Hcc Carlos](#); [Murray, LaVert](#); [Nadia Mendez](#); [Mayor Garner](#); [McLaughlin, Kallie](#)
Subject: Fwd: Latin Quarters
Date: Friday, March 14, 2025 3:49:37 PM
Attachments: [image002.png](#)

Hi Kallie my name is Israel Mendez. Can you please give me a call today
? If you get back to the office in time it's about 3:41
I went to go look for you, to introduce myself to you but they said you were out in the field.
My. Cell is [REDACTED]

I send out new letters

March 12

And made a new Meeting on the March 28th

At 5 pm

Last week I stopped by your office to pick up my sign. I talked to Tori. He said I didn't
need any new letters or to have another meeting. I just want to know if this is true.

NEIGHBORHOOD MEETING CORRESPONDENCE AND INFORMATION

Date: 2/12/25

Name: EL PUEBLITO CORPORATION

Address: 810 SOUTHWEST BLVD

City/State/Zip: KANSAS CITY, MO 64108

SUBJECT: Neighborhood Meeting

I have filed an application with the Planning + Urban Design Department

#SP2025- *SP 2024-116*

The purpose of this is for public dance/ live entertainment restaurant and bar
at the following address: 508 KANSAS AVE KANSAS CITY, KS 66105.

I am having a neighborhood meeting on March 28th at

5PM at the following address 508 KANSAS AVE KANSAS CITY, KS 66105.

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

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

Sincerely,

ISRAEL MENDEZ


@GMAIL.COM

NEIGHBORHOOD MEETING CORRESPONDENCE AND INFORMATION

Application Number: SP 2024-116

Date and Location: March 28 508 Kansas Ave Kc KS 66105/

Meeting called to order at: 4:30 pm

Names of people in attendance: ISRAEL Mendez / Nadia Co 

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

- Martin Jimenez

-

-

- What was the question or comment

- When is the festival

-

-

- Who answered the question/comment

- ISRAEL / we don't have a set date yet!

-

-

- What was the answer given

-

-

-

Meeting adjourned at: 5:30

Minutes taken by: Nadia Co

NEIGHBORHOOD MEETING CORRESPONDENCE AND INFORMATION

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF KANSAS)

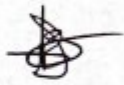
) SS:

COUNTY OF JOHNSON)

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

1. That I am the petitioner for Petition # SP 2024-116
2. That I conducted a neighborhood meeting on March 28, 2025
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.

Israel Mendez 
Nadia Griffith Yoshua G.
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 10 day of APRIL, 2025

My commission expires 17 of OCT, 2028

Alexandra Esqueda Willis
Notary Public

Alexandra Esqueda Willis
Notary Public - State of Kansas
My Commission Expires OCT 17, 2028



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2024

Re: **Special Use Permit Petition SP2025-006**

GENERAL INFORMATION

Applicant Information:

Tiffany Clark
Owner
Rosedale Roadhouse, LLC
22618 W 46th Terrace
Shawnee, KS 66226

Subject Property:

1127 Southwest Blvd
Kansas City, KS 66103

Requested Action and Purpose:

Approval of a Special Use Permit to
Operate a Non-Owner-Occupied
Short-Term Rental

Commission Districts:

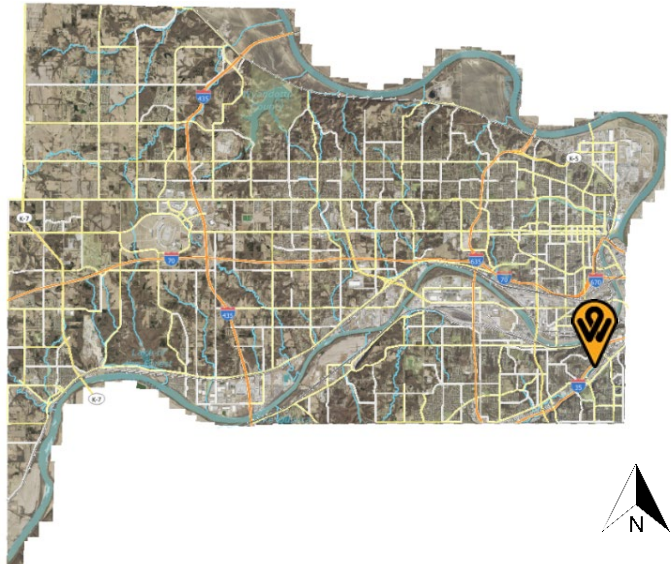
At-Large District #2 Commissioner:
Tom Burroughs
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):

M-2 General Industrial District

Plan Area:

Rosedale Area Master Plan



	Adjacent Zoning	Adjacent Uses
North	M-2 General Industrial District	Industrial Material Wholesale with Laydown Yard
South	M-2 General Industrial District	Electrical Wholesale Supply Business
East	M-2 General Industrial District	Diner-Style Restaurant
West	M-2 General Industrial District	Vacant Retail Business

Total Tract Size: 0.11 Acre

Comprehensive Plan Designation: The Rosedale Master Plan designates this area as Creative and Industrial Mixed Use. Creative and Industrial Mixed Use is intended to promote a mix of low and medium intensity manufacturing uses alongside creative and artistic industries with potential for multifamily housing or live/work units.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Southwest Boulevard as a Class C Thoroughfare

Parking Requirement: Section 27-469(e) states that uses in this district require paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. As this is a residential use, the standard would default to the R-1 Single-Family Residential District standard set forth under Section 27-454(e), which states that two (2) off- street parking spaces shall be provided one of which shall be a garage or carport. The property provides three (3) parking spaces in the rear however no covered parking is provided. A covered parking space shall be provided in the rear of the property as part of conditions of approval of this application.

Landscaping Requirement: Per 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 property has 10,544 square feet, requiring two (2) trees. The subject property has two (2) trees in the front yard, meeting this requirement.

Advertisement:	<u>The Wyandotte Echo</u> – February 13, 2025 <u>Letters to Property Owners</u> – February 14, 2025; March 13, 2025; and April 18, 2025
Public Hearing:	March 10, 2025 and May 12, 2025
Public Support:	None to date.
Public Opposition:	None to date

PROPOSAL

Detailed Outline of Requested Action: The applicant, Tiffany Clark dba Rosedale Roadhouse LLC, is requesting a Special Use Permit to operate a short-term rental at 1127 Southwest Boulevard. This is not the owner's primary residence. This property had formerly been utilized as a short-term rental under previous ownership and the applicant would like short-term rental activity.

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 current noise or disturbance complaints on the subject property under current ownership. Prior calls include:
 - a. 2020: Traffic Stop
 - b. 2020: Call for Information
 - c. 2018: Suspicious Crowd/Activity
 - d. 2017: Domestic Disturbance
 - e. 2017: Eviction Court Order
 - f. 2017: Other
 - g. 2017: Domestic – non-disturbance
 - h. 2016: Domestic – non-disturbance
 - i. 2016: Traffic Complaint

Building, Zoning, or Code Enforcement Complaints:

1. There has been one (1) enforcement case within the past 10 years:
 - a. 2016: 16200-03335 – Environmental Investigation into the grease trap on-site and parking discrepancies (closed)

Outstanding or Related Permit and Cases:

1. There have been no building permits obtained within the past 10 years.

Previous Planning Actions:

1. There are several previous planning entitlements:
 - a. 2019: SP-2019-18: Special Use Permit to operate as a short-term rental (approved) (prior ownership)
 - b. 2021: SP2021-009: Special Use Permit to operate as a short-term rental (approved) (prior ownership)
 - c. 2022: SP2022-122: Special Use Permit to operate as a short-term rental (approved) (prior ownership)

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located in the Rosedale Area near the Southwest Boulevard and Mission Road overpass. The neighborhood consists of primarily industrial and commercial uses. Other local businesses include Strasser Hardware, Dagwoods Café, and the Holy Name of Jesus Parish, as well as some urban residences.

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 a mix of Industrial and Commercial Districts. 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 who may also include rentals and commercial activity. 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 removal 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 and has been occupied as a short-term rental since 2019. The property's previous uses include an auto dealership, consignment shop, and veterinary clinic.

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

Special Use Permits are not addressed in the Rosedale Area Master Plan. The Rosedale Master Plan designates this area as Creative and Industrial Mixed Use. Creative and Industrial Mixed Use is intended to promote a mix of low and medium intensity manufacturing uses alongside creative and artistic industries with potential for multifamily housing or live/work units. The proposed use conforms to the Rosedale Area Master Plan as it is a single-family dwelling in nature although utilized for a commercial purpose.

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 Southwest Boulevard, a Class C Thoroughfare, 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 related to noise, vibration, or dust. 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 residence in an existing built-out neighborhood.

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

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

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

The applicant 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 and requirements 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 is seven (7). The maximum number of vehicles off-street is three (3). There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at Dagwood's Cafe on February 24, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise, Illumination, and Vibration
Home Inspection Report
Overcrowding and Undue Concentrations of Population
Parking
UG Driveway Requirements
Building Permits
Septic System

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

- 1. The property appears to have undergone an interior renovation without the appropriate building permits. The previous property was utilized as a commercial property as a Class B Occupancy. A DRC Building Permit for a Change of Occupancy from Class B Occupancy to Class R Occupancy will be required prior to any leasing of the property.**

Applicant Response: I will contact previous owner for information about permits from renovations. Previous owner had a special use permit for the last 4 years and was using it as an Airbnb.

Staff Response: It was correct that Special Use Permits were issued, however the conditions of approval were not adhered to, thus the problem still exists with the new applicant to now address.

- 2. The property shall include a covered parking space at the rear of the property to conform to the R-1 parking requirements or shall return for a Variance from the R-1 parking standards.**

Applicant Response: The property has off the street parking for 3 vehicles in the back. I was not aware I had to provide covered parking. I would prefer not to offer covered parking. If this is the regulation I will have to add that to my project list to be compliant.

Staff Response: Should the building permit not include a covered parking space, the applicant shall return for a variance from the parking requirement or a Change of Zone to R-1(B) in which a covered parking space is not required.

- 3. The previous owner repaired the curb and sidewalk but did not complete removing the concrete in the front yard. The concrete in the front yard shall be removed and returned to landscaping prior to next renewal.**

Applicant Response: The concrete has been removed from the front yard completely except for the walkway to the stairs. The front yard is grass and there is one tree planted in the front yard. I will send a picture of the yard for review.

- 4. The following items must be addressed prior to occupancy of the property:**
 - a. Drywall appears to have been installed throughout the home. This requires a residential permit.**
 - b. Damaged concrete step must be repaired to avoid a trip and fall hazard (inspection item 3.1.2).**

- c. Any damaged or improper weather strips at doorways must be repaired to prevent pest intrusion (inspection item 3.6.1).
 - d. All points of egress (doors, windows, etc) must properly secure and lock (inspection item 3.6.2, 6.2.1).
 - e. The range must be installed with an anti-tip bracket (inspection item 4).
 - f. The flexible dryer vent must be replaced with a hard-duct vent (inspection item 4.6.1)
 - g. The dryer vent must be properly connected (inspection item 4.6.2).
 - h. Heating equipment must be permitted by a licensed HVAC contractor, as it was noted to be under a year old and installed without registered permit (inspection item 6).
 - i. The recently added upstairs bathroom shall be vented (inspection item 6.5.1).
 - j. Windows throughout the home need to be properly operational and include screens for security, egress, and pest prevention (inspection item 6.5.4).
 - k. The water heater is approximately one (1) year old and no permit was found on file. The water heater does not appear to have an expansion tank nor a TPR valve. A permit for the installation of this water heater is required (inspection item 8).
 - l. The main sanitary sewer stack is leaking and shall be repaired. This requires a plumbing permit (inspection item 7.3.2).
 - m. Sinks require proper venting. This should be inspected as part of your residential plumbing permit (inspection item 7.3.4).
 - n. Vents need to terminate through the roof per code and should be included in a residential plumbing permit (inspection item 7.3.5).
 - o. The improper wiring, neutrals, breakers, and busbar shall be repaired (inspection item 9.2.4)
 - p. Miscellaneous uncapped gangs, junction boxes, splices, cover plates, and other improper electrical work is in need of repair (inspection chapter 9).
 - q. Smoke and carbon monoxide alarms shall be installed, including in the mechanical spaces, bedrooms, kitchen, and common areas (inspection item 9.6.1 and 9.7.1)
 - r. Bathroom exhausts may not terminate in the attic (inspection item 10.4.1)
5. The following items shall be repaired prior to renewal unless found otherwise in violation of Property Maintenance Code:
- a. The driveway must be repaired. The additional asphalt to expand the driveway shall be removed and the front curb restored to grass and a curb to UG Standards (inspection item section 3)
 - b. Gutters and downspouts must be installed to confirm to Property Maintenance Code (inspection item 2.2.1).
 - c. All fascia, soffit, siding, fixtures, hose bibs, and exterior coverings must be repaired per Property Maintenance Code and to avoid pest infestation.

Applicant Response: Electrical repairs are currently in progress to address any issues on the inspection report. They are pulling permits and will provide an itemized invoice for proof of repairs. There is power to both bedrooms in the property. I will have a contractor address the furnace flue. I will get quotes for gutters and downspouts. I have had an exterminator visit the property already and have signed up for monthly maintenance for pest control.

Staff Response: These items can be accounted for during the required DRC Building Inspection. The applicant has yet to contract with an architect but is in process of doing so. Once an architect is hired, these items can be included in the scope of work of the building permit.

6. The maximum number of persons staying at the property shall be seven (7). The maximum number of cars at the property shall be three (3).

Applicant Response: I will only allow 5 persons to stay at the property at a time. There are 3 parking spots available for guests.

7. The designated property manager was provided on the application. Explain the details of this arrangement. Provide the contact information to the neighbors within the notice area during your neighborhood meeting.

Applicant Response:

Staff Note: As of May 12, 2025, the applicant has not provided a response.

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

Applicant Response: I have the contact information for all neighbors and will call as well as send email notification of any issues. I also plan to attend neighborhood council meetings regularly. I have also sent my contact information to all neighbors.

9. Interior photos must be provided of the property.

Staff Note: Interior Photos and a floor plan of the property were received

10. Indicate how you will maintain the property in a safe and sanitary mannerism?

Applicant Response: Trash service is schedule regularly. I will be on a biweekly yard maintenance schedule. I have hired to have snow removal completed when needed. I have hired someone to clean the property interior after every guest leaves. I also have plans to paint the exterior. I have hired an exterminator for monthly maintenance. I also have a security camera system in place and will activate service once I am approved a special use permit. I have worked with Dagwoods next store to provide better lighting on the properties. I also have no

smoking signs posted throughout the property. I have flashlights inside the property for guests. There will be an escape plan and natural disaster plan posted for guest.

11. How will you pay appropriate Kansas State Lodging Taxes?

Applicant Response: I will educate myself on the appropriate taxes and will pay as required. I will be using the Airbnb website and taxes and fees will be included in the cost for the guest to stay at the property. I have other business and we pay taxes quarterly. Again, I will ensure that the appropriate taxes are collected and paid.

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

Applicant Response: Yes, there is a manual that will be in a binder available for guest to review. The rules are also communicated to the guest via email. There is an electronic form the guest will have to sign stating they understand the rules and regulations. No parties, no grilling, no smoking, no pets, no parking on the street, no persons not registered to stay are allowed etc will be some of the rules posted.

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

Applicant Response: No pets will be allowed to stay at the property. That rules I'll be include in the manual provided and on the email that guest will have to sign to confirm understanding.

14. 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: I will add this information to the guest manual.

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

Standard Conditions:

1. Maximum number of guests shall be seven (7);
2. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park off-street.
3. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
5. Applicant is to maintain liability insurance.
6. The property must remain in proper maintenance and free of hazards, pests, or infestations.
7. The granting of this Special Use Permit does not transfer with a change of ownership of the property.
8. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website).
9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.
10. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
11. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
12. All existing and future driveways must feature curb cuts that are constructed to UG standards.
13. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in

revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

15. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.
16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
17. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and
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.
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.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2025-006** subject to all comments and suggestions outlined in this staff report and summarized by the following conditions.

1. This application was originally heard on March 10, 2025 and received a 60-day holdover for the applicant to complete missing items and follow-up on outstanding building permits.
2. Staff has received responses in terms of the operations of the property, but the applicant has been unable hire an architect to complete the outstanding building permit items. As the applicant has already received a 60-day extension, staff believes that there is limited time to complete the remaining items. In lieu of an additional extension, staff proposes a six (6) month approval to allow the applicant to continue to address items. At the end of the six (6) month period, the applicant shall re-apply, giving staff the opportunity to evaluate if the prior requirements were better met.
3. Staff feels that given the number of safety and building permit concerns outlined in the home inspection report, this property is not reasonably safe to be utilized as a public accommodation. Some electrical repairs have been completed to address these concerns, but some outstanding building permit items remain.

Conditions of Approval:

1. **A DRC Building Permit for a Change of Occupancy shall be obtained prior to leasing the property to address the illegal occupancy conversion;**
2. **A covered parking space must be provided or the applicant must return within six (6) months from date of approval to apply for a Variance from the R-1 parking requirements or apply for a Change of Zone to R-1(B);**
3. **The concrete in the front yard that is not part of the sidewalk shall be removed and return to landscaping, including one (1) tree to satisfy the landscaping requirements of the R-1 Zoning District;**
4. **The following items must be remedied prior to occupancy as part of the DRC Building Permit:**
 - a) **Open junction boxes, splices, electrical outlets, and other electrical work noted in the attic must be repaired (inspection item 3.1 and 3.10)**
 - b) **Power must be provided to the front bedroom. Rewiring these outlets may require an electrical permit (inspection item 6.2)**
 - c) **Outlets need to be fully operational, including GFCI outlets (inspection item 7.3)**
 - d) **Basement electrical work needs repaired to meet code standards (inspection item 7.4)**
 - e) **The panel shall be re-wired to remedy inspection items (inspection items 9.5 and 9.6)**
 - f) **The electrical ground conductor and panel bond needs to be included in the electrical permit (inspection items 9.7)**
 - g) **The furnace flue shall be repaired to meet combustible and other code requirements (inspection item 10.1, 10.2)**

- h) The electrical service mast shall be repaired to meet code requirements (Inspection Item 9.0)
 - i) Gutters and downspouts need to be installed per code requirement
 - j) Fascia, Soffit, siding, hose bibs, and exterior finishes need to be repaired to avoid pest infestation and water intrusion;
5. Maximum number of guests shall be seven (7);
 6. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on the street, only off-street private parking allowed;
 7. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
 8. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
 9. Applicant is to maintain liability insurance.
 10. The property must remain in proper maintenance and free of hazards, pests, or infestations.
 11. The granting of this Special Use Permit does not transfer with a change of ownership of the property.
 12. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website).
 13. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.
 14. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 15. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
 16. All existing and future driveways must feature curb cuts that are constructed to UG standards.

17. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
18. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
19. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.
20. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
21. The Special Use Permit shall be valid for six (6) months 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; and
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. Staff note: a waiver for this fee is now in effect for this area.~~
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
Host Compliance Map
Staff Site Visit Photos Dated January 29, 2025
Applicant Provided Site Plan
Applicant Provided Photos
Home Inspection Report Highlights
Neighborhood Meeting Information
Floor Plan

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	March 10, 2025 Held Over May 12, 2025	May 29, 2025

STAFF CONTACT: Kallie McLaughlin, Planner, Floodplain Administrator
kdmcclaughlin@wycokck.org
(913) 573-5762

MOTIONS

I move the Kansas City, Kansas, City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2025-002** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

1. _____;
2. _____; And

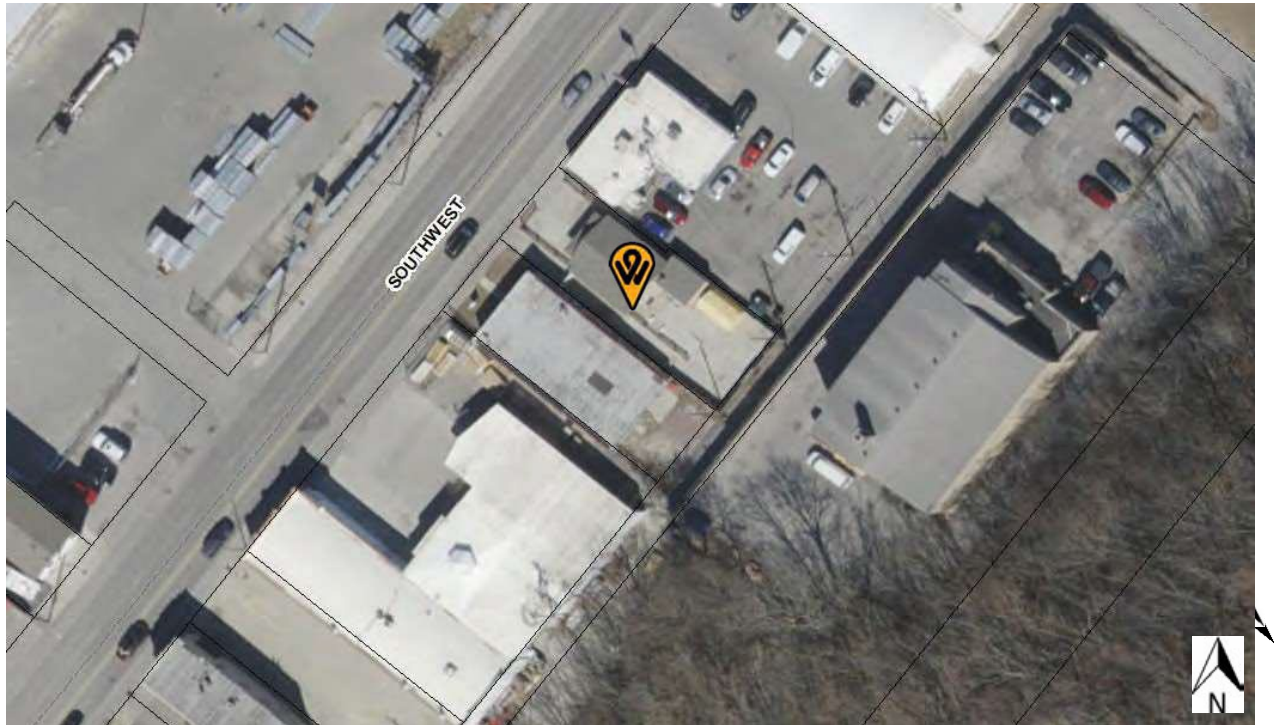
3. _____.

OR

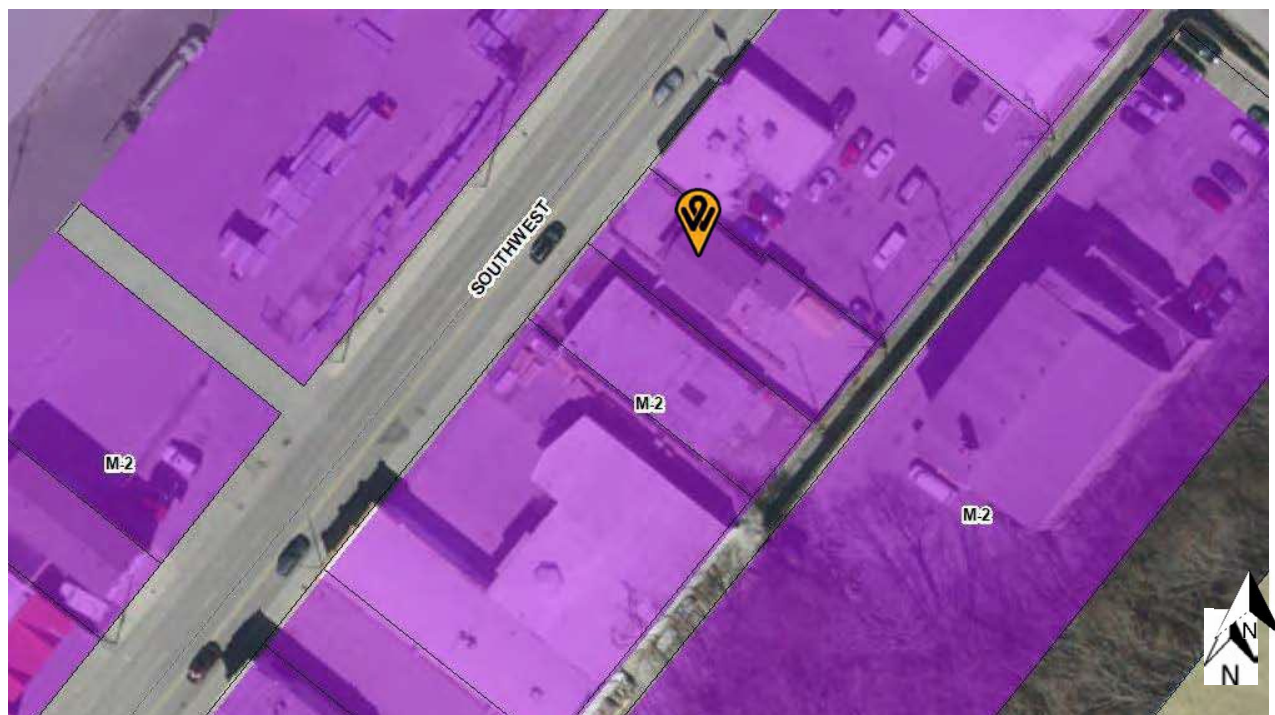
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2025-001**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

AERIAL IMAGERY



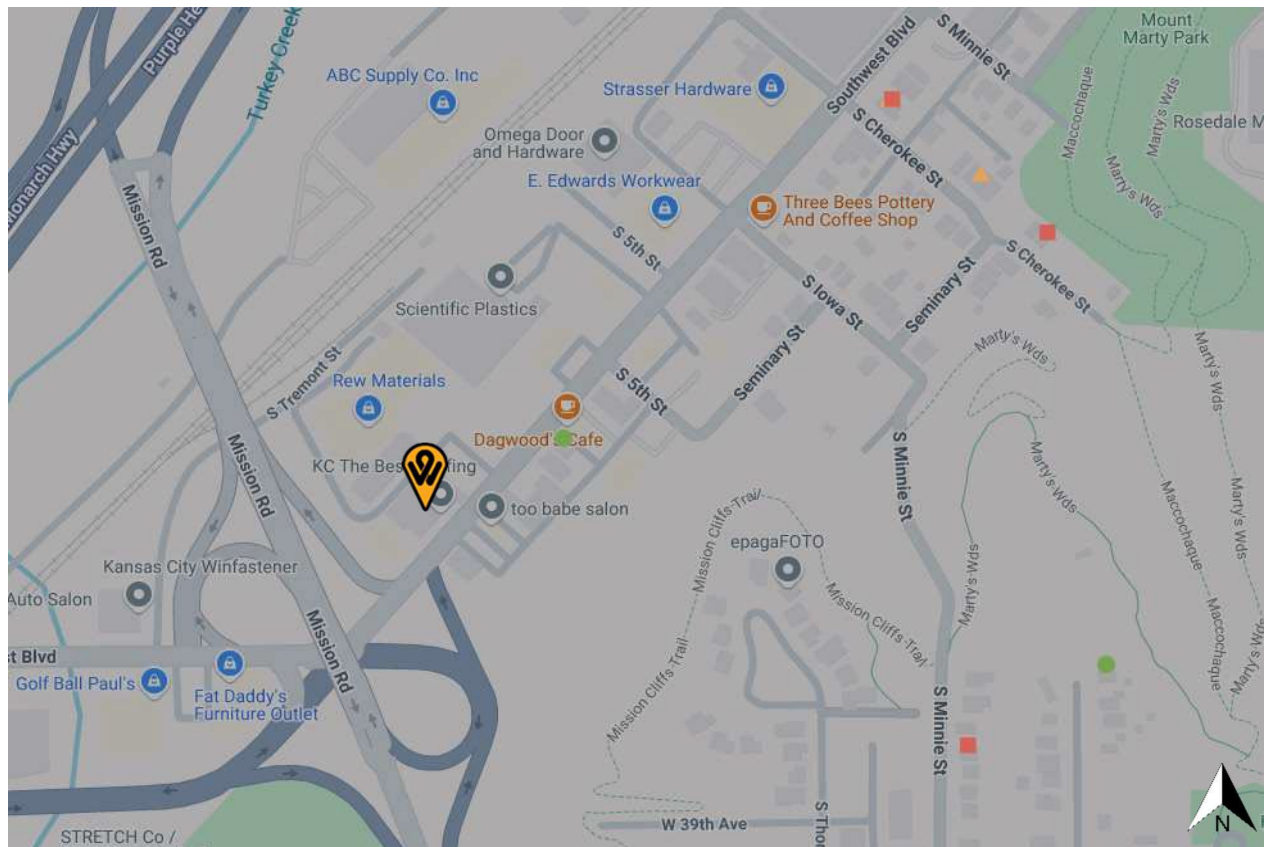
ZONING MAP



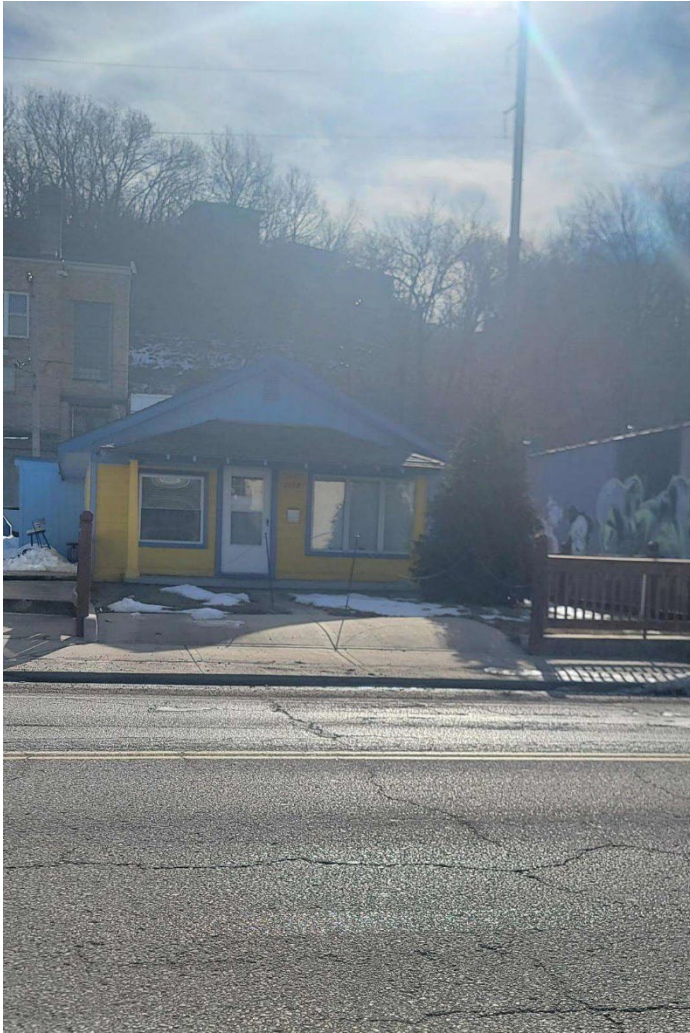
LAND USE MAP



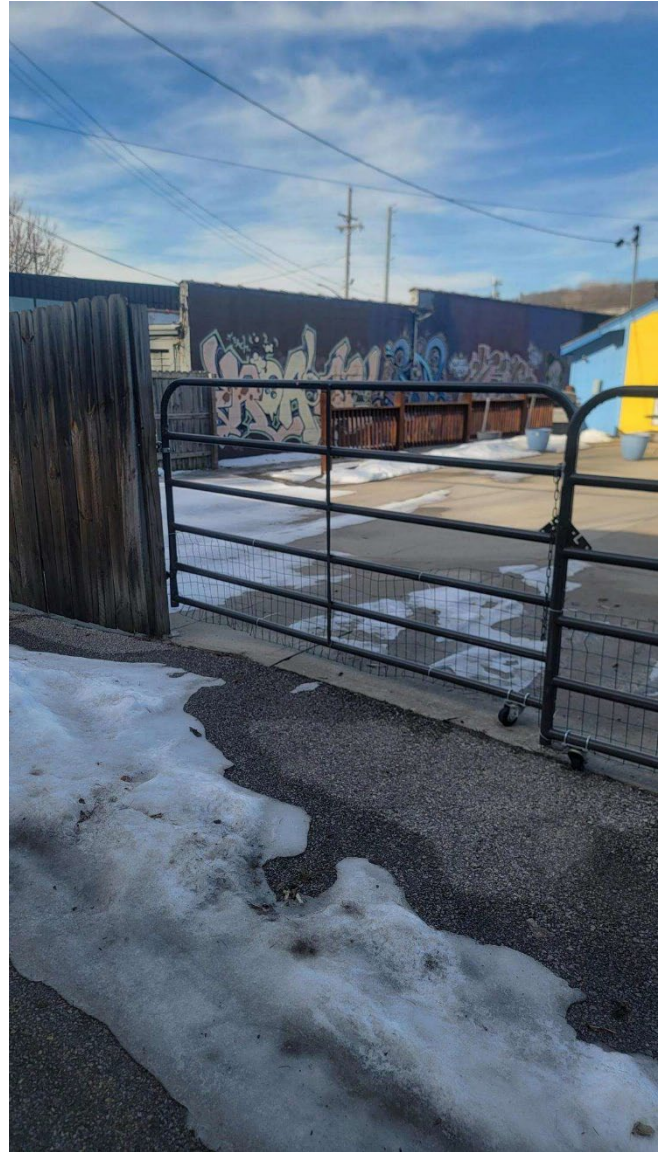
SHORT-TERM RENTAL MAP



STAFF SITE VISIT PHOTOS DATED JANUARY 29, 2025



STAFF SITE VISIT PHOTOS DATED JANUARY 29, 2025



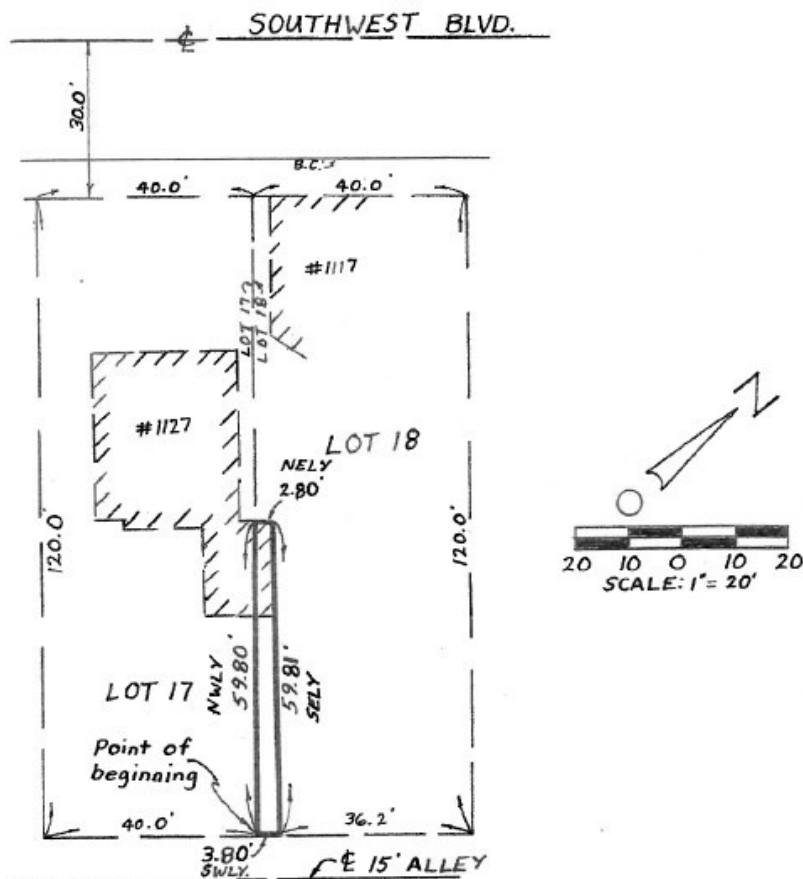
APPLICANT PROVIDED SITE PLAN

EXHIBIT

ORDERED BY: Steve Garcia
1127 Southwest Blvd.
Kansas City, KS 66103

DESCRIPTION: Part of Lot 18, Block 2, Rolling Mills Resurvey of Rosedale Lands, a subdivision of land in Kansas City, Wyandotte County, Kansas, being more particularly described as follows: Beginning at the most Southerly corner of Lot 18, being the common corner of Lot 17 in said Block 2; thence Northwesterly 59.80 feet along the common line of Lots 17 and 18 to the Northwesterly edge of an existing building protrusion; thence Northeasterly 2.80 feet to a corner of the protruding building; thence Southeasterly 59.81 feet along the protrusion and its extension to a point on the Southeasterly line of Lot 18; thence Southwesterly 3.80 feet to the Point of Beginning.

NOTES: The intent of this EXHIBIT is to provide a legal description for recordation of a deed including a portion of the building located at 1127 Southwest Blvd which encroaches onto Lot 18. A Lot Line Adjustment survey should be performed and approved by the City for their recognition.



Richard D. Moore and Survey, Inc. (913) 334-3888
7540 Leavenworth Rd. Kansas City, KS 66109

JULY 18 2014

Date

RICHARD D. MOORE L.S. 1394

APPLICANT PROVIDED INSURANCE

POLICY DECLARATIONS

American Modern Property and Casualty Insurance Company

Dwelling Special

New Business



Premium Summary

Dwelling #1: \$3,393.00
1127 SOUTHWEST BLVD
KANSAS CITY KS 66103-1909
Policy Coverages \$0.00
Additional Costs \$0.00

Total Policy Premium \$3,393.00

Note: a minimum earned premium of \$100.00 applies to this policy.

Policy Discounts

Claims Free Discount
Paperless Discount

Dwelling Discounts

The following discounts apply to one or more dwellings on this policy.

1127 SOUTHWEST BLVD, KANSAS CITY KS
66103-1909

Deadbolts, Smoke Alarm and Fire Extinguisher

Policy Summary

Policy Number:

[REDACTED]

Policy Period:

01/13/2025 to 01/13/2026 12:01 A.M. Standard Time

Named Insured(s):

DAVID CLARK
22618 W 46TH TER
SHAWNEE KS 66226-2448

Contracted Agency:

BURNS & WILCOX LTD - #304601
7101 COLLEGE BOULEVARD
STE 800
OVERLAND PARK KS 66210

Your Agent:

COMMUNITYAMERICA INSURANCE AGENCY LLC -
#805524
9777 RIDGE DR
LENEXA KS 66219

Dwelling #1: 1127 SOUTHWEST BLVD, KANSAS CITY KS 66103-1909

Occupancy:	Residence Type:	Construction Type:	Year Built:	Protection Class Code:	Territory:
Rental	1 Family Residence	Frame	1910	2	2

Additional Interests

Description of Interest:
Lienholder

Name:
COMMUNITYAMERICA
CREDIT UNION
ISAOA/ATIMA

Address:
ATTN: COMMERCIAL SERVICES, 9777 RIDGE DR,
LENEXA KS 66219-9746

Loan/Contract Number:

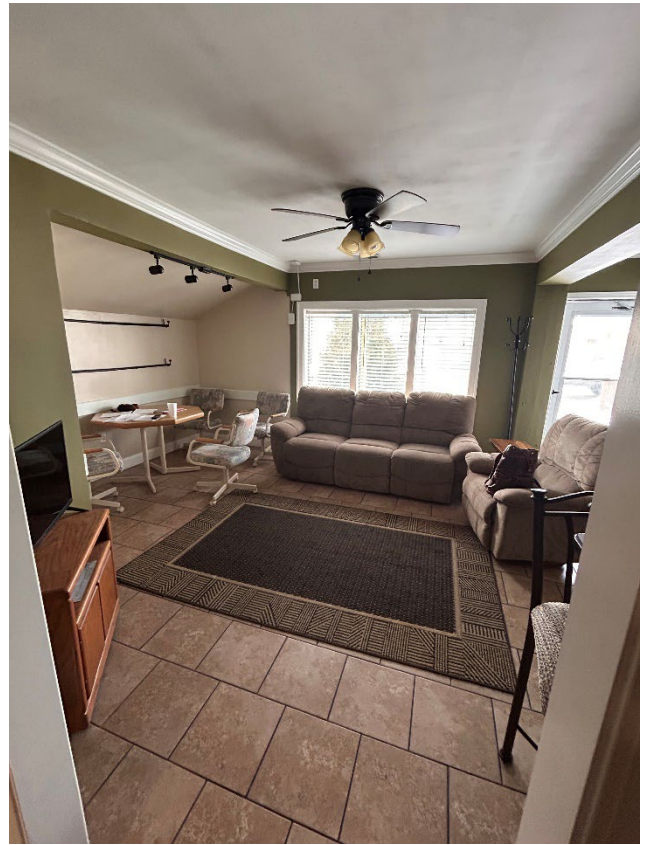
Coverage Detail

Coverage	Limit / Description	Premium
Dwelling		\$3085.00
Limit	446,599	
Loss Settlement	Modified Functional Replacement Cost	
Roof Loss Settlement Option	Actual Cash Value Roof 16 Years Or Older	
All Other Peril Deductible	1,000	
Wind and Hail Deductible	2,500	
Other Structures	44,660	Included
Loss Settlement	Modified Functional Replacement Cost	
Roof Loss Settlement Option	Actual Cash Value Roof 16 Years Or Older	
Personal Property	10,000	\$66.00
Loss Settlement	Actual Cash Value	
Additional Living Expense/Fair Rental Value	44,660	Included

DW-CW-D-0001 (01-15)

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APPLICANT PROVIDED PHOTOS



APPLICANT PROVIDED PHOTOS



HOME INSPECTION REPORT HIGHLIGHTS

3. Roof System / Chimneys and Attic

Visible Electric Wiring in Attic

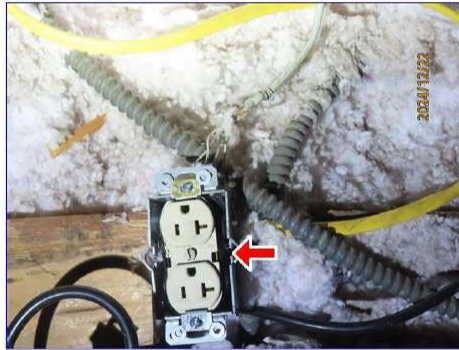
Improvements, Repair or Replacement Recommended

- 1 Open junction boxes are noted. Recommend all wire splices be contained in an approved electrical junction box(s) with cover(s) present.

The attic has missing outlet / switch plate cover(s) is noted . Recommend properly installing to prevent contact with electrical connections.



Item 1 - Item 1(Picture)



Item 1 - Item 2(Picture)

6. Bedrooms

Outlets, Switches and Fixtures

Improvements, Repair or Replacement Recommended

- 2 At the time of inspection the noted outlet(s) at the front bedroom did not have power. Recommend the proper repairs be made.

7. Interior Rooms (Including Basement if applicable)

Outlets, Switches and Fixtures

Improvements, Repair or Replacement Recommended

- 3 (1) The GFCI outlet did not have power when tested. Recommend proper replacement of the outlet with another GFCI outlet to see if this fixes the problem. If the problem is then not fixed it is recommended a licensed electrician further evaluate and estimate repairs needed.



Item 3 - Item 1(Picture)

- 4 (2) Some portion of the exposed wiring at the basement is in need of proper repairs. Exposed electrical wire and connections and or wires improperly terminated are not allowed. This condition is an indicator that this wiring was not installed by a professional electrician. Recommend the proper repairs be made.

HOME INSPECTION REPORT HIGHLIGHTS

Premier Inspection Services

Clark



Item 4 - Item 1(Picture)



Item 4 - Item 2(Picture)

9. Electrical System

Electrical Panel Interior

Improvements, Repair or Replacement Recommended

- 5 (1) Double tapped panel breaker(s) noted. This means there are 2 circuits installed on 1 breaker and these type of breaker(s) are not designed for this type of installation. These circuits need to be moved to their own circuit breaker and cannot share a breaker due to the possible overheating caused by an improper connection at the breaker. Recommend the proper repairs be made by a qualified licensed electrician.



Item 5 - Item 1(Picture)

- 6 (2) Oversized breaker(s) are noted in the panel. The affected breaker(s) were tagged with blue tape. The breaker(s) in the main power panel are inappropriately matched with wire gauges that are too light for the breaker/fuse allowed draw. An overdraw condition could cause melting, insulation overheating, or fire. Recommend the properly sized breaker(s) be installed. A qualified licensed electrician is needed to further evaluate the panel and make the proper repairs.

HOME INSPECTION REPORT HIGHLIGHTS

Premier Inspection Services

Clark



Item 6 - Item 1(Picture)

Electrical Ground Conductor & Panel Bond

Improvements, Repair or Replacement Recommended

- 7 The ground wire attached to the water pipe is on the house side of the meter. There is no jumper bond wire installed on the city side of the meter. A jumper ground / bond wire is needed for proper grounding of the electrical system. Recommend a licensed electrician further evaluate and make the proper repairs.



Item 7 - Item 1(Picture)

HOME INSPECTION REPORT HIGHLIGHTS

Chimneys, Flues and Ventilation

Improvements, Repair or Replacement Recommended

- 2 The furnace flue vent does not meet requirements for minimum clearance needed from combustible materials including drywall. Recommend the proper clearances be made for safety reasons. Recommend a qualified licensed plumber contractor make the needed repairs.

1127 Southwest Blvd

Page 10 of 45

Premier Inspection Services

Clark



Item 2 - Item 1(Picture)

HOME INSPECTION REPORT HIGHLIGHTS

13.4 The support post is improperly supported / installed on top of a post jack. Proper installation and support is needed for long term installation.



13.4 Item 1(Picture)

NEIGHBORHOOD MEETING INFORMATION

Date: February 10th, 2025

Name: Rosedale Roadhouse

Address: 1127 Southwest Blvd, Kansas City, KS 66103

SUBJECT: Neighborhood Meeting

I have filed an application with the Planning + Urban Design Department

#SP2025-006-1127. The purpose of this: special use permit

is for the continued use of the property as an Airbnb

at the following address: 1127 Southwest Blvd, Kansas City, KS 66103

I am having a neighborhood meeting on February 24th, 2025, at

6:30p.m. at the following address: 1117 Southwest Blvd, Kansas City, KS 66103, Dagwoods Cafe.

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

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

Sincerely,

Tiffany Clark

Rosedale Roadhouse

785-424-3920

tmfavreclark@gmail.com

NEIGHBORHOOD MEETING INFORMATION

Neighborhood Meeting (Rosedale Roadhouse)

Date: 02/24/2025 Time: 18:30-19:00

Location: Dagwoods 1117 Southwest Blvd, Kansas City, KS 66103

Attendees: TJI Midwest (David Clark), The Showroom Floor (Jim Donovan)

Summary of Discussion:

- Jim asked about my marketing strategy in which I told him that I plan to use the Airbnb site, Vrbo, and a traveling professional site that will market to traveling nurses and physicians.
- Jim asked about security measures, and we talked about the outdoor security cameras that we be placed, also utilizing the current alarm system.
- Jim discussed ways he has been successful as an Airbnb short term owner and operator. 1. Cleanliness, time management, and timely response time.
- David reported that he has never had a negative experience with any short-term tenants at 1127 Southwest Blvd.
- David commented "I think having a short-term rental next door will help keep the property looking clean and appealing with the continued maintenance of the property which is important to me being a local business owner."
- Jim, David, and Tiffany discussed the importance of positive relationships between business owners and the benefits.

Meeting ended.

I received no calls or emails from any other contacts provided.

NEIGHBORHOOD MEETING INFORMATION

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

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

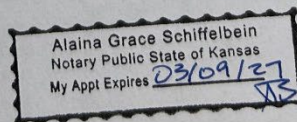
1. That I am the petitioner for Petition # SP2025-006-1127.
2. That I conducted a neighborhood meeting on February 24, 2025.
3. The notice to nearby property owners was sent on February 10th, 2025.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

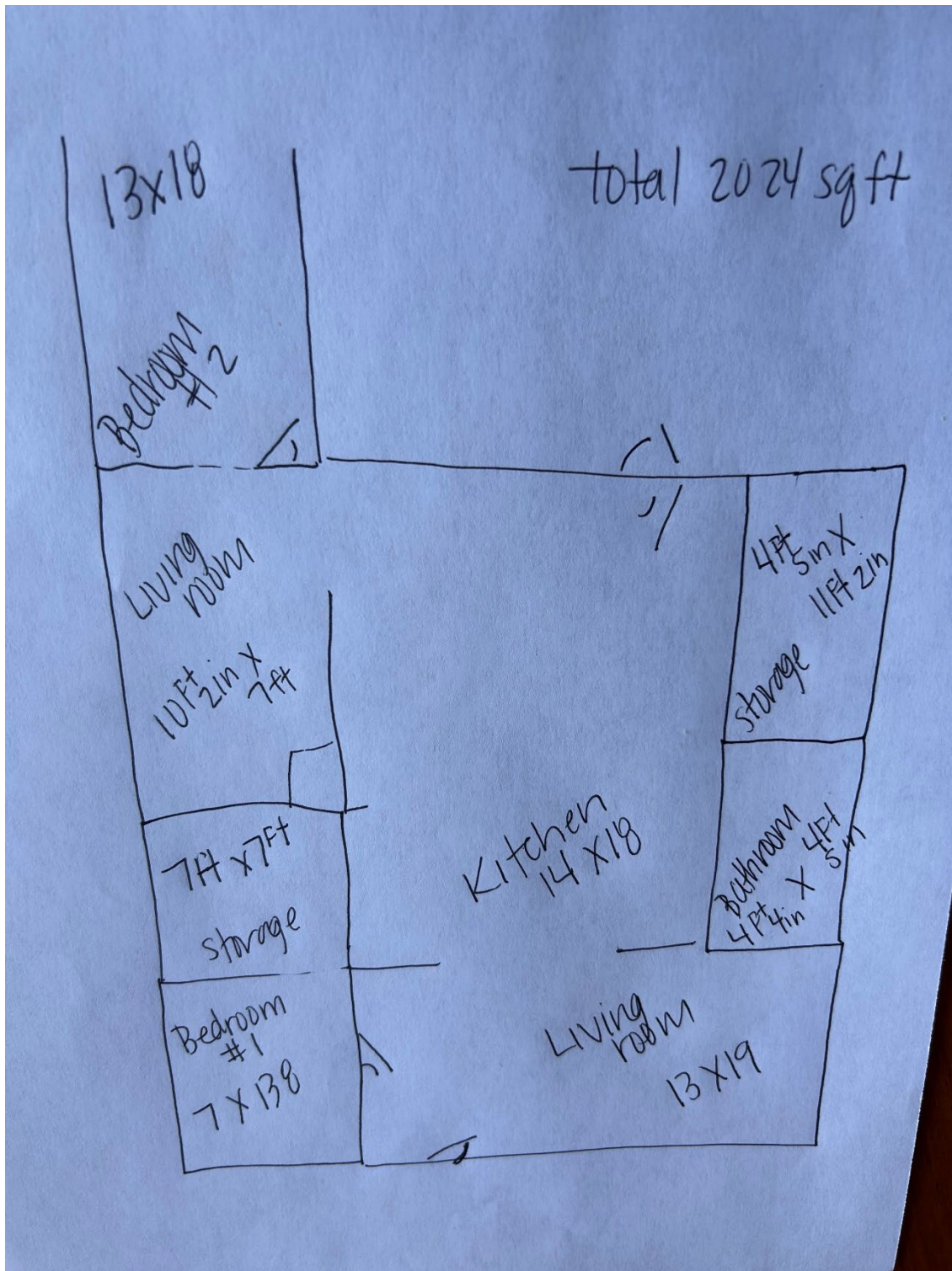
[Signature]
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26th day of February, 2025.
My commission expires 03rd 9th of March, 2027.

[Signature]
Notary Public



FLOOR PLAN





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Special Use Permit Petition SP2025-014

GENERAL INFORMATION

Applicant Information:

David Swanson
Owner's Representative
Swanson Holdings
10543 West 168th Terrace
Overland Park, Kansas 66221

Subject Property:

2629 South 49th Street
Kansas City, Kansas 66106

Requested Action and Purpose:

Approval of a Special Use Permit for
a Short-Term Rental.

Commission Districts:

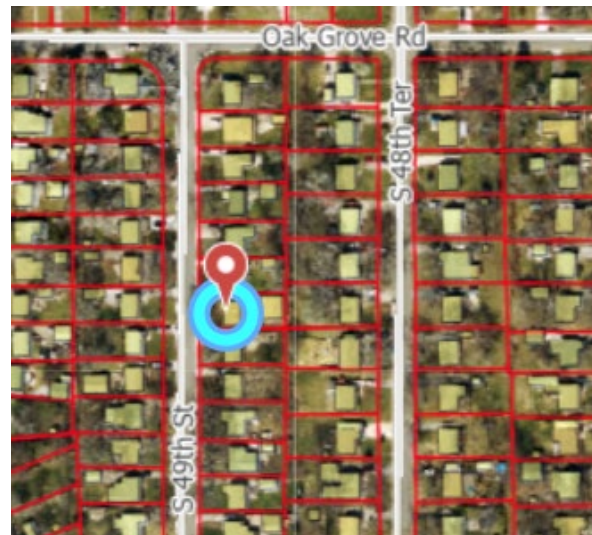
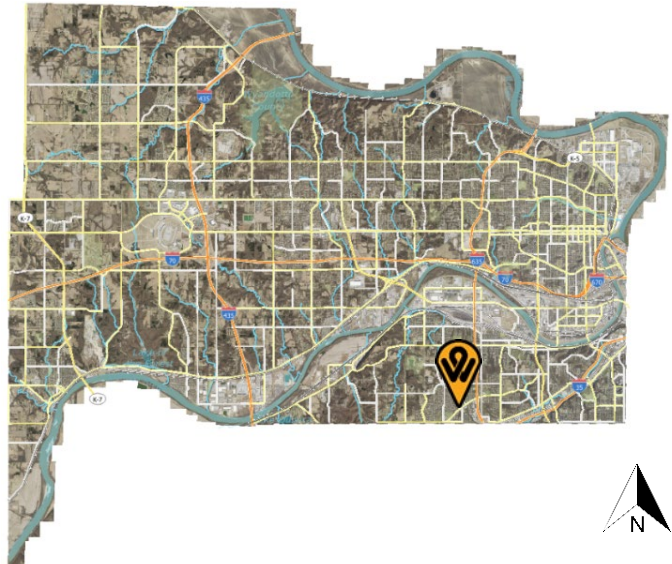
At-Large Commissioner, District #2:
Tom Burroughs
District #6 Commissioner:
Philip Lopez

Existing Zoning District(s):

R-1(B) 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: 0.13 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. Development in these areas should provide adequate open space to maintain the neighborhood character. These areas should be designed to support multi-modal connectivity with sidewalks and street trees.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates South 49th Street as Local Street

Parking Requirement: Section 27-454(e) specifies that dwelling units in this district provided for two (2) off-street parking spaces, one (1) of which must be in a garage or carport. The subject property provides three (3) uncovered parking spaces and two (2) covered garage spaces, meeting this requirement.

Landscaping Requirement: Section 27-700(a) requires one (1) shade tree per dwelling unit required in the front or corner side yard. The subject property has three (3) mature trees in the front and side yard, meeting this requirement.

Advertisement: The Wyandotte Echo – March 20, 2025
Letters to Property Owners – March 21, 2025 and April 8, 2025

Public Hearing: May 12, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, David Swanson with Swanson Holdings, is requesting a Special Use Permit to operate a short-term rental at 2629 South 49th Street. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 2600 block of South 49th Street. The owner has been operating the property without a permit since December 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 notices of violations on the property.

Building, Zoning, or Code Enforcement Complaints:

1. 2017: 2017-00082364 – Disturbance (non-domestic) (prior owner)
2. 2016: 2016-00053630 – Domestic Disturbance (prior owner)

Outstanding or Related Permit and Cases:

1. There are no outstanding permits at this property.

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The subject property is located within the Turner Statistical Neighborhood in the subdivision of Highland Crest. The neighborhood consists of modest, single-family homes built around 1955. The Highland Crest subdivision is situated between Gibbs Road and Shawnee Drive, corridors that contain primarily residential uses with some commercial, institutional, and religious entities.

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 primarily single-family residences. 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. 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 was owner-occupied and recently sold to the current property owner. The current property owner did some renovation work and has been leasing the property as a short-term rental without a Special Use Permit since December 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. The proposed use conforms to the PlanKCK Comprehensive Plan designation as it still retains its ability to be utilized as a single-family detached dwelling unit, even if rented as a short-term commercial use with 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 South 49th Street, a Local 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 nearby property.*

Noise, vibration and illumination are all potential issues that are related to short-term rentals if 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 in a suburban area as a short-term rental and ostensibly not considered to be a problem for nearby properties.

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

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

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

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

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

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

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

The applicant 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 ordinances 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 is 7. The maximum number of vehicles off-street is three (3). There shall be no on-street parking for renters or guests of any short-term

rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on March 31, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise, Illumination, and Vibration
Home Inspection Report
Overcrowding and Undue Concentrations of Population
Parking
Landscaping

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. As a result of the home inspection, the following repairs are required:
 - a. The fallen retaining wall needs to be removed or repaired.
 - b. Replace window screens that are damaged and/or have holes.
 - c. If the red coffee canister is being utilized as an electrical fixture such as a can light or junction box, it needs to be replaced to code requirements.
 - d. Replace bathroom exhaust ductwork.
 - e. Repair holes and openings in garage walls and ceiling.
 - f. The electrical mast and exterior wiring conduit needs repaired or replaced (permit required).
 - g. Replace the 60-amp breaker with a large gauge distribution wire.
 - h. Improperly wired outlets listed in 8.7.2 need repaired.
 - i. Install electrical receptacle cover.
 - j. Upgrade outlets to GFCI compliance near points of water or moisture intrusion, entry, or exposure (windows, kitchen, bathroom).
 - k. Repair or replace garage ceiling fans.
 - l. Repair exterior GFCIs with open grounding.
 - m. Remove the furnace access panel and replace with a closet door for proper ventilation and access.
 - n. Gas wall heater in garage shall be removed if inoperable.
 - o. Gas cap needs added to gas line in garage where former dryer/heater connection formerly was.
 - p. Repair leaking water pipe in the sink.
 - q. Water heater was installed in 2023 without a building permit on file. A building permit shall be obtained for this installation.

- r. Repair the leaking hose bib on the exterior.
- s. Unclog the faucet aerator in hall bathroom.
- t. Repair all doors to seal tightly without room for pest intrusion and to be able to open easily by users.
- u. Provide and/or repair smoke detectors in every bedroom, common area, utility area, and basement. Provide carbon monoxide detectors in the kitchen, living area, near chimney, and near gas appliances.

Staff Note: The applicant has agreed to repair and/or remedy all the above items. Expanded responses are noted in the attachment section.

2. This short-term rental has been operating since December 2024 without a Special Use Permit. Why did the owner begin to operate despite being told that a Special Use Permit is required?

Applicant Response: Before management was transferred, the home was listed as a short-term rental, prior to the owner's awareness of relevant regulations. The listing was updated to require stays of 30+ days (medium-term rental). The property is not currently available for any type of booking.

3. Who will be the designated property manager? Explain the details of this arrangement and provide a rental management plan. What is their contact information? Provide the contact information to the neighbors within the notice area.

Applicant Response: The property will be managed by Swanson Holdings, with 8 years of short-term and 23 years of medium-/long-term rental experience. David Swanson is listed as a co-host on booking platforms and manages all communication, listings, and reservations. Maintenance is handled by professional cleaners, landscapers, and contractors. Contact info provided to neighbors:

Swanson Holdings
David Swanson
7111 West 151st Street
Overland Park, Kansas 66223
(913) 461-3283
dave@swansonholdings.net

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

Applicant Response: Neighbors have Mr. Swanson's contact information. He will use the most appropriate communication method (mail, email, phone, in-person) depending on the situation.

5. 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: The manager lives within 30 minutes of the property and can also rely on local vendors for support when unavailable.

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

Applicant Response: According to PriceLabs.co, 2024 market occupancy was 68%. This property is expected to operate at or below that level.

7. Indicate how you will maintain the property in a safe and sanitary manner?

Applicant Response: The property will be maintained in a safe and sanitary condition through:

- a) Regular professional cleanings (after each guest stay)*
- b) Periodic inspections to address emerging issues*
- c) Regular manager visits*
- d) Prompt responses to guest communication*

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

Applicant Response: Occupancy taxes are collected and remitted by the booking platform (Airbnb).

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

Applicant Response: A guest manual will be provided, including rules such as "no parties." This rule is reinforced by Airbnb's automated monitoring system.

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

Applicant Response: Pets are permitted.

Staff Note: The pets of guests must obey local ordinances, including rabies vaccination and leash laws.

11. 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: "Host Compliance" contact information will be provided as required.

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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2025-014** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. The following items must be repaired or remedied prior to renewal:
 - a. The fallen retaining wall needs to be removed or repaired;
 - b. Replace window screens that are damaged and/or have holes;
 - c. If the red coffee canister is being utilized as an electrical fixture such as a can light or junction box, it needs to be replaced to code requirements;
 - d. Replace bathroom exhaust ductwork;
 - e. Repair holes and openings in garage walls and ceiling;
 - f. The electrical mast and exterior wiring conduit needs repaired or replaced (permit required);
 - g. Replace the 60-amp breaker with a large gauge distribution wire;
 - h. Improperly wired outlets listed in 8.7.2 need repaired;
 - i. Install electrical receptacle cover;
 - j. Upgrade outlets to GFCI compliance near points of water or moisture intrusion, entry, or exposure (windows, kitchen, bathroom);
 - k. Repair or replace garage ceiling fans;
 - l. Repair exterior GFCIs with open grounding;
 - m. Remove the furnace access panel and replace with a closet door for proper ventilation and access;
 - n. Gas wall heater in garage shall be removed if inoperable;
 - o. Gas cap needs added to gas line in garage where former dryer/heater connection formerly was;
 - p. Repair leaking water pipe in the sink;
 - q. Water heater was installed in 2023 without a building permit on file. A building permit shall be obtained for this installation;
 - r. Repair the leaking hose bib on the exterior;
 - s. Unclog the faucet aerator in hall bathroom;
 - t. Repair all doors to seal tightly without room for pest intrusion and to be able to open easily by users;

- u. Provide and/or repair smoke detectors in every bedroom, common area, utility area, and basement. Provide carbon monoxide detectors in the kitchen, living area, near chimney, and near gas appliances;
- 2. All pets of guests must adhere to the local animal ordinances found in Chapter 7, including rabies vaccinations and leash laws;
- 3. Maximum number of guests shall be 7;
- 4. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;
- 5. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
- 6. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
- 7. Applicant is to maintain liability insurance;
- 8. The property must remain in proper maintenance and free of hazards, pests, or infestations;
- 9. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
- 10. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);
- 11. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
- 12. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
- 13. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building 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;
- 14. Exterior lighting must be 90-degree downward facing cut-off fixtures so as not to project onto adjacent properties or public right-of-way;
- 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.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Homeowner's Insurance
Floorplan
Airbnb Listing
Inspection Report Highlights
Applicant Provided Photos
Applicant Comment Responses

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025	May 29, 2025

STAFF CONTACT: Kallie McLaughlin, Planner, Floodplain Administrator
kdmclaughlin@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2025-014** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

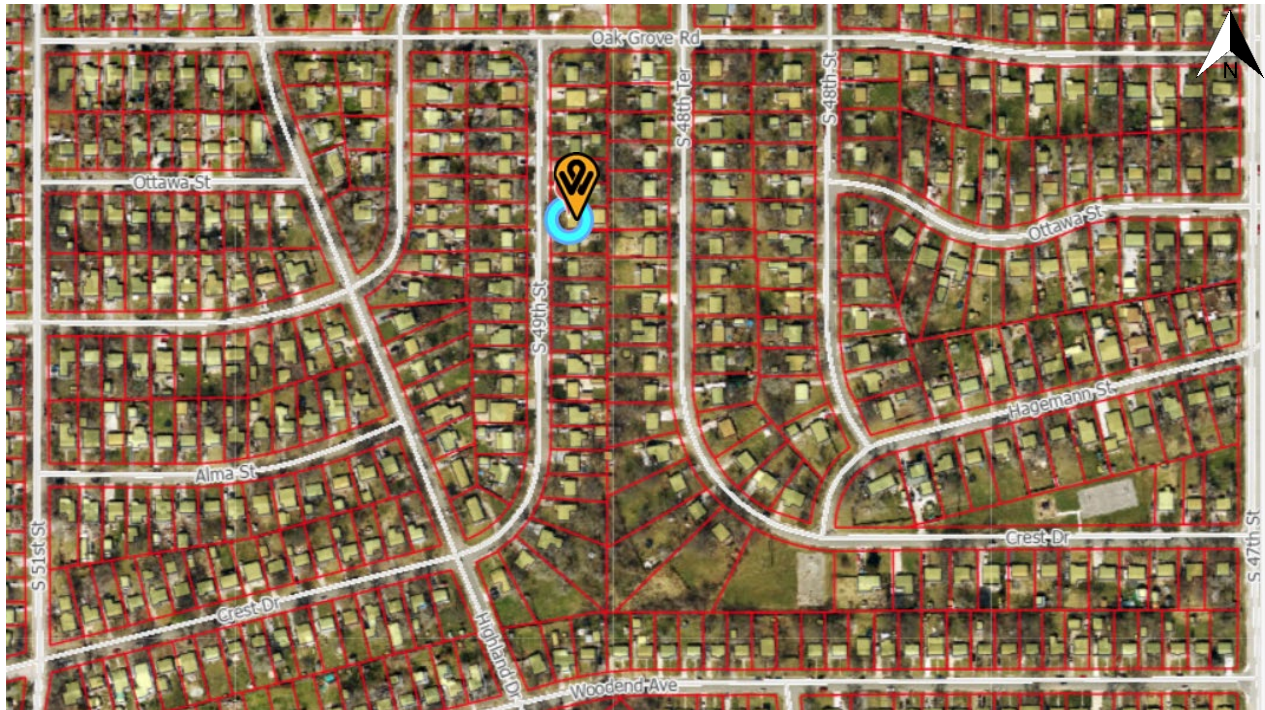
1. _____;
2. _____; And
3. _____.

OR

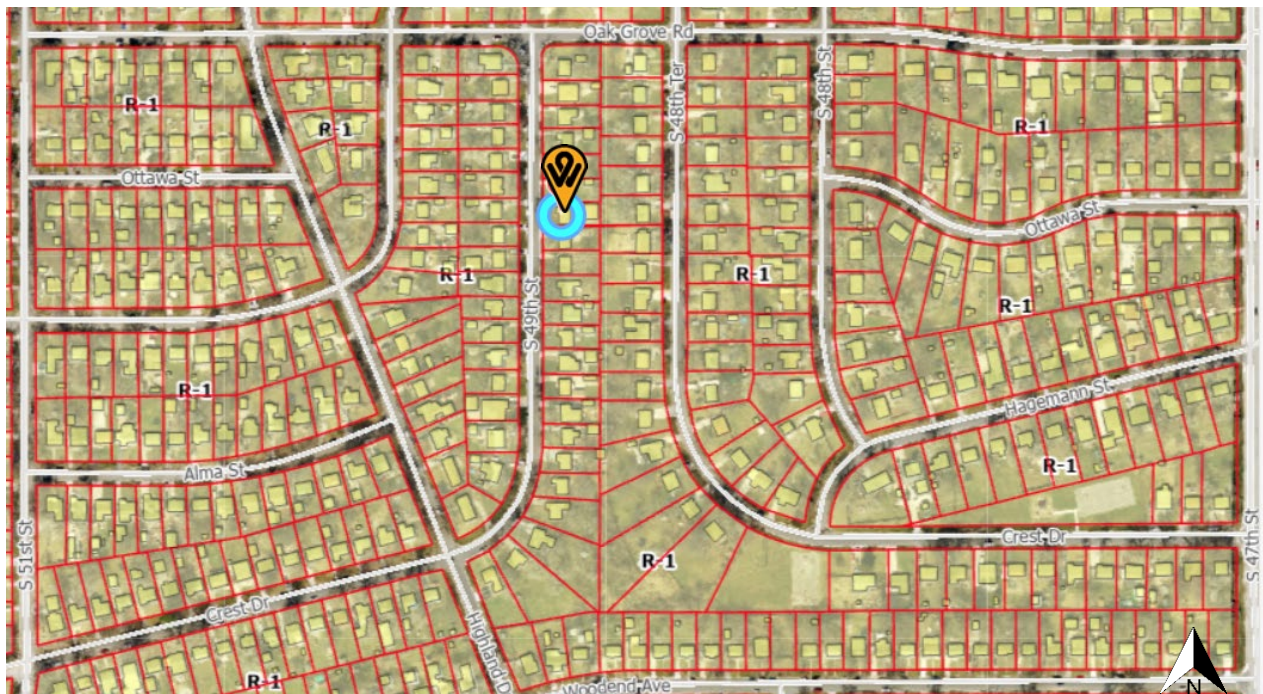
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2025-014**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

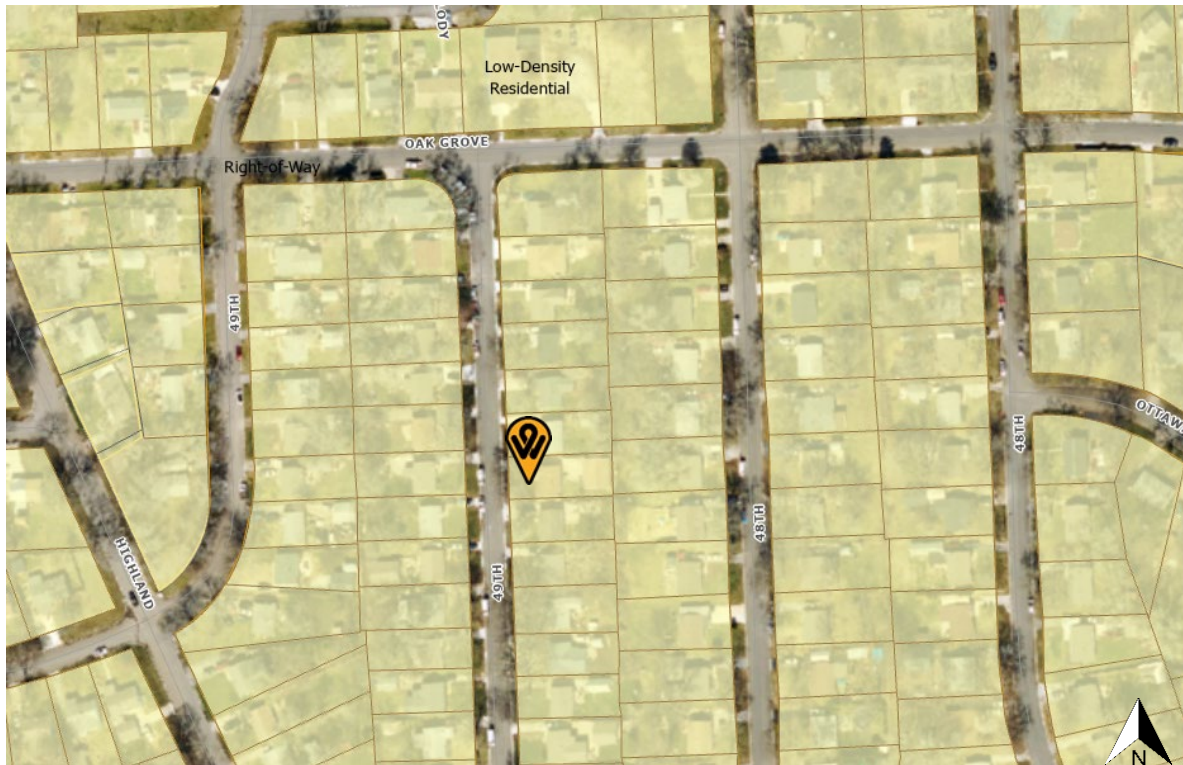
AERIAL IMAGERY



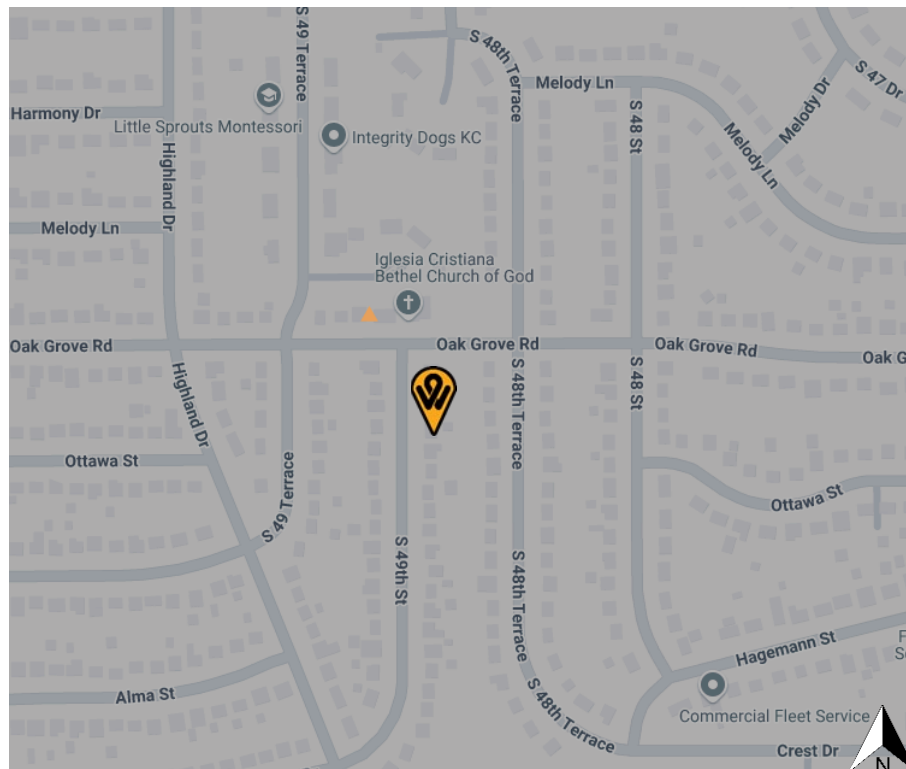
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



APPLICANT COMMENT RESPONSES

SP2025-014.draft Responses

Factors to be Considered:

- 3, 7. The property will be professionally managed. The manager, David Swanson, has managed short-term rentals since 2017 and medium-/long-term rentals since 2002.
4. Prior to switching management, the property was listed as a short-term rental option before the owner became aware of local regulations.

Neighborhood Meeting Information:

- Notification of the neighborhood meeting was sent on 3/28/2025
- One person attended the meeting
- No additional comments or questions were received
- A signed and notarized affidavit was submitted on 3/28/2025

Staff Comments and Suggestions:

- 1) Planning and Urban Design Comments
 - a. Landscaping:
 - i. **The fallen retaining wall needs to be removed or repaired.** The repair has been assigned and will be completed by April 30.
 - b. Electrical:
 - i. **If the red coffee canister is being used as an electrical fixture (e.g., can light or junction box), it must be replaced per code.** Response: It is not being used as an electrical fixture.
 - ii. **The electrical mast and exterior conduit need to be repaired or replaced (permit required); the 60-amp breaker should be replaced with an appropriately gauged distribution wire.** Response: Currently receiving bids; will address.
 - iii. **Improperly wired outlets identified in section 8.7.2 must be repaired.** Response: Currently receiving bids; will address.
 - iv. **Install an electrical receptacle cover.** Response: Repair assigned; will be completed by April 30.
 - v. **Upgrade outlets to GFCI compliance near points of potential water intrusion (e.g., windows, kitchen, bathroom).** Response: Repair assigned; will be completed by April 30.
 - vi. **Repair exterior GFCIs with open grounding.** Response: Repair assigned; will be completed by April 30.
 - c. HVAC:
 - i. **Replace bathroom exhaust ductwork.** Response: Repair assigned; will be completed by April 30.
 - d. General Contractor (GC):

APPLICANT COMMENT RESPONSES

- i. **Replace damaged or torn window screens.** Response: Screens have been taken in for repair; ready for pickup on 4/9.
- ii. **Repair holes/openings in garage walls and ceiling.** Response: Completed.
- iii. **Replace furnace access panel with a closet door to allow proper ventilation/access.** Response: Repair assigned; will be completed by April 30.
- iv. **Repair all doors to close securely, prevent pest intrusion, and function properly.** Response: Completed.
- v. **Install or repair smoke detectors in all bedrooms, common areas, utility areas, and the basement. Install carbon monoxide detectors in the kitchen, living area, near chimneys, and near gas appliances.** Response: Repair assigned; will be completed by April 30.
- vi. **Repair or remove garage ceiling fan.** Response: Fan will be removed.
- e. **Plumbing:**
 - i. **Remove gas wall heater in garage if inoperable.** Response: The heater is operable.
 - ii. **Install gas cap on line in garage where dryer/heater was previously located.** Response: Completed.
Repair leaking water pipe in sink. Response: Completed.
 - iii. **Water heater was installed in 2023 without a permit. A permit must be obtained.** Response: Receiving bids; will address. Several plumbers have declined to pull a permit for work completed by others.
 - iv. **Repair leaking exterior hose bib.** Response: Completed.
 - v. **Unclog faucet aerator in hall bathroom.** Response: Completed.
- 2) **History of Rental Use**

Before management was transferred, the home was listed as a short-term rental, prior to the owner's awareness of relevant regulations. The listing was updated to require stays of 30+ days (medium-term rental). The property is not currently available for any type of booking.
- 3) **Management Details**

The property will be managed by Swanson Holdings, with 8 years of short-term and 23 years of medium-/long-term rental experience. David Swanson is listed as a co-host on booking platforms and manages all communication, listings, and reservations. Maintenance is handled by professional cleaners, landscapers, and contractors. Contact info provided to neighbors:

Swanson Holdings
David Swanson
7111 W. 151st St, Overland Park, KS 66223
(913) 461-3283

APPLICANT COMMENT RESPONSES

dave@swansonholdings.net

4) **Neighbor Communication**

Neighbors have Mr. Swanson's contact information. He will use the most appropriate communication method (mail, email, phone, in-person) depending on the situation.

5) **Proximity**

The manager lives within 30 minutes of the property and can also rely on local vendors for support when unavailable.

6) **Market Occupancy**

According to PriceLabs.co, 2024 market occupancy was 68%. This property is expected to operate at or below that level.

7) **Maintenance & Property Standards:** The property will be maintained in a safe and sanitary condition through:

- a) Regular professional cleanings (after each guest stay)
- b) Periodic inspections to address emerging issues
- c) Regular manager visits
- d) Prompt responses to guest communication

8) **Taxes**

Occupancy taxes are collected and remitted by the booking platform (Airbnb).

9) **House Rules**

A guest manual will be provided, including rules such as "no parties." This rule is reinforced by Airbnb's automated monitoring system.

10) **Pets**

Pets are permitted.

11) **Host Compliance Contact**

"Host Compliance" contact information will be provided as required.

Standard Conditions: Understood and acknowledged.

HOMEOWNER'S INSURANCE



EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)

02/04/2025

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THE EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY Proper Insurance Services, LLC 50 Citizens Way, Suite 410 Frederick, MD 21701		PHONE (A/C, No, Ext): 888-631-6680	COMPANY Lloyd's of London	
FAX (A/C,) 888-331-9299	E-MAIL ADDRESS: mortgageinfo@proper.insure			
CODE:		SUB CODE:		
AGENCY CUSTOMER ID #:				
INSURED Mickell Lethco and Scott Lethco 675 Tampico Walnut Creek, CA 94598			LOAN NUMBER 741169080	POLICY NUMBER PIV20250123103337
			EFFECTIVE DATE 02/03/2025	EXPIRATION DATE 02/03/2026
			☐ CONTINUED UNTIL TERMINATED IF CHECKED	
THIS REPLACES PRIOR EVIDENCE DATED:				

PROPERTY INFORMATION

LOCATION/DESCRIPTION 2629 S 49th St, Kansas City, KS 66106
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
Dwelling	\$175,000	\$1,000

REMARKS (Including Special Conditions)

PREMIUM AMOUNT DUE: \$2,873.70 PAYABLE TO PROPER INSURANCE SERVICES FEIN: 47-1586857, Virginia Insurance Lic. #136878 Special Cause of Loss, Replacement Cost Valuation

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS CrossCountry Mortgage, LLC., ISAOA PO Box 7729 Springfield, OH 45501-7729	X	MORTGAGEE	ADDITIONAL INSURED
		LOSS PAYEE	
	LOAN # XXXXXXXXXX		
AUTHORIZED REPRESENTATIVE 			

HOMEOWNER'S INSURANCE

COMMERCIAL LIABILITY COVERAGE PART

General Aggregate Limit	\$2,000,000
Each Occurrence Limit	\$1,000,000
Personal and Advertising Injury Limit	\$1,000,000 Any One Person or Organization
Damage to Premises Rented to You	\$100,000 Any One Premises
Medical Expense Limit	\$0 Any One Person
Personal Liability	\$ Not Covered

Named Insured for Personal Liability (if any):

Additional Insured(s):

COMMERCIAL PROPERTY COVERAGE PART

Covered Cause of Loss: Special Form, CP1030

Replacement Cost for Building and Business Personal Property

Deductibles: Standard Deductible: \$1,000
 Equipment Breakdown Deductible: \$1,000
 Wind Deductible: \$1,000

Optional Coverages:

Ordinance or Law - Undamaged Portion of Building: Building(s) Limit
Ordinance or Law - Increased Cost of Construction: \$50,000 Limit
Bed Bug & Flea Extermination Plus Business Revenue - No Deductible: \$20,000 Limit
Squatters & Eviction Expenses Plus Business Revenue - No Deductible: \$30,000 Limit
Equipment Breakdown (Mechanical, Electrical, Pressure) Enhancement Endorsement: Included

Business Income and Extra Expense: Actual Loss Sustained Subject to a Maximum Limit of Insurance per Location
Stated Below

<u>Location #</u>	<u>Limit Of Insurance</u>
1	\$72,000

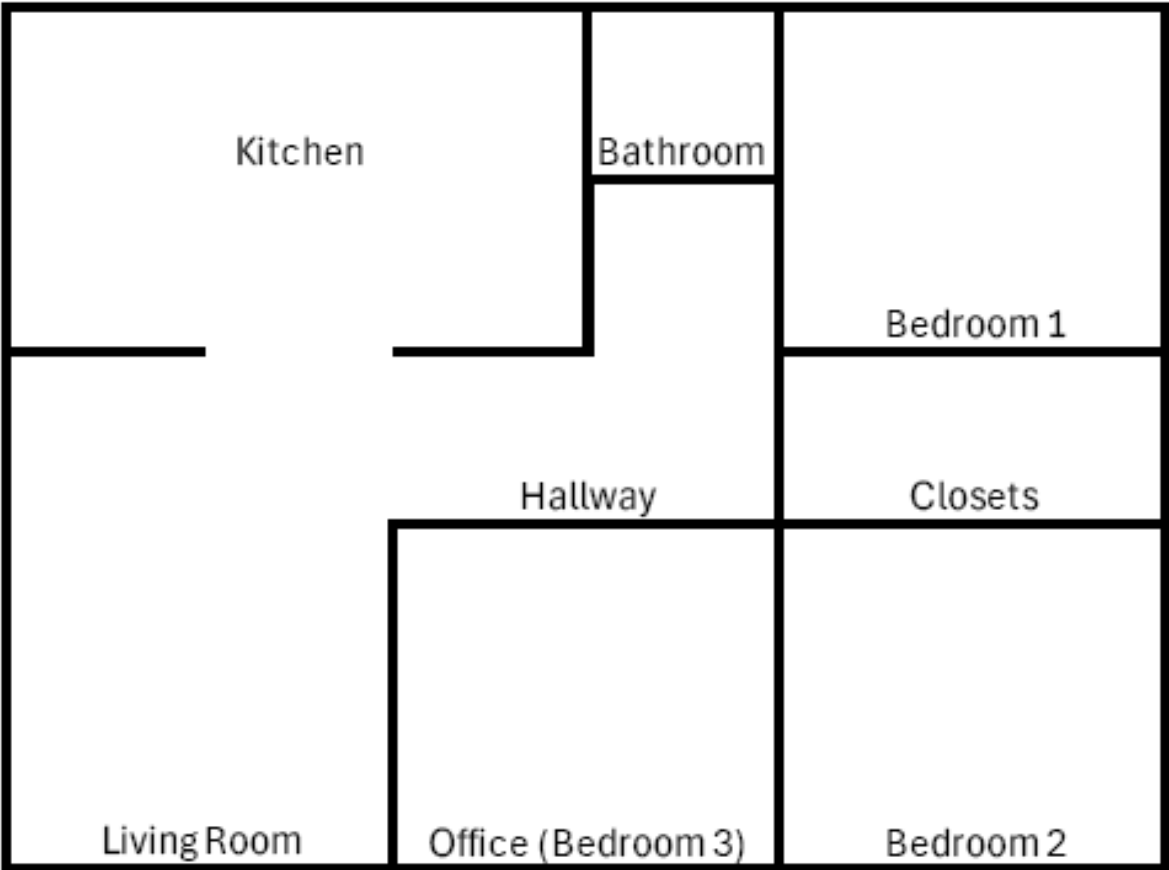
Real Property Limits:

<u>Location #</u>	<u>Building #</u>	<u>Description</u>	<u>Building Limit</u>	<u>Business Personal Property Limit</u>
1	1	Dwelling	\$175,000	\$20,000

Mortgageholder (s):

<u>Location #</u>	<u>Building #</u>	<u>Mortgage Holder's Name and Mailing Address</u>
1	1	CrossCountry Mortgage, LLC, PO Box 7729, Springfield, OH 45501-7729

FLOOR PLAN



AIR B&B LISTING



Anywhere

Any week

Add guests



Airbnb your home



Kansas City Quiet Cottage

Share Save



Entire home in Kansas City, Kansas

4 guests · 2 bedrooms · 2 beds · 1 bath



Guest favorite

One of the most loved homes on Airbnb, according to guests

5.0



7

[Reviews](#)



Hosted by Mickell

3 months hosting



Self check-in

Check yourself in with the smartlock.



Unbeatable location

100% of guests in the past year gave this location a 5-star rating.



Prices include all fees

Add dates for prices

CHECK-IN Add date	CHECKOUT Add date
GUESTS 1 guest	

[Check availability](#)



[Report this listing](#)

AIR B&B LISTING



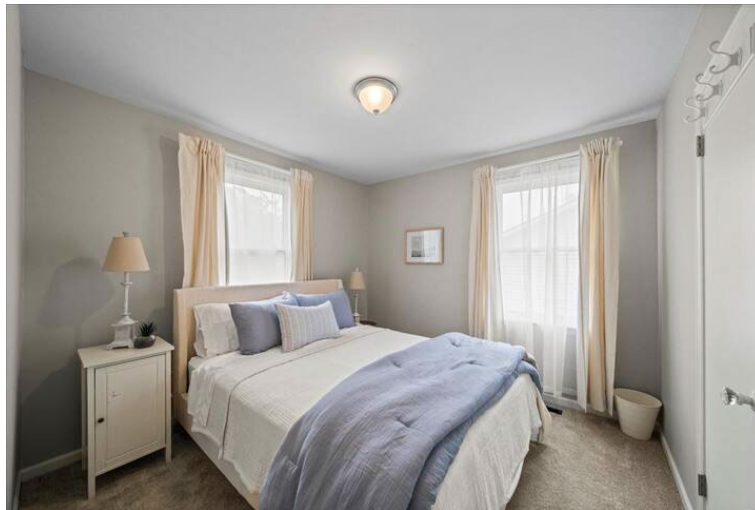
AIR B&B LISTING



AIR B&B LISTING



AIR B&B LISTING



INSPECTION REPORT HIGHLIGHTS

2.3 Retaining Wall(s)

2.3.1 Retaining wall is leaning and should be repaired or replaced to regain its function. (Exterior Right)



3.5 Windows

3.5.1 Window screen is damaged. Repair/replace if desired for proper function. (**Exterior Back**)

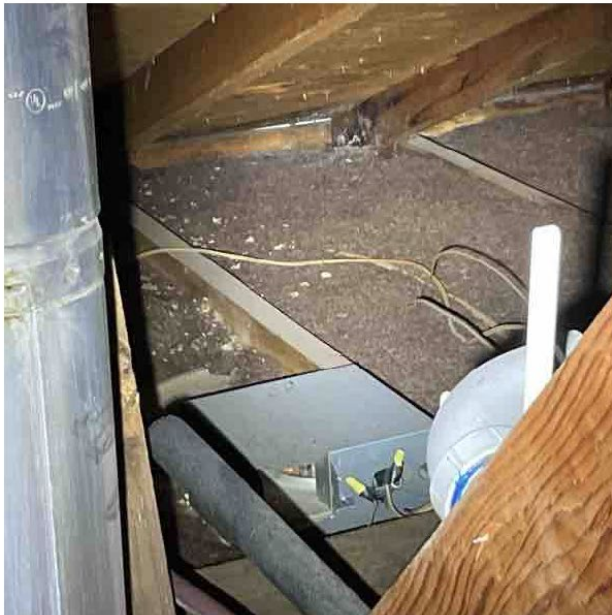


INSPECTION REPORT HIGHLIGHTS



5.4 Exhaust Duct

5.4.1 The exhaust ductwork from bathroom fan is missing. Recommend installing an exhaust duct and extending to a roof vent to eliminate moisture in the attic. **(Attic)**



INSPECTION REPORT HIGHLIGHTS

6.7 Wall

- ☉ Drywall / Plaster

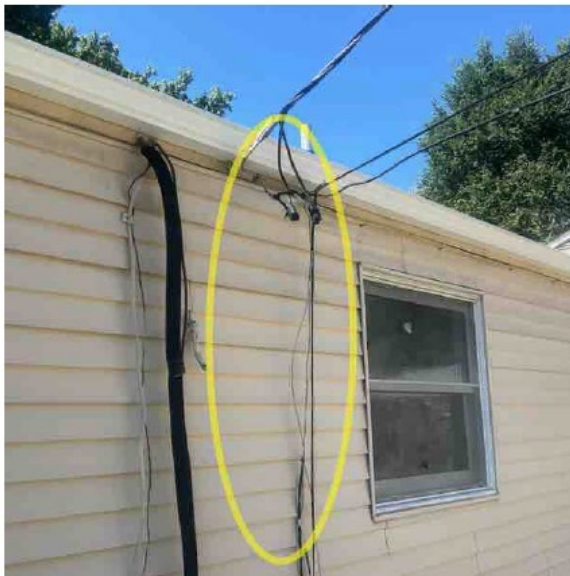
6.7.1 There is a large opening in the wall surface present. Recommend sealing gap to prevent pest and animal entry. (Garage)



8.1 Service Entrance

- ☉ Electrical service to home is by overhead cables.
- ☉ Service entry conductors are copper.

8.1.1 The service entrance cable is sagging and too close to the ground. Recommend an electrician assess and repair/update as required for electrical safety. (Exterior Back)



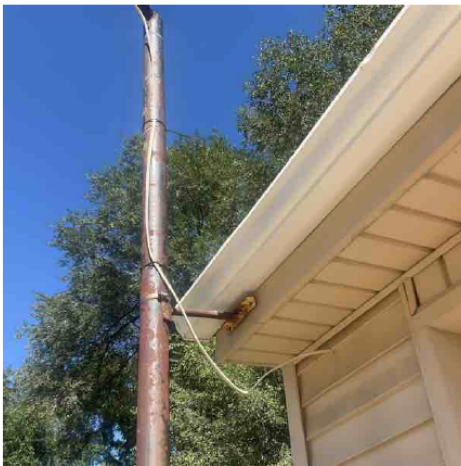
INSPECTION REPORT HIGHLIGHTS

8.4.2 There is a 60 amp breaker with a 10 gauge distribution wire feeding a receptacle. The 60 amp breaker requires a larger wire. An electrician must evaluate and correct for proper function and electrical safety. (Garage)



8.6 Branch Circuit Wiring

8.6.1 All unprotected exterior wiring should be placed in proper conduit to prevent possible wire damage and associated electrical safety concerns. (Garage)



8.7 Receptacles

8.7.1 Per our Standards of Practice, a representative number of receptacles were tested.

8.7.2 The receptacle(s) are miswired (open ground). A qualified electrician should correct as required for electrical safety.

- Front Left Bedroom
- Front Right Bedroom
- Back Right Bedroom
- Living Room
- Dining Room (Throughout)

INSPECTION REPORT HIGHLIGHTS

8.8 Lighting / Ceiling Fan(s)

8.8.1 The ceiling fan(s) are inoperative. A qualified electrician should correct as required to regain proper function. (Garage)



8.10 GFCI Devices

8.10.1 The GFCI(s) are missing and have an open ground. A qualified electrician should further assess and correct as required for electrical safety. (Exterior Front)



8.10.2 The GFCI(s) are missing. A qualified electrician should further assess and correct as required for electrical safety. (Hall Bathroom)



INSPECTION REPORT HIGHLIGHTS

8.12 Carbon Monoxide Alarms

8.12.1 Carbon monoxide alarm(s) were missing / absent. Install carbon monoxide alarms where required for life safety.

9.6 Forced Air Furnace(s)

⊙ High Efficiency

9.6.1 An enclosure is built over the furnace. There should be access to the furnace for maintenance and emergencies. Recommend installing a closet door for proper access.



9.10 Natural Gas Piping

⊙ Black pipe

9.10.1 There is not a cap present on gas line fitting. Recommend capping for safety if the shut off valve were to fail. (Garage)

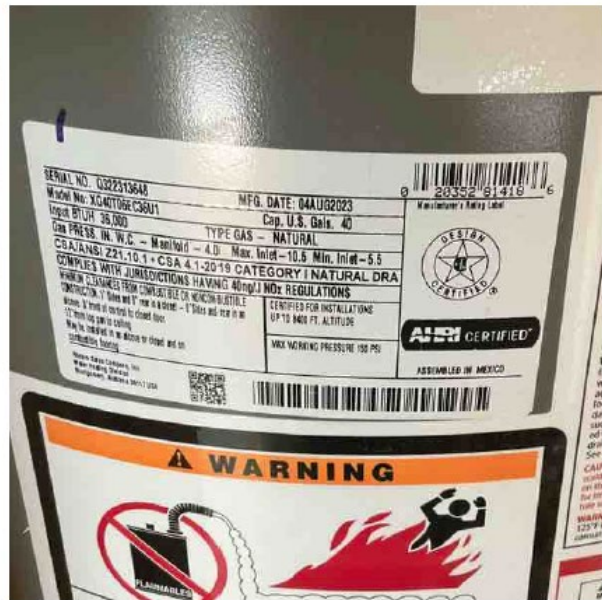


INSPECTION REPORT HIGHLIGHTS

10.2.3 The distribution piping is leaking. A qualified plumber should repair as required to prevent water damage. (Kitchen)



10.4.1 Rheem water heater manufactured 2023.
Average operational cycle for this type of water heater is approximately 15 years. (Hallway)



APPLICANT PROVIDED PHOTOS





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Special Use Permit Petition SP2025-017

GENERAL INFORMATION

Applicant Information:

Eli Schwinn
Representative
George Butler Associates
9801 Renner Boulevard
Lenexa, Kansas 66219

Subject Property:

8400, 8410, & 8440 Gibbs Road
Kansas City, Kansas 66111

Requested Action and Purpose:

Approval of a Renewal of a Special Use Permit (SP2022-048) for the outdoor storage of operable and inoperable vehicles and equipment which will be sold wholesale or auction.

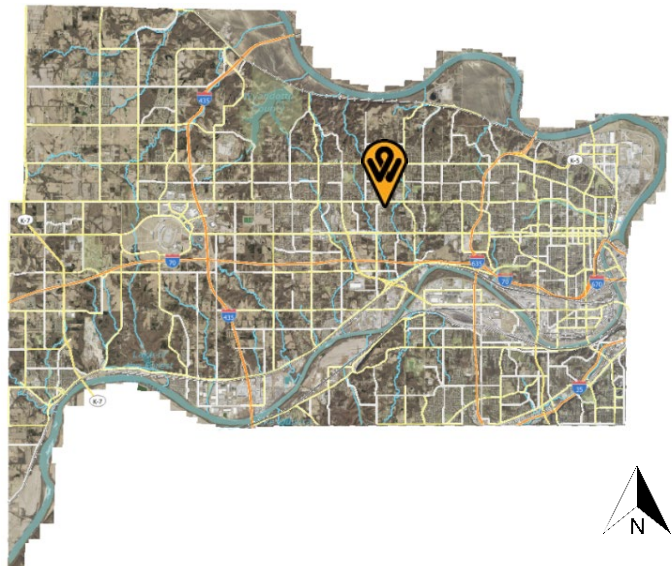
Commission Districts:

At-Large Commissioner, District #2:
Tom Burroughs
District #6 Commissioner:
Philip Lopez

Existing Zoning District(s):

MP-3 Planned Heavy Industrial
District

Plan Area:



PlanKCK Comprehensive Plan

	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture, R-1 Single Family, and MP-3 Planned Heavy Industrial Districts	Single-family residences greater than one (1) acre, agricultural farmsteads, open space, metal fabricator, construction equipment supplier, Kaw Drive, and Union Pacific Railway
South	MP-3 Heavy Industrial District	Vehicle Salvage Yard
East	R-1 Single Family District	Concrete & Asphalt Excavation
West	MP-3 Planned Heavy Industrial District	Lumber Warehousing and Distribution, Heavy Truck Repair, Paper Mill

Total Tract Size: 74.3 Acres

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Industrial, which allows for small, medium and large-scale industrial processing, manufacturing and outdoor storage. These uses are often the most intensive uses characteristic of heavy truck traffic, excessive noise, and potentially noxious impacts. As such, industrial uses should be in or abutting existing industrial districts but not encroach on existing residential or commercial areas that may act to buffer such residential uses.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates this section of Gibbs Road as a local street.

Parking Requirement: Section 27-470(f) states that uses in this district require paved off-street parking at a ratio necessary of one (1) space for each 500 square feet of building area be provided. For buildings larger than 20,000 square feet, only one space for each 1,000 square feet needs to be provided for increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet, the parking required for increments over 50,000 square feet will be determined by the director of planning. The subject property has multiple buildings for a total of 11,153 square feet, requiring 23 parking spaces. The subject property has several thousand parking spaces, exceeding this requirement.

Landscaping Requirement:	As determined by previous Petition Reviews, 40 trees are required and were shown on the plan, although it is unclear if all trees are fully established, maintained, and are in otherwise healthy condition, particularly on the north edge of the property.
Advertisement:	<u>The Wyandotte Echo</u> – April 17, 2025 <u>Letters to Property Owners</u> – April 18, 2025
Public Hearing(s):	May 12, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Eli Schwinn with George Butler Associates, is requesting the renewal of a Special Use Permit SP2022-048 (which expired October 3, 2024) to operate a wholesale and auction company of operable and inoperable vehicles and equipment. Items for sale include automobiles, watercraft, boats, recreational vehicles, construction equipment, trailers, and items of similar size and use.

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. 2025: ZONE2025-001 – Operating an automotive business with expired Special Use Permit (open, pending permit approval).
2. 2011: 11395-00112 – Stop Work Order for Excavating and Dumping without Permit (prior owner - closed).

Outstanding or Related Permit and Cases:

1. 2025: PLM25-0198 – Plumbing Repairs (issued, open).
2. 2023: COM23-0023 – Camera Installation (issued, open).
 - a. Notes indicate that a separate electrical permit was to be issued and was never obtained by the contractor.
3. 2021: ELE21-1044 – Electrical install for new HVAC per COM20-0011 (completed).

4. **2021: SPK21-0029 – Sprinkler System relocation (open).**
5. 2021: PLM21-0572 – Plumbing per COM20-0011.
6. 2021: DRC21-0005 – Modular office for Mississippi Lime Company (now part of the Copart Site) – Completed.
7. 2021: ELE21-1494 – Electrical per DRC21-0005 (completed).
8. 2021: PLM22-0187 – Plumbing per DRC21-0005 (completed).
9. **2020: 20355-00009 – Site Improvements for Parking – Open.**
 - a. TCO expired.
 - b. CO cannot be obtained without landscape completion.
 - c. See staff comments for remaining landscape items.
10. 2019: 19335-00003 – Grading and Fill for LG Everist Site (now 8600 Gibbs).
11. 2015: 15300-00887 – Grading and Fill for LG Everist Site (now 8600 Gibbs).
12. 2013: 13300-00696 – Grading and Fill for LG Everist Site (now 8600 Gibbs).
13. 2007: 07300-00605 – New Maintenance Building for LG Everist (completed).
14. 2007: 07380-01203 – Electrical per DRC 07300-00605.
15. 2007: 07365-00042 – Fire Sprinkler per DRC 07300-00605.

Previous Planning Actions:

1. 2022: SP2022-048 – Special Use Permit to Continue automotive and equipment salvage and sales operation.
2. 2021: PR2021-006 – Final Development Plan – Revise Conditions of Approval to allow for Transport Trucks – approved.
3. 2020: Preliminary and Final Plat for Copart II (in conjunction with PR-2020-29).
4. 2020: PR-2020-29 – Preliminary and Final Plan for Copart II Expansion.
5. 2020: SP-2020-24 – Special Use Permit for Copart II.
6. 2020: COZ3218 – Change of Zone for R-1 to MP-3 for Copart II Expansion.
7. 2015: SP-2015-68 – Special Use Permit for Dirt Fill.
8. 2013: SP-2013-55 – Special Use Permit for Earthen Fill.
9. 2013: U-2013-14 – Vacation of a Drainage Easement.
10. 2007: PR-2007-6 – Final Development Plan for new maintenance for LG Everist – approved.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Muncy-Stony Point statistical neighborhood. The neighborhood consists of primarily industrial uses with residential uses to the north that are separated by Kaw Drive and the Union Pacific Railway. Roadways are concrete with minimal stormwater improvements and very little street lighting exists. This property is at the dead end of Gibbs Road, adjacent to Kaw Valley Concrete and Asphalt Recycling.

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 industrial uses on the south side of Kaw Drive and is considered compatible. To the north of Kaw Drive is a mix residential, agricultural and industrial uses. The proposed use, which is industrial in nature, is compatible with nearby uses if properly managed with buffers and screening.

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 primarily a passive industrial use with limited commercial activity. Semi-trucks frequently visit the property to transport vehicles, but there is very limited customer traffic and a limited number of employees. More active industrial or commercial uses on the site may be hindered by the limited street accessibility and lack of sanitary service. The removal of restrictions will not detrimentally affect nearby property if properly managed, including screening and buffering for activities inconsistent with the rural uses to the north.

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

The property is not vacant. The property has been consistently in use since 2014.

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 Industrial, which allows for small, medium and large-scale industrial processing, manufacturing and outdoor storage. These uses are often the most intensive uses characteristic of heavy truck traffic, excessive noise, and potentially noxious impacts. As such, industrial uses should be in or abutting existing industrial districts, but not encroach on existing residential or commercial areas that may act to buffer such residential uses. The proposed use generally conforms to the master plan, as the immediately adjacent properties are also industrial in nature. Industrial uses are not compatible with the residential and agricultural uses to the north, although these uses are buffered by Kaw Drive and the Union Pacific Railroad.

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 not to the volume to where it would exceed the ability of Gibbs Road, a local street, to accommodate it if managed properly. *This stretch of Gibbs Road was designed to access farmland and is more narrow than what is generally expected for*

industrial and heavy traffic. This tract of Gibbs Road dead-ends, which may prove difficult for property owners to exit the property in case of emergency. However, as this use has no commercial traffic and a limited number of employees, the vehicles accessing the property are primarily semitruck delivery vehicles. Without a formal traffic study it is unclear that the traffic exceeds the local street's limited capacity, however it appears that the street network has reached capacity at this location given the limited circulation and accessibility.

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 might be reasonably necessary for the convenience and welfare of the public as it does provide a place for inoperable or salvage items to be located within an industrial neighborhood, and providing for items that may be at a discount however it is largely for private use. If not stored properly at a permitted industrial site, there is some propensity for residents to retain salvage items at their personal residence, which is uncharacteristic of most neighborhoods. The proposed use will not affect the use, quality, or marketability of nearby property if properly buffered, screened, and managed, as adjacent properties utilize similar industrial activities and uses.

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 and vibration are not typically associated with the wholesale and auction of equipment, as the items are static and not operating on-site. There is some propensity for noise from truck traffic, however it is not inconsistent with the adjacent uses utilizing similar activity to the south of Kaw Drive. Proper buffering and screening can minimize these concerns for the rural and agricultural uses across Kaw Drive to the north.

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 industrial development.

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

The proposed use will not damage or destroy an irreplaceable natural resource in the sense that it is existing development, although the improvements have not been adequately completed to equate for the loss in ground cover. The applicant has inconsistently maintained landscaping and soil quality has eroded. Extended periods of time without proper landscaping contributes to premature erosion or loss of topsoil, an irreplaceable natural resource

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

There is no tangible gain to the public health, safety and welfare as this is a private development. If denied, the property owner may not use the property for the proposed use however, they can still develop the property in other ways consistent with by-right uses of the district or sell the property.

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

The applicant has inconsistently maintained the proposed use as originally proposed and according to previous conditions of approval. Building permits have not been completed in a timely mannerism and the permit itself has been renewed with frequent lapses. Although numerous extensions, landscape bonds, and renewals have been granted in the past, the original conditions are still not completely met.

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 or land or undue concentrations of population because if managed appropriately as the items for sale or auction cover a significant amount of land in an organized fashion. There are a limited number customers and employees, with frequent trips to the property only made by drivers to and from the property. If the applicant abides by the conditions of approval, undue concentrations of population or overcrowding should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Microsoft Teams on April 23, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Landscaping
Special Flood Hazard Area
Noise, Dust, and Vibration
Incomplete Building Permit
Traffic
Parking
Safety

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. The applicant has been inconsistent in renewing the Special Use Permit, letting it lapse for months at a time on numerous occasions.

Applicant Response: The applicant acknowledges that this is the second time the SUP for this use has been allowed to lapse.

2. The applicant has yet to complete the building permits as previously required. Why has the applicant continuously not provided the required landscaping?

Applicant Response: Landscaping is in place, see attached photos.

3. The following items must be completed to satisfy the requirements of the prior Development Plan Review as a result of Special Use Permit SP-2022-048 approval:
 - a. The north 11 trees must be maintained
 - i. These do not appear to have yet been planted.
 - b. Installed London Planetree and Bald Cypress species street trees along Gibbs Road must be maintained and trees that do not survive must be replaced.
 - i. These will be verified for health and overall condition during site inspection for the north 11 trees
 - c. Landscape areas must be completely installed and meet or exceed minimum sizes. Seeded and Sod areas must provide 100% coverage, have taken root and become well established and verdant. Sod areas must also have all seams closed.
 - i. This will be verified during the site visit for the north 11 trees.

Applicant Response: All trees have been previously planted according to construction documents approved February 17, 2021. Photos are attached to this letter.

4. *Files appear to be incomplete related to Floodplain documents. Some LOMA and CLOMR files have been received, but when in pending status or awaiting further approval. Please resubmit all further floodplain documentation for further evaluation to ensure the property is up-to-date on all files. Failure to do so may result in a delay in the issuance of a CO or Notices of Violation under the Floodplain Overland District ordinances.*

Applicant Response: FEMA documentation has been provided to city staff by separate correspondence.

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

Standard Conditions:

1. 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.
2. If approved, occupying businesses must file and maintain a current business occupation tax application with this office.
3. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building 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.
4. All existing and future driveways must feature curb cuts that are constructed to UG standards.
5. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
6. 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.
7. 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.
8. 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.

9. 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.
10. 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.
11. 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 RECOMMENDATION AND CONDITIONS

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2025-017** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **The applicant shall close out and address building permits and call the Building Inspection Department to do so. Should the building permits not be completed within six (6) months of the approval of this application by the Board of Commissioners, it shall be considered invalid. The permits noted in the *Outstanding or Related Permit and Cases* section, items 1, 2a, 4, and 9, shall be specifically addressed;**
2. **As the building permits have yet to be completed and landscaping yet to be fully established/verified, staff recommends an approval for one (1) year to provide a checkpoint for permit verification and completion of or adherence to the conditions of approval;**
3. **FEMA documentation is still being reviewed by a third-party consultant for completeness. Additional documentation may be required or requested from the applicant;**
4. **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;

5. 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;
6. 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;
7. All existing and future driveways must feature curb cuts that are constructed to UG standards;
8. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
9. 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;
10. 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;
11. 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;
12. 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;

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. 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
Applicant Comment Response and Photos
Neighborhood Meeting Information

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025	May 29, 2025

STAFF CONTACT: Kallie McLaughlin, Planner, Floodplain Administrator
kdmclaughlin@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2025-017** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

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

OR

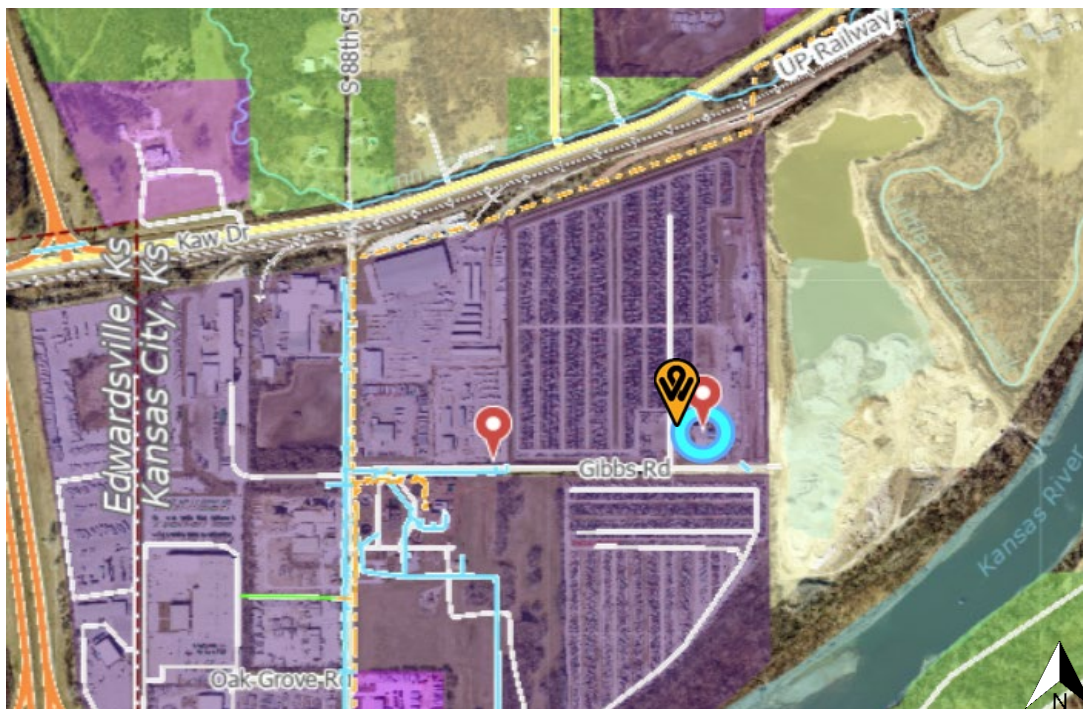
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2025-017**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



ADDITIONAL ATTACHMENTS



9801 Renner Boulevard,
Suite 300
Lenexa, KS 66219

April 30, 2025

Unified Government of Wyandotte County & Kansas City, Kansas
Planning & Urban Design
701 N 7th Street
Kansas City, Kansas 66101

RE: Copart SUP Renewal – 8440 Gibbs Road (SP2025-017)
Draft Staff Report Comments Response

We have received your comments contained in the draft staff report dated May 12, 2025 for the above referenced project. Our responses follow each comment.

Planning and Urban Design Comments:

1. The applicant has been inconsistent in renewing the Special Use Permit, letting it lapse for months at a time on numerous occasions.
Applicant Response: *The applicant acknowledges that this is the second time the SUP for this use has been allowed to lapse.*
2. The applicant has yet to complete the building permits as previously required. Why has the applicant continuously not provided the required landscaping?
Applicant Response: *Landscaping is in place, see attached photos.*
3. The following items must be completed to satisfy the requirements of the prior Development Plan Review as a result of Special Use Permit SP-2022- 048 approval:
 - a. The north 11 trees must be maintained
 - i. These do not appear to have yet been planted.
 - b. Installed London Planetree and Bald Cypress species street trees along Gibbs Road must be maintained and trees that do not survive must be replaced.
 - i. These will be verified for health and overall condition during site inspection for the north 11 trees
 - c. Landscape areas must be completely installed and meet or exceed minimum sizes. Seeded and Sod areas must provide 100% coverage, have taken root and become well established and verdant. Sod areas must also have all seams closed.
 - i. This will be verified during the site visit for the north 11 trees.

Applicant Response: *All trees have been previously planted according to construction documents approved 2/17/2021. Photos are attached to this letter.*
4. Files appear to be incomplete related to Floodplain documents. Some LOMA and CLOMR files have been received, but when in pending status or awaiting further approval. Please resubmit all further floodplain documentation for further evaluation to ensure the property is up-to-date on all files. Failure to do so may result in a delay in the issuance of a CO or Notices of Violation under the Floodplain Overland District ordinances.
Applicant Response: *FEMA documentation has been provided to city staff by separate correspondence.*

ADDITIONAL ATTACHMENTS



Page 2 of 7

We believe we have addressed all comments on this project. If you have any additional questions or concerns, please feel free to contact us.

Sincerely,

GEORGE BUTLER ASSOCIATES, INC.

Eli Schwinn



Facing east from driveway



Trees east of driveway



Facing west of driveway



Facing east from driveway



Facing west from driveway

ADDITIONAL ATTACHMENTS



9801 Renner Boulevard
Lenexa, KS 66219

COPART NEIGHBORHOOD MEETING MINUTES

Application Number: SP2025-017

Date and Location: April 23, 2025 via Microsoft Teams

Meeting called to order at: 6:00 PM

Attendees:
Eli Schwinn

No invited parties attended.
No contact was received prior to meeting.

Meeting adjourned at: 6:30 PM

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandotte) SS:

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

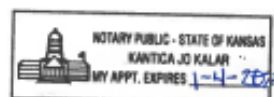
1. That I am the petitioner for Petition # SP2025-017.
2. That I conducted a neighborhood meeting on April 23, 2025.
3. The notice to nearby property owners was sent on April 8, 2025.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Eli Schwinn
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24th day of April, 2025.
My commission expires 4th of Jan, 2027.

Kantica Jo Kalar
Notary Public





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: **Special Use Permit Petition SP2025-018**

GENERAL INFORMATION

Applicant Information:

Ryan Denk
McAnany, Van Cleave & Phillips, P.A.
10 East Cambridge Circle Drive,
Suite 300
Kansas City, Kansas 66103

Subject Property:

1500 South 73rd Drive and 7751
South 73rd Street
Kansas City, Kansas 66106

Requested Action and Purpose:

Approval of Special Use Permit
(Renewal) to continue material and
clean rubble and excavation and
stockpiling.

Commission Districts:

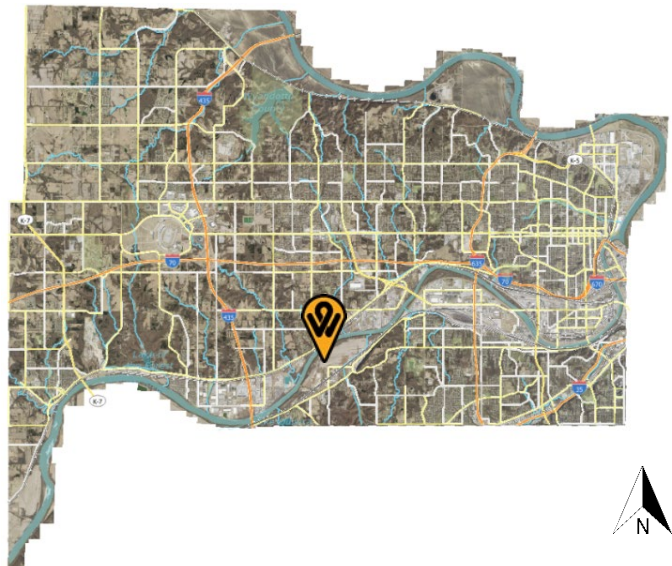
Commissioner At-Large, District #2:
Tom Burroughs
District #6 Commissioner:
Philip Lopez

Existing Zoning District(s):

R-1 Single Family District

Comprehensive Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Undeveloped, wooded parcel
South	R-1 Single Family District	Water District No. 1 of Johnson County
East	R-1 Single Family District	Water District No. 1 of Johnson County
West	None	Kansas River

Total Tract Size: 40.39 Acres

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Floodway.

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 South 78th Street as a Local Street.

Parking Requirement: Section 27-452(e) Two (2) off street parking spaces shall be provided on the premises for each single-family dwelling. There are no residences on the property. There are parking spaces for employees to parking on the premises.

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. 249 trees are required. There are numerous trees located in the southwest and northeast corners of the development that exceed the minimum requirement.

Advertisement: The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearing: May 12, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Ryan Denk with McAnany, Van Cleave & Phillips P.A., on behalf of the property owner, Morris Land Development, LLC wants to continue (previously SP-2019-54) to operate a clean rubble fill site along the Kansas River on 40.39 acres. The proposed rubble being brought to the site will be concrete, dirt and bricks from construction sites.

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

Previous Planning Actions:

1. SP-2019-54 – A Special Use Permit to operate a clean rubble fill site for five (5) years. Permit expired on May 30, 2024.
2. SP-2014-28 – A Special Use Permit to operate a clean rubble fill site for five (5) years.
3. SP- 2011-32 – A Special Use Permit to operate a clean rubble fill site for two (2) years.

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The subject property is located within the Morris Statistical Group and Block Group #0438021. The neighborhood consists of industrial businesses, sand excavation and undeveloped land due to its proximity to the Kansas River. The

property abuts the Kansas River to the northwest and west, so development in this area is sparse.

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 improvements occurring on the Water District No. 1 of Johnson County properties. The proposed use, to use clean construction rubble and materials is not compatible if the applicant does not follow the ordinances and regulations due to the sensitive nature of the Kansas River, FEMA floodway, and Zone A.

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?***

Due to the fact these properties along the Kansas River are in the regulatory floodway and floodplain, the properties are not suitable for the uses to which they have been restricted, specifically a single-family home or for agricultural purposes. Removal of the restrictions that require a Special Use Permit for such activities, allowing clean rubble of construction material will not detrimentally affect nearby property because the area around these properties are owned by Water District No. 1 of Johnson County.

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

The property is not vacant. There has been an active fill site since 2011.

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

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. Floodway is not defined with permitted uses. Special Use Permit is required for a clean rubble construction fill site.

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 Local Street, South 78th 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.*

Since this area is along the Kansas River and is largely undeveloped, 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.

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 not create issues with nearby properties because there are no residences in the immediate vicinity. 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, 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 restored, seeded.

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 large tree stands in the southwest and northeast corners of the development 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 construction material to the pond adjacent to the Kansas River. If denied, the property owner and operator could not add the fill material and would need to restore the ground and abandon the site.

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 a 40-acre site.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Microsoft Team on April 25, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Completion Timeline
Tracking on to Public Right-of-Way
Floodplain
Dust Mitigation
Truck Traffic
Noise and Illumination
Hours of Operation

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

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.

Applicant Response: We can make application for a permit under the City ordinance, however, the applicant is not proposing any fill activities as contemplated within the ordinance including fill activities which would raise the elevation of the site above base flood elevation. Attached is a topographic map showing elevations. The void was caused by a prior landowner's removal of sand from the Kansas River basin. The proposed fill activity simply proposes to replace the removed sand and bring the void level to existing grade.

2. 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 South 78th Street and Douglas Avenue.

Applicant Response: Agreed.

3. What is the intended length or duration needed to complete the project?

Applicant Response: The length is anticipated to exist beyond the proposed five (5) year term. Despite the many years of operation of this fill site, it is only 50% filled.

4. How much fill (earthen material and clean, construction rubble) been brought to the site to date?

Applicant Response: 3,900 cubic yards of material annually. Since the issuance of the original SUP to this operator, estimate of 52,260 cubic yards of fill.

5. How will the site be remediated following the term of this Special Use Permit?

Applicant Response: No further remediation is required by the State. This site is a "clean rubble" site within the definition of K.S.A. 64-3402(w) and is thus outside of the permitting process of the State.

6. What are the proposed hours of operation?

Applicant Response: Same as referenced below on prior approval.

7. How many daily truck trips are anticipated on-site?

Applicant Response: Average of five (5) truck loads per day, Monday through Friday.

8. Preserve the existing tree stands northeast and southwest corners of the proposed grading site.

Applicant Response: Agreed.

Previous Conditions of Approval – SP2019-54:

1. As a note, in 2011, the Applicant submitted a No-Rise Certificate as required for the fill site in the floodway and floodplain.
2. Please describe the current state of the clean rubble fill site since the May 2019 approval.

Applicant Response: Fill has continued to be placed. Please refer to comparative aerial photos which depict the progress.

3. According to the Applicant in response to the initial staff report comments that were issued in April 2011, the proposed truck traffic information is as follows:
 - a. Traffic frequency – It is variable, but probably on average four (4) to six (6) per day.
 - b. Hours of operation – 7:00 AM to 6:00 PM.
 - c. Loaded truck weights – It is variable, but no more than the legal limits for the State of Kansas at 80,000 lbs.

Applicant Response: Same proposed traffic.

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) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
- 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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2025-018** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **As a note, in 2011, the Applicant submitted a No-Rise Certificate as required for the fill site in the floodway and floodplain;**
2. **According to the Applicant in response to the initial staff report comments that were issued in April 2011, the proposed truck traffic information is as follows:**
 - a. **Traffic frequency – It is variable, but probably on average four (4) to six (6) per day;**
 - b. **Hours of operation – 7:00 AM to 6:00 PM;**
 - c. **Loaded truck weights – It is variable, but no more than the legal limits for the State of Kansas at 80,000 lbs.;**
3. **Keep the ingress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property;**
4. **Subject to approval, 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;**

5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
6. All existing and future driveways must feature curb cuts that are constructed to UG standards;
7. 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;
8. 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;
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10. 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;
11. Subject to approval, the Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and

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

12. 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,
13. 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
Floodplain Map
No-Rise Certificate Letter
Engineering Letter
Applicant Response Letter
Neighborhood Meeting Documents
Topographic Survey
Aerial Photographs from 2024, 2019, 2014, 2010, 2006 and 2003

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2025-018** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

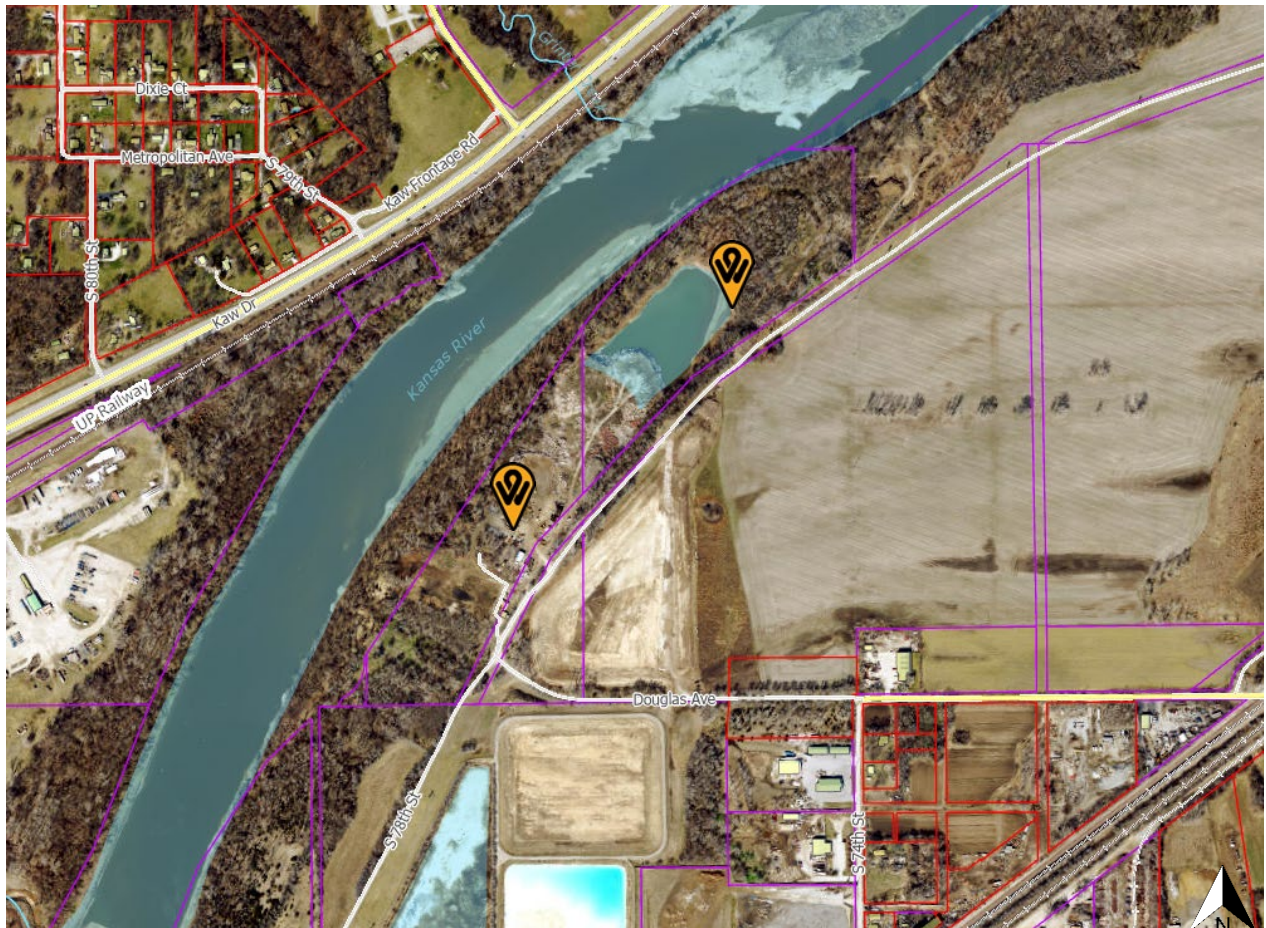
1. _____;
2. _____; And
3. _____.

OR

I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2025-018**, to the Unified Government Board of Commissioners 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

AERIAL IMAGERY



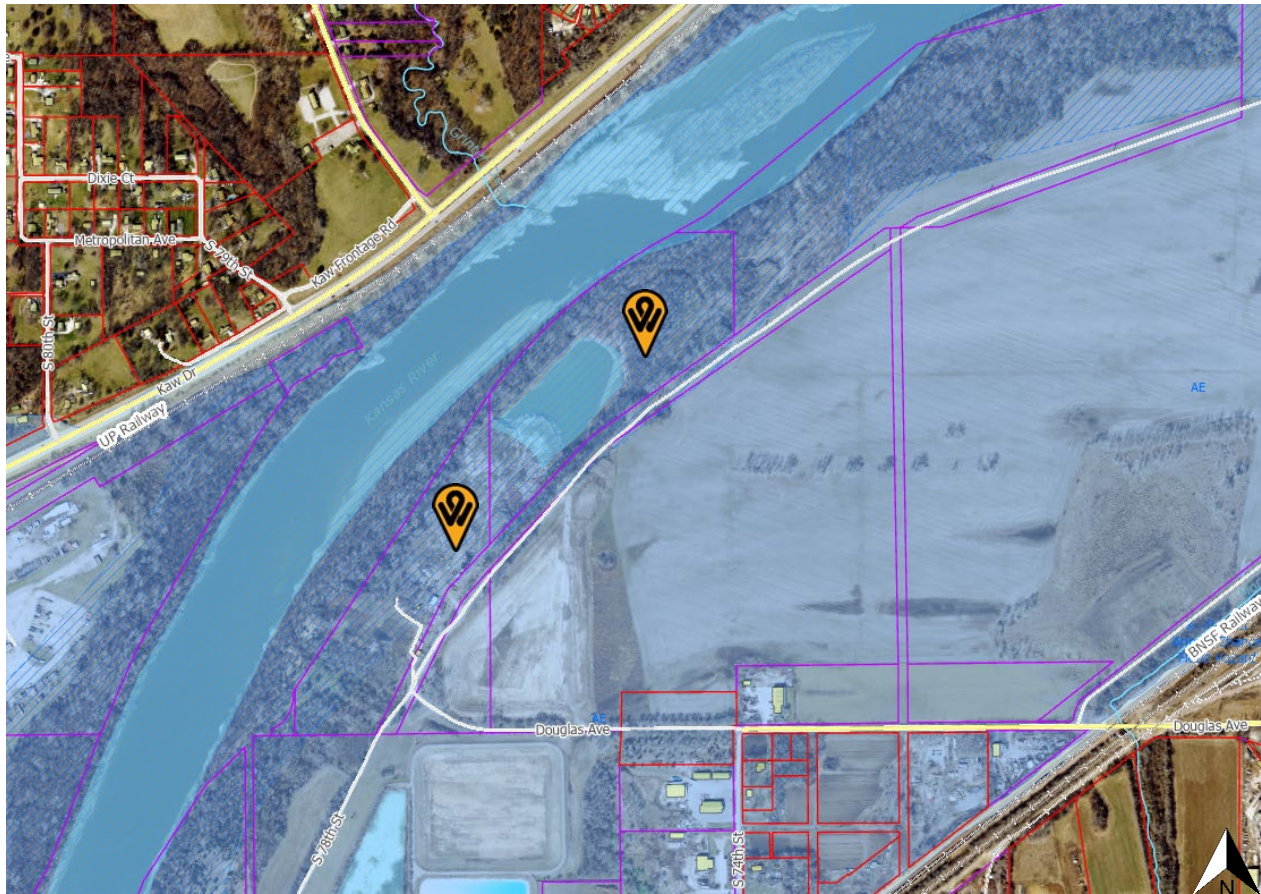
ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS





8800 Linden Drive · Prairie Village, KS · 66207 · (913) 302-1030 Phone · (913) 962-2245 Fax · info@WaterResourcesSolutions.com

November 28, 2011

Mr. Brett Napier, P.E.
Napier Engineering, LLC
207 S. 5th Street
Leavenworth, Kansas 66048

RECEIVED
NOV 28 2011
ASHLAND
UTAH

Subject: Morris Fill Site "No-Rise"

Dear Brett:

Attached is the "No-Rise" for the Morris Fill Site near the Kansas River in Wyandotte County. AS explained on the "no-Rise" form, the fill will be completed below the elevation of the existing floodplain in an area that would be modeled as ineffective flow. As a result, fill in this area will not affect the base flood elevation of the river.

If you have any questions, please contact me at 913-302-1030.

Sincerely,
Water Resources Solutions, LLC

Donald W. Baker, P.E., D. WRE, CPESC
Principal and Owner

DWB
Enclosure(s)



11-28-2011

FEDERAL EMERGENCY MANAGEMENT AGENCY
ENGINEERING "NO-RISE" CERTIFICATE

Floodplain Development
Permit No. _____

SECTION A - PROPERTY OWNER INFORMATION

COMMUNITY Kansas City, Kansas	COUNTY Wyandotte	STATE Kansas
APPLICANT Midland Wrecking	DATE 11/28/2011	
APPLICANT'S ADDRESS P.O. Box 14906, Lenexa, Kansas 66215	PHONE 913-432-0314	

SECTION B - ENGINEER INFORMATION

ENGINEER Water Resources Solutions, LLC	DATE 11/28/2011
ENGINEER'S ADDRESS 8800 Linden Drive, Prairie Village, Kansas 66207	PHONE 913-302-1030

SECTION C - SITE DATA

1. Location:

NE ¼	NW¼	SECTION 28	TOWNSHIP 11 S	RANGE 24 E	STREET ADDRESS N/A
------	-----	---------------	------------------	---------------	-----------------------

2. Panel(s) No. of NFIP Map(s) affected:

3. Type of development:

☒ Filling ☐ Grading ☐ Excavation ☐ Min. Improvements ☐ Routine Maintenance
☐ Substantial Improvement ☐ New Construction ☐ Other (Describe):

4. Description of Development:

Fill existing pond in the floodway.

5. Name of Flooding Source Affected: Kansas River

SECTION D - COMMENTS

The project includes the filling of an existing pond located in the floodway of the Kansas River as shown on the attached plans. Since, the fill elevation will be below the grade of the existing floodplain, it will occur in the area that would be modeled as ineffective flow. As a result, fill in this area will not affect the modeled base flood elevation of the river.

This is to certify that I am a duly qualified engineer licensed to practice in the State of Kansas. It is to further certify that the attached technical data supports the fact that the proposed development described above will not create any increase to the 1% storm frequency water surface flood elevations on said flooding source above at the cross-sections in the flood insurance study for the above community dated September 2, 2011, and will not create any increase to the 1% storm frequency water surface flood elevations at the unpublished cross-sections in the vicinity of the proposed development.

Donald W. Baker 11-28-2011
Signature Date

Principal/Owner 14258
Title License No.



11-28-2011

UPSTATE PLANNING
NOV 28 2011
ANDOVER, MA

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.

We can make application for a permit under the City ordinance, however, the applicant is not proposing any fill activities as contemplated within the ordinance including fill activities which would raise the elevation of the site above base flood elevation. Attached is a topographic map showing elevations. The void was caused by a prior land owner's removal of sand from the Kansas River basin. The proposed fill activity simply proposes to replace the removed sand and bring the void level to existing grade.

2. 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 South 78th Street and Douglas Avenue.
Agreed.
3. What is the intended length or duration needed to complete the project?
The length is anticipated to exist beyond the proposed 5 year term. Despite the many years of operation of this fill site, it is only 50% filled.
4. How much fill (earthen material and clean, construction rubble) been brought to the site to date?
3,900 cubic yards of material annually. Since the issuance of the original SUP to this operator, estimate of 52,260 cubic yards of fill.
5. How will the site be remediated following the term of this Special Use Permit?
No further remediation is required by the State. This site is a "clean rubble" site within the definition of K.S.A. 64-3402(w) and is thus outside of the permitting process of the State.
6. What are the proposed hours of operation?
Same as referenced below on prior approval.
7. How many daily truck trips are anticipated on-site?
Average of 5 truck loads per day, Monday through Friday.
8. Preserve the existing tree stands northeast and southwest corners of the proposed grading site.
Agreed.

Previous Conditions of Approval – SP2019-54:

1. As a note, in 2011, the Applicant submitted a No-Rise Certificate as required for the fill site in the floodway and floodplain.
2. Please describe the current state of the clean rubble fill site since the May 2019 approval.
Fill has continued to be placed. Please refer to comparative aerial photos which depict the progress.

3. According to the Applicant in response to the initial staff report comments that were issued in April 2011, the proposed truck traffic information is as follows:
 - a. Traffic frequency – It is variable, but probably on average four (4) to six (6) per day.
 - b. Hours of operation – 7:00 AM to 6:00 PM.
 - c. Loaded truck weights – It is variable, but no more than the legal limits for the State of Kansas at 80,000 lbs.

Same proposed traffic.

Standard Conditions:

1. Keep the ingress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property.
Agreed.
2. Subject to approval, 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.
Understood and agreed.
3. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573- 8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
No permanent structures.
4. All existing and future driveways must feature curb cuts that are constructed to UG standards.
No change in the drives on the site.
5. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
See prior comments to engineering comments.
6. 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.
Understood and agreed.
7. 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.

Understood and agreed.

8. 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.

No CC&R are applicable to this property.

9. Subject to approval, the Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

Understood and agreed.

10. 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.

Understood and agreed.

11. 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.

Understood and agreed.

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) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

MINUTES OF NEIGHBORHOOD MEETING

Special Use Petition #SP2025-018

Meeting Held: April 24, 2025, by videoconference

Meeting called to order at 5:30 p.m.

Attendees:

- Ed Kates, Applicant
- Renee Fox, Representative for Applicant
- Ryan Denk, Counsel for Applicant

The meeting was properly noticed and scheduled for April 24, 2025 at 5:30 p.m. via Teams. No neighbors attended the meeting. As no one else appeared, the neighborhood meeting was adjourned at approximately 5:50 p.m.

Minutes prepared by:

/s/ Ryan B. Denk
Ryan B. Denk

9P77987.DOC

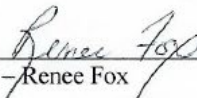
AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now Renee Fox, of lawful age, sound mind and upon her oath states as follows:

1. That I am the Representative for Ed Kates, petitioner for Special Use Permit #SP-2025-018 – dirt fill at 1500 South 73rd Street and 7751 South 73rd Street.
2. That I conducted a neighborhood meeting on April 24, 2025.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

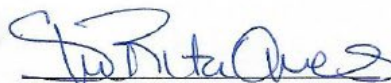


Affiant – Renee Fox

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29th day of April, 2025.

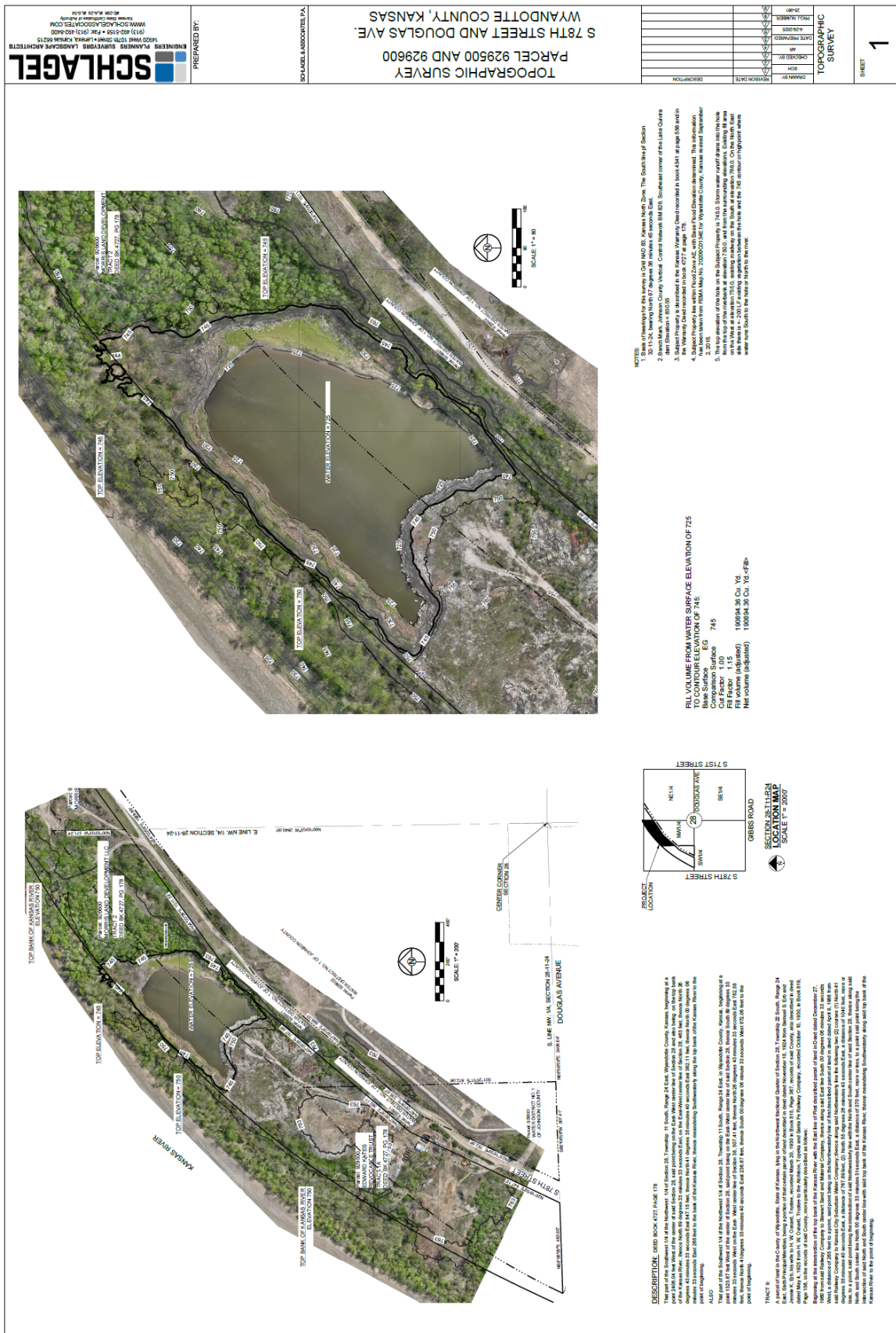
My commission expires 1 of Feb, 2025 27 80

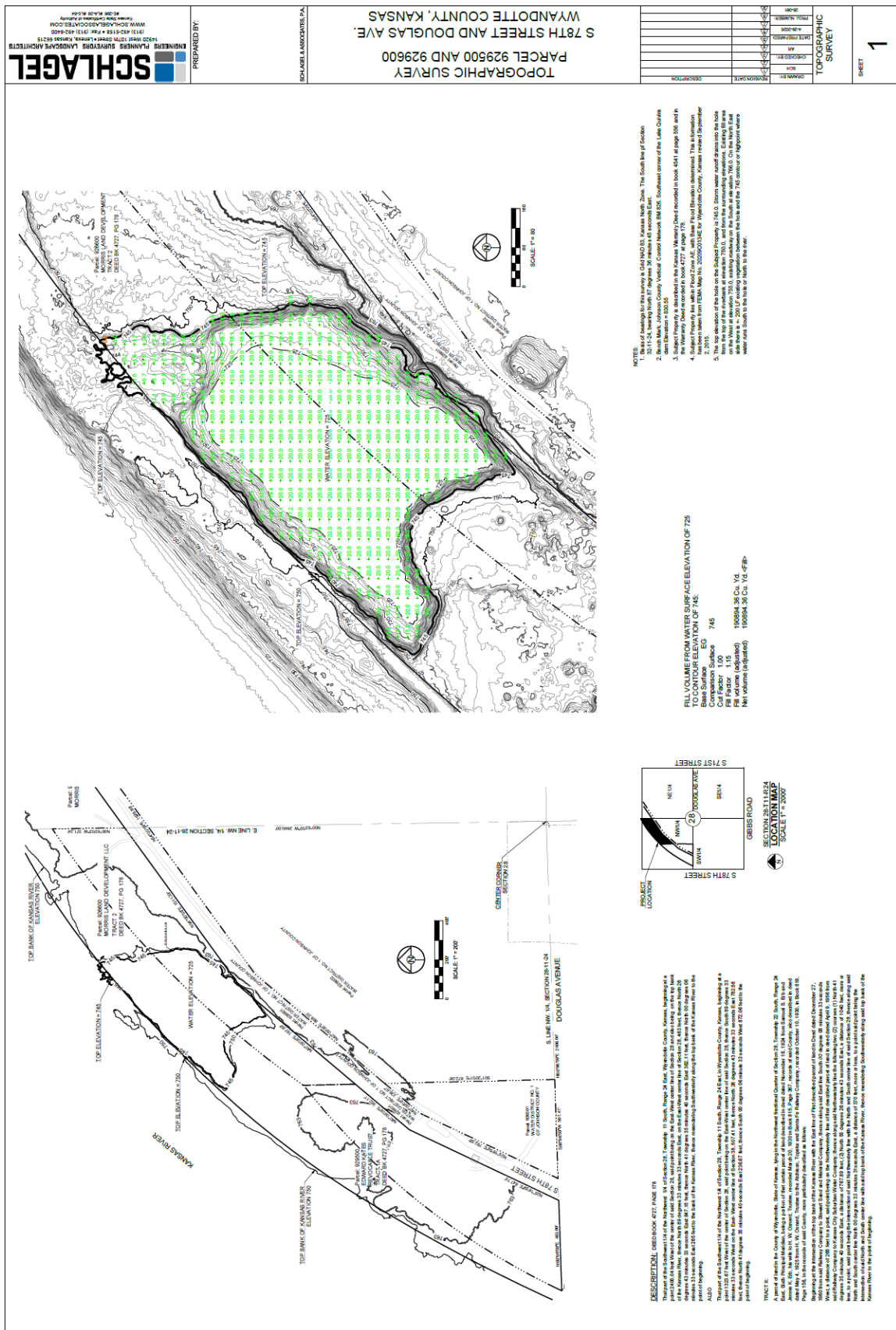




Notary Public

9P77853.DOC





February 2024



02/05/2024

December 2014



12/25/2014

March 2010



03/19/2010

December 2006



12/13/2006

March 2003



© All EagleView Technology Corporation



03/21/2003



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Special Use Permit Petition SP2025-019

GENERAL INFORMATION

Applicant Information:

Tyler Shirk
Property Manager, BearBnB
6103 Arlington Avenue
Raytown, Missouri 64133

Subject Property:

2105 West 43rd Avenue
Kansas City, Kansas 66103

Requested Action and Purpose:

Approval of Special Use Permit to
operate an Investor Short-Term
Rental (Non-Owner Occupied)

Commission Districts:

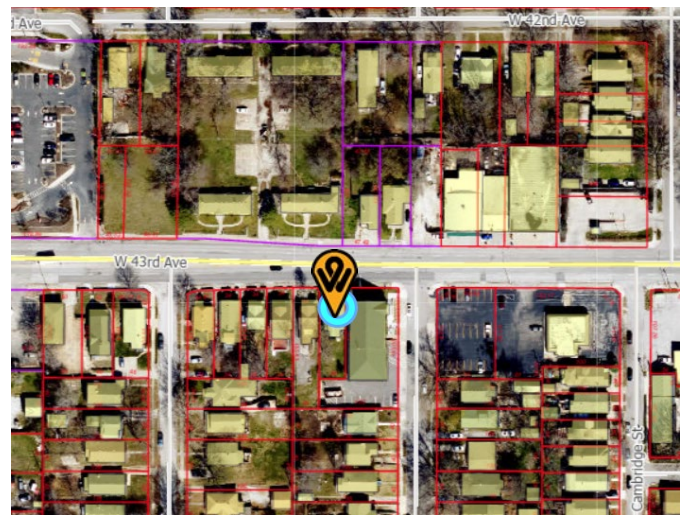
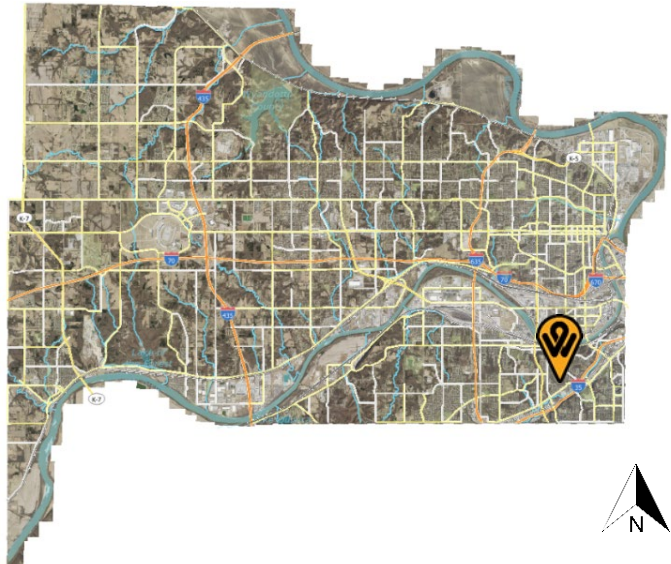
At-Large District 2 Commissioner:
Tom Burroughs
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):

C-1 Limited Business District

Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	C-1 Limited Business and RP-5 Planned Apartment Districts	Single-Family Residences and Single-Level Apartments
South	R-1(B) Single Family District	Single-Family Residences
East	C-1 Limited Business District	Vacant Church
West	C-1 Limited Business District	Single-Family Residences

Total Tract Size: 0.09 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. Three story apartment buildings are also allowed in the University Town special district.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates 43rd Street as a minor collector.

Parking Requirement: Per Section 27-454(e) two (2) off-street parking spaces are required, one of which shall be in a garage or carport. The subject property has one (1) off-street parking space at the front of the property and no covered parking, however the home was constructed in 1930, predating this requirement, and is considered legal non-conforming

Landscaping Requirement: Per Section 27-700 (a), one (1) shade tree per dwelling unit is required in the front or corner side yard. The subject property has one (1) tree in the front yard, thus meeting this requirement.

Advertisement: The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearing(s): May 12, 2025

Public Support: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Tyler Shirk with BearBnB, is requesting a Special Use Permit to operate a short-term rental at 2105 West 43rd Street. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 2100 Block of West 43rd Avenue.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. 2025: STR25-0305 – *Missing Handrails on the front porch (open, repairs in process)*
2. 2023: STR23-0252 – *Improperly Boarded Structure (closed)*
3. 2021: STR21-0636 – *Multiple Exterior Issues (closed)*
 - a. Between 2021-2024, approximately 15 citations were issued to the prior owner for failure to complete repairs.

Outstanding or Related Permit and Cases:

1. MEC22-0463 – *Mechanical Permit – Install new furnaces (completed)*
2. PLM22-0608 – *Plumbing Permit – New Plumbing in whole house, new water heater (completed)*
3. ELE22-0470 – *Electrical Permit – whole house rewire, panels (completed)*
4. RES22-0258 – *Whole House Residential Remodel (completed)*

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 Rosedale statistical neighborhood. The neighborhood consists of a mix of residential and commercial uses, with Rainbow Boulevard two (2) blocks to the west and State Line Road two (2) blocks to the east. Nearby businesses include an auto repair shop, indoor recycling, hair salons, and restaurants. This street transitions into Westport Road once it crosses into Missouri.

- 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 a mix of residential and commercial uses. 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. 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 appears to have been vacant between 2017 and 2023 during which time multiple citations for the property's condition and prolonged unregistered vacancy occurred. Prior to the 2017 vacancy, it was registered as a rental. The prior property owner began renovations, but they were left incomplete. The current property owner has since completed the renovations in preparation for its lease.

- 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 proposed use conforms to the General Urban land use designation, as it is a single-family residence on a mixed-use corridor.

- 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/ and will exceed the capacity of West 43rd Avenue, a minor collector, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

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

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

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

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

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

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

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

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

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

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

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

The applicant 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 ordinances 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 is (7) seven. The maximum number of vehicles off-street is (1) one. 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 via Zoom on April 29th, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise, Illumination, and Vibration (Add "Dust" if unimproved driveway)
Home Inspection Report
Overcrowding and Undue Concentrations of Population
Parking
Building Permits

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. 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?

Applicant Response: The whole house will be available for rental. There is an off-street parking space in the front yard for guests to park at.

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

Applicant Response: No more than 7 people.

3. 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: I own and operate BearBnB and will be the property manager for the property. We have a full team of staff members, including maintenance personnel, cleaning and housekeeping, grounds crew, on-call customer service, and provide 24/7 property management service.

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

Applicant Response: Our information was given to neighbors during the neighborhood meeting invite and they can contact us at our office or speak to any staff on-site.

5. 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: Approximately 20 minutes.

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

Applicant Response: We average approximately 75% occupancy, depending on seasons.

7. 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: We recently completed several renovations with passing building permits. We have maintenance staff in case of any additional problems that arise on the property.

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

Applicant Response: AirBnB pays the taxes in most cases.

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

Applicant Response: Yes, we have a full guest book available on-site for guests and our customer service agent screen reservations to prohibit parties and other disturbances.

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

Applicant Response: Only if they are required by law for ADA.

11. 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: Okay.

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) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
- 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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2025-019** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. The applicant must repair the handrail per Property Maintenance Compliance Inspection Violation;
2. The property owner must maintain quarterly pest control including termite management;
3. The active leak in plumbing below the shower must be repaired;
4. The rear deck columns shall be verified by a structural engineer for safety;
5. Exterior GFCI Outlets must be repaired;
6. The bathroom shower valve shall be adjusted to allow for full hot water service;
7. The dryer duct piping shall be replaced with hard piping in place of the "slinky" duct;
8. Maximum number of guests shall be 7;
9. All parking must be off-street, maximum number of vehicles is one (1). No STR renters or guests may park on-street.
10. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
11. 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;
12. Applicant is to maintain liability insurance;
 13. The property must remain in proper maintenance and free of hazards, pests, or infestations;
 14. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
 15. 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);
 16. 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;
 17. 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;
 18. 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;
 19. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 20. 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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 22. 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;
23. 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;
 24. 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;
 25. 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,
 26. 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
Home Inspection Report
Floor Plan
Photos provided by Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025	May 29, 2025

STAFF CONTACT: Kallie McLaughlin, Planner, Floodplain Administrator
kdmclaughlin@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2025-019** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

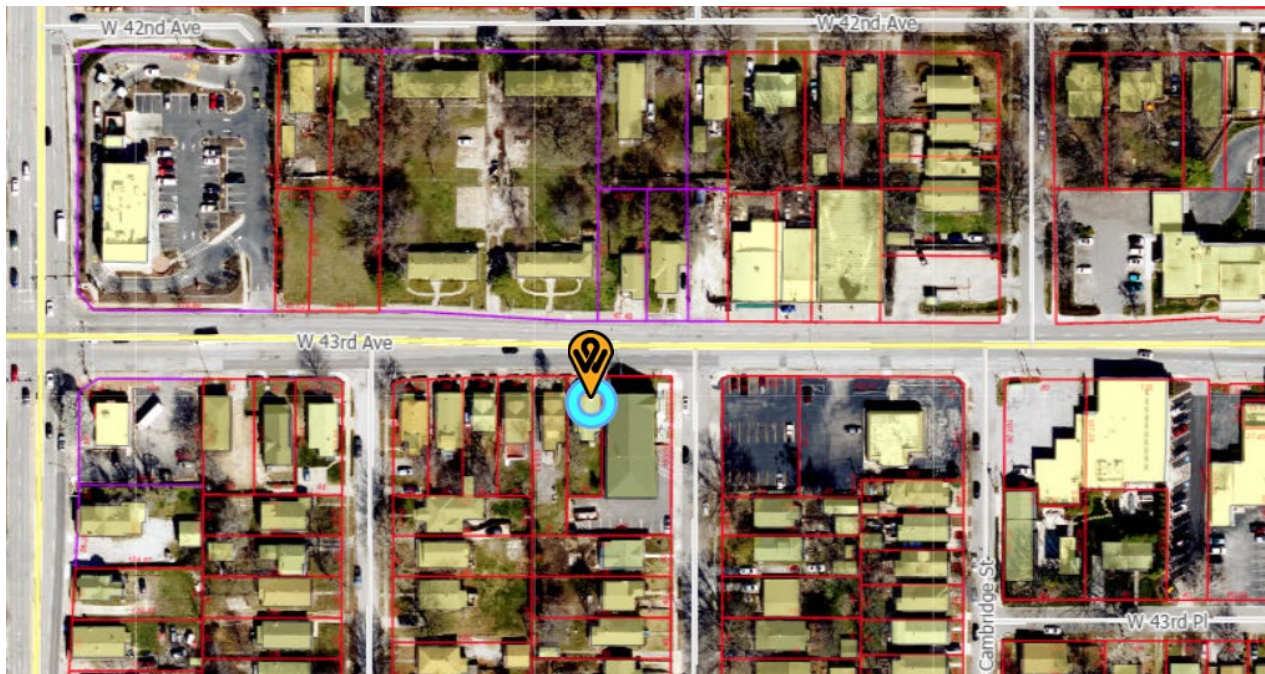
1. _____;
2. _____; And
3. _____.

OR

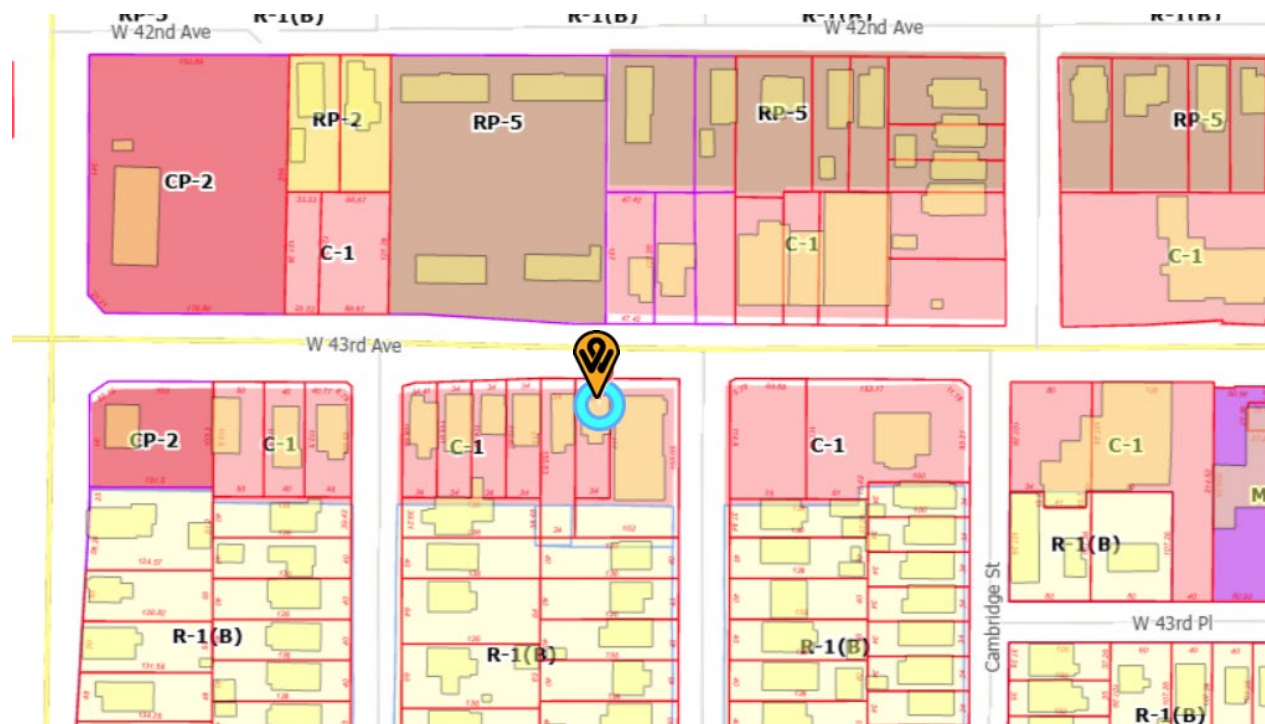
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2025-019** to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

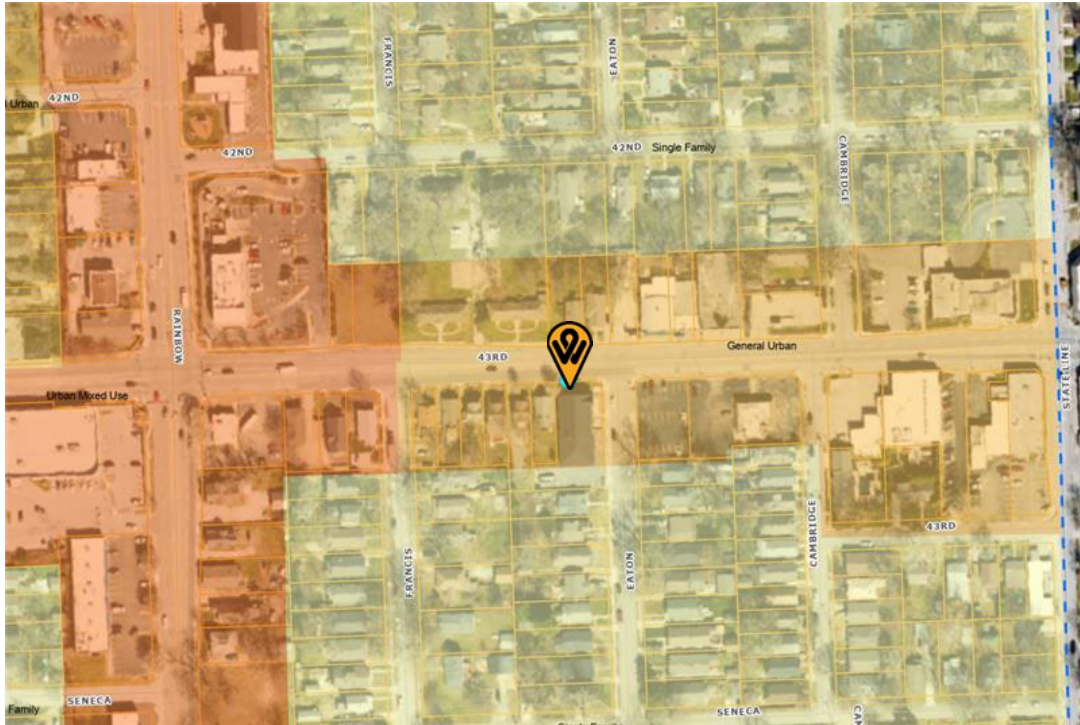
AERIAL IMAGERY



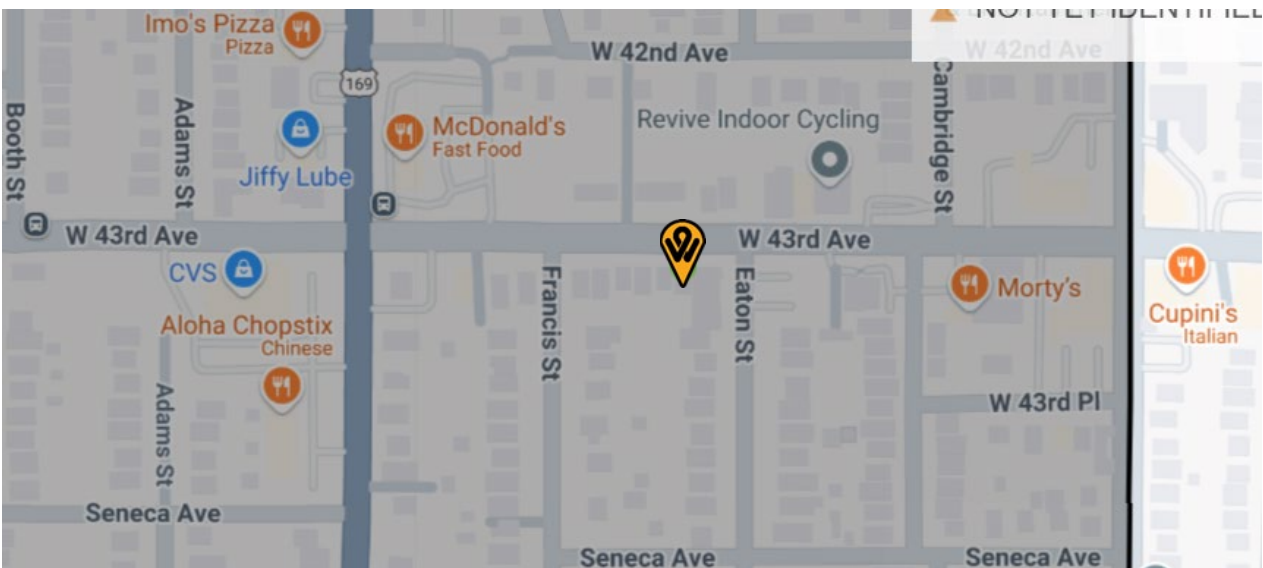
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



ADDITIONAL ATTACHMENTS

7.1.1 General Plumbing

 Significant

PLUMBING GENERAL: ACTIVE LEAK

Observation: During our inspection, we observed an active leak in the plumbing system.

Risk: An active leak can lead to water damage, increased utility bills, and potential structural or mold issues if not addressed promptly.

Limitations: We were unable to determine whether the leak originated from supply piping or waste piping during our inspection.

Action: We strongly recommend further evaluation by a qualified plumber to pinpoint the source of the leak and recommend appropriate solutions.

[Click Here For More Information](#)

Recommendation

Contact a qualified plumbing contractor.



Leaking below shower



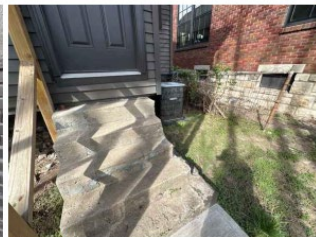
Basement below shower

Recommendation

Contact a qualified deck contractor.



Front Side



Back Side



2nd Floor Back

ADDITIONAL ATTACHMENTS

8.3.3 Outdoor Structure

 Moderate/Significant

OUTDOOR STRUCTURE: UNDERSIZED COLUMNS

Observation: At the time of inspection, the columns supporting the outdoor structure appeared to be undersized.

Risk: Undersized columns may not adequately support the load of the structure, increasing the risk of structural failure or collapse.

Limitations: Our inspection was limited to visible and accessible components of the outdoor structure.

Action: We recommend consulting a structural engineer or qualified contractor to evaluate the columns and determine appropriate sizing and load capacity.

Recommendation

Contact a qualified deck contractor.



8.3.4 Outdoor Structure

 Moderate/Significant

OUTDOOR STRUCTURE: IMPROPER BEAM CONSTRUCTION

Observation: During the inspection, we noted that the construction of the deck beam appeared to be improper.

Risk: Improper beam construction can compromise the structural integrity of the deck. This may lead to a risk of sagging, instability, or in severe cases, complete collapse, posing safety hazards to occupants.

Limitations: Our assessment was based on visual examination, without in-depth structural analysis or assessment against all local building codes.

Action: We recommend that a licensed structural engineer or qualified deck contractor be engaged to assess the beam construction and undertake necessary modifications or repairs. Ensuring the safety and stability of the deck is paramount.

[Click Here For More Information](#)

Recommendation

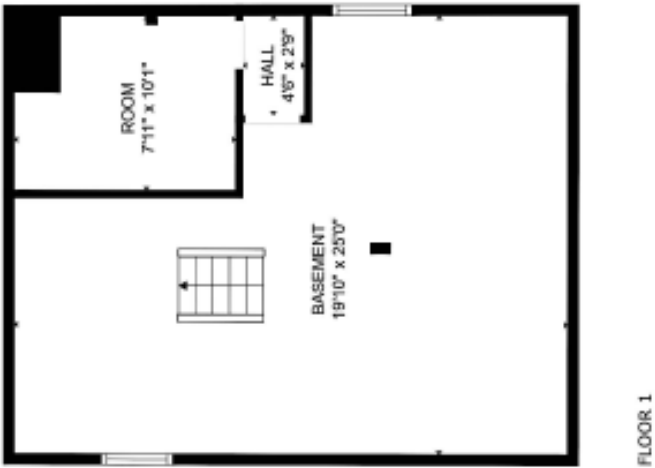
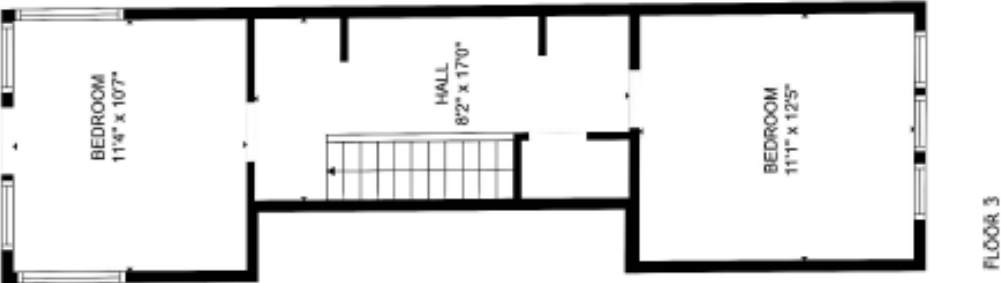
Contact a qualified deck contractor.



Diagram



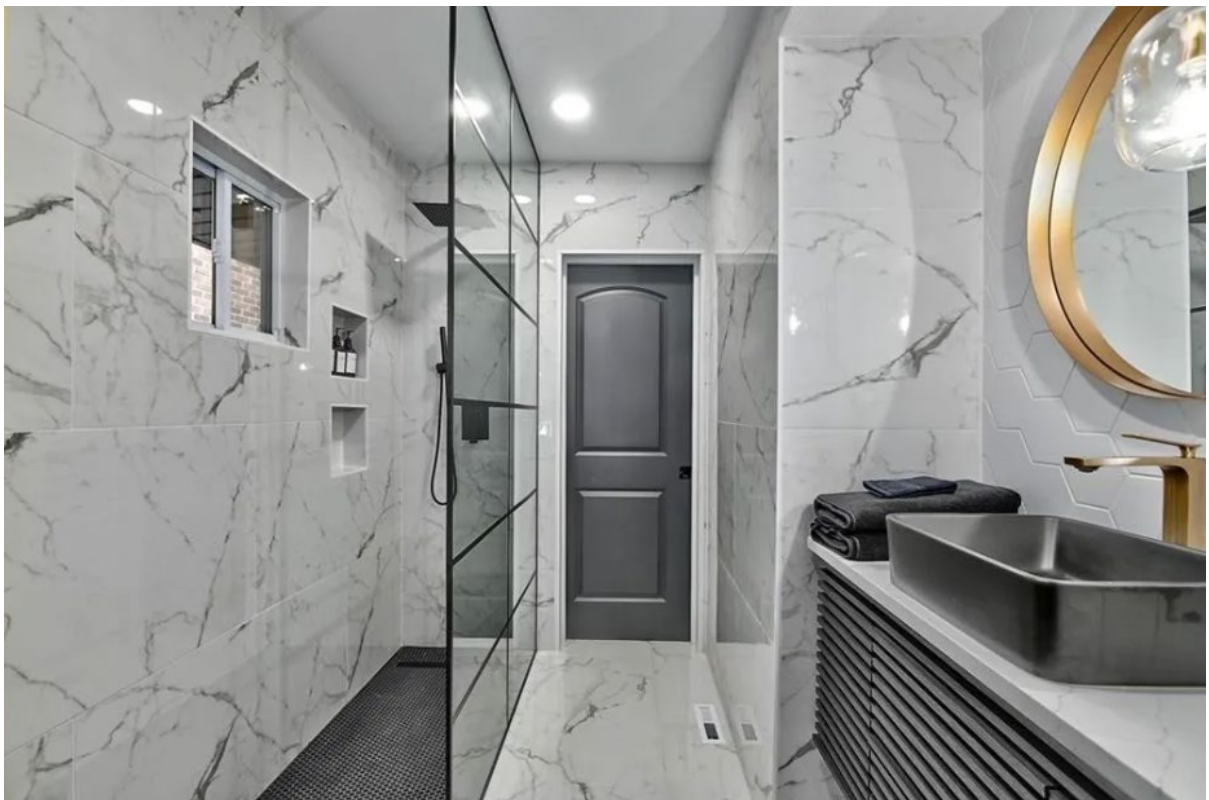
ADDITIONAL ATTACHMENTS



ADDITIONAL ATTACHMENTS



ADDITIONAL ATTACHMENTS



ADDITIONAL ATTACHMENTS





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Special Use Permit Petition SP2025-022

GENERAL INFORMATION

Applicant Information:

Hasan Abdulateef
HM Semi Truck Repair
451 South 14th Street
Kansas City, Kansas 66105

Subject Property:

451 South 14th Street
Kansas City, Kansas 66105

Requested Action and Purpose:

Approval of a Special Use Permit
semi-truck light repair.

Commission Districts:

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

Existing Zoning District(s):

M-3 Heavy Industrial District

Plan Area:

Armourdale Area Plan



	Adjacent Zoning	Adjacent Uses
North	M-3 Heavy Industrial District	Industrial business
South	M-3 Heavy Industrial District	Industrial business
East	M-3 Heavy Industrial District	Industrial business
West	M-3 Heavy Industrial District	Industrial business

Total Tract Size: 2.06 Acre

Comprehensive Plan Designation: The Armourdale Area Plan designates the subject property as Industrial, which allows for small, medium and large-scale industrial processing, manufacturing and outdoor storage.

A specific strategy in the Armourdale Area Plan is to reduce the impact of low-density commercial and industrial parcels along Commercial Corridors. This can be accomplished by enforcing guidelines for new commercial and industrial development projects that include active commercial building frontages and minimal setbacks along major corridors, especially those corridors forming the boundary between the Neighborhood Core and the Industrial Ring.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates South 14th Street as a Major Arterial.

Parking Requirement: Section 27-470(f) states “uses in this district shall provide no less than one (1) space for each 500 square feet of building area be provided. Section 27-467(e) requires all uses to provide off-street parking at a ratio of four (4) spaces per 1,000 square feet of building area.

The building is 2,400 square feet, which requires 10 parking spaces. The applicant has not provided a site plan

Landscaping Requirement: Section 27-700(b)(4) states trees may be required depending on the particular location and surroundings of the project up to a maximum of one (1) tree per 15,000 square feet of site area.

The Commercial Design Guidelines states “Landscaping shall exceed the typical code requirements by at least 75 percent”.

22 trees are required on site, with additional landscaping required. The applicant does not show on the site plan any landscaping on the property.

Advertisement:

The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearing:

May 12, 2025

Public Support:

None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Hasan Abdulateef, HM Semi Truck Repair, is requesting a Special Use Permit to operate a light semi-truck repair/mechanic shop. This former applicant and operator, United Truck Repair is closed and Special Use Permit, SP2021-069 expired in 2023.

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 active noise or disturbance complaints on the property.

Building, Zoning, or Code Enforcement Complaints:

1. 2004 – Property Maintenance citation for high grass and trash on the property.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. SP2021-069 – Approval of a Special Use Permit for light repair on semi-trucks for two (2) years on September 27, 2022.
2. SP-2019-82 – Approval of a Special Use Permit for light repair on semi-trucks for two (2) years on September 26, 2019.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Armourdale Statistical Neighborhood, Census Block Group #0426003 and the Armourdale Renewal Association Group. The character of the neighborhood is comprised of industrial uses and commercial businesses and residential uses. North 14th Street is a Local Street in the Armourdale area that is accessed primarily from the south by Kansas Avenue, a Minor Arterial. It is a horizontal mixed-use, sub-urban neighborhood with residential, commercial, and industrial uses.

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 is considered to be compatible with the nearby uses if the development includes all the required property upgrades and is managed properly.

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

The property is suitable for automotive uses given the existing adjacent industrial uses and nearby access to a Minor Arterial. This is the initial request of a truck repair business on an industrial zoned property. By ordinance, a Special Use Permit is required.

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

The property was vacant between 2017 and 2019. The property was previously used as an automotive salvage business from 1988 to 2017. In 2019, a business for semi-truck repair began under mandatory Special Use Permit for two (2) years. The property is an existing lot in a built-out industrial area.

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

Special Use Permits are not addressed in the Master Plan. New establishment, expansion, or relocation of Automotive uses require a Special Use Permit prior to operation pursuant to Ordinance O-42-15 as specified in 27-593(b)(19-20).

The Armourdale Master Plan designates the land at 451 South 14th Street for Heavy Industrial and directs the area to support adjacent existing residential neighborhoods. It also emphasizes the improvement of local streets to handle industrial traffic.

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.*

Operating in the same manner as the previous use will likely result in the increase of vehicular traffic. The additional vehicular traffic created by the existing use is not expected to result in the increase of traffic to the point where it would impact the capacity of the Local Street and accessible Minor Arterial thoroughfare. There is also the question about the continued impact from larger vehicles, tow trucks, and trash trucks needing to access the property for vehicle pick up or delivery and trash servicing. The site specializes in large trucks but provides only one main entrance off of South 14th Street that is accessible to traffic via an uncontrolled and unmarked street from Kansas Avenue to the south or through a residential neighborhood using Scott Avenue.

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

The proposed use is not reasonably necessary for the convenience nor welfare of the public because the large truck maintenance and storage on the existing property will lead to higher use density and difficulty in screening the use from public view. The proposed use will likely substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property 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, dust, and illumination are normally associated with the proposed uses, and it will likely be an issue to surrounding uses given the poor condition of the improved surfaces on the property and the lack of dust control measures in place. Continuation of the use will likely create problems for nearby properties if not properly managed, dust mitigated, and screened.

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

The proposed use may pollute the air, land or water if not managed properly. The proposed use is often associated with the potential for chemical leaks, hazardous waste, and runoff. The larger vehicle size increases the volume of potential chemicals on site. The property is in a low elevation area with poor stormwater drainage that will need to be considered. Unless improved surfaces

are upgraded to current standards and thereafter managed properly and cleaned in a timely manner, groundwater contamination will be a problem since there are multiple places that can allow seepage directly into the ground.

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

The proposed use should not result in the damage or destruction of an irreplaceable natural resource as it is locating in an existing, built-out mixed-use industrial and residential area.

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

If this Special Use Permit is denied, the applicant will have to relocate the semi-truck and trailer repair and storage business to another location under a mandatory Special Use Permit. The relative gain to the public health, safety, and welfare as compared to hardship imposed on the landowners is minimal.

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

If approved, 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. The applicant may provide a phasing plan to these improvements, if necessary.

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

Given the size of the property, the proposed use should not result in the overcrowding of land if it is properly managed and operates within the required conditions. The parking of trucks and trailers on site may become an issue if not managed properly. The proposed use will not cause undue concentrations of population as it is an industrial use.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 451 South 14th Street on April 28, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Commercial Design Guidelines
Landscaping and Screening
Parking and Storage Inventory and Management
Stormwater Management

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

General Planning:

1. Indicate on the site plan how the proposed site complies with the Commercial Design Guidelines, specifically striping parking stalls for customers, employees and inventory, parking on improved surface (concrete or asphalt). Parking on gravel or unimproved surfaces is not permitted.

Applicant Response: Customer parking for non-service vehicles will be located on the south side of the building near the entrance.

2. Describe your business in detail. Include scope of services provided, scale of operation and number of vehicles, number of expected employees, etc.

Applicant Response: Electronic and programming repair of semi-trucks. No major engine or transmission work will be conducted. Only electronic and programmable repair will be conducted at the premise.

3. Will trucks or trailers ever be towed to the shop from accidents or in states of disrepair?

Applicant Response: Yes, of that repair will consist of computer fault or electrical repair.

4. Where will customers park and pick up and drop off vehicles at this business? Ten (10) required parking spaces for customers, employees, and the public must be provided on the property. ADA Accessible parking space(s) are required to be provided on the property. Where will those parking spaces be located? Planning Staff and Planning Engineering are requesting that the applicant provide a site plan from a design professional to show the location of parking spaces on the property.

Applicant Response: Yes, parking spaces will be provided.

5. Stripe the parking lot for customers, employees, and vehicles.

Applicant Response: Yes, parking lot is striped and outlined.

6. This Special Use Permit applies to maintenance for large trucks. Maintenance, repair, or storage of regular passenger vehicles is not included in this permit and is not allowed on the property. Only passenger vehicles that belong to customers, employees, or the public patronizing this business may be parked on the property and must be parked in designated and striped parking stalls.

Applicant Response: Yes, we will comply.

7. How many trucks do you intend to have on the property under repair at any time? How many detached trailers do you intend to have on the property for parking or storage at any time?

Applicant Response: Two (2) trucks will be repaired at a time.

8. What are the proposed days and hours of operation?

Applicant Response: Monday through Friday, 9:00 AM to 6:00 PM and Saturday, 9:00 AM to 4:00 PM.

9. Sec 27-593(b)(19-20)(a-f) requires that a five (5) foot wide sidewalk must be installed along the entire frontage of 14th Street from the south property line to the north property line. Install a five (5) foot wide pedestrian access walkway sidewalk that runs from the sidewalk along 14th Street, through the Architectural Screening Fence gate, and east to connect to the main office entrance of the building. Sidewalks shall meet all current design criteria and be ADA compliant. Applicant is responsible for acquiring all required construction and right-of-way permits.

Applicant Response: Yes, we will comply.

10. Install wheel stops in the customer parking lot and truck parking lot so vehicles do not roll into the grass or damage the fence.

Applicant Response: Yes, we will comply.

11. This Special Use Permit will apply only to 451 South 14th Street. There cannot be any shared work, inventory, storage, or property access with another business or another property under this Special Use Permit.

Applicant Response: Yes, we will comply.

12. No storage of warehousing of salvage or wrecked automobile parts on the property. Storage of salvage requires M-3 Heavy Industrial District zoning and a separate Special Use Permit for salvage.

Applicant Response: Yes, we will comply.

13. If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator.

Applicant Response: Yes, we will comply.

Landscaping and Screening:

1. Provide a Landscape Plan that complies with the Commercial Design Guidelines.
2. Keep the existing, old growth tree.

3. A six (6) foot tall opaque fence shall be installed and continuously maintained along west property lines to screen the property. This fence shall include masonry columns every 32 feet.
4. The following landscaping shall be installed per the Commercial Design Guidelines:
 - a. At least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.

Previous Conditions of Approval for SP2021-069 (previous operator/owner):

1. The Special Use Permit shall be valid for 2 years from the publication of the associated Ordinance.
2. The applicant is requesting a Special Use Permit for an Automotive Use under Sec 27-593(b)(19-20). Therefore, this property is subject to, and must comply with, all applicable regulations under the Commercial Development Guidelines Overlay District (CDGOD).
3. Failure to comply with any of the requirements of this Special Use Permit, or any condition of approval, will result in this special use permit being returned to the Board of Commissioners for revocation.
4. This Special Use Permit applies to maintenance for large trucks. Maintenance, repair, or storage of regular passenger vehicles is not included in this permit and is not allowed on the property. Only passenger vehicles that belong to customers, employees, or the public patronizing this business may be parked on the property and must be parked in designated and striped parking stalls.
5. There cannot be any shared work, inventory, storage, or property access with another business or another property under this Special Use Permit.
6. Hours of operation will be 9:00 AM – 6:00 PM Monday through Friday and 9:00 AM – 4:30 PM on Saturday.
7. Must register and maintain annually a business license with the Business Licensing Department for all uses on the property.
8. Approval allows no more than 16 trucks and trailers inventory at this site and limited to the area along the north fence line.
9. No truck or trailer repair or servicing is allowed outside of the building in public view. No more than five (5) trucks at any given time may be positioned on the east side of the building for servicing and be considered to be screened from view by the massing of the building. All other trucks and trailers must be parked in designated stalls along the north fence line.
10. Inoperable trucks are only allowed to be stored inside the enclosed building or in the rear of the lot and only if they can be fully obscured from public view by a required 8-foot-tall architectural screening fence to the same standards for a salvage yard operation. Any inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with 27-470 and 27-697 through 27-704. Any outside storage may not reduce the availability of all required parking space.
11. No storage or warehousing of inoperable vehicles, or salvage or wrecked vehicles or automobile parts on the property.

12. At no time shall cars, trucks, or trailers be parked in the right of way of 14th Street in front of the property.
13. A Complete Development Plan is required before a renewal application.
14. 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.
15. Applicant must install and maintain 10 required parking spaces, including one (1) ADA accessible parking space which is designated "Van Accessible".
16. Applicant must install and maintain the required six (6) foot setback from the inside of the west property fence including interior curbing installed meeting or exceeding that setback distance. The area within the six (6) foot setback from the west property fence will be developed as a landscape area and must be planted with turfgrass and trees and shrubs and served by the automatic irrigation system.
17. Applicant must install twenty-three(23) shade trees on the property. Shade trees shall be deciduous tree species that are listed on the approved street tree species list and larger than minimum 2-inch caliper size.
18. All landscape areas on the property, in the parking islands, and along the frontage must be served by an installed automatic irrigation system.
19. Applicant must provide a trash enclosure for any dumpster(s) placed on the property which are not located east of the building out of public view.
20. The improved surfaces on the property must be improved or repaired to current UG standards.
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. All businesses located at this property must operate in compliance with the Sign Ordinances at all times.

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. Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
- 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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2025-022** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **10 required parking spaces for customers, employees, and the public must be provided on the property. ADA Accessible parking space(s) are required to be provided on the property;**
2. **Stripe the parking lot for customers, employees, and vehicles;**
3. **This Special Use Permit applies to maintenance for large trucks. Maintenance, repair, or storage of regular passenger vehicles is not included in this permit and is not allowed on the property. Only passenger vehicles that belong to customers, employees, or the public patronizing this business may be parked on the property and must be parked in designated and striped parking stalls;**
4. **There may be two (2) trucks will be repaired at a time;**
5. **Hours of operation shall be Monday through Friday, 9:00 AM to 6:00 PM and Saturday, 9:00 AM to 4:00 PM;**
6. **Sec 27-593(b)(19-20)(a-f) requires that a five (5) foot wide sidewalk must be installed along the entire frontage of 14th Street from the south property line to the north property line. Install a five (5) foot wide pedestrian access walkway sidewalk that runs from the sidewalk along 14th Street, through the Architectural Screening Fence gate, and east to connect to the main office entrance of the building. Sidewalks shall meet all current design criteria and be ADA compliant. Applicant is responsible for acquiring all required construction and right-of-way permits;**
7. **Install wheel stops in the customer parking lot and truck parking lot so vehicles do not roll into the grass or damage the fence;**
8. **This Special Use Permit will apply only to 451 South 14th Street. There cannot be any shared work, inventory, storage, or property access with another business or another property under this Special Use Permit;**
9. **No storage of warehousing of salvage or wrecked automobile parts on the property. Storage of salvage requires M-3 Heavy Industrial District zoning and a separate Special Use Permit for salvage;**
10. **If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator;**
11. **Keep the existing, old growth tree;**
12. **A six (6) foot tall opaque fence shall be installed and continuously maintained along west property lines to screen the property. This fence shall include masonry columns every 32 feet.**
13. **The following landscaping shall be installed per the Commercial Design Guidelines:**

- a) At least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.
14. 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;
15. 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;
16. 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;
17. All existing and future driveways must feature curb cuts that are constructed to UG standards;
18. 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;
19. 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;
20. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building.

Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;

21. 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;
22. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
23. 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;
24. 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;
25. 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,

26. 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
Business Plan
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Building Elevations
Site Photographs taken by Planning Staff on April 3, 2025

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **SP2025-022** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

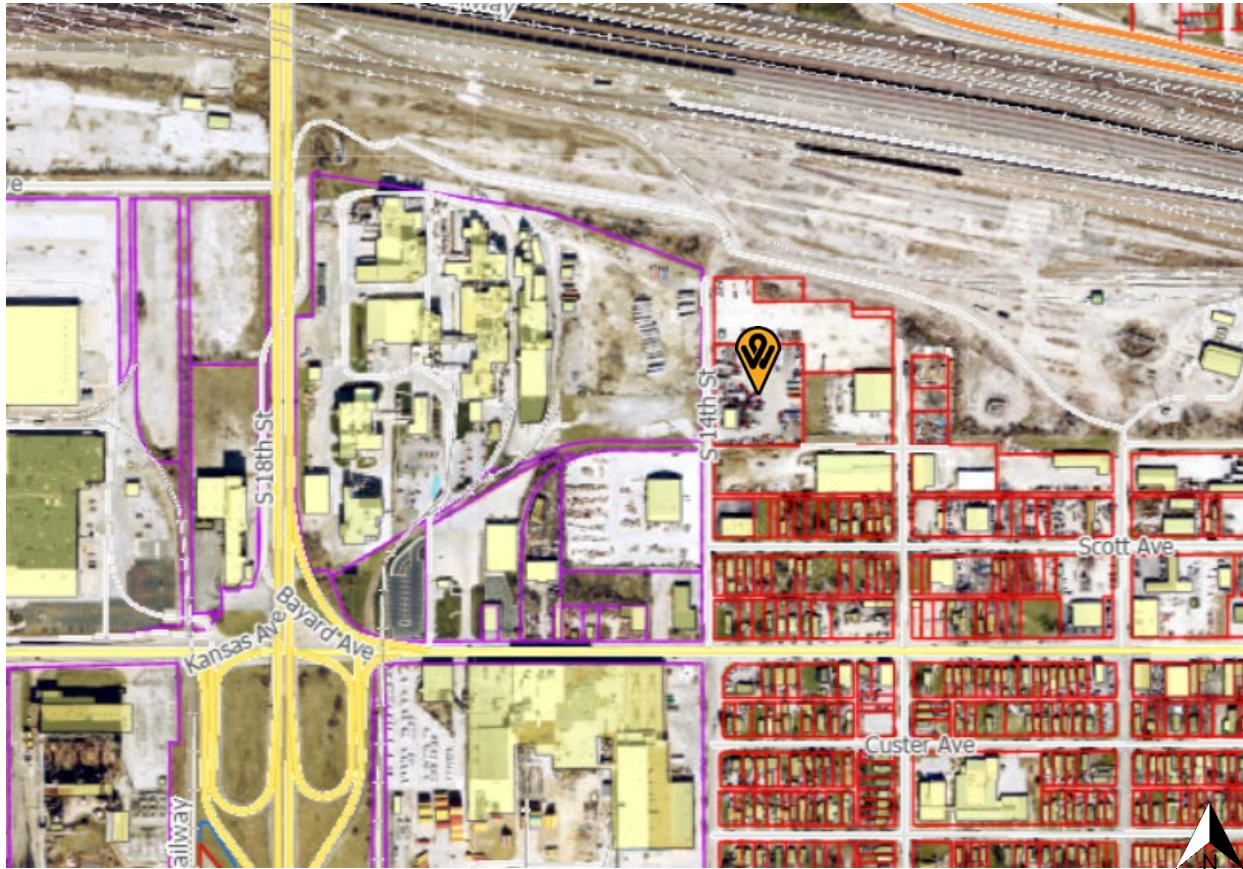
1. _____;
2. _____; And
3. _____.

OR

I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2025-022**, to the Unified Government Board of Commissioners 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

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ATTACHMENTS

HM SEMI TRUCK REPAIR BUSINESS PLAN

HM Semi Truck Repair plans to continue operation of light repair for semi trucks as the prior occupying business had done without causing any harm or disturbance to the neighborhood and the surrounding areas.

HM SEMI TRUCK REPAIR LLC

1. Customer parking for non service vehicles will be located on the south side of the building near the entrance.
2. elcreonitc and programming repair of semi trucks. no major engine or transmission work will be conducted. only electronic and programmable repair will be conducted at the premise.
3. yes, of that repair will consist of computer fault or electrical repair.
4. yes, parking spaces will be provided
5. yes, parking lot is striped and outlined
6. yes, we will comply
7. 2 tucks will be repaired at a time.
8. monday - friday 9am-6pm, saturday 9am-4pm
9. yes, we will comply
10. yes, we will comply
11. yes we will comply
12. yes, we will comply
13. yes we will comply

HM SEMI TRUCK REPAIR LLC
451 S 14 ST
KANSAS CITY, KS 66105
9136331603
HMSEMITRUCKREPAIR@GMAIL.COM

Application case number: SP2025-022

MEETING TIME: Monday April 28, 2025 at 5:00 pm at 451 S 14th st Kansas city, ks 66105.

MEETING MINUTES: Stayed from 4:00PM to 6:pm. No one showed up.

Meeting adjourned at 6:00 pm

Thank you,
Hasan Abdulateef
HM Semi Truck Repair LLC

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandott) SS:

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

1. That I am the petitioner for Petition # SP2025-022
2. That I conducted a neighborhood meeting on 04/28/2025.
3. The notice to nearby property owners was sent on 04/14/2025.
4. 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.

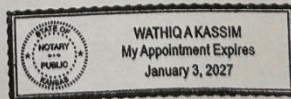
Further affiant saith not.

[Signature]
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28 day of April, 2025.

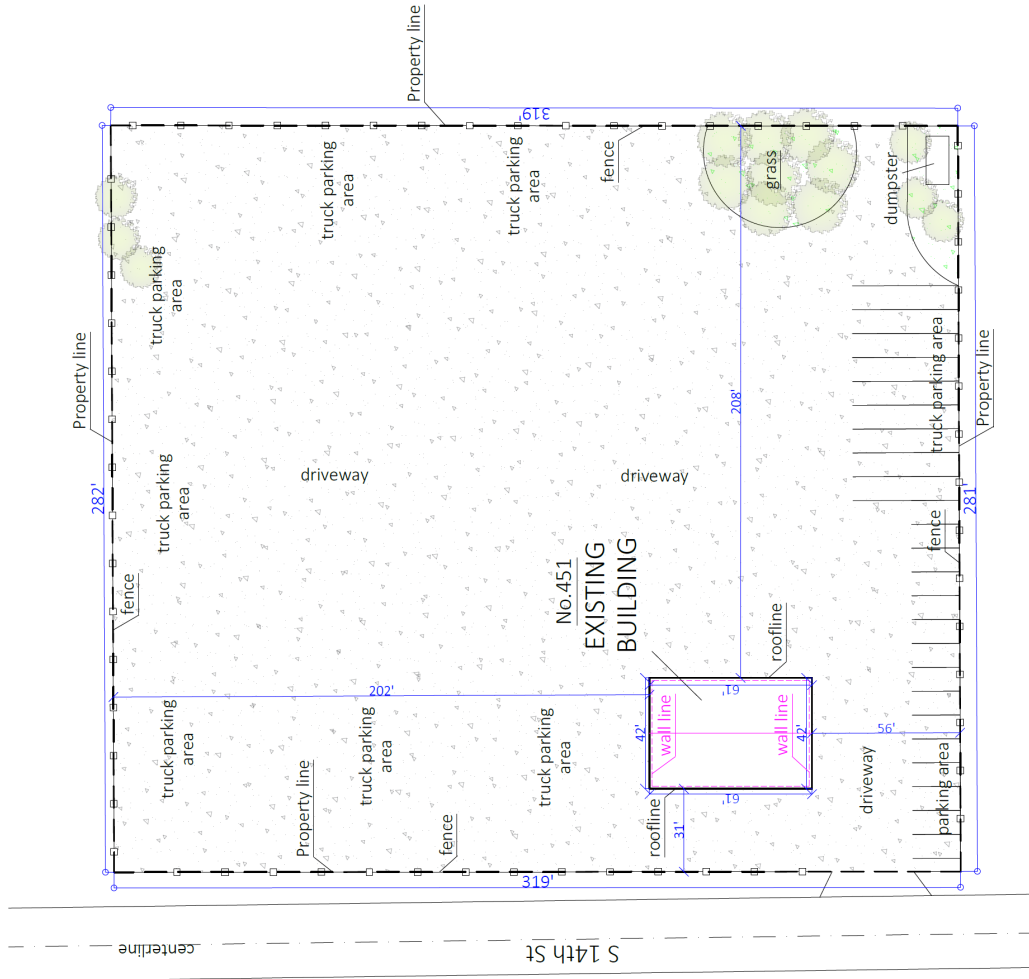
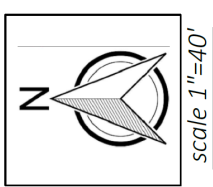
My commission expires 01 of 03, 2027.

[Signature]
Notary Public



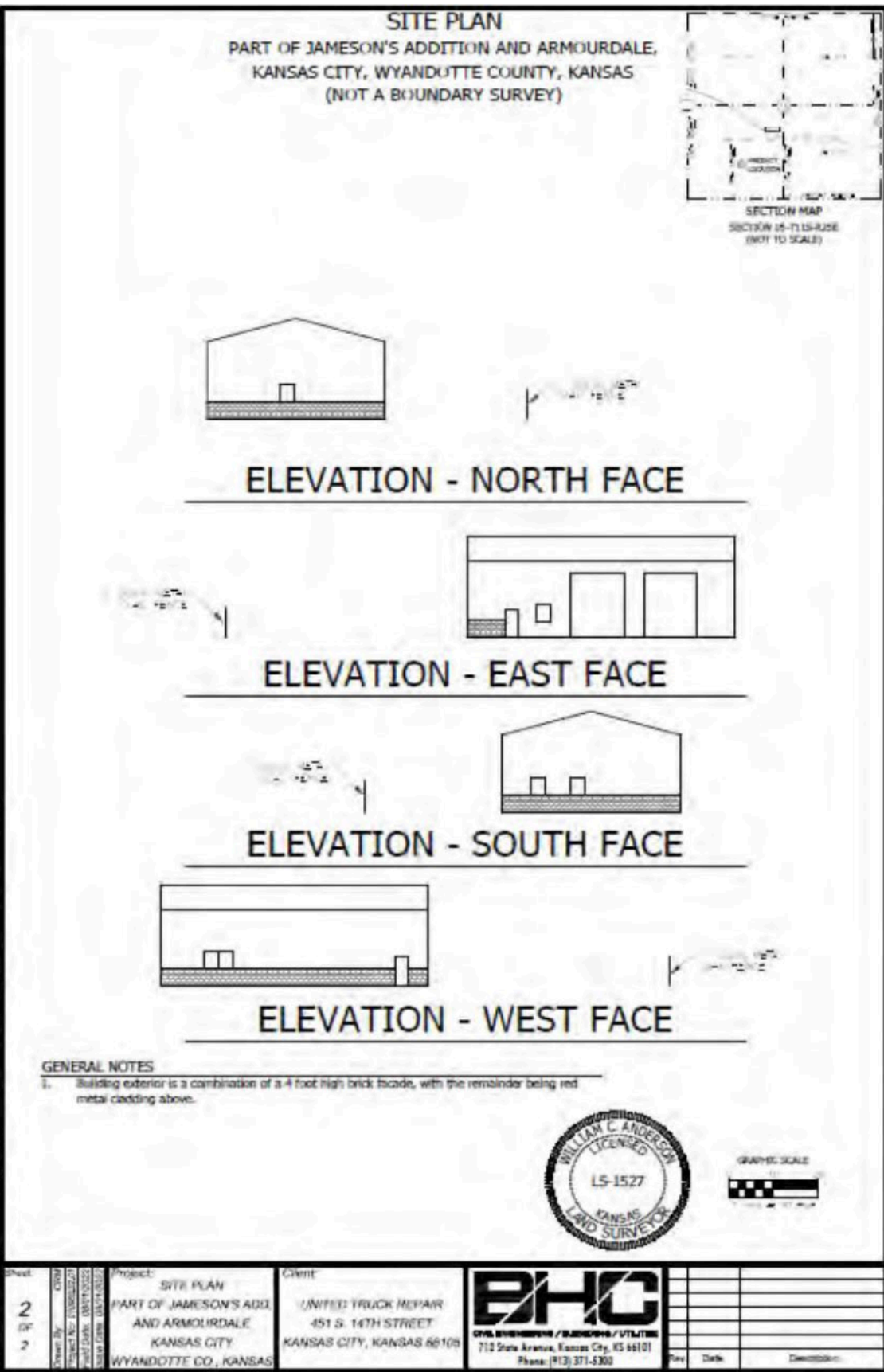
[Signature]

SITE PLAN
451 S 14th St
Kansas City, KS 66105
Parcel ID: 074202
Lot area: 2.07 Acres
Paper Size: 11"x17"



Disclaimer
 This is not a Legal Survey, nor is it intended to be or replace one.
 These measurements are approximate and are for informational purposes only.
 This work product represents only generalized location of features, objects or boundaries and does not constitute a legal survey or any authoritative for the precise location of any feature, object or boundary.

May 11, 2025 - 4:50pm - Printed By: User: jrp - File: SP25-022-11-11-25.dwg













Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Final Plat PLAT2025-004 (Crowe Estates Preliminary & Final Plat)

GENERAL INFORMATION

Applicant Information:

Austin Thompson
Representative, Surveyor
Atlas Land Consulting
14500 Parallel Parkway
Basehor, Kansas 66007

Subject Property:

11440 Leavenworth Road
Kansas City, Kansas 66109

Requested Action and Purpose:

Approval of a Preliminary and Final Plat of Crowe Estates.

Commission Districts:

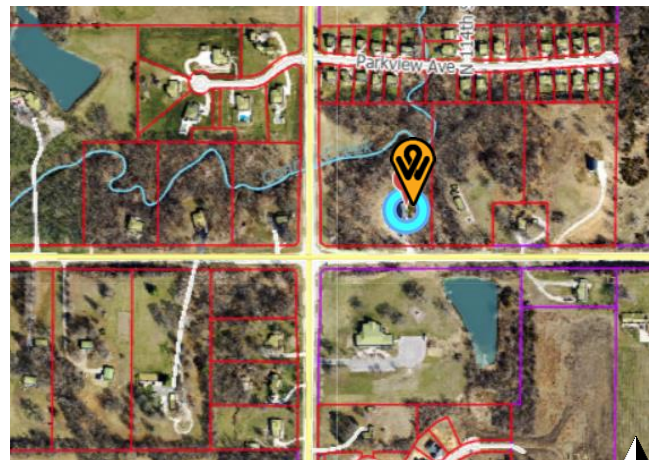
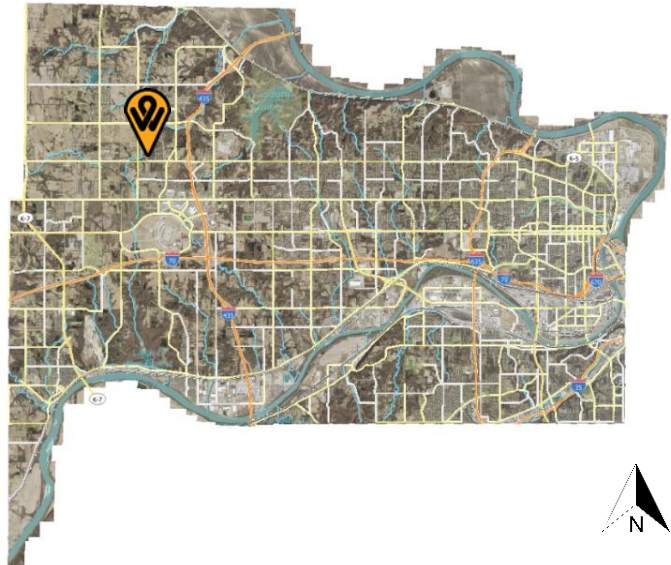
At-Large Commissioner, District #1:
Melissa Bynum
District #5 Commissioner:
Mike Kane

Existing Zoning District(s):

A-G Agriculture District

Plan Area:

Prairie Delaware Piper Area Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family Residential	Single-Family Residential Subdivision
South	A-G Agriculture District	Westside Family Church
East	A-G Agriculture District	Agricultural Homesteads
West	R-1 (WYCO) Single-Family District	Large-Lot (~3 acre) single-family homesteads

Total Tract Size: 6.78 Acres

Neighborhood Characteristics: The subject property is located within the Piper area directly off of Leavenworth Road. The neighborhood consists of a mix of large-lot single-family residences between one (1) and 15 acres, a winery, and a large church. Neighbors enjoy a mix of rural, agricultural, and residential activity. This stretch of Leavenworth Road is transitional between what is considered rural western Wyandotte and the rapidly expanding Piper area core. The street remains asphalt with one (1) lane in each direction, is densely wooded, and driveways are primarily gravel, although infrastructure has been built to accommodate the growing residential development on adjacent streets.

The Prairie Delaware Piper Area Plan designates the subject property as Suburban Residential which is designed to facilitate typical single-family detached residential units on what are typically referred to as quarter-acre lots. It is expected that this area would grow with suburban development to create an edge between the mixed-use village center and the high intensity activities around the Legends Area. This region has seen some development towards that land-use designation, although it is still transitional and has not accelerated at the rate the area plan has anticipated.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates Leavenworth Road as a Minor Arterial and the adjacent North 115th Street as a Major Collector.

Parking Requirement:

The lots are proposed to remain designated as A-G Agriculture District and per Section 27-452(e) require two (2) off-street parking. The existing residential property has two (2) off-street parking spaces and two (2) covered parking spaces, meeting this requirement. Any new residential construction on the newly-created parcel would be subject to these regulations during permit approval.

Landscaping Requirement:

Each property is required to have one (1) shade tree in the front or side yard per Section 27-700(a). The properties are heavily wooded on the frontage and side yards, meeting this requirement.

Advertisement:

The Wyandotte Echo – None Required
Letters to Property Owners – April 8, 2025

Public Hearing(s):

May 12, 2025

Public Support:

None to date.

Public Opposition:

Staff received one phone call in opposition, with desires to maintain landscape buffers.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Austin Thompson of Atlas Land Consulting, is requesting the Preliminary and Final Plat of Crowe Estates. The subject property is currently part of the Nesting Star subdivision as Lot 1 and is requesting to be split from Nesting Star to create the two (2) lot subdivision of Crowe Estates. The subject property has one single-family residence on the east.

This plat is being heard in conjunction with BOZA2025-011 for variances related to minimum required acreage for an A-G Agriculture District.

City Ordinance Requirements: Article XXI Sections 27-502 – 27-709, Article VII Sections 27-245-339, Article XI Section 27-215, 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 since its development.

Building, Zoning, or Code Enforcement Complaints:

1. 2021: ABT21-0797 – tall weeds and grass (closed).
2. 2020: 20225-05021 – tall weeds and grass (closed).
3. 2018: 18225-02644 – tall weeds and grass (closed).

Outstanding or Related Permit and Cases:

1. 2022: NSF22-0075 – New Single-Family Residence (completed).

Previous Planning Actions:

1. There are no previous planning actions associated with the subject property.

FACTORS TO BE CONSIDERED

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

The Prairie Delaware Piper Area Plan designates the subject property as Suburban Residential which is designed to facilitate typical single-family detached residential units on what are typically referred to as quarter-acre lots. It is expected that this area would grow with suburban development to create an edge between the mixed-use village center and the high intensity activities around the Legends Area. This area has seen some development towards that land-use designation, although it is still transitional and has not accelerated at the rate the area plan has anticipated. The subdivision of the property does create more density consistent with the aims of growth and development in the area, although the property is constrained by topographical features and further subdivision into smaller lots would be difficult to achieve.

2. 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 to the property.

d. Police

Police service is provided by West Patrol, District 226.

e. Fire

Fire service is provided by Station #12, which is 0.7 miles away from the subject property.

f. Transit

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

g. Schools

Public Education is provided by Piper Elementary School, Piper Middle School, and Piper High School, under Piper School District #203

h. Streets

The subject property is accessed off of Leavenworth Road and North 115th Street.

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

The proposed final plat is only partially in compliance with the zoning code, as they do not meet the minimum acreage requirements for the requested A-G Agricultural zoning designation, which is addressed in the corresponding Variance request.

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

The proposed subdivision is compatible in size, proportion, building size and architectural design as they are single-family detached homes in a rural and suburban transitional neighborhood.

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

The development has been designed with regard to the natural features of the land as it has a stream to the north end of the property and steep slopes and hillsides, making further subdivision difficult. The development is designed with regard to the social environment as it is a transitional suburban and rural neighborhood in which residential growth is expected although neighbors continue to value rural character.

6. Whether the subdivision will not cause an undue burden on the Unified Government for maintenance of land and/or facilities.

The proposed subdivision will not cause an undue burden on the Unified Government for maintenance of land or facilities. The proposed subdivision is designed to accommodate the existing sanitary sewer, utility, and drainage easements for future development into existing utility connections.

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

The proposed subdivision is a large-acre division for one (1) additional housing unit in an area in which growth is expected. Infrastructure and public services are already provided to accommodate the subdivision at the subject property as part of the denser surrounding subdivision development.

8. *The submitted final plat does not contain any significant changes from the previously approved Preliminary Plat.*

The subject property is currently part of the Nesting Star subdivision, and the approval of the proposed Preliminary and Final Plat does not contain any significant changes with the exception of the property's subdivision from Nesting Star Lot 1 into two (2) separate parcels. An additional drainage easement has been incorporated that was previously not included in the Nesting Star's recording. There are no proposed changes to any building, setback, or utility lines from prior development.

NEIGHBORHOOD MEETING INFORMATION

A neighborhood meeting is not required for a Preliminary or Final Plat. The applicant held a neighborhood meeting for the variance (BOZA2025-011) via Google Meet on March 24, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Building Line
Setbacks
Drainage Easement
Landscaping
Agricultural Use, Rural Open Space
Landscape Buffer

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. As Leavenworth Road is a Class B Minor Arterial designated throughfare and the adjacent North 115th Street as a Class C Major Collector, sidewalks are required to be installed along frontage per Section 27-288. Any sidewalk already existing

shall be repaired if damaged during construction.

Applicant Response: Applicant is requesting the Board of Zoning Appeals consider the approval of our request without the requirement to install 400 feet of sidewalk. Currently, no sidewalk facilities exist within several miles of the subject property. This sidewalk would serve only the two homes constructed directly adjacent to the sidewalk and would not promote pedestrian access or equality in any way. The requested sidewalk does not promote connectivity as there are no sidewalks within the vicinity for more than a mile in each direction. The construction of this sidewalk would pose a serious financial burden to the property owner. The owner is simply requesting to split an existing 7.5-acre tract of land into two equally sized properties. This request is not for a subdivision with several lots, which would necessitate the construction of sidewalks. Due to the topography and existing drainage patterns, further development of this property is incredibly unlikely.

2. The driveway apron and approach of the existing residence shall be upgraded from gravel to an improved surface of either asphalt or concrete per UG standards.

Applicant Response: The applicant will upgrade their driveway to an improved surface per UG standards.

3. Landscaping at the intersection of Leavenworth Road and North 115th street shall be maintained in the corner visibility triangle to increase visibility.

Applicant Response: Acknowledged.

4. Although not an official regulatory floodway or Special Flood Hazard Area, recent best available data on the Base Level Elevation (BLE) of Connor Creek may illustrate associated flood risk. A drainage easement has been incorporated as a risk mitigation measure for future flooding, however, it is recommended that structures on this property obtain flood insurance through the National Flood Insurance Program (NFIP). Visit <https://www.floodsmart.gov/get-insured> for more information.

Applicant response: Applicant will consider.

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

County Surveyor and Geospatial Comments:

1. See the Separately emailed memos for details.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the City Planning Commission make the findings contained within the staff report related to Factors to be Considered, and Key Issues and **APPROVE the Preliminary and Final Plat of Crowe Estates (PLAT2025-003)**, subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **This City Planning Commission case is being heard in conjunction with BOZA2025-011. 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 BOZA2025-011 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
2. **When the mylars are submitted to Staff to be recorded, submit the following fees:**
 - a. **\$32.00 per page payable to the Register of Deeds; and,**
 - b. **\$14.00 for two (2) lots payable to the Unified Treasurer;**
3. **If/when road improvements occur on Leavenworth Road between North 109th Terrace and 115th Street, a minimum six (6) foot sidewalk is constructed along the Leavenworth Road right-of-way;**
4. **A 50-foot setback is maintained by ordinance at the north of the property, however to address neighbor concerns to the north, an open space easement of 50 feet shall be recorded on the plat. This should remain a timber stand to visually screen the northern properties from any agricultural uses on the property;**
5. **Accessory structures are required to meet minimum setbacks from property lines;**
6. **Earthen fill in excess of 50 cubic yards requires a Special Use Permit under Section 27-593(b)(15)(a) unless otherwise tied to a building permit. The scope of any grading, excavation, or land disturbance must be specifically tied to the scope of the permit, and any grading or excavation outside of the permit scope shall be considered in violation;**
7. **The Connor Creek Waterway shall not be disturbed, graded, re-routed, redirected, or otherwise altered in any mannerism without review by Floodplain Administrator and Public Works;**
8. **The site-distance triangle must be maintained for intersection visibility and safety, including any fencing or landscaping that might otherwise be permitted;**
9. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
10. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**

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

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Base Flood Elevation Model
Neighborhood Meeting Information
Plat Exhibit
Staff Site Visit Photos Dated March 18, 2025
Summary of Opposition

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission
Preliminary and Final Plat	May 12, 2025

STAFF CONTACT: Kallie McLaughlin, Planner, Floodplain Administrator
kdmclaughlin@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **PLAT2025-004** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

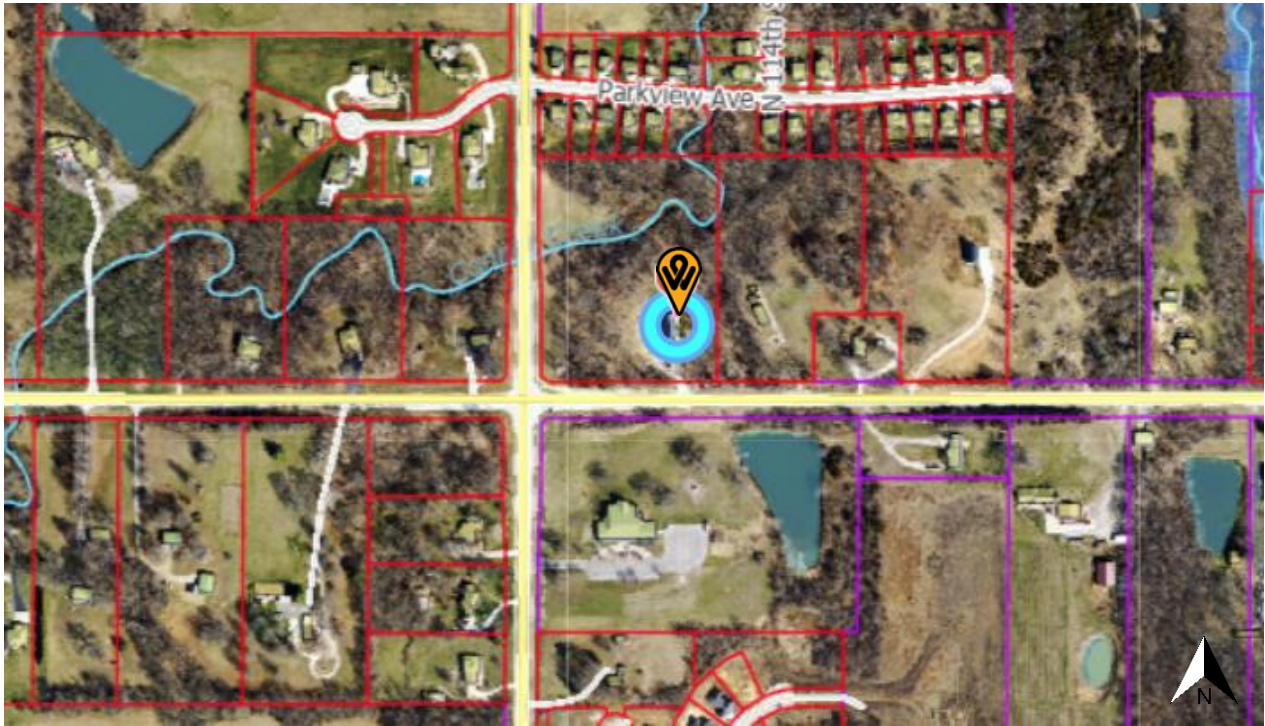
1. _____;
2. _____; And
3. _____.

OR

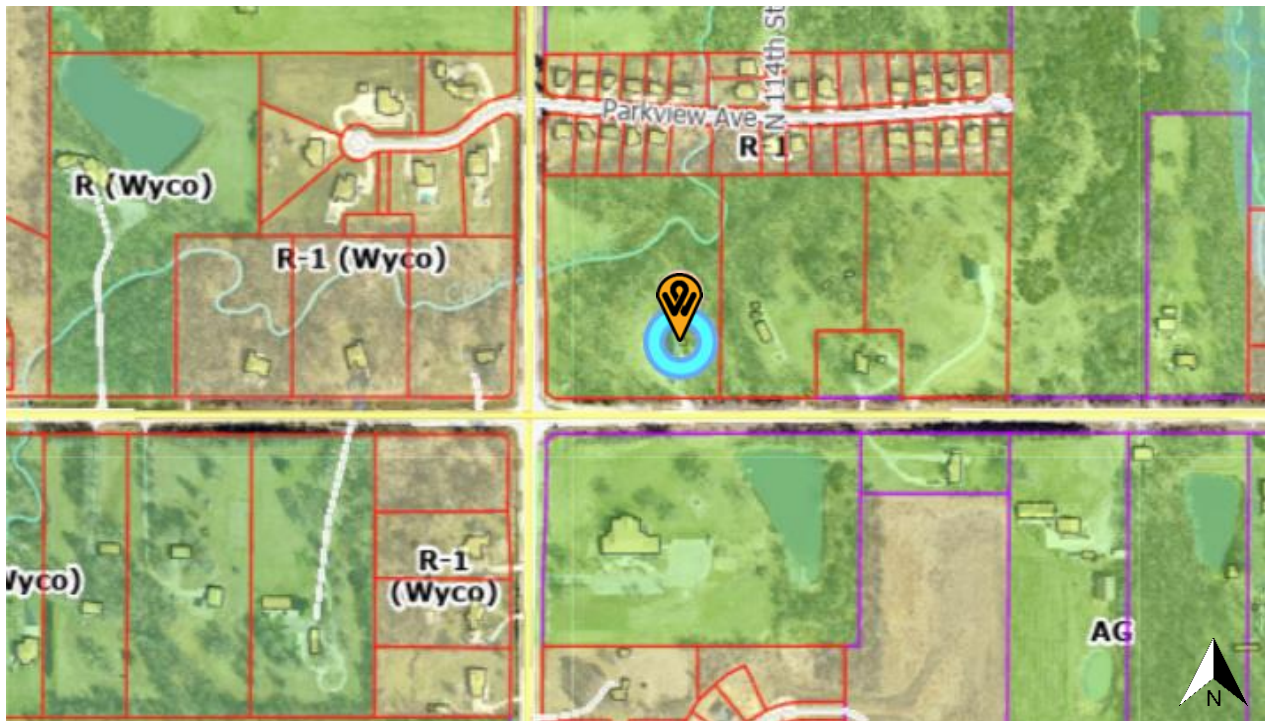
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **PLAT2025-004**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

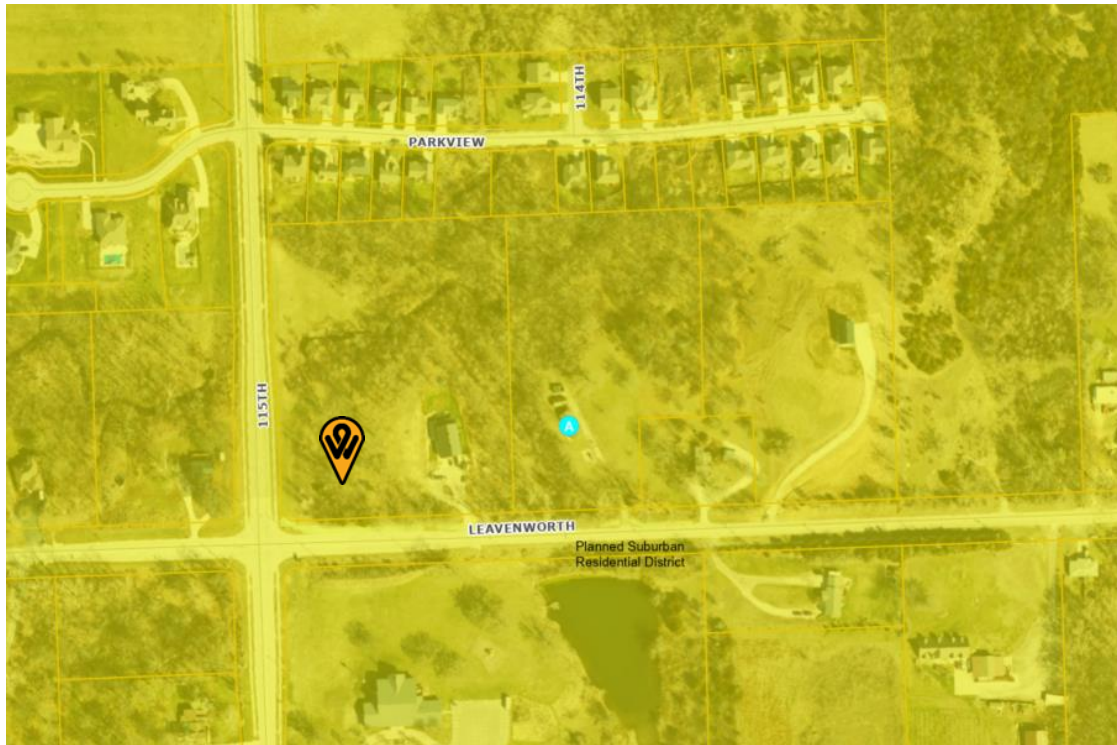
AERIAL IMAGERY



ZONING MAP

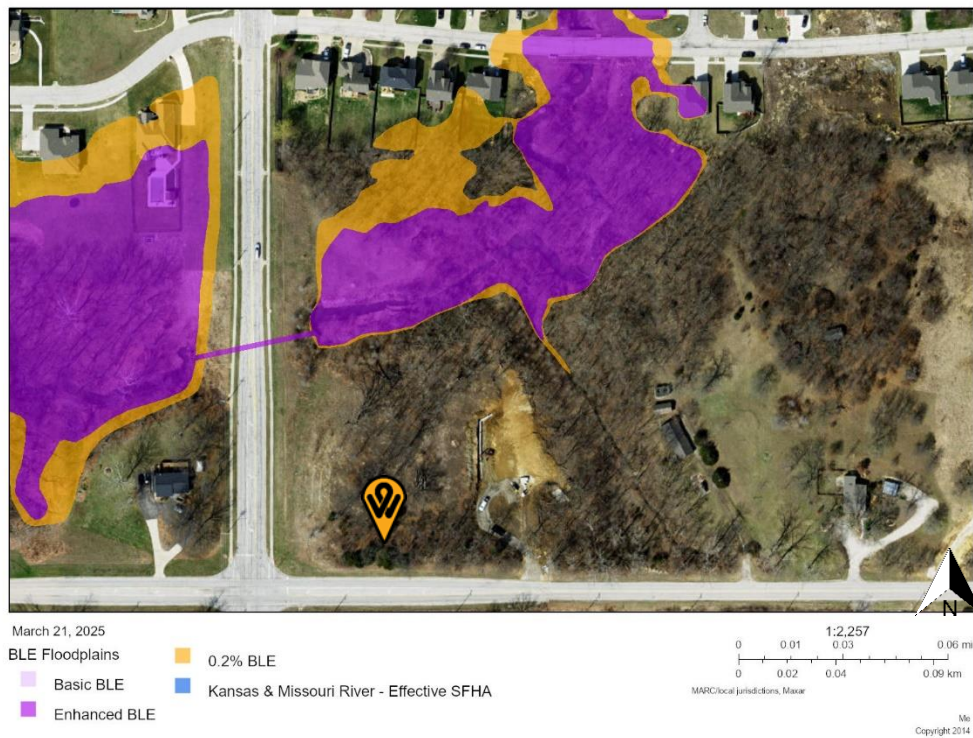


LAND USE MAP



BASE FLOOD ELEVATION MODEL

Viewer Map



NEIGHBORHOOD MEETING INFORMATION

March 7, 2025
Atlas Land Consulting
14500 Parallel Road Unit R
Basehor, KS 66007

We have filed an application with the Department of Urban Planning and Land Use

BOZA2025-011 and PLAT2025-004
11440 LEAVENWORTH RD KANSAS CITY, KS 66109

The purpose of this letter is to explain the request for a variance for the case at the address above.

The owner is requesting a variance to the minimum land area requirement of five-acres within the AG Zoning District in order to divide his property into two parcels. The proposed land division is included as an attachment to this letter. The meeting will occur virtually on Monday, March 24, 2025 @ 7:00PM. If you are unable to attend the meeting, you may send an email with your questions to krystal@alconsult-llc.com.

Krystal Voth invited you to a Google Meeting:

BOZA2025-011 11440 LEAVENWORTH RD KANSAS CITY, KS 66109

MARCH 24, 2025 7:00pm

Monday March 24 · 7:00 – 8:00pm

Time zone: America/Chicago

Google Meet joining info

Video call link: <https://meet.google.com/yya-trxp-pmx>

Or dial: (US) +1 573-401-1334 PIN: 370 044 504#

More phone numbers: <https://tel.meet/yya-trxp-pmx?pin=2447642349151>

I look forward to hearing from you, if you have any questions.

Please Contact:

Krystal Voth
krystal@alconsult-llc.com
(913)-702-8916
14500 Parallel Rd Unit R, Basehor, KS 66007

Sincerely,



NEIGHBORHOOD MEETING INFORMATION

Mar 24, 2025 | [Aaron Crowe Neighborhood Meeting](#) BOZA 2025-011

Attendees: Krystal Voth, Atlas Land Consulting
Jason Williams, Neighbor

Notes

- The meeting took place from 7:00PM until 7:50PM on Google Meet

Discussion Items

- Mr. Jason Williams attended the meeting from 7:00PM until 7:13PM. He had general questions about future development and asked if a "subdivision" would be developed. I explained that the applicant had requested a variance to maintain the ag zoning and showed the proposed subdivision.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Lavenworth) SS:

Comes now Krystal A. Voth, of lawful age, sound mind and upon his/her oath states as follows:

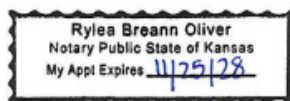
- That I am the petitioner for Petition # Bo 24 2025-011 + Pet 2025-004
- That I conducted a neighborhood meeting on March 24, 2025.
- The notice to nearby property owners was sent on March 7, 2025.
- Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Krystal A. Voth
Affiant

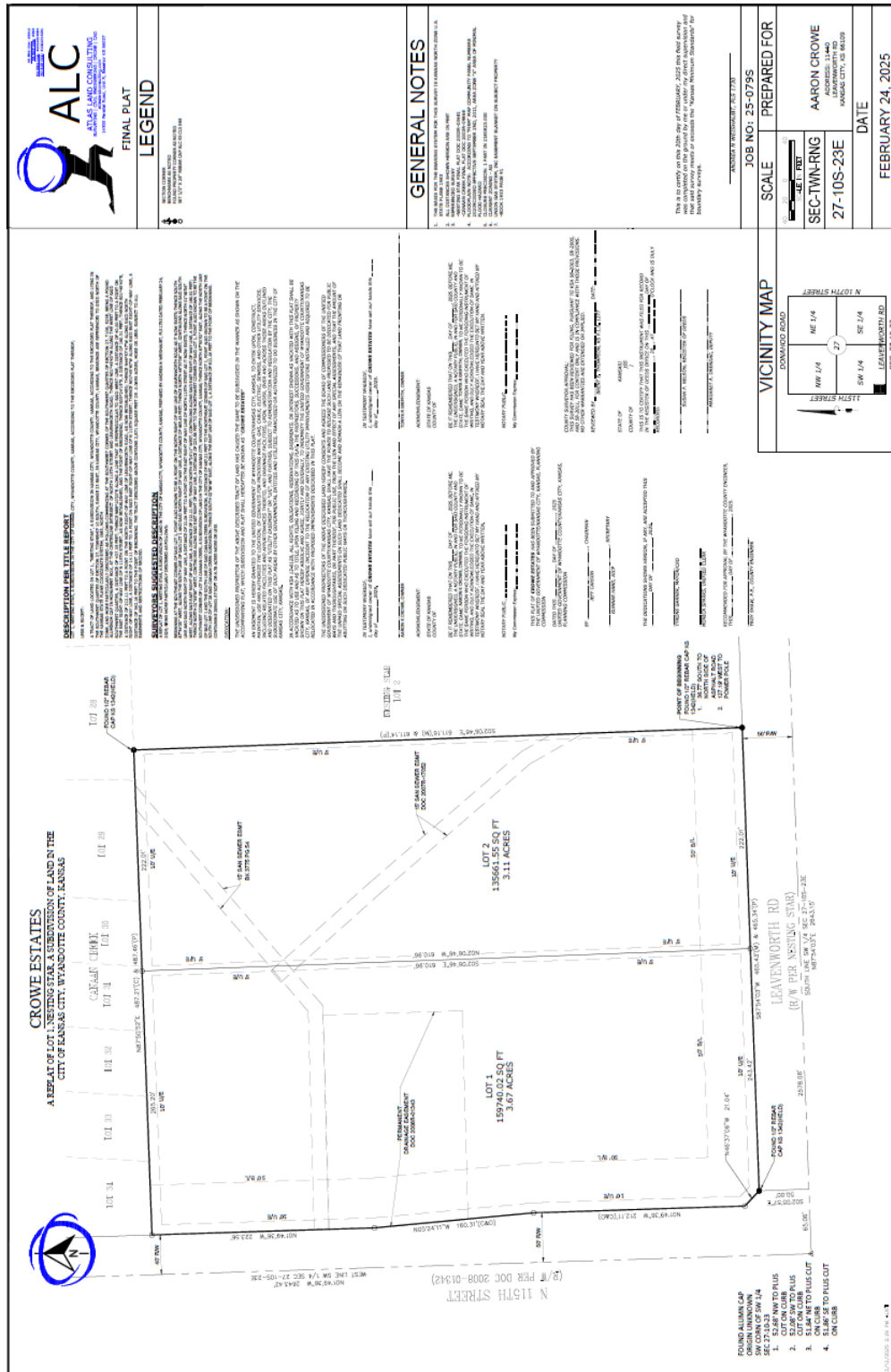
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25 day of March, 2025.

My commission expires 25 of November, 2028.



Rylea Oliver
Notary Public

Crowe Estates
Preliminary and Final Plat
PLAT2025-004



STAFF SITE VISIT PHOTOS DATED MARCH 18, 2025



STAFF SITE VISIT PHOTOS DATED MARCH 18, 2025



SUMMARY OF OPPOSITION

BOZA2025-011 comments



Hand, Gunnar
To McLaughlin, Kallie
Cc Morris, Rose

Kallie,

Please add the below input to the case file for BOZA2025-011 and the PLAT. The neighbor to the north was in opposition to the project because:

1. They want to protect the street as open space and a buffer to the agriculturally zoned property to the south;
2. They want an open space buffer along the southern edge of their subdivision (northern edge of the subject property) to protect them from agricultural uses; and,
3. They want clarification on what the project is proposed for. Is there a plan for livestock now or even without current land entitlements.

Thanks,

Gunnar Hand, AICP

Director of Planning + Urban Design

913.573.5750

ghand@wycokck.org



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Preliminary Plat – 13th & Parallel (PLAT2025-010)

GENERAL INFORMATION

Applicant Information:

Wil Anderson
Representative
BHC
712 State Avenue
Kansas City, Kansas 66101

Subject Property:

912 North 86th Street
Kansas City, Kansas 66112

Requested Action and Purpose:

Approve a Preliminary Plat to create
127 single-family residential lots.

Commission Districts:

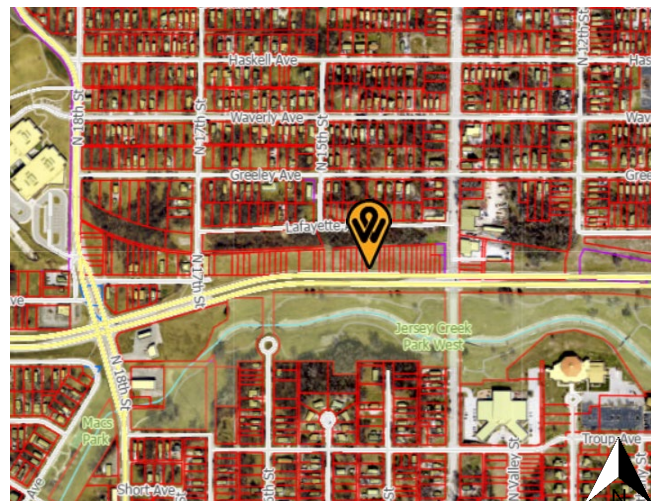
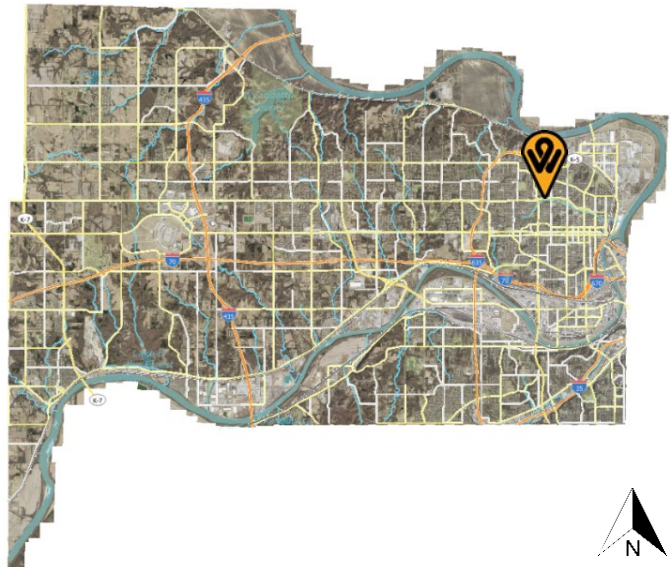
Commissioner At-Large, District #1:
Melissa Bynum
District #4 Commissioner:
Dr. Evelyn Hill

Existing Zoning District(s):

M-2 General Industrial District

Comprehensive Plan Area:

Northeast Area Plan



	Adjacent Zoning	Adjacent Uses
North	M-2 General Industrial District	Single-family home and vacant parcels
South	R-2 Two Family, C-1 Limited Business and C-3 Commercial Districts	Jersey Creek Park West
East	M-2 General Industrial District	Industrial buildings (Contractor's businesses)
West	M-2 General Industrial District	Single-family home and vacant parcels

Total Tract Size: 3.01 Acres

Neighborhood Characteristics: The subject properties are located within the Northeast Statistical Neighborhood, Organization for Community Neighborhood Group, Census Block Group 0407001. The neighborhood consists of vacant parcels, railroad right-of-way, single-family homes north of Lafayette Avenue on Greeley Avenue, 15th and 17th Streets, and Waverly Avenue. The properties are along Parallel Parkway, a primary east/west transit corridor in the city.

Comprehensive Plan Area: Northeast Area Plan

Comprehensive Plan Designation: The Northeast Area Plan designates the subject properties as Neighborhood Mixed Use, which allows mix of single family houses, apartment buildings, small commercial buildings, and mixed-use buildings.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Parallel Parkway as a Major Arterial, 13th Street as a Major Collector, and 17th Street and Lafayette Avenue as Local Streets.

Parking Requirement: Section 27-469(e) In no case, however, shall less than one space for each 500 square feet of building floor area be provided. For buildings larger than 20,000 square feet, only one space for each 1,000 square feet needs to be provided for increments between 20,000 and 50,000 square feet. Specific

parking ratios will depend on future uses of these parcels.

Landscaping Requirement:

Section 27-469(g) Trees are required to be provided at not less than one (1) per 10,000 square feet of site area. Six-foot (6') high architectural screening in combination with a buffer area is to be provided along side and rear property lines common to or across an alley from residentially zoned property. This will vary for each parcel and tract of land.

Advertisement:

The Wyandotte Echo – None Required
Letters to Property Owners – April 18, 2025

Public Hearing:

May 12, 2025

Public Support:

None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Wil Anderson with BHC, is requesting a Preliminary Plat for 13th & Parallel to consolidate multiple parcels and vacate railroad right-of-way to create six (6) developable parcels on 3.01 acres.

City Ordinance Requirements: Article XXI Sections 27-502 – 27-709, Article VII Sections 27-245-339, Article XI Section 27-215, 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 permits or cases on the subject property.

Previous Planning Actions:

13th & Parallel
Preliminary Plat
PLAT2025-010

May 12, 2025

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

FACTORS TO BE CONSIDERED

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

The Preliminary Plat is consistent with the Northeast Area Plan, however, sidewalks need to be constructed along North 17th Street and Lafayette Avenue to comply with the goDotte Countywide Strategic Mobility Plan.

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

- a. *Electric and Water Service***

Electric and water services are provided by BPU.

- b. *Sanitary Sewer Service***

Sanitary sewer service is provided by the Unified Government.

- c. *Storm Water Control***

To be designed to meet City Code.

- d. *Police***

Police service is provided by Midtown Patrol, District #113.

- e. *Fire***

Fire service is provided by Station #1, which is 1.9 miles away from the subject property.

- f. *Transit***

There is no public transit provided to or near the subject property. The closest transit stop is along the State Avenue transit corridor, approximately one (1) mile south, Route #101.

- g. *Schools***

Public Education is provided by Bertram Caruthers Elementary School, Northwest Middle School, and Washington High School, under Kansas City Kansas USD 500.

h. Streets

The subject property is accessed off of Parallel Parkway as a Major Arterial, 13th Street as a Major Collector, and 17th Street and Lafayette Avenue as Local Streets.

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

The Preliminary Plat is in compliance with the standards and requirements of the zoning ordinance, however, future land use entitlements are required for residential development because M-2 General Industrial District does not permit residential uses.

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

The subdivision as proposed is compatible in lot size with existing development on adjacent properties, primarily to the south bordering Parallel Parkway and across the street from Jersey Creek Park West.

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

The proposed subdivision will not have an adverse impact on the natural or social development. Redevelopment of these parcels will significantly enhance the Parallel Parkway corridor.

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

The subdivision will not cause an undue burden on the Unified Government for maintenance of facilities, as this will be infill development, reusing existing infrastructure. The Developer is responsible for installing all of the associated infrastructure related to this development.

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

The proposed subdivision does not necessarily encourage pre-mature extension of public services or premature development based upon the location of surrounding development and the availability of public services, specifically road infrastructure, sanitary and storm sewers because this project site is infill development in the urban core.

PREVIOUS ACTIONS

There have been no previous Planning Entitlements on the subject property.

KEY ISSUES

Subdivision Code
Overall Development

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. The initial submittal provides the existing conditions per Section 27-215(e)(7), however, the proposed development needs comply Section 27-215(e)(8).

Applicant Response: Understood.

2. For the Final Plat: Section 27-215h(4)a Final street, sanitary sewer, storm drainage and any other engineering plans shall be completely approved by the engineer prior to submitting the final plat to the Planning Commission. The Board of Public Utilities shall have indicated in writing prior to submission that any needed water main extension agreement or any electrical distribution agreement has been executed by the development and that underground wiring will be provided unless otherwise provided as set out herein.

Applicant Response: Understood.

3. For the Final Plat: Sec. 27-215(h)(2)c.13(iii) A final and complete set of protective covenants shall be submitted with the final plat and shall be recorded concurrently with the plat. No lot may be sold unless the covenants have been recorded. They may be included on the actual plat as appropriate. Such covenants shall have a life of not less than 50 years and shall contain: floor area requirements and a provision not allowing construction of a driveway with direct access onto a designated thoroughfare on a residential lot.

Applicant Response: Understood.

4. Provide a general site plan of the six (6) development sites.

Applicant Response: These will be provided as part of the Final Plat. There are four (4) different entities involved in the development, and they will be responsible for providing that information leading to the plat.

5. Maintain the natural grade and open space to the greatest extent possible. The open space tracts shall be dedicated as permanent open space in addition to their function as detention basins.

Applicant Response: Understood.

6. When the mylars are submitted to Staff to be recorded, submit the following fees:
 - a. \$32.00 per page payable to the Register of Deeds; and,
 - b. \$7.00 per lot payable to the Unified Treasurer.

Applicant Response: Understood.

7. Utility easements shall connect with easements established in adjoining properties.

Applicant Response: Understood.

8. Future land use entitlements are required to development these parcels, as M-2 General Industrial District prohibits residential uses.

Applicant Response: Understood.

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 City Planning Commission make the findings contained within the staff report related to Factors to be Considered, and Key Issues and **APPROVE 13th & Parallel Preliminary Plat (PLAT2025-010)**, subject to all comments and suggestions outlined in this staff report summarized by the following conditions:

1. **For the Final Plat: Section 27-215h(4)a Final street, sanitary sewer, storm drainage and any other engineering plans shall be completely approved by the engineer prior to submitting the final plat to the Planning Commission. The Board of Public Utilities shall have indicated in writing prior to**

submission that any needed water main extension agreement or any electrical distribution agreement has been executed by the development and that underground wiring will be provided unless otherwise provided as set out herein;

2. For the Final Plat: Sec. 27-215(h)(2)c.13(iii) A final and complete set of protective covenants shall be submitted with the final plat and shall be recorded concurrently with the plat. No lot may be sold unless the covenants have been recorded. They may be included on the actual plat as appropriate. Such covenants shall have a life of not less than 50 years and shall contain: floor area requirements and a provision not allowing construction of a driveway with direct access onto a designated thoroughfare on a residential lot;
3. Maintain the natural grade and open space to the greatest extent possible. The open space tracts shall be dedicated as permanent open space in addition to their function as detention basins;
4. When the mylars are submitted to Staff to be recorded, submit the following fees:
 - a. \$32.00 per page payable to the Register of Deeds; and,
 - b. \$7.00 per lot payable to the Unified Treasurer;
5. Utility easements shall connect with easements established in adjoining properties;
6. Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least 10 feet wide. The required ten-foot width may be provided through five (5) foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;
7. Future land use entitlements are required to develop these parcels, as M-2 General Industrial District prohibits residential uses;
8. All dwelling units within a new development must be provided with a basement or with a FEMA standard safe room constructed to standards for the protection of the occupants (FEMA Publication 320 or 361);
9. Section 27-286 Subdivision proposals shall be designed to assure that all such proposals are consistent with the need to minimize flood damage, that all Public Utilities and facilities, such as sewer, gas, electric electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage and that adequate drainage is provided so as to reduce exposure to flood hazards. Subdivision shall be designed in accordance with the standards established in Article XXII, Division V, Subdivision III of this Chapter;
10. Section 27-314 Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all trees that are segments of the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be no less than four (4) feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted right-of-way abutting the property line. Walks shall be installed in pedestrian easements as may be required by the Planning Commission;

11. Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;
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. 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;
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. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
17. Following the Final Plat and Final Plan Review, a Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Project Overview
Preliminary Plat

13th & Parallel
Preliminary Plat
PLAT2025-010

May 12, 2025

9

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission
Preliminary Plat	May 12, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **PLAT2025-010** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

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

OR

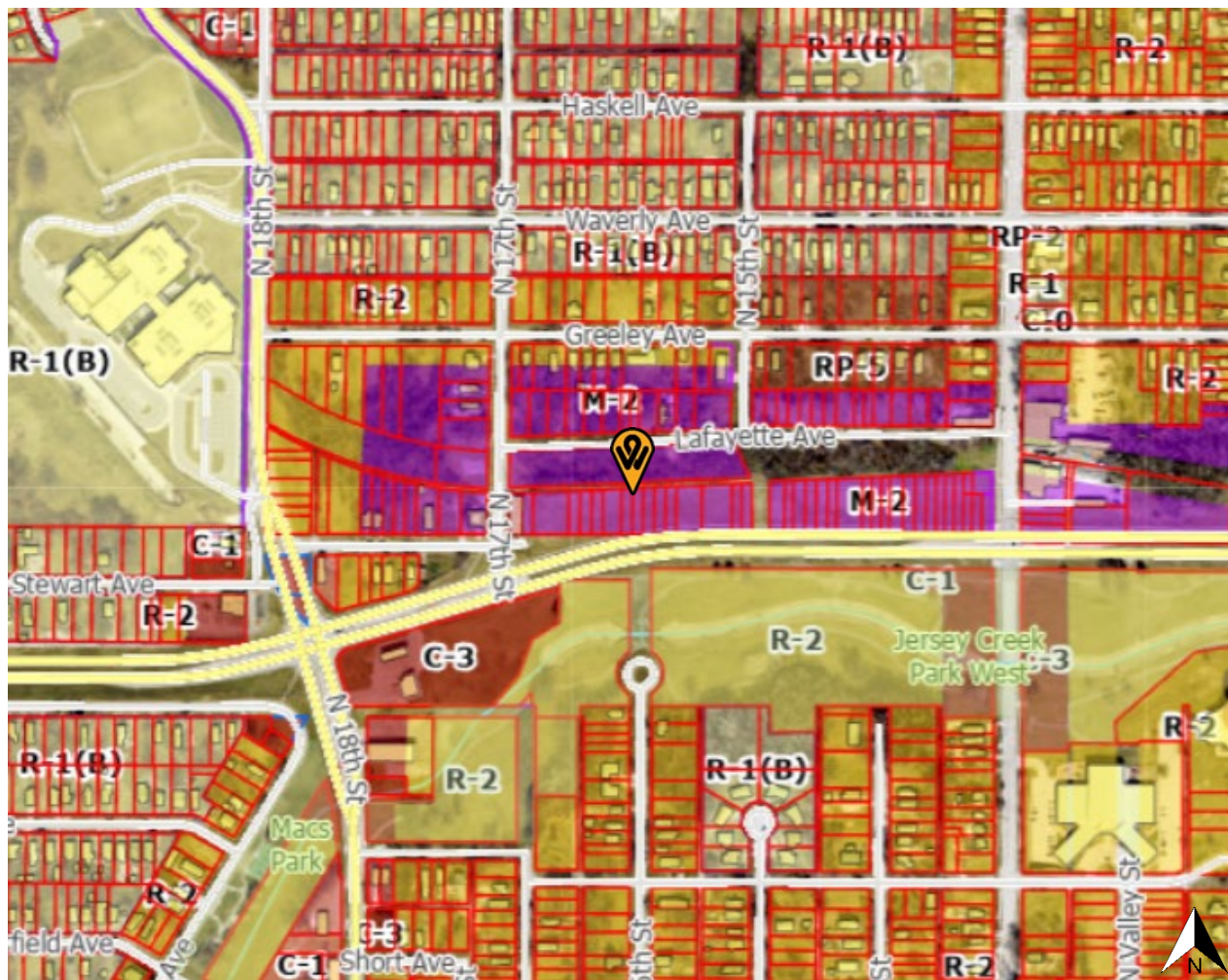
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **PLAT2025-010**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS

NE Development

03-27-2025

Project Overview

This plan outlines the proposed land use and infrastructure for a mixed use development featuring residential, healthcare, and financial use. The properties are adjacent to one another and may share common access points for efficient traffic flow and connectivity.

Key Components

1. NE Development (Single-Family Fourplexes)
 - Construction of multiple fourplex residential units
 - Designed for modern, high-density, single-family living.
 - Parking and green spaces allocations included.
2. LMK Multifamily Property
 - Multi-family residential buildings to accommodate growing housing demand.
 - Amenities may include communal spaces, parking, and landscaping.
 - Integration with adjacent residential and commercial areas.
3. Vibrant Health center
 - A healthcare facility providing essential medical services to the community.
 - Adequate parking, emergency vehicles access, and pedestrian-friendly pathways.
 - Potential collaboration with nearby residential units for community health services.
4. Community America Credit Union Bank (CACU)
 - A financial institution serving the local residential and businesses.
 - Drive-through access, walk-in banking, and secure parking facilities.
 - Integration with shared access points for ease of movement.

Shared Infrastructure & Access.

- Shared access to streamline traffic and minimize congestion.
- Pedestrian Pathway & Connectivity: Safe and accessible walkways between residential, healthcare, and commercial properties.
- Parking Considerations: Designated parking areas for Vibrant, LMK, CACU and NE Development.
- Utility & Drainage Planning: Coordinated infrastructure to support all developments.

Next Steps

- Individual entities to provide information to NE Development to prepare overall site plan.
- Prepare Traffic Study, including site access.
- Prepare Drainage Study for full development area.
- Entities to develop site plans for their property while ensuring cohesive integration.



To: Byron Toy, UG Planning Department/
CC: North East Development
From: Wil Anderson, VP Survey Group Director, BHC
Re: Response to Comments by Planning and Urban Design Staff – Preliminary Plat – 13th & Parallel (Plat2025-010)
Date: 2025-05-03

Planning and Urban Design Comments

Items 1, 2, 3. Understood.

Item 4. These will be provided as part of the Final Plat. There are 4 different Entities involved in the Development, and they will be responsible for providing the information leading to the Plat.

Items 5, 6, 7, 8 Understood.

Item 9 Believe this item is not connected to the PLAT2025-010.

Standard Conditions

Items 1 – 12 Understood. Development will comply with Standard Conditions.

Planning Engineering Comments

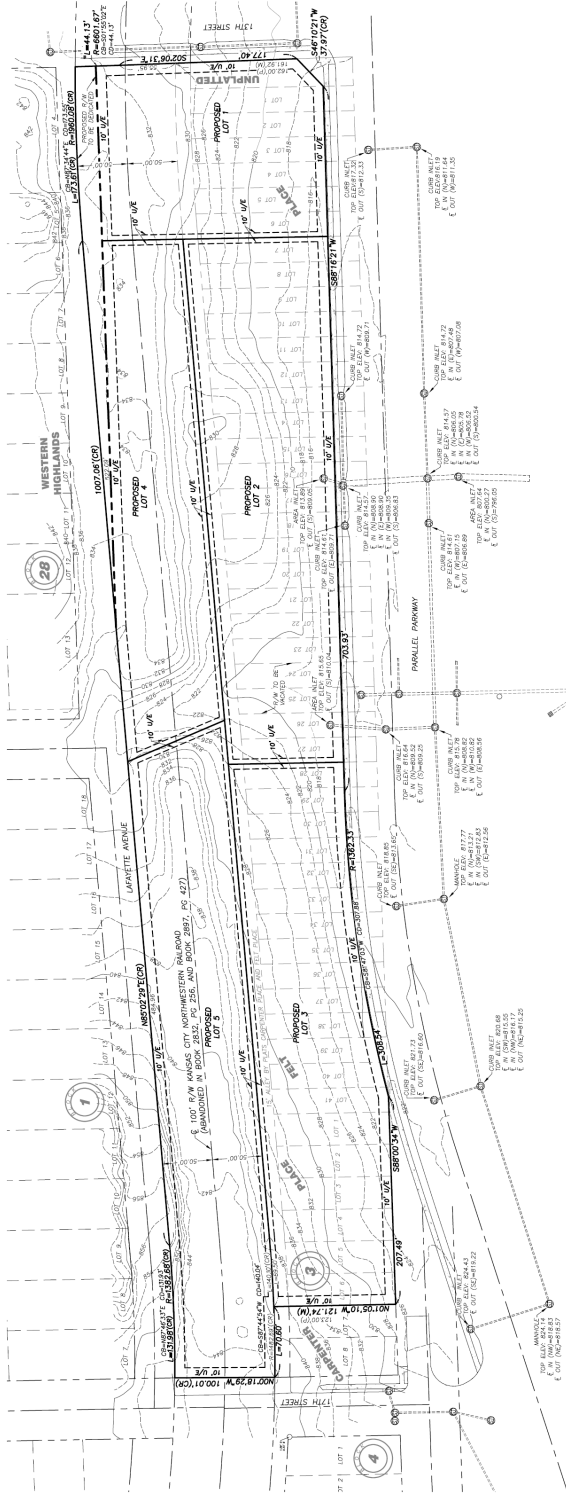
Items A, B, C. No responses required.

Wil Anderson, PS
VP Survey Group Director
BHC
c. 913 904 4743
email: Wil.Anderson@lbhc.com



PRELIMINARY EXHIBIT

ALL OF BLOCK 3, CARPENTER'S PLACE; AND ALL OF FELT'S PLACE,
AND PART OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 10 SOUTH, RANGE 25 EAST,
IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS



A graphic scale bar is shown, ranging from 0 to 50 cm. Below the scale bar is a horizontal arrow pointing to the right, with a small circle at its tail, indicating the direction of the force or movement.

PRELIMINARY EXHIBIT
ALL OF BLOCK 3, CARPENTER'S PLACE,
ALL OF FELT PLACE,
AND THE SW 1/4, T10S, R25E,
IN THE CITY OF KANSAS CITY, WYCO, KS

ABAY CONSTRUCTION
400 E RED BRIDGE RD, STE 215,
KANSAS CITY, MISSOURI 64131



ZHC
CIVIL ENGINEERING / SURVEYING / UTILITIES
12 State Avenue, Kansas City, KS 66101
Phone: (913) 371-5300
8811, a subsidiary of Zenger, Bennett & Company, P.A.

DRAFT

[illegible]



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: City Planning Commission

From: Planning and Urban Design Staff

Date: May 12, 2025

Re: Final Plan Petition PR2025-014

GENERAL INFORMATION

Applicant Information:

Kate Lynch
Representative
Atlantic-AE, LLC
1415 Pro Shop Court
Davenport, Florida 33896

Subject Property:

6925 Riverview Avenue
Kansas City, Kansas 66102

Request Action and Purpose:

Approval of a Final Development Plan for the addition of a drone delivery service launch facility to an existing Amazon distribution facility.

Commission Districts:

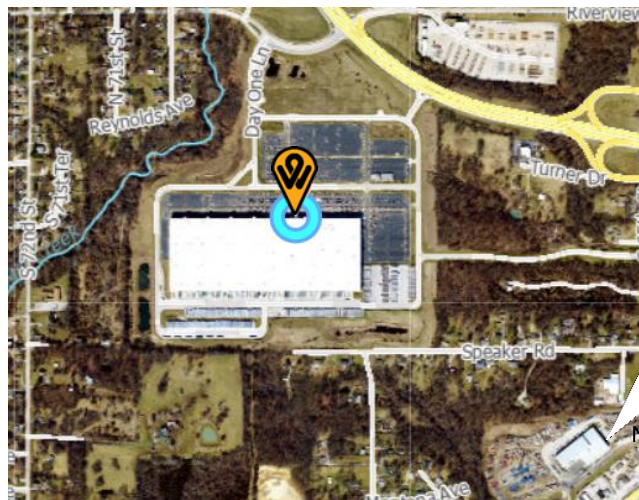
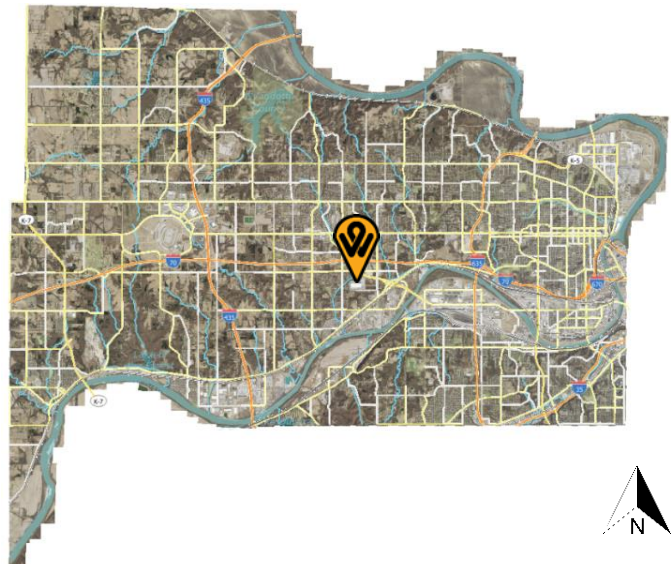
At-Large Commissioner, District #2:
Tom Burroughs
District #6 Commissioner:
Philip Lopez

Existing Zoning District(s):

MP-1 Planned Light Industrial and Industrial Park District

Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District and Right-of-Way	Single-Family Residences, Turner Diagonal
South	A-G Agriculture and R-1 Single Family Districts	Single-Family Residences, Agricultural Homestead
East	A-G Agriculture and R-1 Single Family District	Single-Family Residences, Agricultural Homestead
West	R-1 Single Family Districts	Large-Lot Single-Family Residence

Total Tract Size: 125.69 Acres

Neighborhood Characteristics: The subject property is located within the Muncie-Stony Point statistical neighborhood and is part of the Stony Point/Hunter's Glen Neighborhood Association. The neighborhood consists of a mix of single-family housing, large-lot single family residences and agricultural homesteads. With the exception of improvements made for Amazon and Turner Diagonal, streets are asphalt with minimal stormwater improvements. Lots have mature trees, large front yards, and varying degrees of street lighting.

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Industrial, which allows for small, medium, and large-scale industrial processing, manufacturing, and outdoor storage. These uses are often the most intensive uses characteristic of heavy truck traffic, excessive noise, and potentially noxious impacts. As such, industrial uses should be in or abutting existing industrial districts, but not encroach on existing residential or commercial areas that may act to buffer such residential uses.

Major Street Plan: The goDotte Mobility Plan designates Turner Diagonal as a Major Arterial street and the access road to the property, South 65th Street, is a Major Collector.

Parking Requirement: Per Section 27-468(e), uses in this district require parking at a ratio necessary to serve employees, visitors, customers, and others who may be on the premises. In no case, shall less than one (1) space for each 500

square feet of building floor area be provided. For buildings larger than 20,000 square feet, only one space for each 1,000 square feet needs to be provided for building increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet the parking required for increments over 50,000 square feet will be determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government board of commissioners shall make the final determination upon recommendation of the planning commission.

The subject property has a footprint of 856,605 square feet and a guard house of 160 square feet, for a total of 856,765 of building footprint. Total building area, including all mezzanines, the RSP level, and the guardhouse is 2,389,993 square feet. The building footprint was used for evaluation of parking rather than square footage, as negotiated by previous development agreements. Utilizing building footprint rather than total square footage, the subject property requires 70 parking spaces for the first 50,000 square feet of building footprint, with the remaining 806,765 square feet of building footprint to be determined by the Planning Commission.

The applicant originally provided 2,509 parking spaces, including 36 ADA spaces. This provided for a ratio of one (1) automobile parking space for every 331 square feet above 50,000 square feet of building footprint area.

At an unknown time, the parking lot was modified, as documented by a permit plan submitted for an additional proposed improvement. This modification revised the parking lot to 2,482 parking spaces, including 40 ADA spaces, and added 355 truck stall parking. This modified the original ratio to one (1) automobile parking space per every

336 square feet of building footprint, not including semitruck parking, for square footage above 50,000 square feet of building footprint area.

The proposed development requires a reduction in parking. Parking has been reduced by 26 automobile parking spaces. No ADA parking spaces appear to have been eliminated. This further modifies the parking ratio to 2,456 total parking spaces for automobile use for a ratio of one (1) automobile parking space for every 329 square feet of building footprint area. This is a reduction of 53 automobile parking spaces from the original proposal of 2,509 and staff does not believe that this is a significant reduction in parking.

An additional proposed parking lot revision is displayed in applicant documents and does significantly reduce parking, however that is outside the scope of this project and is subject to further evaluation should it proceed.

Landscaping Requirement:

Landscaping was determined during the previous planning entitlements. The proposed use includes the removal of six (6) trees within the parking islands, which must be relocated on-site. Any other damaged, dead, or otherwise unhealthy trees on the property, including those harmed during construction of this project, will be replaced as a condition of approval at the end of this report.

Advertisement:

The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearing(s):

May 12, 2025

Public Support:

None to date.

Public Opposition:

The adjacent property owner has expressed concern about the presence of UAS over their livestock.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Kate Lynch with Atlantic-AE, is requesting a Final Plan Review for a drone or unmanned aircraft system (UAS) delivery launch pad facility at Amazon MKC6 Distribution Center at 6925 Riverview Avenue.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VI Section 27-212, 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. 2018: 18206-00078 – Fallen and Dead Trees in Neighbors' Yard (closed)

Outstanding or Related Permit and Cases:

1. 2025: DRC25-0020 – Drone Pad Facility – In Review.
2. 2024: SITE24-0012 – Parking Lot Modification for Expanded Semi-Truck Parking (on hold/paused).
3. 2024: GRD24-0137 – Land Disturbance Permit for SITE24-0012.
4. 2024: ELE24-1136 – *Electrical Permit – Switchgear Repair/Breaker Replacement (Issued – Open)*.
5. 2023: COM23-0027 – *Security Door/Bathroom Renovation (issued, open, expired)*.
6. 2023: ELE23-0315 – *Bathroom electrical renovation (issued, open, expired)*.
7. 2021: ELE21-1113 – Power Supply to Relocated Conveyors (issued, completed).
8. 2020: 20300-00546 – Conveyor re-location (completed).
9. 2020: 20380-00461 – Conveyor Power shut-down (completed).
10. 2020: 20385-00106 – Computer Room Cooling System (completed).
11. 2020: 20380-01054 – Install 400 AMP Power Feeder for Computer Cooler Room (completed).
12. 2020: 20300-00120 – 200 Ft Conveyor Re-route (completed).
13. 2018: 18391-00007 – Dumbwaiter Elevator Certificate (completed).
14. 2017: 17391-00004 – Elevator Certificate (completed).
15. 2017: 17300-00604 – *Racking Installation (open – disapproved)*.
16. 2017: 17380-00497 – Electrical per DRC 16300-00384 (open).
17. 2017: 17385-00282 – Mechanical per DRC 16300-00384 (open).
18. 2017: 17380-00058 – Electrical for Conveyor per DRC 16300-00384 (completed).
19. 2017: 17300-00066 – Conveyor Platforms per DRC 16300-00384 (completed).
20. 2016: 16365-00041 – Deferred Fire Protection Permit (open/completed).
21. 2016: 16380-00153 – Fire Alarm & Low Voltage per DRC 16300-00384.

22. 2016: 16380-01103 – Temp Power to Job Trailer per DRC 16300-00384 (issued/closed).
23. 2016: 16380-00968 – Temp Power to Additional Job Trailer per DRC 16300-00384 (issued/closed).
24. 2016: 16300-00384 – New Amazon Distribution Center – landscape bond not completed.
25. 2015: 15300-00392 – Grading for New Amazon Distribution Center (rolled into DRC).

Previous Planning Actions:

1. 2017: PR-2017-34 – Final Plan Review to Revise Retaining Wall.
2. 2017: SIGN 2017-108, 109, 110 – Sign Permits.
3. 2016: PR-2017-7 – Final Plan Review for Street Connection from Amazon Distribution Facility to Turner Diagonal Trafficway.
4. 2016: BOZA 2211 – Variance for Landscape Screening in lieu of Architectural Screening.
5. 2016: PR-2016-12 – Final Development Plan and Final Plat for Amazon Distribution Facility.
6. 2016: MP-2016-2 - Master Plan Amendment (in conjunction with COZ 3109).
7. 2016: Preliminary Plat (in conjunction with COZ 3109).
8. 2016: PR-2016-10 – Preliminary Plan Review (in conjunction with COZ 3109).
9. 2016: COZ 3109 – Change of Zone from R-1 to MP-1 on remaining Turner Commerce Center for new Amazon Distribution Facility.
10. 2016: BOZA 2200 – Variance to allow for 75 degree angled parking spaces for New Amazon Distribution Center.
11. 2015: COZ 3092 – Change of Zone from R-1 to MP-1 for Turner Commerce Center (3 lots).
12. 2015: MP-2015-3 – Master Plan Amendment from Low-Density Residential to Light Industrial for Turner Commerce Center (3 lots).

FACTORS TO BE CONSIDERED

1. The site is capable of accommodating the buildings, parking areas and drives with appropriate open space.

The site is 125 acres, which affords enough space for the proposed development to provide adequate parking, required setbacks, and required landscaping and buffers as per the Code of Ordinances. This plan includes a slight reduction in parking, but it is not considered significant enough by staff to be detrimental to general operations. The building, drive aisles, and open space are already established as this is an addition to an existing built-out industrial site.

2. *The plan provides for safe and easy ingress, egress and internal traffic circulation.*

The proposed use provides adequate site access, as it is situated at the edge of the already existing parking lot.

3. *The plan is consistent with good land planning and site engineering design principles, particularly with respect to safety.*

The proposed plan is not wholly consistent with good site engineering design principles, as it does provide adequate space for vehicles to navigate the site safely however it is unclear how pedestrians will access the pad site without being subjected to traffic interference. There are plans to modify the existing parking to the south and include increased pedestrian accessibility and that is outside the scope of this report. The applicant should detail how pedestrians will safely access the drone launch site from the building, such as a crosswalk striping path.

4. *The architectural designs are consistent with unified government policies and regulations, compatible with surrounding features, and overall character of the neighborhood.*

The proposed plan is generally consistent with Unified Government regulations for new industrial development in an industrially zoned district, however the aesthetics of the shipping container-style and modular buildings are inconsistent with the design of the current site and surrounding neighborhood. The property is situated in a neighborhood where surrounding uses are primarily suburban residential and rural in character and as such, the aesthetics of the existing site were carefully designed and negotiated in previous development plans. Modular buildings and shipping containers, even if affixed to a permanent foundation, are composed of materials and design more typical of a more intense industrial neighborhood such as the Fairfax or Armourdale districts. The proposed architectural designs are inconsistent with the current site, surrounding features, and overall character of the neighborhood.

5. *The degree of conformance of the proposed use to the Master Plan, Major Street Plan, Sidewalk & Trails Master Plan, and other adopted planning policies.*

The proposed use conforms to the PlanKCK Comprehensive Plan, which designates the property as Industrial, which allows for small, medium, and large-scale industrial processing, manufacturing, and outdoor storage. The proposed use is an accessory to a distribution fulfillment center, which complies with the current land-use category.

6. *Right-of-way, as determined by the public works department, has been identified for dedication.*

Public right-of-way is not provided by the Unified Government, however, a private access road from South 65th Street is a privately maintained, publicly accessible roadway, which serves the subject property, as dedicated previously in the Turner Commerce Center Plat.

7. *Amenities or conditions to be gained by the community are of an equal or higher quality than those required of nonplanned development.*

This is not applicable, as the proposed development is occurring within an already established planned zoning district and there would be no additional amenities created.

8. *Planned zoning is not being used as a refuge from the requirements of these regulations as to the intensity of land use, amount of open space, or other established development criteria.*

This is not applicable, as the proposed development is occurring within an already established planned zoning district and there is no change of zone being sought with the use as proposed.

9. *The submitted final plan does not contain any significant changes from the previously approved Preliminary Plan.*

The submitted final plan contains some differences in regard to the number of parking spaces and the aesthetics of the accessory use, as the aesthetics of the proposed use do not match the aesthetics of the main building. The main building has a business park campus aesthetic, while the proposed buildings are metal and industrial in nature and out of neighborhood character. Otherwise, the submitted final plan is similar to the previously approved preliminary and final development plans approved by the City Planning Commission.

KEY ISSUES

Drones
Unmanned Aircraft Systems (UAS)
FAA Compliance
Privacy
Industrial Uses
Design Compatibility
Neighborhood Character
Open-Air Venues
Landscaping
Parking
Lighting

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments (Site Design Related):

1. Although technically allowed by ordinance as permanent structures, Staff believes the use of shipping containers and modular buildings, even if affixed to a permanent foundation, are inconsistent with the business park aesthetic agreed upon during prior development plans. Staff believes the aesthetics of the building are inconsistent with neighborhood character or expectations for a facility of this nature situated in a neighborhood primarily comprised of suburban residential, rural residential, or agricultural uses.

Applicant Response: MKC6 is the only commercial / industrial structure located within this development. While technically allowed by ordinance as permanent structures, the modular structures would be situated in the southeast portion of the site behind fencing with mess to obstruct visibility from the roadside. In addition, no residential or business properties look onto this portion of the MKC6 site from the road east of the site.

Staff Response: Two (2) large-acre lots have the propensity to see this development should landscape buffers dissipate. Staff does not believe mesh or fabric fencing covers are aesthetically pleasing relative to alternative methods.

2. A pedestrian access route is sketched on the cover page, however it is not officially designed on site plans. Please provide a plan showing the crosswalk route from the building to the launch pad facility. This should be independent of the expansion of the truck parking to the south, which is not fully approved and outside of the scope of this review.

Applicant Response: An updated path has been designed for access to the main facility, calling out for a future path at the expanded truck parking.

3. Please provide in-color elevations of the facility buildings. Include the screening of mechanical equipment and the proposed towers or antennas.

Applicant Response: Elevations have been provided. Please see the revised set of documents.

4. Provide a line-of-site section diagram to demonstrate the visibility of the towers, antennae, and the building addition from adjacent properties, including the approximate elevations of the adjacent residences to the east.

Applicant Response: Line of site diagrams have been provided. Please see the revised set of documents. The antennas are affixed to the parapet of the existing

facility, are less than 10' in height, and less than 2" in diameter. No towers are associated with this project. Cut sheet specifications of the antennas have also been provided.

5. The Lithium-Ion BattCash building does not have a listed building occupancy class. Should this be identified by the Fire Department as requiring a H (Hazmat) Building Occupancy Classification during building permit review, follow-up Special Use Permit may be required.

Applicant Response: On sheet A-001, the BattCash is listed as S-1, unoccupied. This designation draws from the IFC 1207.4.12 Walk-in Units, stating that walk-in units are not for general occupancy. Access is only provided for trained staff to retrieve and replace batteries or provide maintenance and repair.

Staff Note: The prior set of plans does not list the BattCash occupancy, but rather left it blank. The S-1 occupancy must be accepted by the Fire Department during DRC Permit Review to avoid returning for a Special Use Permit.

6. Modular buildings must be installed on a permanent foundation.

Applicant Response: Please see structural sheet S101 calling out permanent foundations.

7. Any HVAC or utility equipment, including equipment to maintain temperature on the Battery Storage facilities, must be fully screened from view. This includes but is not limited to: transformers, power pull boxes, meters, security boxes, telecom, fire alarms, etc. and other similar apparatus, equipment, and devices installed on the newly proposed building or any existing facility.

Applicant Response: The fence that fully surrounds the project will have a 95% privacy fabric screening.

8. More details are needed on the antenna such as its aesthetics, height, and appearance. Please provide additional information about the antenna.

Applicant Response: Please see provided cut sheets on antennas.

9. Locking apparatus on gates or cages may require revision per Fire Department requirements.

Applicant Response: A Knox box will be provided at man gates and coordinated with the Fire Department.

Staff Response: This method must be approved by the Fire Department during DRC Permit Review or plan changes may result.

10. Please provide a landscape site plan showing the additional screening of utilities at the main building, addition of two (2) trees at the relocated parking island, and installation of missing landscaping.

Applicant Response: An updated landscape plan, L100, has been provided. Please see the revised set of documents.

11. Provide more details on the L2 lighting fixtures a photovoltaic plan indicating the footcandles of the additional fixtures, including if they will be visible to adjacent residential properties to the east at times where landscaping will be dormant.

Applicant Response: A photometric plan has been provided. Please see the revised set of documents. The lights will not be seen by the residential properties to the east.

12. This does not appear to be a full set of plans. Please provide the full set of plans for staff review.

Applicant Response: Updated set provided. Please see the revised set of documents.

Planning and Urban Design Comments (Operations Related):

1. Please provide more information about the antenna towers and their methods of communication, including type of frequency, and if they utilize any shared frequency with any other method of communication (i.e., cell phone, radio, or emergency frequencies).

Applicant Response: Once the site is established, Prime Air will designate a frequency for the drone operations that will connect the site with the MK30 drone fleet. Prime Air will issue an Amazon Prime Air Pilot Reference Card to the jurisdiction and emergency responding entities that will include the airspace allowed for delivery, site address, frequency the drones utilize, site leader's contact information, and drone characteristics.

2. Amazon has indicated that they have a "BVLOS" system to detect obstacles in the airspace. What is the failure rate of this detection system?

Applicant Response: Prime Air has not experienced a failure of the Beyond Visual Line of Sight (BVLOS) system.

3. Drones shown in the College Station, TX media release appear to exceed six (6) feet in height. What are the sizes of the drones at this proposed location?

Applicant Response: The information noted in this question is incorrect. The MK30 drone, which is used in College Station, is 4 feet 11 inches wide and 5 feet 6 inches tall.

Staff Response: While the photo in the media release may have caused a misperception in the height of the drone at College Station, TX, the question as to what the height of the drone proposed to be in use here in Kansas City, Kansas region has not been adequately addressed.

4. What is the weight of the proposed drone model to be flown here?

Applicant Response: The MK30 drone weighs 83 pounds.

5. At what height will the drones fly while delivering packages, and what height will they fly when they return? Include minimum and maximum heights, both vertical and horizontal, in these measurements for each trip type.

Applicant Response: The MK30's outbound and inbound flights will range from 200 feet AGL to 400 feet AGL. Final flight elevations for commercial operations will be reviewed and approved by the Federal Aviation Administration (FAA).

6. Will any hazardous materials (aerosols, batteries, acids, etc.) be included in items for drone delivery?

Applicant Response: Prime Air has Federal Aviation Administration (FAA) approval to carry items that FAA defines as dangerous goods (https://www.faa.gov/hazmat/what_is_hazmat). This may include items containing lithium-ion batteries, such as mobile phones, and other products.

7. Will the drones be flying at night or during any times of low visibility, which may require the use of lights or similar illuminated guidance?

Applicant Response: The FAA has approved the MK30 drone to fly during civil-twilight hours, which are defined as thirty minutes before sunrise and thirty minutes after sunset. The drone is equipped with navigational lights for identification.

8. What is the rate of package theft pertaining to drone delivery as opposed to traditional door-delivery or locker methods?

Applicant Response: Information Not Available.

9. Does the BattCash Battery Container only house batteries? Or are they also charging stations?

Applicant Response: The BattCash is a unit for the charging and storage of batteries for the MK30 drone.

10. Previous drone models show a speed of up to 65 mph. What is the speed of the drones currently proposed to be in usage at this facility?

Applicant Response: The MK30 flies between 55 and 60 miles per hour.

11. Can drones detect non-stationary objects, such as birds or bats, while in flight?

Applicant Response: Yes, the MK30 drone is equipped with detect and avoid technology and a perception system that allows it to detect objects, humans, and animals, and take evasive maneuvers to avoid them.

12. What is the terminal velocity of the proposed drone models, and what is their impact radius should an accident occur, such as a drone failure at maximum height?

Applicant Response: During the design of the Mk30, we made purposeful design decisions to mitigate this risk and ensure continued safe flight and landing, even when experiencing a failure of this nature. If the drone detects a potential problem with the battery, or any other critical system, the drone automatically commands a contingency. Depending on the nature of the problem, the contingency maneuvers are either 1) return to base or 2) a safe contingent landing at a safe spot nearby. The MK30 features a fully redundant flight critical system to ensure safe continued flight and automated contingency management to enable continued safe flight even with component failures. To date, Prime Air has not experienced any commercial incidents while conducting customer deliveries.

13. What is the maximum decibel rating of the drones?

Applicant Response: Prime Air conducted a third-party sound study on April 9th and 10th, 2025 in Tolleson, Arizona, where customer drone delivery is currently available from our QAZ2 fulfillment center. The decibel level at the Prime Air Drone Delivery Center(PADDC) during departure is 65.0 decibels(dBa) and arrival is 67.6 dBa. If you are standing 500 feet away from the PADDC, the departure is 54.7 dBa and the arrival is 52.8 dBa.

In addition to conducting a sound study at the PADDC, Prime Air also conducted a sound study at a residence receiving a customer order via drone delivery. During the home delivery experience, a sound study was done sampling the delivery occurring in the backyard, which measured at 68.4 dBa. We also

conducted a study from the perspective of someone standing in the front yard while a delivery was occurring in the backyard, which measured 60.6 dBa.

Staff Note: For comparison, a traditional vacuum cleaner is approximately 50-75 decibels (dBa).

14. Are the drones controlled locally, remotely, or both?

Applicant Response: The MK30 drone is an autonomous drone that will be monitored locally by drone operators based at the MKC6 site. Operators will have the ability to monitor all drone flights and intervene if necessary to return the drone to MKC6 or conduct a safe landing.

15. How are prohibited locations programmed into flight and landing routes?

Applicant Response: Amazon will work with the Federal Aviation Administration's Flight Standards District Offices (FSDOs) to introduce, review, and finalize the airspace where Prime Air is allowed to operate. As background, FSDOs are local field offices for the FAA responsible for aviation safety, certification, and enforcement. Our airspace teams will work with the FAA and the community to ensure our operations serve customers while integrating seamlessly into the existing airspace. This includes identifying locations, such as hospitals, as we already have, and implementing a no-fly zone over a hospital that operates a helipad. In addition, Prime Air will comply with any state laws regarding areas of operations where drone activity is not allowed such as energy production sites, intermodal rail facilities, or other assets prescribed in law. Within the 7.5 mile delivery range of the drone from the MKC6 site, there will be locations where Prime Air will not deliver based on feedback from the FAA.

16. Do the drones record, transmit, or otherwise gather information and data for any information during its operation? Staff is more specifically referring to any consumer data, such as addressing, aerial photos or video, or other information, including of persons or property that are not directly involved with operating the drone or receiving the package delivery?

Applicant Response: No. Our drones use cameras and other sensors to navigate, sense and avoid obstacles, and safely deliver packages. The cameras record flight imagery when the drone is flying to and from the delivery location and may record overhead videos of people and things near the delivery location when completing the delivery process. Our team members may use these videos to troubleshoot delivery problems to the delivery location and to develop and improve Amazon's drone delivery.

Residents not wanting to participate in Prime Air can opt out of drone delivery service by contacting Customer Service through our [Contact Us](#) page. In addition, customers can have their address blurred if their neighbor is receiving

Prime Air deliveries.

Planning and Urban Design Comments (Other Ordinance Compliance):

1. If approved, additional licensure may be required to operate in Bonner Springs, Edwardsville, or otherwise outside of the boundaries of Wyandotte County, even if the drones have capability of reaching these destinations.

Applicant Response: Please specify what licensures are required by Bonner Springs, Edwardsville, or other jurisdictions outside of Wyandotte County.

Staff Response: You need to contact the City of Bonner Springs and the City of Edwardsville directly.

2. Per State Statute KAR 115-8-13, drones are not allowed to operate on land owned or operated by the Kansas Department of Wildlife and Parks without prior written approval of the Secretary of the KDWP.
 - a. If there is an order placed for delivery at a prohibited location, how will this be enforced?

Applicant Response: Prime Air drones do not land at customer addresses when conducting deliveries. The Prime Air drones will only land at MKC6.

Before authorizing actual flight operations for commercial package delivery, FAA uses a deliberate and prescribed process to issue operating specifications (OpSpecs) that specify the terms and conditions for local operations. Because the operations authorized by OpSpecs may have local effects (e.g., by establishing drone types, operating area boundaries, locations of drone ports, number of flights authorized per day, and operating times), and because FAA's issuance of OpSpecs is generally considered to be a major federal action, FAA adheres to the National Environmental Policy Act (NEPA) review process. This means, for an Environmental Assessment (EA) supporting issuance of OpSpecs, FAA will:

- *Conduct public outreach through media, public engagement sessions, and public briefings/meetings.*
- *Consider local concerns and positions expressed by local governments, businesses, and residents.*
- *Publish and distribute the draft EA for public comment. FAA is required by law to consider those comments in preparing the final EA.*
- *If the local approval is approved by Wyandotte County, Amazon anticipates the public comment period for the EA will occur in June and July 2025.*

Residents, businesses, organizations, and governmental agencies can provide feedback to the FAA regarding their operations and any airspace prohibitions or environmental impacts that need to be addressed or incorporated into Prime Air's airspace operations.

3. The FAA has restricted airspace access heights based primarily upon proximity of Wheeler Airport. Has Amazon obtained authorization to fly within these airspaces?

Applicant Response: Prime Air has commenced discussions with the FAA, but has not secured final airspace approvals as we opted to begin with the land use process through Wyandotte County. Following local approval, Prime Air will proceed with the FAA airspace review and approval as well as the environmental assessment. This is expected to occur in June and July 2025.

4. Kansas University restricts drone usage on campus, particularly as it is a medically-sensitive campus and the presence of drones could be considered a violation of the realistic expectation of privacy. Please contact Kansas University to obtain authorization or further details about their agreements with the FAA. (Re: K.S.A. 60-31a01)

Applicant Response: Prime Air will engage Kansas University regarding this inquiry during our airspace review and approval process with the FAA. Kansas University will also be able to respond to the FAA during the public comment period of the environmental impact assessment.

5. Per Section 22-129(c), referencing Section 22-129(b), the following questions or comments arise:
 - a. Re, Subsection (b)(2): How will the drones be monitored to avoid open-air event venues where 100+ individuals are gathered (sports events, concerts, graduations, schools, swimming pools, water parks, etc.)

Applicant Response: Prime Air will only conduct customer deliveries between MKC6 and residential or business customer addresses.

- b. Re, Subsection (b)(3): How will the drones monitor flight paths over property in areas where the property owner explicitly retracts consent for a reason, assuming they do not impair reasonable use of the UAS in a mannerism that may be preempted?

Applicant Response: Prime Air will not conduct deliveries where customers have opted-out of drone delivery. Any other airspace matters would require the property owner to engage the FAA directly, as airspace is regulated by this federal agency.

Staff Response: While Staff understands that drone deliveries will not happen where customers opt-out this does not mitigate the travel path of the drone between deliveries. Staff recognizes that the FAA prohibits imposing restrictions on most private property, there is some space for prohibition in areas where it would directly interfere with the enjoyment or use of private property. Staff does

also not believe the burden of mitigation or appeal to the FAA for these uses should be left to navigate to these adjacent landowners or residences, who may find themselves not in a position to do so. The decision to operate drones in a way that has the potential to interfere with the quiet enjoyment or use of adjacent property is at the request of the applicant and the applicant alone, and for this reason, staff is making the recommendation that Amazon facilitate a notification period to adjacent property owners for these owners to review their claims with the FAA prior to operation. Amazon should look to work with adjacent property owners to facilitate the process of reviewing their claims with the FAA prior to operation, rather than post-operation and at their own ability to navigate the FAA system.

6. The county contains a significant amount of critical infrastructure or facilities where UAS restrictions may be prohibited or further restricted in a mannerism that may not be preempted, such as water treatment facilities, oil refineries, chemical facilities, railroad facilities, amusement parks, energy production, power transmission and distribution facilities, and similar facilities described by United States Code 5195c(e) and as such these areas may be restricted from certain UAS operations, such as photography, video, or other acts surveillance. Are these areas defined and demarcated for restricting such activity in these areas?

Applicant Response: Amazon will work with the Federal Aviation Administration's Flight Standards District Offices (FSDOs) to introduce, review, and finalize the airspace where Prime Air is allowed to operate. As background, FSDOs are local field offices for the FAA responsible for aviation safety, certification, and enforcement. Our airspace teams will work with the FAA and the community to ensure our operations serve customers while integrating seamlessly into the existing airspace. This includes identifying locations, such as hospitals, as we already have, and implementing a no-fly zone over a hospital that operates a helipad. In addition, Prime Air will comply with any state laws regarding areas of operations where drone activity is not allowed such as energy production sites, intermodal rail facilities, or other assets prescribed in law.

7. Will Amazon users be de-facto authorizing the use of drones/UAS in the delivery of packages by maintaining their account and placing an order through via an account holder's Terms of Service Update? If so, has this update already happened?

Applicant Response: Amazon customers have access to information on Amazon.com related to [About Amazon Drone Delivery](#), [Placing an Order with Amazon Drone Delivery](#), [Drone Delivery Frequently Asked Questions](#), [Drone Privacy](#), [Drone Delivery Area Confirmation](#), [Drone Delivery Aerial Imagery](#), and [Consent for Drone Delivery](#).

Planning and Urban Design Comments (Generally):

1. If approved, additional licensure may be required to operate in Bonner Springs, Edwardsville, or outside of the boundaries of Wyandotte County, even if the drones have capability of reaching these destinations. Additional approvals from other jurisdictions may be required prior to operating in those areas.

Applicant Response: Please specify what licensures are required by Bonner Springs, Edwardsville, or other jurisdictions outside of Wyandotte County.

Staff Response: It is on the applicant to verify that they are approved under every jurisdiction they are capable of operating out of and what those local jurisdictional requirements are.

2. A number of building permits remain outstanding. What is the status of these permits and why are they incomplete?

Applicant Response: Amazon is reviewing the following permits based on the direction of staff. Additional information can be found below:

2024: ELE24-1136 – Electrical Permit – Switchgear Repair/Breaker Replacement (Issued – Open).

Applicant Response: Breaker installation has been completed, but items within full scope of work are still outstanding.

2023: COM22-0027 – Security Door/Bathroom Renovation (Issued, Open, Expired).

Applicant Response: Permit Expired.

2023: ELE23-0315 – Bathroom Electrical Renovation (Issued, Open, Expired).

Applicant Response: Permit Expired.

2017: 17300-00604 – Racking Installation (Open – Disapproved).

Applicant Response: We believe the jurisdiction did not approve this action based on staff comments.

2016: 16300-00384 – New Amazon Distribution Center – Landscape Bond Not Completed.

Applicant Response: Is this matter related to the 2016 BOZA 2211 – Variance for Landscaping Screening in lieu of Architectural Screening?

Staff Response: Many of these permits are outstanding, expired, or incomplete due to lack of contractor completion, however the work has commenced. Amazon has not adequately verified or insured that these permits have been fully completed to the extent that is required of by building inspection or other related department. Expired permits are often indicative of work began and is otherwise incomplete. Landscaping/screening obligations left unfulfilled or incomplete directly affect adjacent property owners and conflict with prior conditions of approval.

3. What is the plan for notifying the general public that an increase in drones/UAS will now be seen in public airspace to prevent encumbering local law enforcement?

Applicant Response: As noted above in Question #2 of Planning and Urban Design Comments, the general public will be made aware of commercial drone operations during the environmental impact assessment that will be conducted by the FAA.

In addition, Prime Air will share with local law enforcement and first responder agencies an Amazon Prime Air Pilot Reference Card. This card will include the airspace service area, site address of MKC6, frequency of the drone operations, site leader contact information, and characteristics of the drone.

In the event law enforcement needs to activate a drone for emergency responses, Prime Air can be contacted to cease operations as to not interfere during a first responder event.

Prime Air was previously instructed to pursue a Special Use Permit by the Department of Planning and Urban Design. As such, Prime Air sent 61 mailers to neighbors located nearby MKC6 and hosted an in-person neighborhood meeting on March 26th from 4:00 PM to 7:00 PM at Kansas City Kansas Community College – Thomas Burke Technical Education Center located at 6565 State Avenue Kansas City, KS 66102. Neighbors attended and Prime Air provided a presentation on Prime Air operations from MKC6.

Staff Response: Staff concurs that under the prior entitlement, a neighborhood meeting was held, however it is only by statutory requirement that property owners or stakeholders within 200' were notified. Amazon proposes to operate an approximately 7.5 mile-radius of drone coverage, in which it is not likely to provide adequate notification. A notification plan is required as part of a condition of approval of this plan review.

4. The adjacent property owner has expressed that the presence of UAS over their livestock is interpreted by the livestock as a sky predator (i.e., vultures, etc.) and

presents that UAS over their agricultural operation is a substantial interference with their actual use and enjoyment of the property. The adjacent property owner referenced prior conversations in 2015-2016 in which Amazon representatives informed them that UAS would not be a part of the operations at that location. As the presence of UAS is resurfacing, the property owner has asked that Amazon restrict UAS operation over their property and is not in support unless this condition is agreed upon.

Applicant Response: Amazon cannot confirm conversations that occurred with the unspecified landowner or user in 2015 or 2016. Please provide the property address of the unspecified landowner. The property owner can participate and provide comments during a local public hearing and/or submit a comment during the FAA's environmental impact assessment public comment period.

For any matters related to UAS operation or activity in the airspace, the property owner would need to contact the FAA.

Staff Response: Staff will privately disclose the neighbor's information to Amazon representatives, however the process for an appeal is unclear. It is possible that if Amazon begins operation prior to the opt-out process that there could be some loss until that appeal to the FAA is completed or decided.

Staff Comments – Summarized:

1. Staff understands the right of Amazon to operate in airspace, but also wants to acknowledge there exists a priority to uphold the right to privacy and peaceful use or enjoyment of property owners and takes this obligation to constituents with great consideration.
2. Staff does not believe that the burden of an FAA Appeal should be placed solely on the property owner, particularly as it is not their ask for this use to occur;
3. Staff is concerned about the lack of follow through on prior agreements, entitlements, or other permits previously applied to or for.
4. Staff does not believe that the aesthetics of a shipping container or the mobile units fully align with the aesthetics of the existing Amazon facility or the adjacent neighbors, and additional screening and landscaping has been requested as such.
5. Staff believes that there exists a need for alternative delivery methods, particularly as environmental sustainability is increasingly cited as a consumer priority and offers alternative delivery in areas that are remote, experience inclement weather or other conditions that are unsafe for drivers.

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 City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVE** of Petition **PR2025-014** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **Amazon shall reach out to the directly affected neighbor who has contacted the Department of Planning + Urban Design to assist with the facilitation of the FAA Appeal, and anybody else who contacts either Amazon or an office or other representative of the Unified Government within 60 days of the approval of this petition. To further expand on the intention of the word facilitate, it shall mean to provide contact information to the FAA representatives (including non-electronic means, if requested), provide paperwork or other information, and pay for any expenses incurred. The adjacent neighbor should not face any barriers in filing this appeal to the FAA;**
2. **All permits outstanding building permits previously mentioned should be rectified prior to drone operation;**
3. **A media release shall be coordinated between Amazon and the Unified Government, Johnson County Jurisdictions, Platte County, MO and Clay County, MO to ensure the public is aware that drones will not be more present in the airspace, that they are not allowed to be shot down, and that there is a method to opt out including but not limited to Amazon Customer Service and FAA Appeals. This media release shall also include the information about the FAA's environmental impact assessment public comment period, airspace service area, site address of MKC6, frequency of the drone operations, characteristics of the drone, and a method of contact at the local MKC6 location should issues arise;**
4. **Radio frequencies or other technology utilized during this process shall not interfere with other operations, including Emergency Operations or other communication, data or otherwise similar apparatus;**
5. **Any consumer data collected either purposefully or inadvertently – video or otherwise – as part of drone operations shall be used for internal training, engineering, and quality assurance purposes only and shall not be sold to a third-party for consumer research or other tracking or data analysis without first notifying the consumer or person depicted in the data;**

6. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
7. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
8. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
9. 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;
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. 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. 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;

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; and,
14. In the event the a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or a section thereof and shall so notify the unified government in writing, or in the event the landowner shall fail to commence, as evidenced by receipt of building permits and start of construction, the planned development within 18 months after final approval has been granted or in the case of subsequent phases each shall be initiated within 24 months of the issuance of a certificate of occupancy on the entire preceding phase or the plan will be considered abandoned, then in either event such final approval shall terminate and shall be deemed null and void unless such time period is extended by the Planning Commission upon written application by the landowner. Whenever a final plan or section thereof has been abandoned as provided in this section, no development shall take place on the property until a new development plan has been approved.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Staff Site Visit Photos Dated April 27, 2025
Amazon Provided Site and Drone Information

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Final Plan Review	May 12, 2025	Not Required

STAFF CONTACT: Kallie McLaughlin, Planner, Floodplain Administrator
kdmclaughlin@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **PR2025-014** to the Unified Government Board of Commissioners 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 of the Kansas City, Kansas City Planning Commission:

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

OR

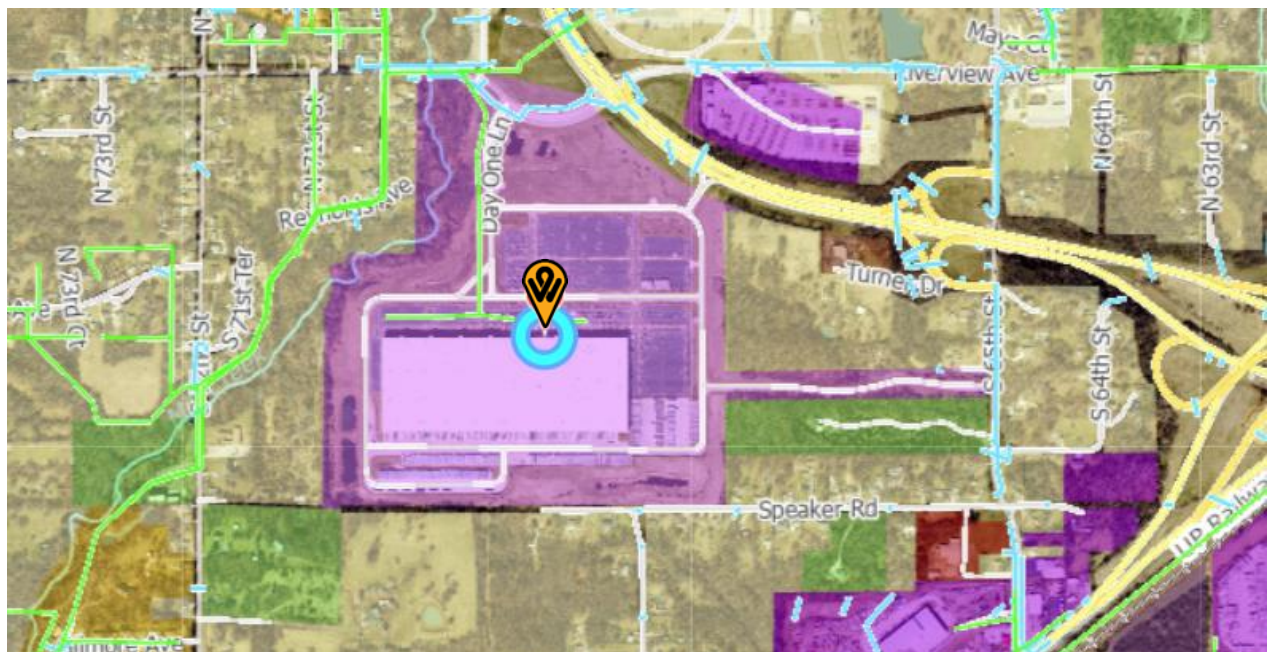
I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **PR2025-014** to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS

Amazon Prime Air Integration at MKC6

Amazon is pursuing a Final Development Review at MKC6, an Amazon Robotic Fulfillment Center located at 6925 Riverview Avenue, Kansas City, Kansas 66102 to launch Prime Air. Prime Air offers drone delivery of customer orders in 60 minutes or less using a fleet of battery-powered drones designed, built, and operated by Amazon. Prime Air obtained FAA approval to operate in the communities where we offer the service today by demonstrating our drones can safely deliver to customers. As of April 2025, drone delivery is available in College Station, Texas and Tolleson, Arizona.

Customers within the service territory of Prime Air and interested in drone delivery have the opportunity to onboard virtually through their existing Amazon account to understand if their delivery address is eligible. When the service is available, eligible customers can order from Amazon.com or the Amazon app and request a delivery via drone if available for the selected item. This is an optional service and customers not interested in drone delivery will have their orders delivered in the manner they currently do.

Amazon's goal is to launch Prime Air drone delivery from MKC6 by the end of 2025.

Customer Experience

Amazon launched Prime Air from an existing facility, similar to MKC6, in Tolleson, Arizona, and is delivering packages to customers in the West Valley region of Phoenix. The new MK30 drone design includes innovative features that allow it to deliver packages to customers with smaller backyards and in more densely populated suburban areas. Prime Air is focused on integrating drone delivery into existing fulfillment centers, allowing Amazon to fully integrate this new delivery mechanism with our inventory and give customers more access to the types of products they need delivered quickly.

When the service is available from MKC6, eligible customers can order from Amazon.com or the Amazon app and request a delivery via drone if available for the selected item. Once the order is placed, the item is retrieved by an employee in the fulfillment center and loaded into a drone outside of MKC6 at the Prime Air Drone Delivery Center (PADDC). The PADDC is a 9,000 square foot enclosed space that includes drone launch-pads, a battery charging center, and operations center where drone flights will be monitored. The drone will take-off vertically from the PADDC and transition into horizontal flight along a pre-defined flight path to the customer's address. The drone will descend to 12 feet above the customers defined delivery point, scan for any obstacles, and drop the customer order in a customized box for drone delivery at the location selected by the customer within seconds. If a human, pet, or other obstacle is detected using Amazon's Perception system during the descent, the drone will not complete the delivery and return to MKC6. Once the delivery is successfully completed, the drone will return to the PADDC at MKC6 and receive a new fully-charged battery and customer order for the next delivery.

Prime Air's MK30 Drone

Safety is Prime Air's first priority. We prioritize customer, community, and employee safety above all else. The MK30 reflects Prime Air's continued investment in building safer and quieter

ADDITIONAL ATTACHMENTS

drones that operate and deliver for customers in the communities where we operate. The MK30 drone was developed by Amazon and is built in Washington state.

The MK30 drone went through an aerospace-grade manufacturing process, which was certified by the Federal Aviation Administration (FAA). The MK30 flies twice as far as our previous drone, the MK27, and is about 40% quieter to the human ear. The battery-powered drone carries a package up to five pounds and has a delivery radius of 7.5 miles. The drone is approximately five feet by five feet, weighs 83 pounds, and can fly in light rain and wind. The MK30 drone is a highly automated system. However, each drone flight is overseen by a flight monitor based locally at the site. The flight monitor is responsible for overseeing each flight, and every flight monitor has the ability to execute contingency maneuvers, if needed. There is always a human locally on the loop for each flight operation in our system.

Amazon's MK30 drone received FAA approval to begin operations to customers in October 2024 and commenced customer deliveries beginning in November 2024. The approval included the ability to fly beyond visual line of sight (BVOLS) using Prime Air's sophisticated on-board detect and avoid systems. This system allows the MK30 drone to identify and avoid objects such as aircraft, cranes, temporary structures, and other items to ensure the safety of people, pets, and property.

Airspace Coordination

Using Unmanned Aircraft System Traffic Management (UTM) technology, companies can share data and planned flight routes with other authorized airspace users. In this system, the industry manages the airspace with rigorous FAA safety oversight. This allows the operators to safely organize and manage drone flights around each other in shared airspace. This allows the operators to safely organize and manage drone flights around each other in shared airspace. All flights occur below 400 feet altitude and away from any crewed aircraft. There are already rules and procedures for separation between our aircraft and traditional aviation that we all follow, before we are allowed to operate beyond visual line of site.

Safety

In the event the drone arrives for a delivery at a customer's address and identifies an obstacle at the customer-selected delivery point such as humans, pets, or other obstacles, the drone will not make the delivery and return to MKC6. The MK30 drone uses the Perception system to ensure that the delivery area is clear before it drops the customer order. In the event the drone identifies an obstacle, the MK30 will not release the customer order and return to MKC6. Upon return, Amazon will notify the customer that the drone was unable to deliver the order due to an obstacle.

Once the MK30 has descended to twelve feet at the customer-selected point of delivery, the customer order is dropped from the drone onto the ground from an elevation of 12 feet. During the descent, the drone scans for humans, pets, and obstacles before making the delivery. At a delivery height of twelve feet, the drone is safely out of reach from humans and pets and employs no external cables or delivery mechanisms that can be tangled or caught during a delivery. The customer order is carried in a specially configured Amazon box to cushion the drop and protect the ordered items.

ADDITIONAL ATTACHMENTS

The MK30 is a highly automated system, however each drone flight is overseen by a flight monitor based locally at the site. The flight monitor is responsible for overseeing each flight, and every flight monitor has the ability to execute contingency maneuvers, if needed.

In addition, the MK30 features a fully redundant flight critical system to ensure continued safe flight. The drone has automated contingency management to enable continued safe flight even with component failures. This includes enhanced capabilities using multiple cameras, radars, and sensors that support automatic detection and avoidance of obstacles and other aircraft.

Sound

Amazon's MKC6 site is located within as a standalone industrial building buffered by trees and separation from residential users. The placement of the PADDC located within the eastern parking lot ensures that the sound generated from the site does not negatively impact surrounding users. The MK30 drone is currently in operation in College Station, Texas and Tolleson, Arizona. In both of these locations, the MK30 drone has operated successfully without receiving community complaints.

In April 2025, Amazon had a third-party sound study conducted at the QAZ2 fulfillment center and a residential home in Tolleson, Arizona, where Prime Air is currently active. The sound study collected information of the arrival and departure of the MK30 drone in decibels. Those findings are available in the table below:

Location	Description	Arrival in Decibels (dBa)	Departure in Decibels (dBa)
Single Family Home	Standing in the backyard during drone delivery	68.4 dBa	
	Standing in front of home during backyard delivery	60.6 dBa	
QAZ2 Fulfillment Center	At PADDC	67.6 dBa	65.0 dBa
	200 Feet from PADDC	60.0 dBa	65.0 dBa
	500 Feet from PADDC	52.8 dBa	54.7 dBa

Software Upgrade for MK30 Drone

In January 2025, Amazon conducted a voluntary pause of Prime Air deliveries in College Station, Texas and Tolleson, Arizona to conduct a software update to the MK30 drone. The software update allows the drone to better detect dust in the air, so that the drone can accurately detect it's position relative to the ground. Amazon never experienced an actual safety issue, but opted to suspend deliveries until the software update was completed. The update was completed in March 2025 and was approved by the FAA, allowing Amazon to resume deliveries in College Station, Texas and Tolleson, Arizona.

ADDITIONAL ATTACHMENTS

Existing Operations: College Station, Texas & Tolleson, Arizona

We've obtained FAA approval to operate in the communities where we offer the service today by demonstrating our drone can safely deliver to customers. To date, this service is available at our PTX3 site in College Station, Texas and QAZ2 site in Tolleson, Arizona.

Amazon launched its PTX3 drone delivery site in College Station, Texas in 2022. This site, unlike MKC6, was established as a leased pilot site adjacent to a residential neighborhood to conduct customer deliveries. PTX3 is not an existing fulfillment center located in a commercial or industrial area. From PTX3, Amazon has delivered thousands of orders to thousands of customers. Feedback from customers has been overwhelmingly positive, and we appreciate each one of our customers who placed an order with us and trusted us to deliver their order in 60 minutes or less. This includes prescription medication, over the counter healthcare items, and many everyday household products. At Prime Air, we take feedback seriously and committed to being good neighbors. In College Station, while our community feedback has been overwhelmingly positive, we received feedback from residents located directly next to the site. These sound concerns were related to the drone we flew until October 2024, the MK27-2, and not our new Mk30 drone that we launched in November 2024.

Based on the experience in College Station, Amazon has focused on integrating into its existing fulfillment centers, like MKC6, which are located in commercial and industrial areas set back from residential neighborhoods. In Tolleson, Arizona, Amazon has launched Prime Air from SAZ2, an existing fulfillment center similar to MKC6. Demand for drone delivery from SAZ2 has been substantial.

Final Development Review – Kansas City, Kansas

Amazon is seeking to modify a 9,000 square-foot space within the southeast corner of the property to construct a Prime Air Drone Delivery Center (PADDC). The PADDC contains launchpads for drone takeoff and landing as well as two modular units. The first modular unit is used to store and charge drone batteries and the second is used to monitor drone flights and maintain the drones.

Prime Air was previously instructed to pursue a Special Use Permit by the Department of Planning and Urban Design. As such, Prime Air sent 61 mailers to neighbors located nearby MKC6 and hosted an in-person neighborhood meeting on March 26th from 4pm to 7pm at Kansas City Kansas Community College – Thomas Burke Technical Education Center located at 6565 State Avenue Kansas City, KS 66102. Neighbors attended and Prime Air provided a presentation on Prime Air operations from MKC6. Although this was not required for the Final Development Review, Amazon opted to still hold the meeting to engage community members.

Amazon plans to conduct future community engagement meetings to introduce Prime Air to community members.

ADDITIONAL ATTACHMENTS

Federal Aviation Administration (FAA) Process for Approval

Conducting commercial drone delivery requires the applicant, Amazon, to pursue both local approvals related to planning, zoning, and building permitting as well as federal approval from the Federal Aviation Administration (FAA). If approved by the City Planning Commission, Amazon will further engage the FAA to secure all required federal approvals to permit our drone to operate within federally-regulated airspace from MKC6.

The FAA will complete an environmental impact analysis as required by the National Environmental Policy Act (NEPA). This process evaluates the potential environmental impacts of the project and will solicit community feedback before an approval decision is made. Like the Special Use Permit or Final Development Review process, a public notification is made to solicit feedback from members of the community, including the Unified Government of Wyandotte County and Kansas City, Kansas, on our proposed operations. While the federal government has plenary authority over the National Airspace System (NAS) and exclusive authority to regulate in the fields of aviation safety and airspace efficiency at any altitude, local authorities and residents have significant input on major decisions of the federal government that would authorize commercial drone package delivery operations.

Before authorizing actual flight operations for commercial package delivery, FAA uses a deliberate and prescribed process to issue operating specifications (OpSpecs) that specify the terms and conditions for local operations. Because the operations authorized by OpSpecs may have local effects (e.g., by establishing drone types, operating area boundaries, locations of drone ports, number of flights authorized per day, and operating times), and because FAA's issuance of OpSpecs is generally considered to be a major federal action, FAA adheres to the National Environmental Policy Act (NEPA) review process. This means, for an Environmental Assessment (EA) supporting issuance of OpSpecs, FAA will:

- Conduct public outreach through media, public engagement sessions, and public briefings/meetings.
- Consider local concerns and positions expressed by local governments, businesses, and residents.
- Publish and distribute the draft EA for public comment. FAA is required by law to consider those comments in preparing the final EA.
- If the Final Development Review is approved by the City Planning Commission, Amazon anticipates the public comment period for the EA will occur in July of 2025.

In addition, Amazon will work with the FAA's Flight Standards District Offices (FSDOs) to introduce, review, and finalize the airspace where Prime Air is allowed to operate. As background, FSDOs are local field offices for the FAA responsible for aviation safety, certification, and enforcement.

- Our airspace teams will work with the FAA and the community to ensure our operations serve customers while integrating seamlessly into the existing airspace. This includes identifying locations, such as hospitals, and implementing a no-fly zone over a hospital that operates a helipad.
- Within the 7.5 mile delivery range of the drone from the MKC6 site, there will be locations where Prime Air will not deliver based on feedback from the FAA.

If Amazon were to introduce a new drone in the future at MKC6, the new drone would require a new FAA approval and a new environmental impact assessment would need to be completed as required by NEPA.

Amazon Prime Air Drone Delivery

MKC6

Kansas City, Kansas

City Planning Commission
May 12, 2025



Amazon's Presence at MKC6



Amazon's MKC6 site is located at:

- 6925 Riverview Avenue, Kansas City, KS

Amazon Robotics Fulfillment Center

**Millions of items available for
customer order and delivery**

**Local workforce of 2,500+ Amazon
employees**

Serves Kansas City and beyond



Prime Air's Mission:

- Safety-first approach
- Customer deliveries in
60 minutes or less

Current Operations:

- College Station, Texas
- Tolleson, Arizona

Prime Air Test Site

- Pendleton, Oregon



MK30 Drone



FAA Certified & Approved

- Operations approved October 2024
- Customer deliveries since November 2024

Enhanced Features:

- Autonomous operations with local drone monitors
- Detect & Avoid Technology
- 40% quieter and expanded range of the MK27 drone
- Ability to operate in wind and light rain
- Perception system to detect humans, animals, and obstacles at customer-selected delivery point



Delivery Specs:

- Deliver packages up to 5lbs
- Service for customers within 7.5 mile radius from MKC6

What is the customer experience?



Shop at Amazon Store

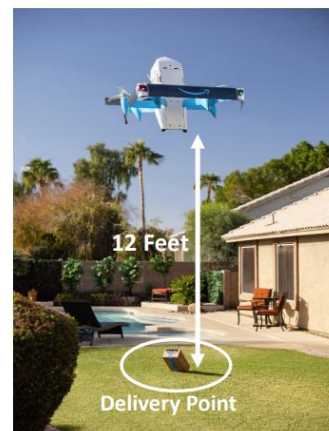
- Fully-integrated customer experience from Amazon.com for delivery in 60 minutes or less
- Drone Delivery FAQs, Privacy, Delivery Area Confirmation, and Consent information available at Amazon.com

Fulfillment at MKC6

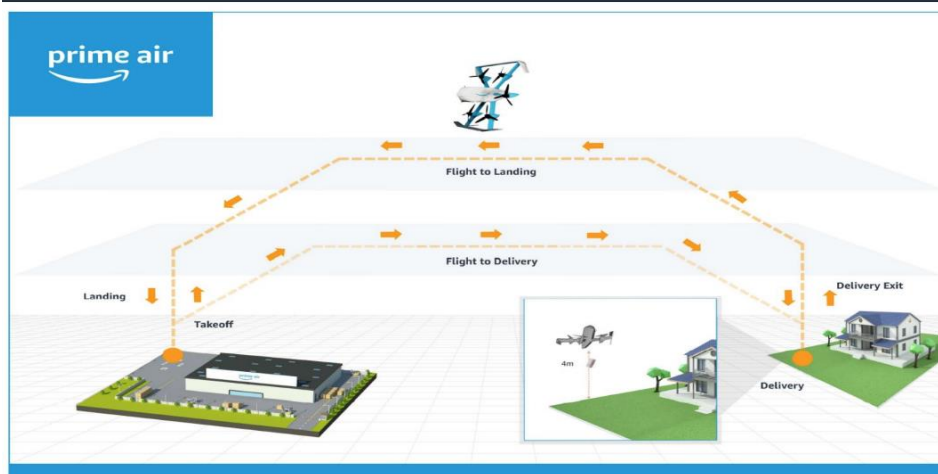
- Customer order taken from MKC6 to Prime Air Drone Delivery Center (PADDCC)
- Drone loaded with fully-charged battery and customer order

Delivery to Customer's Address

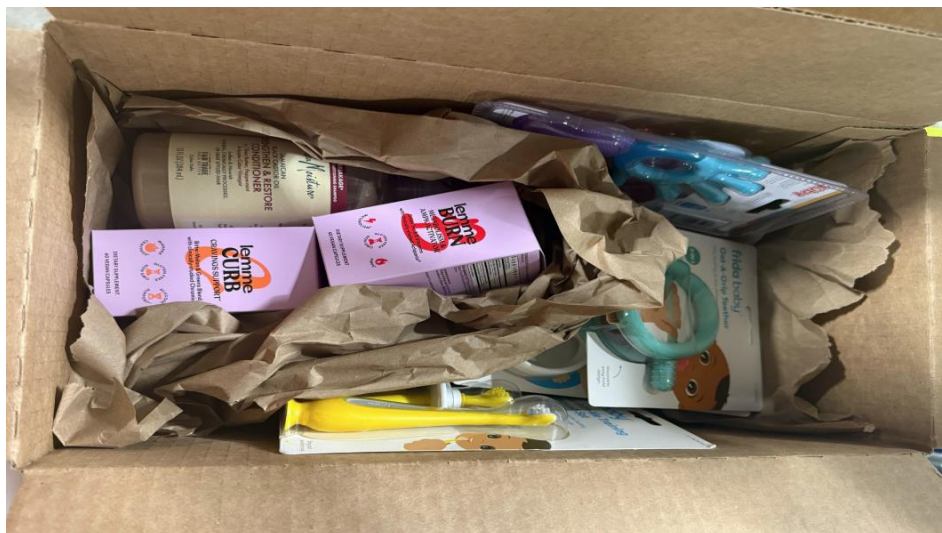
- Vertical takeoff and transition to horizontal flight
- Descend and scan of delivery area for humans, pets, & obstacles
- Customer order dropped at delivery point



How does it work?



ADDITIONAL ATTACHMENTS



ADDITIONAL ATTACHMENTS

MK30 – Noise Study



Third Party Noise Study Conducted April 9th – 10th, 2025

- A noise study was conducted at Amazon's QAZ2 site in Tolleson, AZ where Prime Air is currently active.
- Findings in decibels(dBa) for Arrival/Departure of MK30
 - Home Delivery Experience:**
 - 68.4 dBa in backyard during delivery
 - 60.6 dBa from front of home during backyard delivery
 - 500 Feet from the PADDC**
 - 52.8 dBa Arrival / 54.7 dBa Departure
 - 200 Feet from PADDC**
 - 60 dBa Arrival / 65 dBa Departure
 - At the PADDC**
 - 67.6 dBa Arrival / 65.0 dBa Departure

Levels of Noise In decibels (dB)

PAINFUL & DANGEROUS	
Use hearing protection or avoid	140
	130
UNCOMFORTABLE	
Dangerous over 30 seconds	120
VERY LOUD	
Dangerous over 30 minutes	110
	100
	90
Over 85 dB for extended periods can cause permanent hearing loss	
LOUD	
	80
	70
MODERATE	
	60
	50
SOFT	
	40
	30
FAINT	
	20

For more information on audiology and hearing loss, visit www.HearYourHearing.org

Visit "Find an audiologist" to locate and set up an appointment with an audiologist in your area to get your hearing tested.



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Noise Study from Tolleson, Arizona

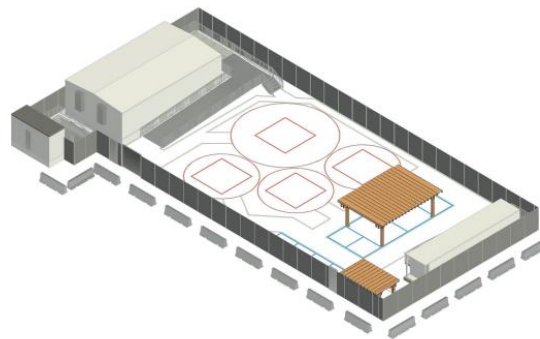




Prime Air Drone Delivery Center (PADD)

PADD Operations

- Drone Takeoff & Landing
- Battery Charging & Storage
- Onsite Flight Monitoring
- Drone Storage & Maintenance



Prime Air Drone Delivery Center



ADDITIONAL ATTACHMENTS

Approval Process



Unified Government of Wyandotte County and Kansas City, Kansas

- City Planning Commission

Federal Aviation Administration (FAA)

- Airspace operations approvals over the delivery territory from MKC6
- Environmental impact analysis, as required by the National Environmental Policy Act (NEPA), to ensure no negative impact to community, wildlife, and the environment

Community Outreach & Engagement

- 3/26/2025 – Community Meeting at Kansas City Kansas Community College Thomas Burke Center
 - Amazon was previously instructed to pursue Special Use Permit, which required mailers to be sent to 61 neighbors nearby MKC6. Amazon opted to host the community meeting even though it was not required for the Final Plan Review.
- Additional Opportunities for Community Engagement in Wyandotte County and Kansas City, Kansas
- Public engagement during environmental impact assessment

Federal Aviation Administration Approval



Federal Aviation Administration (FAA)

- **Airspace operations approvals over the delivery territory from MKC6**
 - Prime Air will work with the FAA's Flight Standards District Offices(FSDOs) to introduce, review, and finalize the airspace where Prime Air is allowed to operate.
- **The FAA will complete an environmental impact analysis(EA) as required by the National Environmental Policy Act(NEPA)**
 - To ensure no impact to community, wildlife, and the environment
 - Conduct public outreach through media, public engagement sessions, and public briefings/meetings
 - Consider local concerns and positions expressed by local governments, businesses, and residents
 - Publish and distribute the draft EA for public comment. FAA is required by law to consider those comments in preparing the final EA

Thank you!

Sam Bailey
Economic Development Policy
Amazon
esamb@amazon.com



ADDITIONAL ATTACHMENTS



The background is a blurred photograph of a city street with buildings and a clear sky. Large orange abstract shapes are overlaid on the image: a semi-circle in the top right corner and a circle in the bottom left corner.

Planning + Urban Design

2024 Annual Report

March 2025

Message from Staff

Planning is an act of compromise that brings a myriad of interests together to form agreement on how we construct our communities. This compromise manifests as policies, ordinances, design standards, and long-range community plans, solidifying and codifying agreed-upon norms, values, and desires for the future. Design is the physical manifestation of this compromise, shaping our built and natural environments and organizing our civic systems.

As staff of Planning + Urban Design, we are stewards of this process, working with the community to formalize and realize a shared vision that can improve community prosperity for all. That is the ultimate task given to Planners – and one we uphold with professionalism, empathy, expertise, and kindness.

In 2024, we continued to hone our craft, refining design guidelines, providing great customer service, collaborating with other departments and community groups, and continuing to move the needle of implementation of long range plans.

I am incredibly proud of the work staff accomplished in 2024. We are a small, but mighty team that continues to grow so we can better serve our diverse, unique community.

*“A city is not an accident but
the result of coherent visions
and aims.”*

Leon Krier



Planning & Urban Design

OUR MISSION

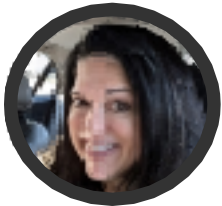
The Unified Government of Wyandotte County and Kansas City, Kansas (UG) Planning + Urban Design Department advocates for the greater good with empathy, professionalism, and expertise. We aim to enhance the long-term value and livability of the residents of Kansas City, Kansas (KCK) through the creation of a regenerative community that is socially just, economically accessible, culturally diverse, and environmentally sustainable. We strive to improve the built, natural, social, and cultural environments through strategic planning, urban design, local development reviews, and zoning enforcement efforts. In collaboration with our many partners, we support public officials and empower citizens to realize their shared vision of the future.

Our policies, ordinances, and plans are informed through extensive engagement with our community, other UG departments and leadership, and elected officials. Our work serves the broader goal of achieving community prosperity for all, as identified in the 2023 PlanKCK Citywide Comprehensive Plan.

OUR VALUES

Empathy. Service. Expertise. Professionalism.

THE TEAM



Mari Mongil
Office Manager



Byron Toy, AICP
Lead Planner



Alyssa Marcy
Long-Range Planner



Randy Greeves
Historic
Preservationist



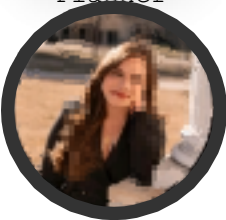
Kallie
McLaughlin
Planner



Jason Faust
Zoning Enforcement
Officer



Patrick Doyle
Planning Engineer



Osiris Espinoza
Planner



Rose Morris
Professional
Assistant



Travis Trumble
Planning Engineer



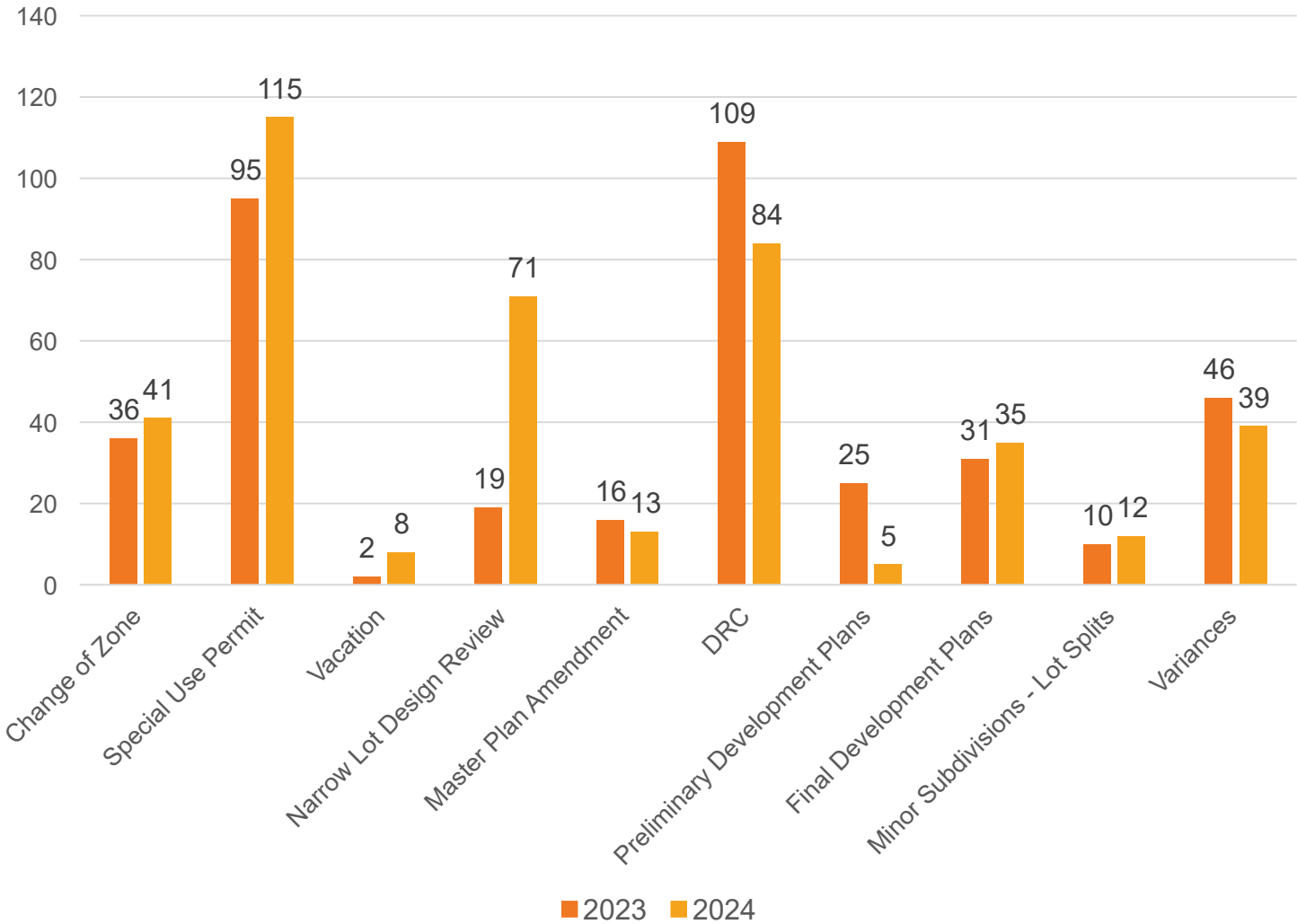
ANNUAL TOTALS

Permit Applications & Plan

Applications increased in almost all cases, except for Master Plan Amendments and Development Review Committee (DRC) applications. Fewer DRC applications likely indicates a decrease in development, particularly large developments.

We saw an increase in Narrow Lot Design Reviews Applications, indicating growth in infill development. The most common Special Use Permit in 2024 was for Short Term Rentals (STRs).

Overall, staff experienced a large drop in the number of preliminary development plans. While this could signal a decrease in new development (applicants just beginning the planning permitting process), we saw an increase in final development plans.



ANNUAL TOTALS

Historic Preservation Reviews

A Certificate of Appropriateness (CoA) is a historic review of proposed exterior alterations to buildings listed on the KCK Register of Historic Places, the center of the 200-foot environs.

The increase from 2023 to 2024 follows a similar trend to the environs reviews, however KCK saw additional buildings listed on the local register in 2024.

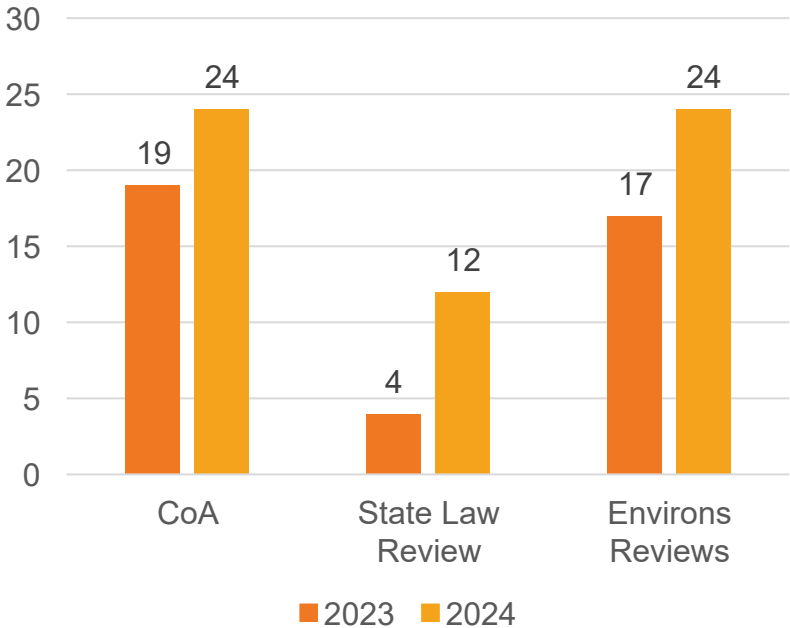
The State Law Review is mandated by the State of Kansas for buildings listed on the KS Register of Historic Places and/or the National Register of Historic Places. This review is triggered by any action by the local government, such as the issuance of a permit, and covers both interior and exterior changes.

Prior to June 2023, the State Historic Preservation Office (SHPO) completed these reviews. Now a Certified Local Government, the UG Planning & Urban Design Department can now complete these reviews, reducing wait times and streamlining the number of reviewing agencies for each project.

Environs reviews are historic reviews intended for buildings within the 200-foot environs of locally designated historic buildings.

This review is intended only for exterior work on the building. The increase in reviews from 2023 to 2024 is due to a myriad of factors, including:

- Increased enforcement of the historic preservation ordinance
- Better education of property owners and developers, resulting in an increased understanding of the ordinance
- A larger development trend in KCK, especially in the urban core where many historic buildings are located



Awards

Historic Preservation Trailblazers

Historic Kansas City awarded the UG the Trailblazers Award, recognizing “outstanding achievement in preservation activities.” Historic Preservation Awards highlight historic preservation efforts in the Kansas City metropolitan area, celebrating and bringing awareness to entities who help preserve unique historic places for future generations.

2024 AIA Merit Award

The American Institute for Architects (AIA) recognizes the best projects in urban design, regional and city planning, and community development. PORT, the consultant that crafted the Armourdale Area Plan for the UG, received the 2024 AIA Merit Award for their work on the plan.



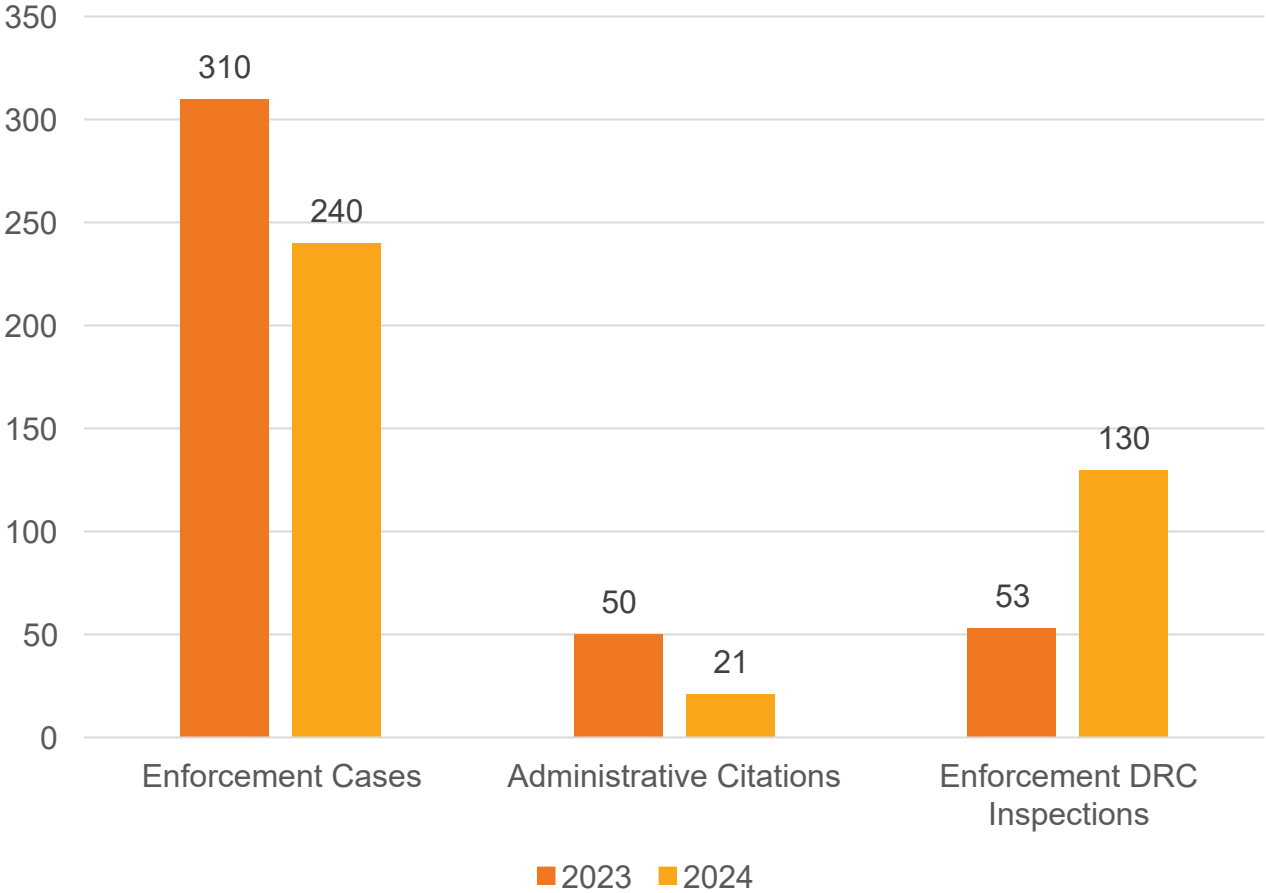
UG Historic Preservationist Randy Greeves (right) and Landmarks Commission Chair David Meditz (left) receive the 2024 Historic KC Trailblazers Award.

ANNUAL TOTALS

Zoning Enforcement Cases

Zoning enforcement cases and citations decreased in 2024, which could indicate improved adherence to the Zoning Code.

However, the Department did lose their second Zoning Enforcement Officer in 2024, which affected enforcement capacity. Much of enforcement was dedicated to enforcement DRC inspections, which increased by 145.2%.



PLANNING THE FUTURE

PlanKCK Implementation



ACTION ITEM	Revise the community survey to be more engaging for the public and informative for UG staff.	Codify the Land Bank policy update. Establish a pilot project in collaboration with the 2023 Douglass-Sumner Land Bank Strategy.	Develop and adopt a policy that directs development agreements and other incentives to optimize community benefits.	Create a place-based community development corporation (CDC) to target specific neighborhoods and/or needs (e.g. housing).	Partner with Re.Use.Full to reduce contributions to the land fill and develop partnerships with KCK artists.	Pursue the Community for All Ages (CFAA) program and complete all three recognition levels to make KCK a community to age-in-place.
IMPLEMENTATION UPDATE	The UG is launching an overhauled community survey in March 2025 and will begin collecting data annually.	The UG Commission adopted an updated landbank in December 2024. Currently working with the Douglass-Sumner Neighborhood Assoc., CHWC, and EPA to assess and remediate over 200 land bank parcels.	The UG Commission adopted the Community Benefits Ordinance (CBO) in late 2023, taking effect in Summer 2024.	Former FUSE Executive Fellow DeWayne Bright formed Wyandotte Innovations Initiative (WII) to lead development in Northeast KCK. This organization officially received its 501(c)(3) status in early 2024.	Completed 2024 Trexx Plastic Film Recycling Challenge which converts plastic into a park bench. Re.Use.Full hosted an Un-Dumpster Day in Midtown KCK in Fall 2024, collecting over 3,000 tons of still-good items, recyclable electronics, and recyclable tires.	Awarded Bronze Level recognition from the First Suburbs Coalition in Spring 2024 and currently pursuing Silver Level recognition. UG received \$15,000 from AARP to install 12 benches across KCK parks and recreational facilities.



PLANNING THE FUTURE

PlanKCK Implementation



ACTION ITEM	Implement the Main Street Program along multiple commercial corridors, starting with Downtown KCK.	Establish a Resiliency Dashboard that tracks KCK’s progress towards reducing barriers and risks and achieving a resilient community.	Reinvest in State Avenue as a major opportunity corridor and update land use & zoning to more transit-supportive densities and design guidelines.	Prioritize grant opportunities that are no-match, and leverage the State’s Build Kansas Fund to minimize local match requirements.	Update the Zoning Code and include updated and comprehensive urban design guidelines; remove parking minimums as directed the Mayor’s Task Force on Environmental Sustainability & Green Energy.	Update and reinstate the ordinance that waives connection fees for home construction east of 78th Street.
IMPLEMENTATION UPDATE	Downtown Shareholders, in collaboration with the UG Historic Preservationist, was accepted into the Kansas Main Street program.	The 2024 FUSE Sustainability Fellow completed a Climate Risk and Vulnerability Assessment (CRVA), which identified risks, vulnerabilities, strengths, and potential next steps for resiliency.	UG installed grant-funded bus shelters along State Avenue. Ongoing participation in the Bistate Sustainable Reinvestment Corridor Study, which aims to develop fast and frequent service along a 24-mile corridor between Independence, Missouri to The Legends.	UG Interdepartmental Grants Coalition continues to pursue and prioritize no-match grants; the UG hired a Grants Manager in February 2025 and will take over managing this group.	Planning + Urban Design received a \$150,000 grant through the MARC PSP program for a Zoning Code update in 2025.	The ordinance was updated and passed in Winter 2024.



PLANNING THE FUTURE

Long-Range Plan Implementation



The Broderick Crawford
Basketball Court



Kamm Pickleball
& Tennis Courts
Kamm Park
renovates 6 run-
down tennis courts
with 3 new post
tension tennis
courts and 8
pickleball courts.

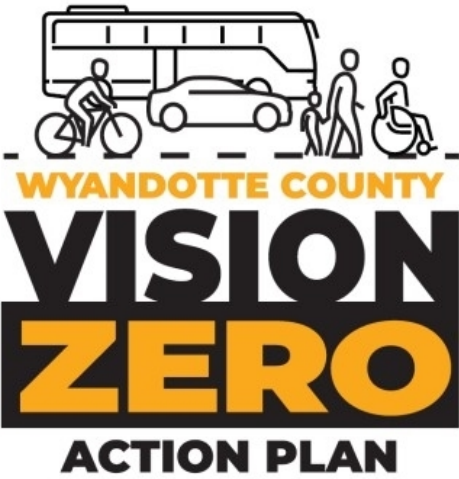
ARMOURDALE AREA PLAN	CENTRAL AVENUE AREA PLAN	DOWNTOWN AREA PLAN	ROSEDALE AREA PLAN	NORTHEAST AREA PLAN		
Focus Area 1: Neighborhood Core, Sidewalk Installation and Repair (Strategy #12)	Action Item 4A: Improve Storefronts and Sidewalk Usage	Improve streets to pedestrian streetscape standards; save and celebrate historic structures	Rainbow boulevard traffic modeling and conceptual design	Jersey Creek Restoration	Implement Parks Master Plan and Expand Park Programming	Vacant Building Reuse.
Implemented new sidewalks and crosswalk art along John Fiske Elementary School in partnership with UG Streets Division and Armourdale Renewal Association in Fall 2024	Central Avenue Betterment Association (CABA) received \$50K grant for tree planting along Central Avenue in partnership with MARC. These trees will be planted along Central Avenue to provide shade and improved aesthetic to those walking along the corridor.	Downtown Shareholders received 2024 Hollywood Casino grant for tree planting along Minnesota; Downtown KCK was accepted into Main Street America in Summer 2024	The Rainbow Blvd Complete Streets Traffic Study (Reimagine Rainbow) was completed in early Spring 2024 in collaboration with the City of Westwood, The University of Kansas Health System, Rosedale Development Association, and the City of Westwood Hills, KS.	Green infrastructure improvements along Jersey Creek were completed in 2024, led by Groundwork Northeast Revitalization Group	UG Parks and Restoration invested \$2.1M in three parks, including Kamm Park, Kensington Park, and Quindaro Park. Vibrant Health collaborated with the Wyandotte County Parks Foundation and others on a basketball court renovation project, named in honor of Broderick Crawford.	There are several acres of brownfield assessment and remediation projects underway in 2024, including vacant lots and structures.



PLANNING THE FUTURE

Long-Range Plan Implementation

GODOTTE COUNTYWIDE MOBILITY STRATEGY			NORTHEAST AREA PLAN/NE KCK HERITAGE TRAIL PLAN
Vision Zero Action Plan Tasks	Leverage Kansas City Design Center (KCDC)	Downtown KCK to KCMO Aerial Lift	Design and construct a KCK urban trail system that connects Kaw Point to the Quindaro Townsite
Planning + Urban Design launched the Vision Zero Action Plan in December 2024 with the Cities of the Edwardsville, Bonner Springs, and Lake Quivira.	Planning + Urban Design continues to partner with KCDC to explore visionary projects. In 2024, KCDC completed <i>Mosaic in Motion</i> , a vision study for Bethany Park.	The aerial lift concept was included in the feasibility study scope as part of the Bistate Sustainable Reinvestment Corridor study.	Design of Phase I of NE KCK Heritage Trail began in 2024 to connect Kaw Point to 5th Street.



John Fiske Elementary School: Crosswalk Art Project



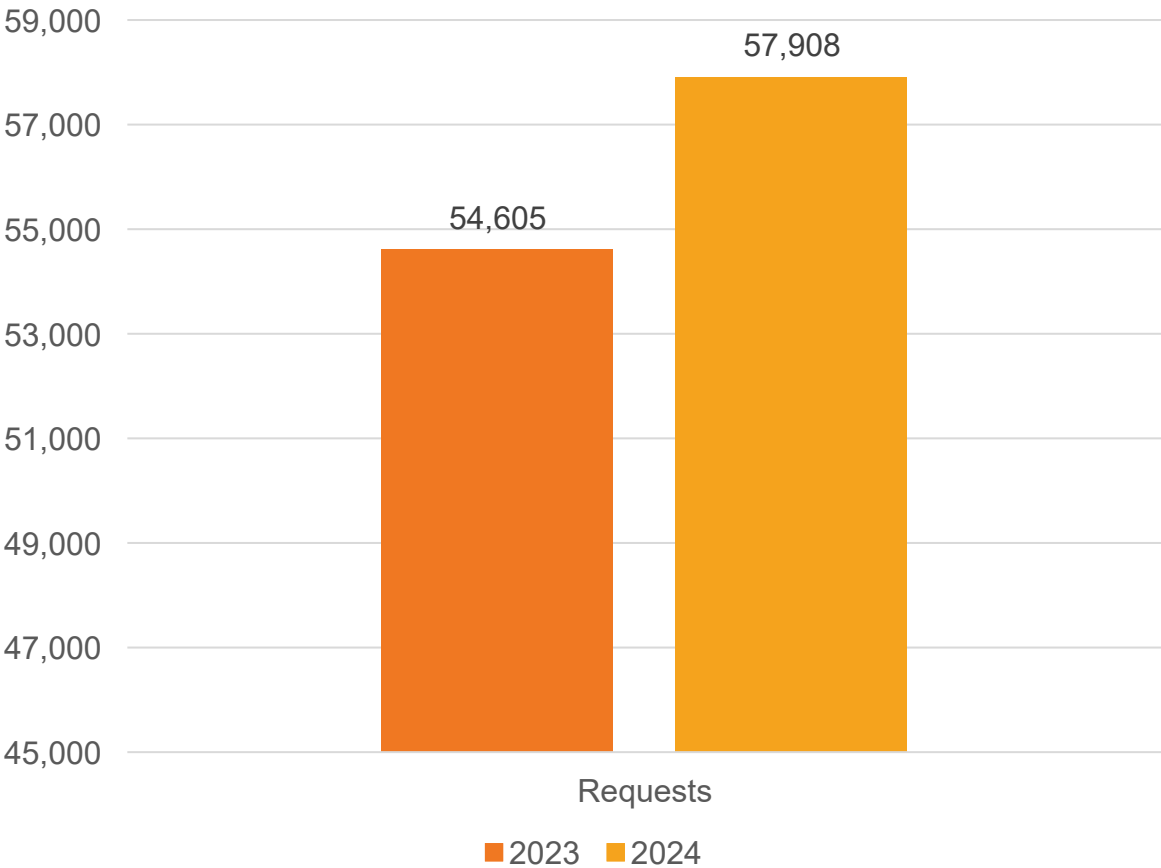
ANNUAL TOTALS

Technical Assistance Requests

Technical assistance requests include phone calls, emails, responding to voicemails, and in-person (front desk) questions that come from non-UG staff.

Between the ten (10) staff members in our department, we answered 57,908 requests in 2024, growing from 2023. **That's approximately 20 touches per employee per day in 2024.**

On average, we receive an average of 20 complaints per month. Compared to our annual total of requests for service, **this indicates a 99.6% satisfaction rate in 2024.**



NEXT STEPS

Prioritized Projects

EXTERNAL

- Manage the Wyandotte County Vision Zero Action Plan
- Launch comprehensive Zoning Code Update (Summer 2025)
- Work with KCDC on the Central Avenue Bridge vision study
- Achieve silver-level recognition for Community for All Ages
- Continue participating in regional planning efforts:
 - East-West Transit Corridor Study
 - Bi-state Sustainable Reinvestment Corridor
 - Kansas City Brownfields Initiative (KCBI) Commission

INTERNAL

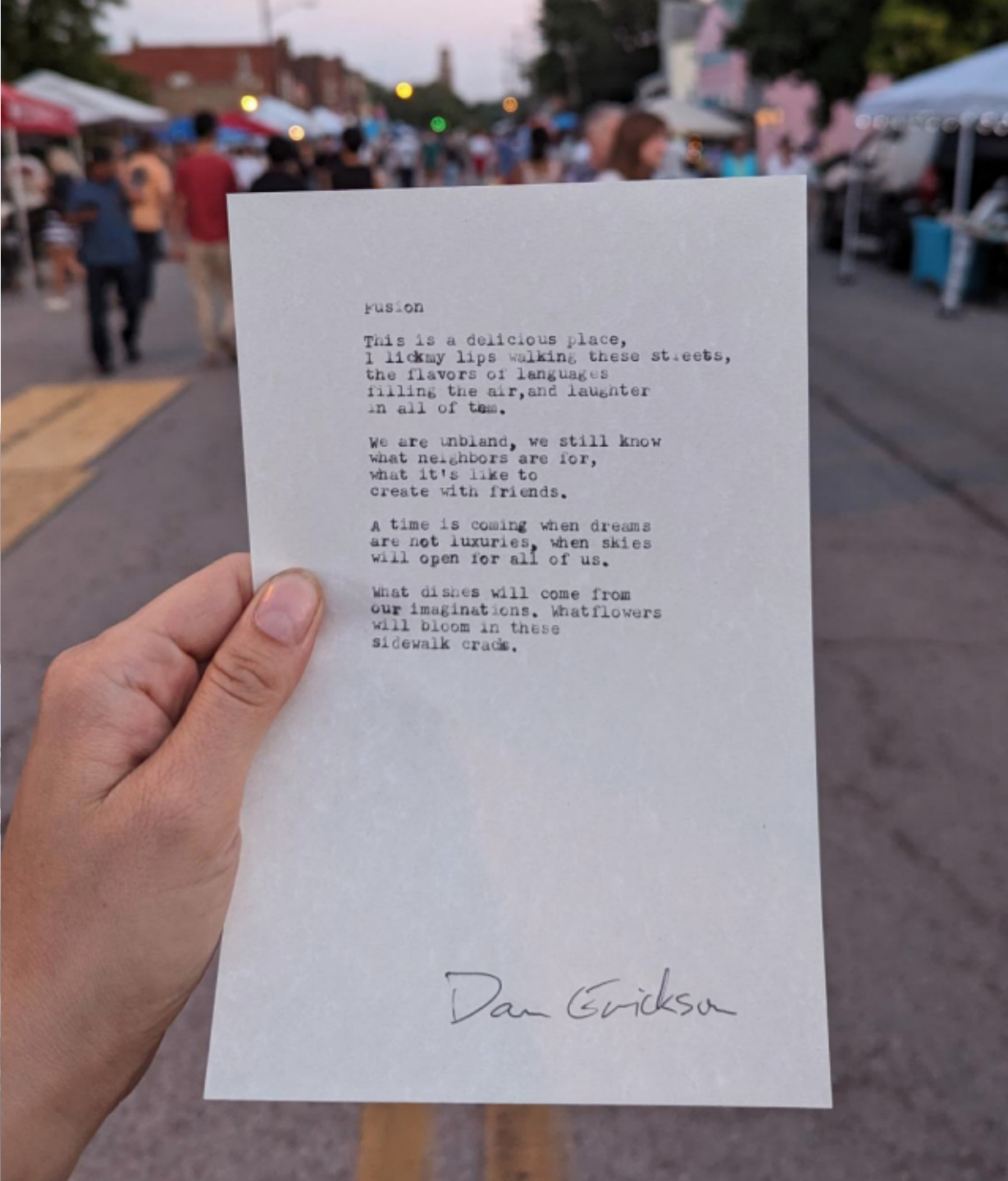
- Hire staff to replace open positions, such as the Administrative Assistant, Planner I, Zoning Enforcement Officer, and Ordinance Studies Specialist
- Support staff through professional development opportunities
- Translate applications and other documents into Spanish
- Submit long range projects for awards, starting with Reimagine Rainbow



Questions?



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Fusion

This is a delicious place,
I lick my lips walking these streets,
the flavors of languages
filling the air, and laughter
in all of us.

We are unblatant, we still know
what neighbors are for,
what it's like to
create with friends.

A time is coming when dreams
are not luxuries, when skies
will open for all of us.

What dishes will come from
our imaginations. What flowers
will bloom in these
sidewalk cracks.

Dan Erickson

