Unified Government of Wyandotte County and Kansas City, Kansas

Board of Commissioners

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

Mayor Christal E. Watson
Commissioner At-Large Dist. 1 Melissa Bynum – Commissioner At-Large Dist. 2 Andrew Kump –
Commissioner Dist. 1 Jermaine Howard – Commissioner Dist. 2 Bill Burns –
Commissioner Dist. 3 Christian Ramirez – Commissioner Dist. 4 Evelyn Hill –
Commissioner Dist. 5 Carlos Pacheco – Commissioner Dist. 6 Phil Lopez –
Commissioner Dist. 7 Chuck Stites – Commissioner Dist. 8 Andrew Davis

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UPDATED AGENDA

Thursday, April 30, 2026
5:30 PM

1. **CALL TO ORDER/ROLL CALL**

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

4. **REVISIONS TO AGENDA**

   AGENDA UPDATE: CHANGE OF ORDER, THE MAYOR'S AGENDA, AND THE ADMINISTRATOR'S AGENDA WILL BE HEARD FIRST. ADDING ITEM 6.2 AND ITEM 6.3 UNDER THE MAYOR'S AGENDA. ADDING DOCUMENTS TO ITEM 7.1 UNDER THE ADMINISTRATOR'S AGENDA, ITEM 8.1.A AND ITEM 8.2.A UNDER THE PLANNING AND ZONING NON-CONSENT AGENDA. ADDING AN EXECUTIVE SESSION AS THE LAST ITEM ON THE AGENDA.

5. **PUBLIC ANNOUNCEMENTS**

6. MAYOR'S AGENDA

6.1 PRESENTATION: DOTTE PROUD HONOREES

Synopsis: Dotte Proud Recognition:

1. Full Throttle Foundation, Glen and Gina Cusimano by Commissioner Kump
2. City Hall Janitorial Crew by Mayor Watson
3. Chuck and Aileen Colbert by Representative Melton

For Information Only

Tracking #: 21378

6.2 RESOLUTION: SISTER CITY WITH CITY OF CONCEPCION, TUCUMAN, ARGENTINA (ADDED PER AGENDA UPDATE)

Synopsis: A Resolution and Proclamation establishing a Sister City relationship with the City of Concepcion, Tucuman, Argentina.

Tracking #: 21401

6.3 RESOLUTION: AMERICAN ROYAL SUBCOMMITTEE ORIGINATION FEE RECOMMENDATIONS (ADDED PER AGENDA UPDATE)

Synopsis: Adopting a resolution approving the recommendations of the American Royal subcommittee as contemplated in the Development Agreement.

Tracking #: 21405

7. ADMINISTRATOR'S AGENDA

7.1 PRESENTATION: LEGISLATIVE UPDATE (DOCUMENTS ADDED PER AGENDA UPDATE)

Synopsis: Presentation of current legislative activity with Paul Davis, Legislative Representative.

For Information Only

Tracking #: 21362

8. CLERK'S-STATEMENT

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

PLANNING & ZONING COMMISSION

9. PLANNING AND ZONING CONSENT AGENDA

9.1 Change of Zone Application(s)

9.1.A **COZ2026-003 - CRIS POWELL**

Synopsis: A RECOMMENDATION and ORDINANCE for a Change of Zone from A-G Agriculture District to R-1 Single Family Residential District to build a single-family home at 9830 Hollingsworth Road, RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0.

Tracking #: 21287

9.1.B **COZ2026-004 - MATTHEW DANNER WITH AMD PARTNERS LLC**

Synopsis: A RECOMMENDATION and ORDINANCE for a Change of Zone from A-G Agriculture District to RP-5 Apartment Planned District for a senior multi-family development at 9400 State Avenue (in conjunction with MPL2026-002), RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0.

Tracking #: 21288

9.2 Special Use Permit Application(s)

9.2.A **SP2026-005 - LAJOYCE CALLOWAY**

Synopsis: A RECOMMENDATION and ORDINANCE for a Special Use Permit (Renewal of SP2016-056, expires August 25, 2026) for a childcare center at 3440 North 99th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 6-0 FOR 10 YEARS.

Tracking #: 21298

9.2.B **SP2026-006 - LAJOYCE CALLOWAY**

Synopsis: A RECOMMENDATION and ORDINANCE for a Special Use Permit (Renewal of SP2024-065, expires January 23, 2027) for a childcare center at 3424 North 99th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 6-0 FOR 5 YEARS.

Tracking #: 21299

9.2.C **SP2026-008 - LEE AND JAMIE ROSTERMAN WITH BLESSING ABUNDANT LLC**

Synopsis: A RECOMMENDATION and ORDINANCE for a Special Use Permit for a Non-Owner Occupied Short-Term Rental at 4407 Springfield Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0 FOR 1 YEAR.

Tracking #: 21301

9.2.D **SP2026-010 - ANDREW BASELICA**

Synopsis: A RECOMMENDATION and ORDINANCE for a Special Use Permit (Renewal of SP2024-074, expires April 10, 2026) for a Non-Owner Occupied Short-Term Rental at 111 South 16th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 6-0 FOR 2 YEARS.

Tracking #: 21303

9.2.E **SP2026-011 - ANDREW BESELICA**

Synopsis: A RECOMMENDATION and ORDINANCE for a Special Use Permit (Renewal of SP2024-035, expires September 12, 2026) for a Non-Owner Occupied Short-Term Rental at 2504 West 47th Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 6-0 FOR 2 YEARS.

Tracking #: 21304

9.2.F **SP2026-012 - BRIAN GLASSER WITH AKCO INVESTMENTS LLC**

Synopsis: A RECOMMENDATION and ORDINANCE for a Special Use Permit (Renewal of SP2025-015, expires June 19, 2026) for a Non-Owner Occupied Short-Term Rental at 616 Elizabeth Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 6-0 FOR 2 YEARS.

Tracking #: 21306

9.2.G **SP2026-014 - SYL BARNETT**

Synopsis: A RECOMMENDATION and ORDINANCE for a Special Use Permit for a Non-Owner Occupied Short-Term Rental at 2049 North 75th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0 FOR 1 YEAR.

Tracking #: 21305

9.2.H **SP2026-016 - GRIER BRYANT**

Synopsis: A RECOMMENDATION and ORDINANCE for a Special Use Permit for a Non-Owner Occupied Short-Term Rental at 1919 Federal Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0 FOR 1 YEAR.

Tracking #: 21309

9.2.I **SP2026-017 - KAMERON GREEN WITH LOVE EVENT SPACE**

Synopsis: Special Use Permit for an event space with live entertainment at 1813 Village West Parkway, RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0 FOR 1 YEAR.

Tracking #: 21308

9.3 Vacation Application(s)

9.3.A **VAC2026-001 - TGC KANSAS CITY LLC**

Synopsis: A RECOMMENDATION and ORDINANCE for a Vacation of a utility easement at 1709 North 98th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0.

Tracking #: 21289

9.3.B **VAC2026-002 - JAKE YOUNG**

Synopsis: A RECOMMENDATION and ORDINANCE for a Vacation of an alleyway and right-of-way at 938 South 26th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0.

Tracking #: 21290

9.3.C **VAC2026-003 - EARL FREEMAN WITH RIVER PARK PROPERTIES**

Synopsis: A RECOMMENDATION and ORDINANCE for a Vacation of a utility easement at 12907 and 12919 Hubbard Road, RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0.

Tracking #: 21291

9.4 Master Plan Amendment(s)

9.4.A **MPL2026-002 - MATTHEW DANNER WITH AMD PARTNERS LLC**

Synopsis: Master Plan Amendment from Commercial (Prairie Delaware Piper Area Plan) to High Density Residential (PlanKCK Comprehensive Plan) for a senior multifamily development at 9400 State Avenue (in conjunction with COZ2026-004), RECOMMENDED FOR APPROVAL BY A VOTE OF 7-0.

Tracking #: 21292

9.5 Minutes

9.5.A **MINUTES**

Synopsis: Minutes from the Planning and Zoning/Board of Commissioners meetings on November 7, 2024, and March 26, 2026.

Tracking #: MINUTES

10. PLANNING AND ZONING NON-CONSENT AGENDA

10.1 Special Use Permit Application(s)

10.1.A **SP2025-094 - EAST SIDE STORAGE LLC WITH ACCELERGEN ENERGY LLC (DOCUMENTS ADDED PER AGENDA UPDATE)**

Synopsis: Special Use Permit for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with PR2025-039), RECOMMENDED FOR DENIAL BY A VOTE OF 6-1.

Tracking #: 21187

10.2 Plan Review Application(s)

10.2.A **PR2025-039 - EASTSIDE STORAGE LLC (DOCUMENTS ADDED PER AGENDA UPDATE)**

Synopsis: Preliminary Plan Review for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with SP2025-094), RECOMMENDED FOR DENIAL BY A VOTE OF 6-1.

Tracking #: 211493

REGULAR COMMISSION

11. REGULAR CONSENT AGENDA

12. PUBLIC HEARING AGENDA

13. STANDING COMMITTEES' AGENDA

14. COMMISSIONERS' AGENDA

15. EXECUTIVE SESSION (ADDED PER AGENDA UPDATE)

15.1 Synopsis: The governing body will adjourn into executive session regarding personnel matters of non-elected personnel. **The executive session portion of the meeting is closed to the public under the Kansas Open Meetings Act.** Tracking #: 21403

16. 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. Disruptive comments and behavior are not permitted and may result in removal from the meeting. 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. El Gobierno Unificado del Condado de Wyandotte y Kansas City, Kansas, proporcionará ayudas y servicios auxiliares necesarios y razonables, como traductores de ASL, copias legibles por máquina de los materiales de la reunión o interpretación de idiomas en el lugar. Las personas que requieran ayuda o servicios auxiliares deben comunicarse con la Oficina del Secretario del Gobierno Unificado enviando un correo electrónico o llamando al UGclerkrequest@wycokck.org o al 913-573-5260 al menos 48 horas antes de la reunión.

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International numbers available: https://wycokck.zoom.us/u/kdKMmalufT

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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.

AGENDA UPDATE
UNIFIED GOVERNMENT BOARD OF COMMISSIONERS MEETING
THURSDAY, APRIL 30, 2026

CHANGING ORDER OF AGENDA:
MAYOR'S AGENDA
ADMINISTRATOR'S AGENDA

6. MAYOR'S AGENDA

Item No. 6.1– PRESENTATION: DOTTE PROUD HONOREES
Synopsis:
Dotte Proud Recognition:

1. Full Throttle Foundation, Glen and Gina Cusimano by Commissioner Kump
2. City Hall Janitorial Crew by Mayor Watson
3. Chuck and Aileen Colbert by Representative Melton

For Information Only
Tracking #: 21378

ADDING ITEMS TO MAYOR'S AGENDA

Item No. 6.2– RESOLUTION: SISTER CITY WITH CITY OF CONCEPCION, TUCUMAN, ARGENTINA
Synopsis:
A Resolution and Proclamation establishing a Sister City relationship with the City of Concepcion, Tucuman, Argentina.
Tracking #: 21401

Item No. 6.3– RESOLUTION: AMERICAN ROYAL SUBCOMMITTEE ORIGINATION FEE RECOMMENDATIONS
Synopsis:
Adopting a resolution approving the recommendations of the American Royal subcommittee as contemplated in the Development Agreement.
Tracking #: 21405

ADDING DOCUMENTS TO ADMINISTRATOR'S AGENDA

Item No. 7.1– PRESENTATION: LEGISLATIVE UPDATE
Synopsis:
Presentation of current legislative activity with Paul Davis, Legislative Representative.

For Information Only
Tracking #: 21362

ADDING DOCUMENTS TO PLANNING AND ZONING NON-CONSENT AGENDA

Item No. 10.1.A– SP2025-094 - EAST SIDE STORAGE LLC WITH ACCELERGEN ENERGY LLC

Synopsis:

Special Use Permit for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with PR2025-039), RECOMMENDED FOR DENIAL BY A VOTE OF 6-1.

Tracking #: 21187

Item No. 10.2.A– PR2025-039 - EASTSIDE STORAGE LLC

Synopsis:

Preliminary Plan Review for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with SP2025-094), RECOMMENDED FOR DENIAL BY A VOTE OF 6-1.

Tracking #: 211493

ADDING AN EXECUTIVE SESSION

Item No. 15.1– EXECUTIVE SESSION

Synopsis:

The governing body will adjourn into executive session regarding personnel matters of non-elected personnel. **The executive session portion of the meeting is closed to the public under the Kansas Open Meetings Act.**

Tracking #: 21310

Tracking ID: 21378

Report to
Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
		Commissioners' Office

AGENDA ITEM #6.1.

PRESENTATION: DOTTE PROUD HONOREES

BACKGROUND

Dotte Proud Recognition:

1. Full Throttle Foundation, Glen and Gina Cusimano by Commissioner Kump
2. City Hall Janitorial Crew by Mayor Watson
3. Chuck and Aileen Colbert by Representative Melton

RECOMMENDATION

For information only

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

LEGAL/ POLICY CONSIDERATIONS

ATTACHMENTS

Full Throttle Foundation, Chuck and Aileen Colbert, Janitorial Crew

Approved by Mayor/Administrator to add to agenda.

THE DOTTE PROUD AWARD

On behalf of the
Unified Government of Wyandotte County/Kansas City, Kansas
we extend our sincere appreciation and gratitude for your contributions and your commitment to the betterment of our community.
Your commitment to strengthening our neighborhoods, uplifting our community, and contributing your time, talent, and energy reflects the very spirit of what it means to be

Dotte Proud.

In recognition of your outstanding service, leadership, and dedication to the people of

Wyandotte County/Kansas City, Kansas

Presented this 30th day of April, 2026 to:



Glen and Gina Cusimano
Full Throttle Foundation

_____
Commissioner Andrew Kump

THE DOTTE PROUD AWARD

On behalf of the
Unified Government of Wyandotte County/Kansas City, Kansas
we extend our sincere appreciation and gratitude for your contributions and your commitment to the betterment of our community.
Your commitment to strengthening our neighborhoods, uplifting our community, and contributing your time, talent, and energy reflects the very spirit of what it means to be

Dotte Proud.

In recognition of your outstanding service, leadership, and dedication to the people of

Wyandotte County/Kansas City, Kansas

Presented this 30th day of April, 2026 to:



Chuck and Aileen Colbert

_____

Mayor/CEO Christal E. Watson

THE DOTTE PROUD AWARD

On behalf of the
Unified Government of Wyandotte County/Kansas City, Kansas



we extend our sincere appreciation and gratitude for your contributions and your commitment to the betterment of our community.

Your commitment to strengthening our neighborhoods, uplifting our community, and contributing your time, talent, and energy reflects the very spirit of what it means to be

"Dotte Proud"

In recognition of your outstanding service, leadership, and dedication to the people of

Wyandotte County/Kansas City, Kansas

Presented this 30th day of April, 2026 to :

Dorety Aguilar Miranda
Marvin M Flores
George E Showalter Jr.
Ana Dolinar (Supervisor)
Jose Hernandez
Ljubica Maracic
Maria Montes Morales

_____

Mayor/CEO Christal E. Watson

Tracking ID: 21401

Report to
Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Frank Ramirez, Chief of Staff framirez@wycokck.org X5011	Mayor's Office

AGENDA ITEM #6.2.

RESOLUTION: SISTER CITY WITH CITY OF CONCEPCION, TUCUMAN, ARGENTINA (ADDED PER AGENDA UPDATE)

BACKGROUND

A Resolution and Proclamation establishing a Sister City relationship with the City of Yerba Buena, Tucuman, Argentina.

RECOMMENDATION

Approve

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

None

LEGAL/ POLICY CONSIDERATIONS

ATTACHMENTS

Sister City Resolution Concepcion 4.29.26, Sister City Proclamation Concepcion 4.29.26

Approved by Mayor/Administrator to add to agenda.

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING A SISTER CITY RELATIONSHIP BETWEEN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY / KANSAS CITY, KANSAS AND THE CITY OF CONCEPCIÓN, TUCUMÁN, ARGENTINA

WHEREAS, the Unified Government of Wyandotte County / Kansas City, Kansas seeks to foster economic and cultural connections with communities around the world;

WHEREAS, the Unified Government of Wyandotte County / Kansas City, Kansas and the city of Concepción, Tucumán, Argentina intend to establish a collaborative relationship;

WHEREAS, it is in the mutual interest of both entities to deepen the friendship between the Unified Government of Wyandotte County / Kansas City, Kansas and the city of Concepción, Tucumán, Argentina;

WHEREAS, the Unified Government of Wyandotte County / Kansas City, Kansas and the city of Concepción, Tucumán, Argentina would like to cooperate in culture, sport, commerce, tourism, municipal development, and recreation; and

WHEREAS, the Unified Government of Wyandotte County / Kansas City, Kansas and the city of Concepción, Tucumán, Argentina seek to enter into a mutually beneficial agreement formalizing these goals;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY / KANSAS CITY, KANSAS:

Section 1. That the Mayor/CEO is authorized to sign a Proclamation, in substantially the form attached hereto, to establish and recognize the sister city relationship between the Unified Government of Wyandotte County / Kansas City, Kansas and the city of Concepción, Tucumán, Argentina.

Section 2. This Resolution shall take effect and be in full force after its adoption by the Board of Commissioners.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY / KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____

Christal E. Watson

Mayor/CEO

Attest:

_____

Unified Government Clerk

Approved as to form:

_____

Angela J. Lawson, Acting Chief Counsel

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY / KANSAS CITY, KANSAS

PROCLAMATION

WHEREAS, THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY / KANSAS CITY, KANSAS SEEKS TO FOSTER A SPECIAL RELATIONSHIP WITH THE CITY OF CONCEPCIÓN, TUCUMÁN, ARGENTINA;

WHEREAS, THERE EXISTS A STRONG BOND BETWEEN WYANDOTTE COUNTY / KANSAS CITY, KANSAS AND THE CITY OF CONCEPCIÓN, ESPECIALLY THROUGH THEIR SHARED INTEREST IN SOCCER AND SPORTSMANSHIP;

WHEREAS, THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY / KANSAS CITY, KANSAS LOOKS FORWARD TO HOSTING AND ENGAGING IN CULTURAL EXCHANGE WITH RESIDENTS OF CONCEPCIÓN DURING THE 2026 WORLD CUP TOURNAMENT;

WHEREAS, A FORMAL SISTER CITY RELATIONSHIP BETWEEN THE CITY OF CONCEPCIÓN, TUCUMÁN, ARGENTINA AND WYANDOTTE COUNTY / KANSAS CITY, KANSAS HAS BEEN REQUESTED TO PROMOTE MUTUAL INTERESTS IN SOCCER, CULTURE, COMMERCE, AND TOURISM;

NOW THEREFORE, I, CHRISTAL E. WATSON, MAYOR/CEO OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY / KANSAS CITY, KANSAS, DO HEREBY PROCLAIM THAT THERE EXISTS BETWEEN THE CITY OF CONCEPCIÓN, TUCUMÁN, ARGENTINA AND WYANDOTTE COUNTY / KANSAS CITY, KANSAS A FORMAL SISTER CITY RELATIONSHIP, IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND THE SEAL OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY / KANSAS CITY, KANSAS, ON THIS _____ DAY OF _____, 2026.

_____

CHRISTAL E. WATSON, MAYOR/CEO

Tracking ID: 21405

Report to
Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Jeffrey Conway, Assistant Counsel jconway@wycokck.org x5075	Legal

AGENDA ITEM #6.3.

RESOLUTION: AMERICAN ROYAL SUBCOMMITTEE ORIGINATION FEE RECOMMENDATIONS (ADDED PER AGENDA UPDATE)

BACKGROUND

The American Royal subcomittee proposes an initial time-sensitive allocation of funds from the Origination Fee identified in the American Royal development agreement. These funds will provide immediate assistance to small businesses and the community as a whole.
The recommended funding is a portion of the $5,000,000 total generated from the American Royal Origination Fee, and the subcommittee reserves the right to make further recommendations regarding the balance. The subcommittee is recommending the following expenditures:

- $150,000 for downtown grocery store support
- $250,000 for Little Turkey Creek infrastructure project
- $300,000 for economic mobility business support
- $150,000 for small business grant program enhancements
- $15,000 for World Cup cultural training.

Total recommended funding: $865,000

RECOMMENDATION

Approve

Approval of the resolution

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

Funding will be applied against the total sum of $5,000,000 allocated from the American Royal project.

LEGAL/ POLICY CONSIDERATIONS

ATTACHMENTS

Resolution on Origination Fee Recommendation Part 1

Approved by Mayor/Administrator to add to agenda.

RESOLUTION NO. R-____-26

A RESOLUTION TO ADOPT AN INITIAL RECOMMENDATION OF THE AMERICAN ROYAL SUBCOMMITTEE FOR THE USE OF MONEYS FROM THE ORIGINATION FEE DESCRIBED IN THE AMERICAN ROYAL DEVELOPMENT AGREEMENT

WHEREAS, on June 24, 2025, the Unified Government of Wyandotte County/Kansas City, Kansas (UG) and the American Royal Association, a Missouri not-for-profit corporation, (Developer) entered into that certain American Royal Amended and Restated Development Agreement;

WHEREAS, Developer proposed to design, develop, construct, complete and operate a major commercial entertainment and tourism destination and major multi-sport athletic complex within the STAR Bond District consisting of at least three (3) first-class arenas and facilities and other related improvements; a first class agricultural education center and museum; and certain barbecue-related uses for the American Royal barbecue contest; and which may include a Festival Grounds concept;

WHEREAS, on December 5, 2025, the UG and Developer entered into the First Amendment to the American Royal Amended and Restated Development Agreement, and the agreement as amended by the First Amendment became the full agreement (collectively referred to as the Development Agreement);

WHEREAS, the Development Agreement provided that the Developer was to pay the UG a $5,000,000 Origination Fee to be used by the UG for local economic development activities, and which was separate from and not subject to the UG's community benefit ordinance or other resolutions or ordinances intended to allocate fees and charges to specific purposes;

WHEREAS, the Development Agreement also provided that the Developer is obligated to pay annual payments of $1,315,789.48 to the UG for up to nineteen years or until all ~~of~~ the STAR bonds are repaid in full;

WHEREAS, the Development Agreement also provided that the UG form a five-member subcommittee made up of the Mayor/CEO, the Chair and a non-Chair member of the Economic Development and Finance Standing Committee, and the Chair and a non-Chair member of the Public Works and Safety Standing Committee;

WHEREAS, the Development Agreement also provided for deadlines for the subcommittee to meet and to provide its recommendations to the full Commission on both the Origination Fee and the Annual Payment;

WHEREAS, the Development Agreement also provided that the subcommittee's recommendations for the Origination Fee must be for local economic development activities and

the subcommittee's recommendations for the Annual Payment can be for economic development, infrastructure improvements or other beneficial UG purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. That the Governing Body adopts the initial recommendations of the American Royal Subcommittee for the use of Origination Fee, as such fee is described in the Development Agreement, as follows:

$150,000 for UG contribution toward the Pre-Opening Fund for United Market
$250,000 for the Little Turkey Creek infrastructure project
$300,000 for economic mobility business support
$150,000 for small business grant program enhancements
$ 15,000 for World Cup cultural training.

TOTAL: $865,000.00

Section 2. The Mayor, the County Administrator and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. This Resolution shall take effect and be in full force from and after its passage and adoption.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS 30TH DAY OF APRIL 2026.

_____
Christal E. Watson, Mayor/CEO

Attest:

_____
Monica Sparks, Unified Government Clerk

Approved as to Form:

_____
Office of Chief Counsel

Tracking ID: 21362

Report to
Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Alan Howze, Assistant County Administrator ahowze@wycokck.org x8951	Administrator's Office

AGENDA ITEM #7.1.

PRESENTATION: LEGISLATIVE UPDATE (DOCUMENTS ADDED PER AGENDA UPDATE)

BACKGROUND

Presentation of current legislative activity with Paul Davis, Legislative Representative.

RECOMMENDATION

For information only

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

LEGAL/ POLICY CONSIDERATIONS

ATTACHMENTS

2026 Legislative Summary

Approved by Mayor/Administrator to add to agenda.

Unified Government of
Wyandotte County and Kansas City, Kansas
701 North Seventh Street
Kansas City, Kansas 66101
(913) 573-5311 • info@wycokck.org

MEMORANDUM

April 27, 2026

TO: Mayor Christal Watson and Members of the Unified Government of Wyandotte County and Kansas City, Kansas Board of Commissioners

FROM: Paul Davis, UG Lobbyist

RE: 2026 Legislative Session Summary

The 2026 legislative session has come to an end. Both chambers adjourned around 1:30 am on Saturday, April 11. Many of the governor's budget line-item vetoes were overridden in the wrap up session. Additionally, the Legislature passed another bill that would restrict growth in local government budgets after Governor Kelly vetoed House Bill 2745 on Wednesday (as of when this Memorandum was prepared and submitted we do not know whether the Governor has signed or vetoed this bill). The Legislature made another attempt to pass a constitutional amendment that would cap property valuation increases, but they failed to attain the necessary 2/3 majority.

In addition to some highlights, here is a summary of all the bills that have been signed the governor, vetoed by the governor, and where the Legislature has overridden gubernatorial vetoes. The Governor announced that she has vetoed a civics education bill that was passed in the wrap up session. In addition to the local government budget bill we are still awaiting the Governor's action with regard to several other bills passed during the wrap up session. I should hopefully have more information for you on Thursday.

Legislature sends another bill limiting local government spending to the Governor

After Governor Kelly vetoed House Bill 2745, the Legislature teed up a modified version and sent it to the Governor just before adjourning. The new bill passed the Senate 27-13 and the House 78-44.

The bill sets up a protest petition threshold of 10% of the voters who cast a ballot in the last election for secretary of state. If this threshold is met and a local government passes a budget that spends above a 3% plus Midwest CPI index increase over the last budget, that budget would become void. The bill does include some exceptions to the revenue limits such as debt service payments on bonds, property that is annexed, and the expiration of tax breaks when a property returns to the tax rolls.

School districts are exempted from the bill. If the Governor vetoes the bill, the Legislature won't be able to attempt an override because they have adjourned the session.

Legislature lets Brownback signature program expire

One of former Governor Sam Brownback's signature accomplishments was starting the Rural Opportunity Zone Program. The program was created in 2011 and offered a combination of income tax cuts and student loan repayment in an effort to repopulate rural Kansas. It started in 50 eligible counties and was later expanded to 95 counties. Several audits showed that the program wasn't seeing much success. An effort was made to extend the program, but a number of legislators on both sides of the aisle indicated that they did not want to see the program renewed. The renewal provision was later removed from a tax bill that was sent to Governor Kelly.

In-state tuition program for immigrant children survives

After both chambers voted to end a program that grants children of undocumented immigrants in-state tuition and Kansas universities and community colleges, Governor Kelly vetoed the provision and the Legislature did not have enough votes to override. The Senate passed the bill 22-18 while the House passed it 78-46. Attorney General Kris Kobach had strongly advocated for repeal of the law that has been in effect for several decades. In order to qualify for the program, the student must graduate from a Kansas high school and live in Kansas for a certain number of years.

Governor signs road safety bill

Governor Kelly has signed Senate Bill 366 into law. The bill prohibits drivers from using cell phones in school zones and areas where road construction is underway. The bill passed the Senate 31-9 and the House 116-7. In order for the ban to take effect, the driver must be in a school zone when a reduced speed limit is enforced or in a road construction zone while workers are present and warning signs are posted.

Governor vetoes entire legislative budget, but veto is overridden

Governor Kelly took the extraordinary measure of vetoing the Legislature's entire operating budget because she felt it was wrong for Legislature to pass pay raises for themselves of 4.4% and larger pay raises for legislative staff while only providing a 1% pay increase for state employees. The issue stirring a lengthy debate in both chambers with Democrats siding with the Governor. But ultimately both chambers voted to override the veto.

State revenue numbers take a dip

Kansas is running into some budget issues since recent tax revenues aren't meeting expectations, especially when it comes to corporate income taxes. In March the state brought in $577.1 million, which is about $68.9 million below what was expected and down from last year's March revenue. A big part of that problem is corporate taxes have been trending downward for a while. While individual income taxes and sales taxes showed some improvement, it's still not enough to make up for the overall shortfall. At the same time, the state passed a new budget even though lawmakers admitted Kansas is spending more than it's bringing in, largely because of tax cuts and growing demands for services.

Bills that Governor Kelly has signed into law:

HB 2212: Allows the Governor to make such a declaration for large-scale events, such as the ***World Cup*** hosted in Kansas or any county bordering the state that attract a significant amount of visitors to Kansas and "burden the ability of large agencies and law enforcement agencies to maintain public safety, transportation services, security or other essential infrastructure."

SB 366: ***Limits drivers from using cellphones in school zones*** and areas where ***road construction*** is underway. The Legislature sent the bill to the governor after it was approved 31-9 in the Senate. The House approved the bill on a 116-7 vote.

SB 55: The bill is intended to guard against ***predatory contractors*** who try to persuade homeowners to sign over their insurance benefits so they can seek direct payment from insurance providers. The bill passed the Legislature unanimously.

HB 2393: Authorizing the Supreme Court to impose a charge to fund the costs of nonjudicial personnel through June 30, 2030. The bill extends the ***judicial branch surcharge*** on various docket fees through June 30, 2030. The fees are deposited into the state general fund. The bill passed 25-15 in the Senate and 117-7 in the House.

HB 2511: Permitting money received from ***agricultural production on a state-owned property*** to be used for the management of all state-owned properties. The bill passed unanimously in the Senate and 122-2 in the House.

HB 2519: Continuing in existence certain ***exceptions to*** the disclosure of public records under the ***Kansas Open Records Act***. The exceptions include the name, address and telephone number of an emergency contact authorized by a holder of a driver's license, instruction permit or nondriver's identification card. Another continued exception includes records disclosed to a city or county agency that provides a local review of child deaths when the death occurred in the city or county or the child was a resident of the city or county. The bill passed unanimously in the Senate and 120-2 in the House.

HB 2622: Modifies ***municipal lease-purchase protest petition requirements***. The bill would amend the protest petition requirement by changing the required percentage from 5% of the voters of the municipality who voted for secretary of state at the last general election to 3% of the qualified voters of the municipalities and school districts. The bill passed unanimously in the House and Senate.

HB 2702: Requires applicants for a ***physician-assistant license*** submit to a ***criminal record check***. The bill passed unanimously in the Senate and 120-2 in the House.

HB 2761: Enacting the ***Speech-Language Pathology Assistant Act*** to provide for the licensure of speech-language pathology assistants. The bill passed 38-2 in the Senate and 121-1 in the House.

SB 425: Increasing the maximum annual ***registration fee limit for seed retailers and wholesalers*** and authorizing a late fee for registrations renewed after the registration deadline. The House passed the bill 121-3. It passed the Senate 37-3.

HB 2320: Authorizing ***children in the custody*** of the Secretary of the ***Department for Children and Families*** to attend school in any school district and requiring records for students to be transferred in a timely manner between school districts.

HB 2323: Establishing procedures for a civil action instituted by the commissioner of insurance related to ***fraudulent insurance acts***, as well providing that expunged criminal records will be disclosed in certain situations for licensure as an insurance producer or public adjustor.

HB 2331: Authorizing the ***disposition of the unclaimed remains*** of deceased persons by district coroners and proving exemptions from liability for such actions.

HB 2374: Creating the ***specialty practice student loan program*** and the specialty practice student loan repayment fund, as well as modifying practices for OB-GYN and psychiatry medical student loan repayment funds.

HB 2378: Establishing the ***removal of squatters act***, providing a procedure to remove a squatter from a dwelling unit, and altering protocol for law enforcement to squatting.

HB 2416: Creating the Kansas ***motorsports venue protection act*** to provide immunity to motorsports venues from civil actions for nuisance, taking or similar legal theories.

HB 2435: Authorizing ***natural gas public utilities*** to recover certain growth-related investments in the gas system reliability surcharge, increasing the cap on the amount that the monthly fixed charge may be increased for residential customers, and reducing the time for the state corporation commission to act on gas system reliability surcharge filings.

HB 2440: Excluding owners of ***oil leases*** from having to file requests for exemption with the board of tax appeals for property tax exemptions.

HB 2536: Requiring proposed ***guardians*** for certain adults who have a cognitive impairment or are diagnosed with a neurological condition to complete training approved by the secretary for aging and disability services prior to appointment as a guardian.

SB 364: Requiring the department of wildlife and parks to offer a discounted resident senior combination ***hunting and fishing license*** to residents of Kansas who are 65 years of age or older and increasing the

maximum age to qualify for the Kansas kids lifetime combination hunting and fishing license and decreasing the maximum fee and removing the expiration of such license.

HB 2524: Allows the Secretary for Children and Families to license ***family foster homes*** when other individuals residing in the home meet certain exceptions that previously disqualified the family.

HB 2444: Providing that ***jail credit*** when ***consecutive sentences*** are imposed shall not apply to more than one case and creating special sentencing rules and requiring certain minimum bonds when a felony is committed by certain offenders while on probation, parole, or post-release supervision.

HB 2467: Prohibiting past convictions or sanctions for failure to comply with a traffic citation that are more than five years old from being considered by courts and the division of vehicles in determining ***suspended or restricted driving privileges*** and eliminating certain notice requirements for the division of vehicles.

HB 2470: Providing that certain municipalities may designate the entire municipality within a ***neighborhood revitalization area*** under the Kansas neighborhood revitalization act.

HB 2487: Defining ***teacher and paraprofessional*** for purposes of eligibility for a scholarship under the Kansas education opportunity scholarship program.

HB 2520: Increasing the number of allowed residents in a ***home plus facility*** from 12 to 16.

HB 2539: Requiring that the members of the ***Eudora*** community library district board of directors be elected to such positions.

HB 2552: Requiring criminal ***presentence investigation reports*** and journal entries to be completed and submitted in the form and manner prescribed and approved by the Kansas Sentencing Commission.

HB 2562: Permitting the issuance of a ***special license plate*** or permanent or temporary placard for a person with a ***disability*** based on documentation of satisfactory proof of disability from a physical therapist.

Senate Substitute for HB 2571: Increasing the cost threshold for when a county shall use the ***public bidding process in awarding a construction contract***.

HB 2574: Removing the expiration on certain ***cybersecurity requirements***, modifying the duties of chief information security officers and cybersecurity programs, and requiring assessment of executive branch agency compliance with cybersecurity requirements.

HB 2602: Establishing requirements for a ***portable benefit plan for independent contractors***, determining types of contributions to such plans, and providing a subtraction modification for Kansas income tax purposes.

HB 2618: Requiring the ***state board of education*** to report to the legislature on federal monies received by the state, ending certain educational reporting requirements and applying expiration dates to other educational reporting requirements.

HB 2644: Requiring a ***county appraiser*** to adjust the value of residential and commercial property upon final determination or obtain a fee simple appraisal if the appraised value exceeds 5% increase over three years.

HB 2737: Enacting the taxpayer agreement act to provide for an alternative method of ***tax increment financing*** of municipal economic development projects through taxpayer agreements.

HB 2747: Specifying that courts shall consider certain factors in determining whether a prior violation of law is comparable to any act described in certain ***driving under the influence*** crimes when calculating a person's criminal history score under the Kansas sentencing guidelines act.

HB 2769: Requiring members of ***governing bodies of subordinate service taxing areas*** to be residents of such taxing areas.

HB 2781: Authorizing the state historical society to acquire the junior officers' quarters at ***Fort Dodge*** and provide for the use, preservation, improvement, control and maintenance thereof.

House Substitute for SB 260: Establishing the ***born to invest act*** and requiring the office of vital statistics to provide data to the office of the state treasurer for distribution of informational materials regarding certain government-administered savings accounts

SB 398: Aligning a part of the ***Kansas Rules of Evidence*** dealing with Expert witnesses with the Federal Rules of Evidence by requiring a proponent to demonstrate that it is more likely than not that certain specialized knowledge will help the trier of fact to understand evidence before certain qualified witnesses may testify.

SB 418: Enacting the ***by-right housing development act*** to provide a streamlined permit approval process for by-right housing developments and allowing third-party review of new residential construction development documents and inspection of improvements, along with making other updates to zoning and regulations.

Senate Substitute for HB 2402: Requiring eligible ***boards of education*** to consider participation in the community eligibility provision, providing a financial hardship exception to such participation and requiring the state department of education to assist school districts seeking such participation.

HB 2739: Relating to ***housing code requirements***, removing the definition of apartment houses from chapter 31 of the Kansas Statutes Annotated, providing requirements for adoption of the national fire protection association standards, 2024 edition, and providing that certain state accessibility standards are not applicable to moderate income housing program and Kansas investor tax credit housing act projects.

SB 84: Established the ***Supported Decision-Making Agreements Act***, which will allow adults to enter into supported decision-making agreements to receive assistance with an adult's affairs from one or more other adults. This bill provides individuals who need assistance with decision-making with the option to receive support from one or more adults while remaining as independent as possible.

SCR 1615: Declares October 14 as ***Charlie Kirk Day*** (since this is a resolution it does not require the governor's signature)

HB 2481: Would allow a board of county commissioners to opt into allowing ***23 hour alcohol sales*** between June 11 and July 19. The bill also requires local units of government to process short term rental application within 15 days.

HB 2466: Creates the ***Kansas Sports Facilities Authority Act*** to own and operate the Chiefs stadium in Wyandotte County. The bill also contains a reauthorization of the ***STAR bonds*** program.

SB 271: Updates the law to state that a child must be at 250% of federal poverty level to qualify for the Children's Health Insurance Program (***CHIP***).

HB 2652: Requiring ***appellate courts*** to publish a monthly list of cases where a decision has not been reached.

HB 2591: Installs measures to make it harder for fraudsters to use ***cryptocurrency kiosks*** to dupe consumers.

HB 2357: Allows tenants with previous convictions to have those ***expunged*** from their record.

HB 2534: Requires school districts to develop ***fentanyl abuse education programs*** and maintain a stock supply of naloxone. The bill also contains provisions regarding the conduct of active shooter drills and simulations.

HB 2501: Resolves a conflict between federal and state law regarding the ownership of ***gun suppressors and short-barreled shotguns***.

HB 2560: Changes how ***higher education*** is governed in Kansas by removing state universities from a number of rules and regulations. The bill allows the six state universities to make independent decisions about contracts, purchasing and selling land, procuring goods and services, and constructing buildings.

HB 2323: Gives the state insurance commissioner more authority to levy civil penalties for ***insurance fraud***.

HB 2365: Amends the Uniform Controlled Substances Act to designate 7-OH ***kratom*** as a Schedule I substance.

SB 374: Requires further consideration of evaluation and treatment during ***competency proceedings*** for defendants charged with serious offenses. The bill was named the Logan and Austin bill after Logan and Austin Jackson, who were murdered by their father in 2020.

HB 2528: Reforms the ***state nursing board*** after claims of heavy-handed enforcement were made by nurses. It overhauls the composition of the board, gives latitude o nurses who are late renewing their licenses, and voids 20 years of enforcement actions related to licensing and renewals.

HB 2507: Approves the ***Department of Wildlife and Parks*** raising $4 million in additional fees to offset increased utility costs and revenue losses.

SB 459: Restructures the ***Kansas Prisoner Review Board*** after it paroled the murderer of a Kansas Highway Patrol trooper last year. The move brought outrage from lawmakers and Governor Kelly.

SB 20: Reforms regulation of ***pharmacy benefit managers***. The bill was championed by Insurance Commissioner Vicki Schmidt, who says it will lead to reduced prescription drug costs.

Substitute for HB 2595: Offering incentives to ***lawyers that practice in rural areas*** of the state. The bill provides a $3,000 stipend for law students who agree to practice in rural Kansas and creates a loan repayment program.

HB 2237: Authorizes hiring, recruitment and retention ***bonuses for state employee*** awards and recognition programs. The maximum award is $10,000 and any award of over $3,500 would require the governor's approval.

SB 299: Makes all records of the ***Supreme Court Nominating Commission*** accessible to the public.

Bills that the Governor has allowed to become law without her signature-

House Bill 2018 creates the crime of interfering with a ***religious assembly***.

Bills that the Governor vetoed and was overrode by the Legislature-

HB 2727: Would make it easier for women who undergo an ***abortion*** to sue a physician for malpractice if they were not provided sufficient information under the Women's Right to Know law.

HB 2372: Would reduce interference with ***immigration enforcement*** by setting up a buffer zone that would keep protesters at least 25 feet away from first-responders who are carrying out their duties. First-responders also includes law enforcement officers, EMS personnel, and firefighters.

SB 368: Allows a tax deduction for ***health care sharing ministries***, which are faith-based organizations where members voluntarily share each other's medical expense costs.

HB 2333: The so-called ***Kansas Intellectual Rights and Knowledge Act*** sets requirements for universities that cover students participating in noncommercial expressive activities. It establishes a cause of action that can be brought by the Attorney General or the student if the individual is harmed and the university violates the law.

SB 391: Prohibits ***local governments*** from requiring ***landlords*** to lease property to tenants based on their source of income and including whether they accept federal housing vouchers. The bill was centered on a Lawrence ordinance that was recently enacted.

HB 2593: Gives the ***Attorney General*** oversight of ***class-action lawsuits*** brought by local units of government.

HB 2437: Requires state social service agencies that provide ***public benefits*** to report ***noncitizen beneficiaries*** to the Secretary of State to detect possible illegal voting.

HB 2635: Prevents state and local officials from taking actions against ***crisis pregnancy centers*** that would force them to violate their beliefs (The Legislature also overrode the Governor's veto of $3 million appropriated for crisis pregnancy centers).

HB 2731: Prohibits the state from allowing ***public assistance beneficiaries*** to self-attest without verification of certain criteria to be eligible for benefits. The bill also requests the Departments for Children and Families and Health and Environment to enter into data-matching agreements with state agencies to compare data related to individuals who apply for food or medical assistance.

SB 361: Allows Kansans to participate in a federal program where individuals can claim up to $1,700 in ***federal tax credits*** for contributions to organizations that give scholarships to students that attend private and public schools. It is similar to a program that already exists in Kansas for private schools.

HB 2513: Punishes school districts that allow or encourage ***student walkouts*** to protest various issues.

HB 2437: Limiting ***online voter registration*** to government-owned websites or sites meeting certain security standards approved by the Secretary of State. The bill includes a creation of crime for persons who operate sites that do not comply with the law.

Newly vetoed bills from the wrap up session-

HB 2346: Would have established a ***sports tourism fund*** for communities to attract major sports tournaments.

HB 2412: Requires all students enrolled in 9th grade or approve to pass a ***civics test***.

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Change of Zone Petition COZ2026-003**

GENERAL INFORMATION

Applicant Information:
Cris Powell
9830 Hollingsworth Road
Kansas City, Kansas 66109

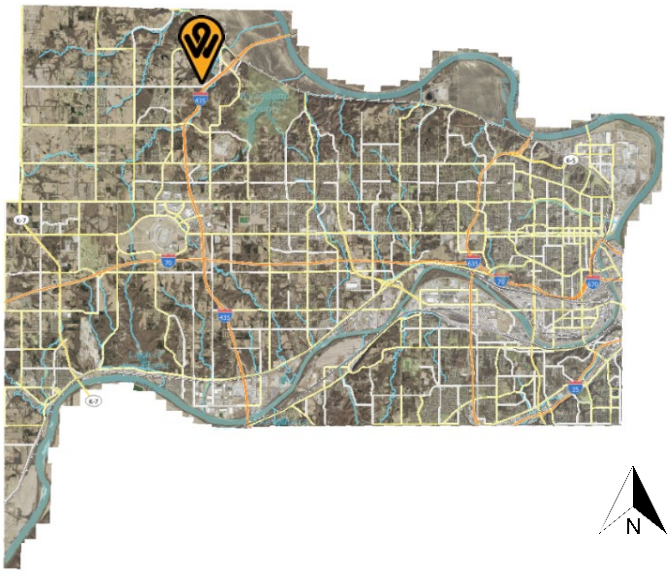
Subject Property:
9830 Hollingsworth Road
Kansas City, Kansas 66109

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

Commission Districts:
At-Large Commissioner, District #1:
Melissa Bynum
District #5 Commissioner:
Dr. Edward Pacheco III

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

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





	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture District	Single family home
South	None	Hollingsworth Road and Interstate 435 right-of-way 435
East	None	Hollingsworth Road and Interstate 435 right-of-way 435
West	A-G Agriculture District	Single family home

Total Tract Size: 14.89 Acres

Comprehensive Plan Area: Prairie Delaware Piper Area Plan

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates the subject property as Planned Low Density Residential, which allows single-family detached residential units and should appear to be less dense.

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

Parking Requirement: Section 27-452(e) states that two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling.

Landscaping Requirement: Section 27-700(a) states that one (1) shade tree per dwelling unit is required in the front or corner side yard. The applicant meets the requirements.

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing(s): April 13 and April 30, 2026

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Cris Powell, is requesting a Change of Zone from A-G Agriculture District to R-1 Single Family District to build a single-family home at 9830 Hollingsworth Road, Kansas City, Kansas 66109.

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

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the I-435 Statistical Neighborhood and Census Block Group #0448041. The property is bordered by large agricultural-zoned lots to the north and west. Although designated for agricultural use, these parcels currently function as residential lots. To the east and south, the site is adjacent to the I-435 highway corridor.

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 A-G Agriculture District lots. The proposed use, which is residential in nature, is compatible with nearby uses if properly managed.

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

The proposed use is suitable for the subject property since it is similar in nature to the adjacent properties and the use being proposed is allowed by right. The removal of restrictions will not detrimentally affect nearby property.

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

   The property is vacant since 1997 as aerial view reflects it.

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 or welfare of the general public, as the public would not directly benefit from this specific development. However, permitting this use on the site would reinforce and complement the surrounding zoning pattern by introducing a use that is consistent with nearby districts and existing development. Because the proposed use is similar in character and intensity to adjacent properties, it is not expected to negatively impact the use, quality, or marketability of nearby land.

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 does not the potential to increase vehicular traffic, and should not exceed the capacity of Hollingsworth Road, a Minor Collector to accommodate it if managed properly.

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 Low Density Residential, which allows single-family detached residential units and should appear to be less dense. Development in these areas should include significant areas for open space to maintain the rural character of the area. The proposed use conforms to the Prairie Delaware Piper Area Plan 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 the development is small and within the designated uses of the zoning.

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

a. Electric and Water Service

BPU provides electric and water service.

b. Sanitary Sewer Service

The UG provides sanitary sewer service.

c. Storm Water Control

The UG provides storm water control 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 2.77 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 Creek Elementary School, Piper Middle School, and under Piper High School, under Piper USD 203.

h. Streets

See item #6 above.

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

The economic impact on the proposed use on the community is minimal.

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

The proposed use meets all applicable ordinance requirements, including the designated future land use and zoning.

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, this development would only benefit the applicant as they will be able to build a single-family home on the subject property for their own need. If denied, the property owner may not use the property for R-1 Single Family District, however, they can still use the property with any permitted use in A-G Agriculture District.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Microsoft Teams on March 27, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **COZ2026-003**, subject to:

1. **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, $7.00 per lot payable to the Unified Treasurer;**
2. **Per the Prairie Delaware Piper Master Plan – Area 2, the floor area must be a minimum of 1,750 square feet;**
3. **Front loaded garages should incorporate at least one (1) of the following guidelines to limit the dominance of garage doors on the front façade:**
    a. **Incorporate upper-level dormers above the garage, or,**
    b. **Design porches, stoops, and/or façades should protrude at least five (5) feet in front of the garage; or,**
    c. **Use trim, windows and other details to de-emphasize the visual impact of the garage in relation to the rest of the structure;**
4. **The R-1 Single Family District requires covered parking for at least one (1) parking space. The covered parking may be a garage or carport;**
5. **Section 27-675(b)(1) Parking, loading and maneuvering areas for new single-family residences or for replacement or expansion of existing asphalt or concrete areas shall be improved with a permanent asphalt or concrete pavement to the standards set out in subsection (a) of this section;**
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 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;**
7. **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);**

8. **Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;**
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;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **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 Inspection 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 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,**
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.**

STAFF RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Neighborhood Meeting Affidavit
Neighborhood Meeting Minutes
Final Plat
Conservation District Comments
Title Commitment
Image of the Property Submitted by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	**City Planning Commission**	**Unified Government Board of Commissioners**
Change of Zone	April 13, 2026 Approval	April 30, 2026
Final Plat	April 13, 2026 Approved	Not Required

STAFF CONTACT: **Osiris Nuñez Espinoza, Planner**
Oespinoza@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2026-003** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2026-003,** 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.

April 13, 2026, City Planning Commission Minutes:
Hearing starts at 27:23:

COZ2026-003 - CRIS POWELL
Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family Residential District to build a single-family home at 9830 Hollingsworth Road (in conjunction with PLAT2026-012).

PLAT2026-012 - CRIS POWELL
Synopsis: Final Plat to plat one (1) lot at 9830 Hollingsworth Road (in conjunction with COZ2026-003). *Detailed Outline of Requested Action:* The applicant, Cris Powell, is requesting a Change of Zone from A-G Agriculture District to R-1 Single Family District and a Final Plat to build a single-family home at 9830 Hollingsworth Road, Kansas City, Kansas 66109.

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, Applicant Representative, Atlas Land Consulting, 14500 Parallel, Basehor, Kansas, 66007

Present in Opposition:

- No one appeared

Staff Recommendation starts at 29:56: Lead Planner Byron Toy stated that staff recommends approval with conditions.

Motion starts at 30:17:

On motion by Commissioner Jones, seconded by Commissioner Easterwood, the Planning Commission voted as follows to **recommend APPROVAL of COZ2026-003:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

Motion to recommend APPROVAL passed: 7 to 0

Subject to:

1. **When the mylars are submitted to Staff to be recorded, submit the following fees:**
   b. $32.00 per page payable to the Register of Deeds; and, $7.00 per lot payable to the Unified Treasurer;
2. **Per the Prairie Delaware Piper Master Plan – Area 2, the floor area must be a minimum of 1,750 square feet;**
3. **Front loaded garages should incorporate at least one (1) of the following guidelines to limit the dominance of garage doors on the front façade:**
   d. Incorporate upper-level dormers above the garage, or,
   e. Design porches, stoops, and/or façades should protrude at least five (5) feet in front of the garage; or,
   f. Use trim, windows and other details to de-emphasize the visual impact of the garage in relation to the rest of the structure;
4. **The R-1 Single Family District requires covered parking for at least one (1) parking space. The covered parking may be a garage or carport;**
5. **Section 27-675(b)(1) Parking, loading and maneuvering areas for new single-family residences or for replacement or expansion of existing asphalt or concrete areas shall be improved with a permanent asphalt or concrete pavement to the standards set out in subsection (a) of this section;**
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 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;**
7. **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);**

8. **Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;**
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;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **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 Inspection 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 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,**
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.**

Motion starts at 31:26:
On motion by Commissioner Easterwood, seconded by Commissioner Jones, the Planning Commission voted as follows to **APPROVE PLAT2026-012:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

Motion to APPROVE passed: 7 to 0
Subject to the above conditions

ATTACHMENTS

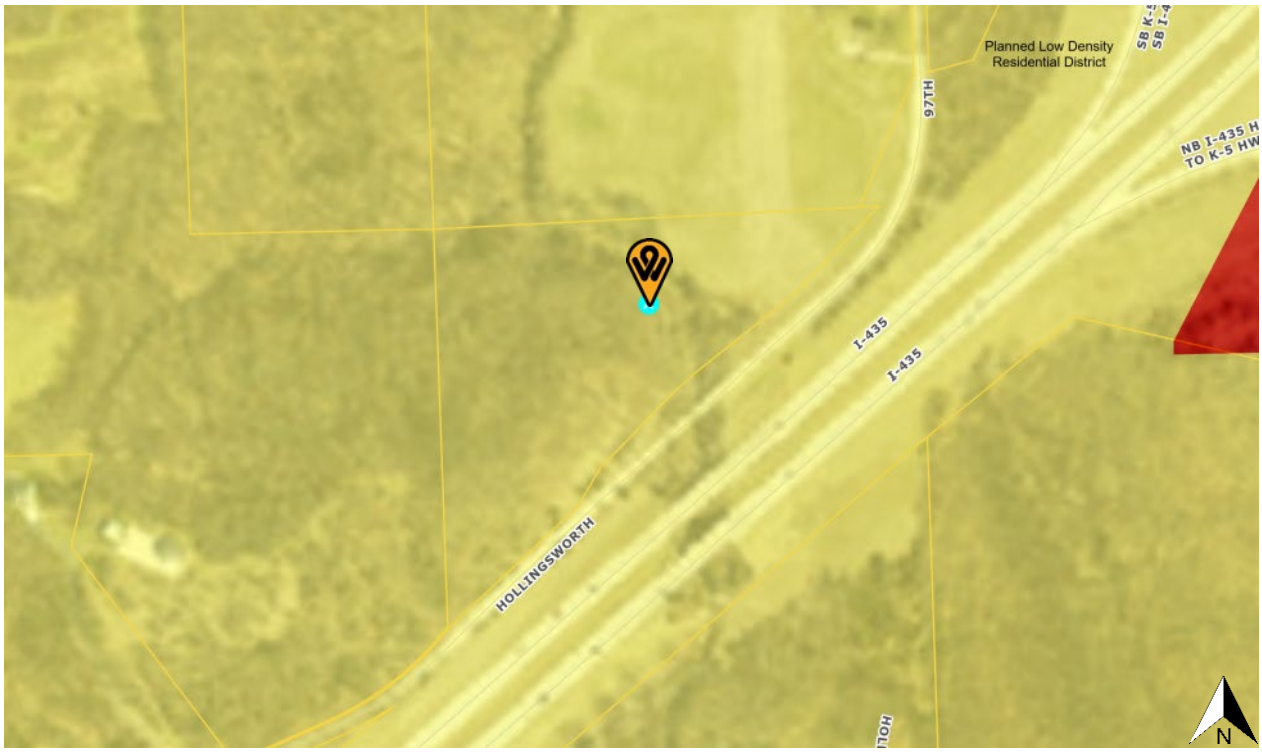
AERIAL IMAGERY



ZONING MAP



LAND USE MAP


Planned Low Density
Residential District
97TH
I-435
I-435
HOLLINGSWORTH
N

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Leavenworth)

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

1. That I am the petitioner for Petition # BOZA2026-005.
2. That I conducted a neighborhood meeting on 3/27/2026.
3. The notice to nearby property owners was sent on 3/11/2026.
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.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 20th day of February 2026.

My commission expires 25th of November, 2028.

Notary Public

Rylea Breann Oliver
Notary Public State of Kansas
My Appt Expires 11/25/28

COZ2026-003 9830 Hollingsworth Road

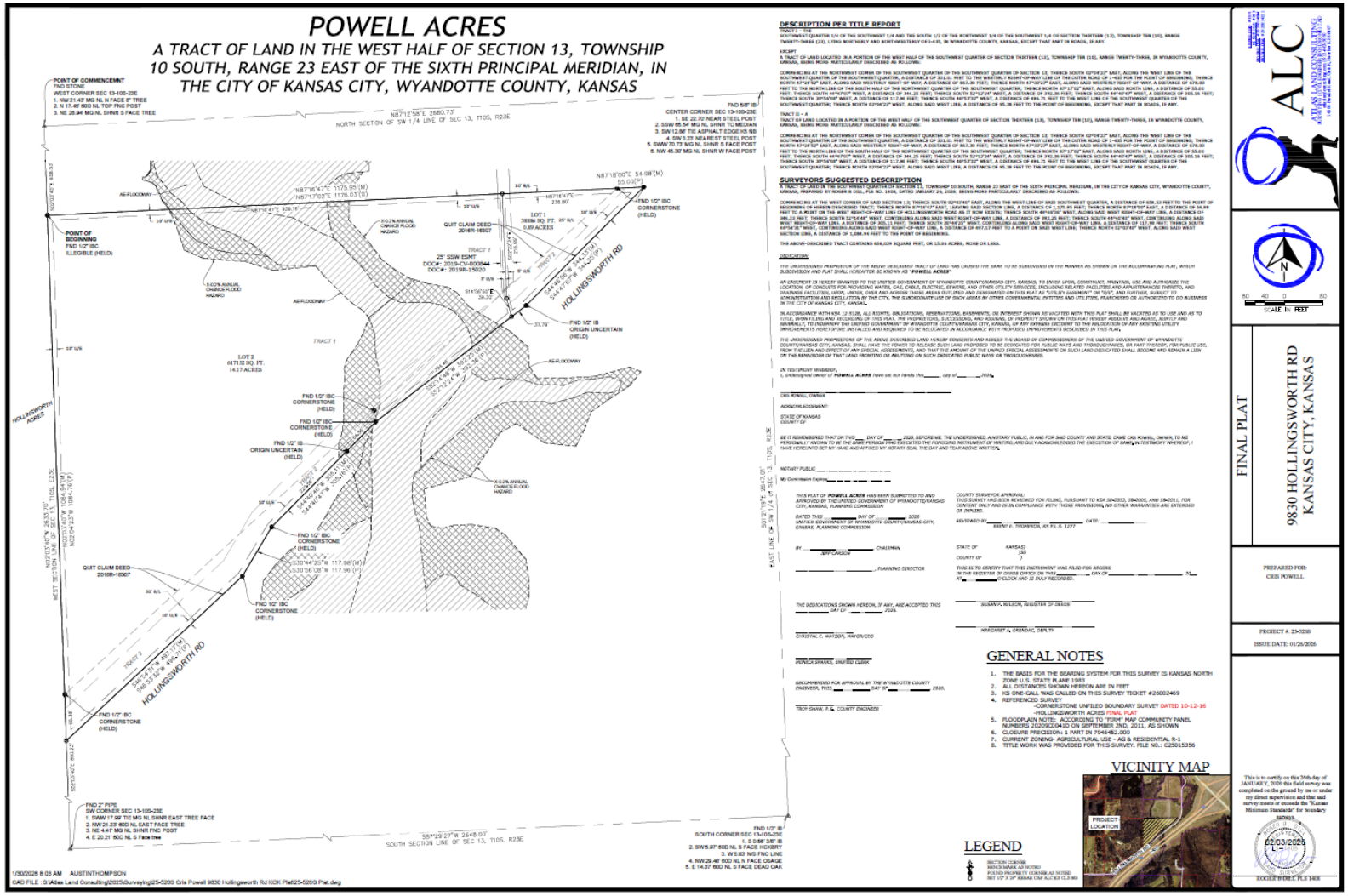
Neighborhood Meeting

3/27/2026

5:30PM-6:00PM

Participants – Krystal Voth, Atlas Land Consulting

Public Participants - None


POWELL ACRES
A TRACT OF LAND IN THE WEST HALF OF SECTION 13, TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS
POINT OF COMMENCEMENT
FND STONE
WEST CORNER SEC 13-10S-23E
1. NW 21.42' MG NL N FACE 8" TREE
2. N 17.45' 60D NL TOP FNC POST
3. NE 28.94' MG NL SHNR S FACE TREE
POINT OF BEGINNING
FND 1/2" IBC
ILLEGIBLE (HELD)
FND 5/8" IB
CENTER CORNER SEC 13-10S-23E
1. SE 22.70' NEAR STEEL POST
2. SSW 65.54' MG NL SHNR TC MEDIAN
3. SW 12.98' TIE ASPHALT EDGE HS NB
4. SW 3.23' NEAREST STEEL POST
5. SWW 70.73' MG NL SHNR S FACE POST
6. NW 46.30' MG NL SHNR W FACE POST
FND 1/2" IBC
CORNERSTONE
(HELD)
FND 1/2" IB
ORIGIN UNCERTAIN
(HELD)
FND 1/2" IBC
CORNERSTONE
(HELD)
FND 2" PIPE
SW CORNER SEC 13-10S-23E
1. SWW 17.99' TIE MG NL SHNR EAST TREE FACE
2. NW 21.23' 60D NL EAST FACE TREE
3. NE 4.41' MG NL SHNR FNC POST
4. E 20.21' 60D NL S Face tree
FND 1/2" IB
SOUTH CORNER SEC 13-10S-23E
1. S 0.56' 3/8" IB
2. SW 5.97' 60D NL S FACE HICKORY
3. W 5.83' N/S FNC LINE
4. NW 29.40' 60D NL N FACE OSAGE
5. E 14.37' 60D NL S FACE DEAD OAK
HOLLINGSWORTH RD
HOLLINGSWORTH ACRES
QUIT CLAIM DEED
2016R-16307
25' SSW ESMT
DOC#: 2019-CV-000844
DOC#: 2019R-15020
LOT 1
35890 SQ. FT.
0.89 ACRES
LOT 2
61712 SQ. FT.
1417 ACRES
TRACT 1
TRACT 2
TRACT 3
AS-FLOODWAY
0.2% ANNUAL CHANCE FLOOD HAZARD
1% ANNUAL CHANCE FLOOD HAZARD
N87°16'47"E 1175.95'(M)
N87°11'00"E 1178.03'(D)
N87°16'47"E 635.16'
N87°18'00"E 54.98'(M)
55.00'(P)
S87°29'27"W 2646.00'
SOUTH SECTION LINE OF SEC 13, T10S, R23E
NORTH SECTION LINE OF SW 1/4 OF SEC 13, T10S, R23E
WEST SECTION LINE OF SEC 13, T10S, R23E
EAST LINE OF SW 1/4 OF SEC 13, T10S, R23E
S0°27'12"E 2647.01'
N0°03'47"W 2635.70'
N0°03'47"W 1084.78'(P)
N0°03'47"W 1550.92'
S30°44'25"W 117.98'(M)
S30°56'08"W 117.96'(P)
S46°53'52"E 84.21'(M)
S46°53'52"E 84.21'(P)
S34°40'07"W 344.20'(M)
S34°47'07"W 344.20'(P)
S14°56'00"E 36.32'
S34°40'07"W 344.20'(M)
S34°47'07"W 344.20'(P)
S52°13'42"E 304.20'(M)
S52°13'42"E 304.20'(P)
S34°40'07"W 304.20'(M)
S34°47'07"W 304

Wyandotte County Conservation District
1204 N. 79th Street - Kansas City, KS 66112 - Phone (913)-340-4362- wyco.conservation@gmail.com

Rodney Lucas
Director of Planning
701 North 7th Street Rm. 423
Kansas City, KS 66101
913-573-5750

March 13, 2026

RE: COZ2026-003

Dear Mr. Lucas:

The Wyandotte County Conservation District has completed an environmental review of COZ2026-003 for change of zone from agriculture district to R-1 single family in conjunction with PLAT2026-012

In addition to the site review the following reports were generated from the Wyandotte County Soil Survey to assess the limitations for development and/or natural resources concerns for this site.

MAPS AND REPORTS

Soils Map
Soils Inventory Report
Map Unit Description (Brief)

In summary, the following limitations and resource concerns were noted for this plat:

- There are six major soil types identified: Gosport-Sogn complex, 7 to 35 percent slopes, Kennebec silt loam, occasionally flooded, Judson silt loam, 0 to 1 percent slopes, Lagoda silt loam, 3 to 8 percent slopes, Orthents and Know silty clay loam, 7 to 12 percent slopes, eroded. These soil types are considered erodible when the surface is denuded of a protective cover.
- Special care should better taken when evaluating this site for high density living as it pertains to the significant sloping of the property
- The 7 to 35 percent slopes over the majority of the property are a significant concern for stormwater runoff. It may be necessary to meet with an engineer to create a stormwater catchment basin to prevent excess runoff entering the neighboring roadway.
- Special care will need to be taken when removing any trees and secondary and tertiary growth to the Southeastern corner of the property to reduce the impact of soil erosion caused by wind and water.

- It will be necessary to include a buffer strip of no less than 50 feet along each side of the blue line Conner Creek that runs through the East of the property as well as the roadways to prevent pollution, further stormwater runoff and stormwater contamination.
- There is vegetation overgrowth that will need to be taken care of to keep the property in compliance.

The following Best Management Practices are recommended for this plat:

* **Critical Area Planting** - After final grade has been completed permanent vegetation will be established.

* **Filter Strips** – During development, strategic non disturbance of existing perennial grass vegetation can function as filter strips.

***Silt Fences**- Temporary sediment barrier consisting of a geotextile fabric which is attached to supporting posts and trenched into the ground may be substituted for vegetative strips. Install on the contour, where fence can intercept runoff as a sheet flow; not located in crossing channels, waterways, or other concentrated flow paths.

* **Mulching** – Mulch can be applied to seeded areas to help establish plant cover. It can also be used in unseeded areas to protect against erosion over the winter or until final grading and shaping can be accomplished.

* **Precision Land Forming** – Keep disturbed areas small; open only the land that is minimally necessary to perform the intended construction activities; and only for the minimum duration of time necessary to complete construction. Permanent or temporary soil stabilization should be applied to denuded areas that will remain undisturbed for longer than 60 days.

Technical assistance is available from our office. Limitation maps, detailed soil reports and a conservation plan can also be requested for this site from our office.

The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological investigation may be needed. The natural soils and drainage pattern may have been changed in this area due to previous urban development. Therefore, the physical composition influencing the structure of the natural soil has already been altered; however, some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineation on the maps includes soils that differ from the named soil. Soil lines may not be exact; therefore, on site investigation is needed for site specific planning.

If you have any comments or questions, please email our office at wyco.conservation@gmail.com

Sincerely,

Cheri Miller
District Manager

SCHEDULE A

File No.: C25015356
Report Fee: $350.00

INFORMATIONAL REPORT

1. Effective Date: December 15, 2025 at 8:00 A.M.

2. Fee Simple interest in the Land described in this Report is owned, at the Report Date, by:

   Christopher S Powell as to Tract I and Christopher John Powell (aka Cris) Revocable Living Trust, dated May 11, 2016 as to Tract II

3. The land referred to in this Commitment is described as follows:

   TRACT I-
   The Southwest Quarter 1/4 of the Southwest 1/4 and the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section Thirteen (13), Township Ten (10), Range Twenty-three (23), lying Northerly and Northwesterly of I-435, in Wyandotte County, Kansas, EXCEPT that part in roads, if any.
   EXCEPT
   A tract of land located in a portion of the West Half of the Southwest Quarter of Section Thirteen (13) Township Ten (10), Range Twenty-three, in Wyandotte County, Kansas, being more particularly described as follows: Commencing at the Northwest comer of the Southwest Quarter of the Southwest Quarter of Section 13; thence South 02°04'23" East, along the West line of the Southwest quarter of the Southwest Quarter, a distance of 331.01 feet to the Westerly right-of-way line of the Outer Road of 1-435 for the Point of Beginning; thence North 47°24'52" East, along said Westerly right-of-way, a distance of 867.30 feet; thence North 47°33'27" East, along said Westerly right-of-way, a distance of 678.03 feet to the North line of the South Half of the Northwest Quarter of the Southwest Quarter; thence North 87°17'02" East, along said North line, a distance of 55.00 feet; thence South 44°47'07" West, a distance of 344.25 feet; thence South 52°12'24" West, a distance of 392.36 feet; thence South 44°40'47" West, a distance of 305.16 feet; thence South 30°56'08" West, a distance of 117.96 feet; thence South 46°53'32" West, a distance of 496.71 feet to the West line of the Southwest Quarter of the Southwest Quarter; thence North 02°04'23" West, along said West line, a distance of 95.38 feet to the Point of Beginning, EXCEPT that part in roads, if any.

   TRACT II-
   A tract of land located in a portion of the West Half of the Southwest Quarter of Section Thirteen (13) Township Ten (10), Range Twenty-three, in Wyandotte County, Kansas, being more particularly described as follows: Commencing at the Northwest comer of the Southwest Quarter of the Southwest Quarter of Section 13; thence South 02°04'23" East, along the West line of the Southwest quarter of the Southwest Quarter, a distance of 331.01 feet to the Westerly right-of-way line of the Outer Road of 1-435 for the Point of Beginning; thence North 47°24'52" East, along said Westerly right-of-way, a distance of 867.30 feet; thence North 47°33'27" East, along said Westerly right-of-way, a distance of 678.03 feet to the North line of the South Half of the Northwest Quarter of the Southwest Quarter; thence North 87°17'02" East, along said North line, a distance of 55.00 feet; thence South 44°47'07" West, a distance of 344.25 feet; thence South 52°12'24" West, a distance of 392.36 feet; thence South 44°40'47" West, a distance of 305.16 feet; thence South 30°56'08" West, a distance of 117.96 feet; thence South 46°53'32" West, a distance of 496.71 feet to the West line of the Southwest Quarter of the Southwest Quarter; thence North 02°04'23" West, along said West line, a distance of 95.38 feet to the Point of Beginning, EXCEPT that part in roads, if any.

Mary Middleton

SCHEDULE A
(Continued)

Continental Title Company
1204 State Ave, Ste C
Tonganoxie, KS 66086

By: Mary Middleton



(First published_____)

COZ2026-003

ORDINANCE NO._____

AN ORDINANCE rezoning property hereinafter described located at approximately 9830 Hollingsworth Road, in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to R-1 Single Family Residential District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on February 27, 2026, by the owners of property to have the zoning of said property changed from its present zoning of A-G Agriculture District to R-1 Single Family Residential District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

COMMENCING AT THE WEST CORNER OF SAID SECTION 13; THENCE SOUTH 02°03'40" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 658.53 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE NORTH 87°16'47" EAST, LEAVING SAID SECTION LINE, A DISTANCE OF 1,175.95 FEET; THENCE NORTH 87°18'00" EAST, A DISTANCE OF 54.98 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HOLLINGSWORTH ROAD AS IT NOW EXISTS; THENCE SOUTH 44°46'06" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 344.33 FEET; THENCE SOUTH 52°14'48" WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 392.25 FEET; THENCE SOUTH 44°40'40" WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 305.11 FEET; THENCE SOUTH 30°44'25" WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 117.98 FEET; THENCE

SOUTH 46°54'31” WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 497.17 FEET TO A POINT ON SAID WEST LINE; THENCE NORTH 02°03'40” WEST, ALONG SAID WEST SECTION LINE, A DISTANCE OF 1,084.94 FEET TO THE POINT OF BEGINNING, located at 9830 Hollingsworth Road, Kansas City, Kansas,

be changed from its present zoning of A-G Agriculture District to R-1 Single Family Residential District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for R-1 Single Family Residential District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Change of Zone Petition COZ2026-004 and Master Plan Amendment MPL2026-002**

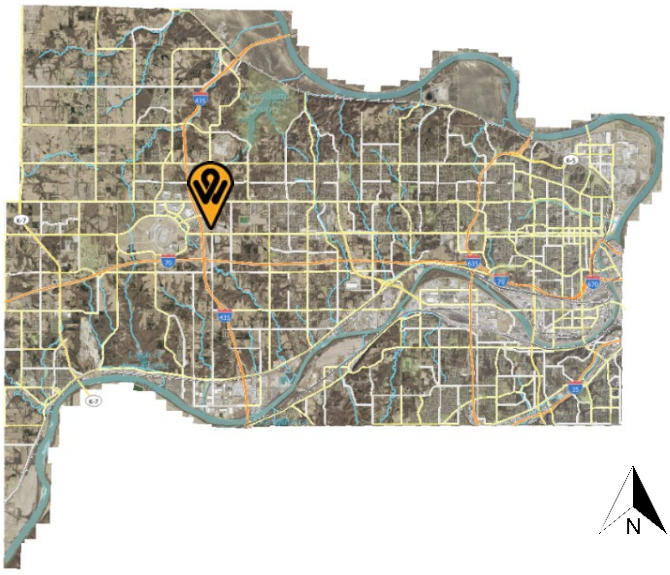
GENERAL INFORMATION

Applicant Information:
Matthew Danner with AMD Partners LLC
1440 Erie Street, Suite A
North Kansas City, Missouri 64116

Subject Property:
9400 State Avenue
Kansas City, Kansas 66111

Requested Action and Purpose:
Approval of a Change of Zone from A-G Agriculture District to RP-5 Planned Apartment District and a Master Plan Amendment from Planned Mixed Entertainment / Commercial District (Prairie Delaware Piper Master Plan) to High-Density Residential (PlanKCK Comprehensive Plan)

Commission Districts:
At-Large Commissioner, District #2: Andrew Kump
District Commissioner #7: Chuck Stites





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

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

	Adjacent Zoning	Adjacent Uses
North	CP-3 Planned Commercial District	Top Golf (has not been constructed yet)
South	A-G Agriculture District	St. Patrick's Catholic Church
East	RP-5 Planned Apartment District	Apartments (The Switch)
West	CP-3 Planned Commercial District	Camping World

Total Tract Size: 2.60 Acres

Comprehensive Plan Area: Prairie Delaware Piper Area Plan

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates this property as Planned Commercial, which allows commercial retail and limited commercial services at major arterials near low-density residential areas of the community. These locations are not intended to provide a complete range of goods and services. A Master Plan Amendment is being sought to High-Density Residential (PlanKCK Comprehensive Plan), which allows attached owner or renter occupied mid-rise and high-rise residential developments.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates State Avenue as a Major Arterial and North 98th Street as a Minor Arterial.

Parking Requirement: Section 27-460(d) states that 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.

Landscaping Requirement:	Section 27-460(f) states that 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 trees are required to be planted.
Advertisement:	The Wyandotte Echo – March 19, 2026 Letters to Property Owners – March 20, 2026
Public Hearing(s):	April 13 and April 30, 2026
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Matthew Danner, is requesting a Change of Zone from A-G Agriculture District to RP-5 Planned Apartment District and a Master Plan Amendment from Planned Mixed Entertainment/Commercial District (Prairie Delaware Piper Master Plan) to High-Density Residential (PlanKCK Comprehensive Plan) at property 9400 State Avenue, Kansas City, Kansas 66111.

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. STR25-0272 – Structural – March 5, 2026 – Closed – Structural issues
2. ABT24-2031 – Abatement – September 4, 2024 – No Payment – Special Assessment – Overgown grass.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. PR2024-027 – Plan Review – October 29, 2024 – Approved – Final Plan Review for Top Golf
2. PLAT2024-031 – Final Plat – October 29, 2024 – Approved – Final Plat for Top Golf.
3. COZ2024-024 – Change of Zone – November 12, 2024 – Approved – Change of Zone from A-G Agriculture to CP-3 Planned Commercial District.
4. SP2024-050 – Special Use Permit – August 9, 2024 – Withdrawn – Special Use Permit for an Event Space.
5. PLAT2024-022 – Final Plat – September 7, 2024 – Approved – Top Golf.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the I-435 West Statistical Neighborhood, Leavenworth Road Association Neighborhood Business Group, and Census Block Group #0447042. The neighborhood consists of commercial lots to the north, west, and south of the property. To the east, apartments are located.

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 Commercial Districts as well as A-G Agriculture lots to the north, east, south and west. To the west, a large undeveloped A-G Agriculture lot is located. The surrounding area is primarily composed of commercial and entertainment uses, consistent with the adopted future land use designation for this district. The proposed use, which is residential in nature, is compatible with nearby uses if properly managed, but it is not compatible with the Prairie Delaware Piper Area Plan which is why the applicant is requesting a Master Plan Amendment.

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 due to the size of the lot. A Master Plan Amendment is necessary since the proposed use does not go with the land use, however, there is an RP-5 Planned Apartment District lot to the east of the property. The removal of restrictions will not detrimentally affect nearby property.

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

The property has been vacant since the mid-2010's since Schlitterbahn Vacation Village was demolished.

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 since this project does not align with the Prairie Delaware Piper Area Plan and there are other senior living properties nearby. The proposed use will not affect the use, quality, or marketability of nearby property.

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

   The proposed use does not have the potential to increase vehicular traffic, and should not exceed the capacity of State Avenue, a Major Arterial to accommodate it if managed properly.

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

   The Prairie Delaware Piper Area Plan designates this property as Planned Commercial, which allows commercial retail and limited commercial services at major arterials near low-density residential areas of the community. These locations are not intended to provide a complete range of goods and services. The proposed use does not conform to the Prairie Delaware Piper Area Plan designation. This is the reason why the applicants are requesting a Master Plan Amendment.

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 the use will be within the correct designation.

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

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

      BPU provides electric and water service.

   b. ***Sanitary Sewer Service***

      The UG provides sanitary sewer service.

   c. ***Storm Water Control***

      The UG provides storm water control to the property.

d. Police

Police service is provided by West Patrol, District #226.

e. Fire

Fire service is provided by Station #6, which is 0.20 of a mile away from the subject property.

f. Transit

Public Transit is provided by route 101 – State Ave to Village West.

g. Schools

Public Education is provided Claude A Huyck Elementary School, Arrowhead Middle School, and Washington High School, under Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

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

The proposed use will have a 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.

The proposed use meets all applicable ordinance requirements, for the proposed RP-5 Planned Apartment District, as it is for Planned Apartment District, contains multiple units, and contains adequate landscaping, parking, and road access. The Change of Zone allows the applicant to have an apartment complex on the property. The plan does not meet ordinance requirements for the he Prairie Delaware Piper Area Plan land use designation; however, the applicant is seeking a Master Plan Amendment to better align the proposed use with the land use designation.

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 large since the proposed use is not only benefiting the property owner but the community as well, more specifically, elderly individuals. If denied, the property owner may not use the property for RP-5 Planned Apartment District, however, they can still use the

property as A-G Agriculture District zoning along with all the uses under that zoning.

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

    The Comprehensive Plan is a long-range plan that predicts the growth and development of the area and sets the tone for future development patterns. The PlanKCK Comprehensive plan is relatively new in terms of its implementation and is regional in nature, thus the prediction is for long-term growth and development and is not designed to take in account a single parcel.

    The Prairie Delaware Piper Area Plan designates this property as Planned Commercial, which allows commercial retail and limited commercial services at major arterials near low-density residential areas of the community. These locations are not intended to provide a complete range of goods and services. The designated area plan does not fit the proposed use therefore, a Master Plan Amendment is required. The property would be going from Prairie Delaware Piper Area Plan with the designation as Planned Commercial to PlanKCK Comprehensive plan High-Density Residential

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

    The preliminary plat is in compliance with the standards and requirements of the zoning ordinance and subdivision regulations.

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

    The proposed amendment would be similar to two (2) projects in the former Schlitterbahn Vacation Village, specifically two (2) multi-family apartment projects, which are west of North 98th Terrace, Homefield Apartments and east of the internal unnamed road, The Switch.

    While those amendments were approved, this redevelopment area is supposed to be a commercial and entertainment area, so senior housing would be contrary to these existing designations.

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

    The proposed amendment will allow a change in development from Planned Commercial to Residential, which could create adverse impacts on the existing or

planned surrounding uses or create inconsistencies with applicable future land use map patterns.

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

    The proposed change could create both costs and benefits for the surrounding area, and these impacts should be carefully evaluated. Although the property is currently designated for commercial use, the requested rezoning and master plan amendment would shift its future land-use classification. It is also important to note that several senior-assisted living facilities already exist nearby. Because of this, the proposed use may be better suited to a different location where the zoning and land-use designation are more compatible with the intended development.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at KCK Community College on March 23, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **COZ2026-004 and MPL2026-002**, subject to:

1. **Subject to approval, a Final Development Plan and Final Plat must be submitted following these entitlements;**
2. **Adhere to the Conservation District comments;**
3. **Per Section 27-213(g)(5), the City Planning Commission shall recommend, and the Board of Commissioners shall grant, approve or deny the comprehensive plan amendment upon consideration of the following factors:**
    a. **Whether events subsequent to the comprehensive plan adoption have changed the character and/or condition of the area so as to make the application acceptable;**
    b. **Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan;**
    c. **Whether public and community facilities, such as utilities, sanitary and storm sewers, water, police and fire protection, parks and recreational facilities, roads, and others are adequate to serve development for the type and scope suggested by the proposed land use, and, if utilities are not available, whether they can be reasonably**

extended;

d. Whether the proposed amendment would result in comprehensive plan or regulatory conflicts;

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

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

4. **Section 27-608(3) Accessory buildings such as barns, silos, other exclusively agricultural structures, roadside stands, etc., provided that such structures are set back at least 50 feet from any street line;**
5. **Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;**
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. **Section 27-700(b)(1) states that buffer plantings, which shall include the equivalent of a minimum of one evergreen tree or one shade tree and three 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;**
8. **Section 27-577(c)(4) states that landscape areas located between commercial districts and residential districts must provide 100 percent sight-obscuring year-round buffer using plant material or a combination of fence, berm and plant material;**
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. **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. **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;

12. **A Temporary Certificate of Occupancy (TCO) shall not be issued unless all life/safety items have been addressed;**
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 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,**
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.**

STAFF RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Affidavit
Neighborhood Meeting Notes
Neighborhood Meeting Sign-In Sheet
Conservation District Comments
Preliminary Development Plan
Preliminary Traffic Management
Preliminary Grading Plan

Erosion Control Phase I
Erosion Control Phase II
Utility Plan
Storm Sewer Plan and Profile
Sanitary Sewer Plan and Profile
Preliminary Sanitary Sewer Analysis
Floor Plan
Landscape Plan
Images of the Property Submitted by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	April 13, 2026 Approval	April 30, 2026
Master Plan Amendment	April 13, 2026 Approval	April 30, 2026

STAFF CONTACT: **Osiris Nuñez Espinoza, Planner**
Oespinoza@wycokck.org

MOTIONS

MASTER PLAN AMENDMENT

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2025-004/COZ2026-004** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2025-004/COZ2026-004,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 32:16:

COZ2026-004 - MATTHEW DANNER WITH AMD PARTNERS LLC
Synopsis: Change of Zone from A-G Agriculture District to RP-5 Apartment Planned District for a senior multi-family development at 9400 State Avenue (in conjunction with MPL2026-002).

MPL2026-002 - MATTHEW DANNER WITH AMD PARTNERS LLC
Synopsis: Master Plan Amendment from Commercial (Prairie Delaware Piper Area Plan) to High Density Residential (PlanKCK Comprehensive Plan) for a senior multifamily development at 9400 State Avenue (in conjunction with COZ2026-004).
Detailed Outline of Requested Action: The applicant, Matthew Danner, is requesting a Change of Zone from A-G Agriculture District to RP-5 Planned Apartment District and a Master Plan Amendment from Planned Mixed Entertainment/Commercial District (Prairie Delaware Piper Master Plan) to High-Density Residential (PlanKCK Comprehensive Plan) at property 9400 State Avenue, Kansas City, Kansas 66111.

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

Present in Support:

- Matthew Danner, Applicant, 1440 Erie Street, Kansas City, Missouri 64116

Present in Opposition:

- No one appeared

Staff Recommendation starts at 34:39: Lead Planner Byron Toy stated that staff recommends approval with conditions.

Motion starts at 34:58:

On motion by Commissioner Straws, seconded by Commissioner Jones, the Planning Commission voted as follows to **recommend APPROVAL of MPL2026-002:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

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

1. **Subject to approval, a Final Development Plan and Final Plat must be submitted following these entitlements;**
2. **Adhere to the Conservation District comments;**
3. **Per Section 27-213(g)(5), the City Planning Commission shall recommend, and the Board of Commissioners shall grant, approve or deny the comprehensive plan amendment upon consideration of the following factors:**
    g. **Whether events subsequent to the comprehensive plan adoption have changed the character and/or condition of the area so as to make the application acceptable;**
    h. **Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan;**
    i. **Whether public and community facilities, such as utilities, sanitary and storm sewers, water, police and fire protection, parks and recreational facilities, roads, and others are adequate to serve development for the type and scope suggested by the proposed land use, and, if utilities are not available, whether they can be reasonably extended;**
    j. **Whether the proposed amendment would result in comprehensive plan or regulatory conflicts;**
    k. **Whether the proposed amendment would allow a change in development on the subject site without creating adverse impacts on existing or planned surrounding uses, or creating inconsistencies with applicable future land use map patterns; and**
    l. **The impacts of the potential costs and benefits derived by the community or area by the proposed change;**
4. **Section 27-608(3) Accessory buildings such as barns, silos, other exclusively agricultural structures, roadside stands, etc., provided that such structures are set back at least 50 feet from any street line;**
5. **Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;**
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. **Section 27-700(b)(1) states that buffer plantings, which shall include the equivalent of a minimum of one evergreen tree or one shade tree and three 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;**
8. **Section 27-577(c)(4) states that landscape areas located between commercial districts and residential districts must provide 100 percent sight-obscuring year-round buffer using plant material or a combination of fence, berm and plant material;**
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. **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. **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;**
12. **A Temporary Certificate of Occupancy (TCO) shall not be issued unless all life/safety items have been addressed;**
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 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,**
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.**

Motion starts at 36:18:

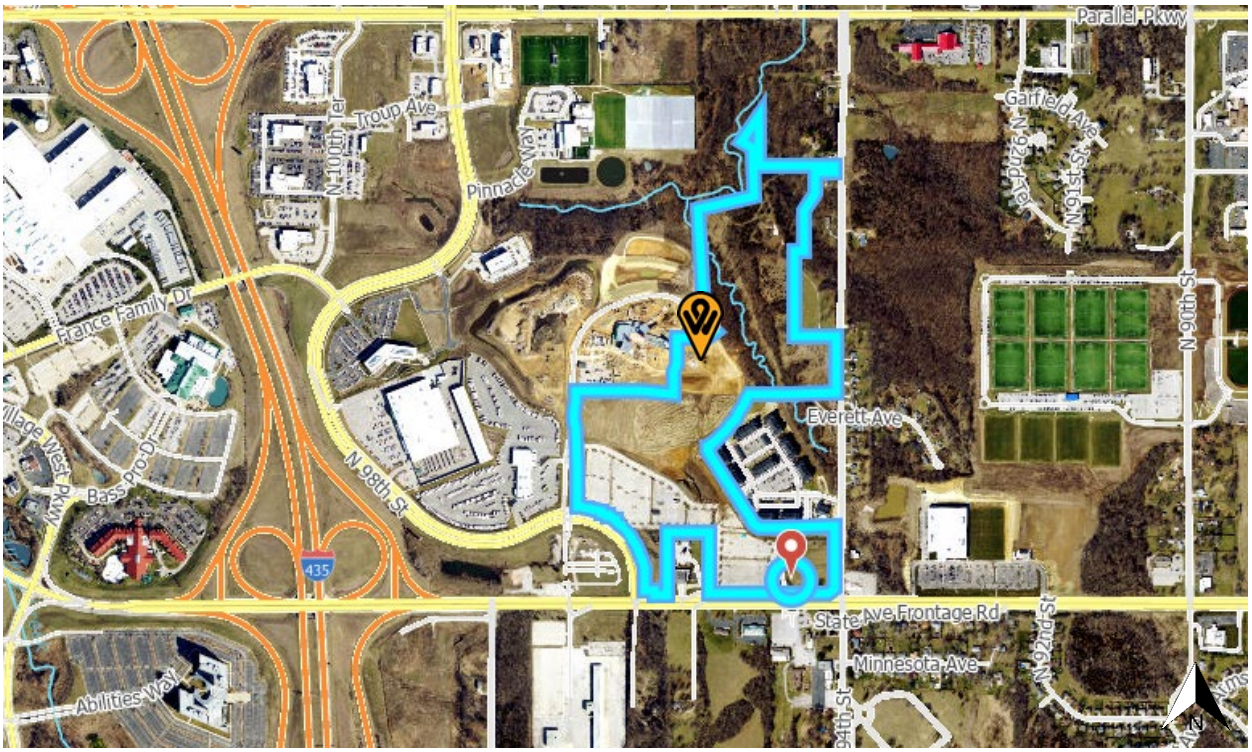
On motion by Commissioner Straws, seconded by Commissioner Jones, the Planning Commission voted as follows to **recommend APPROVAL of COZ2026-004:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

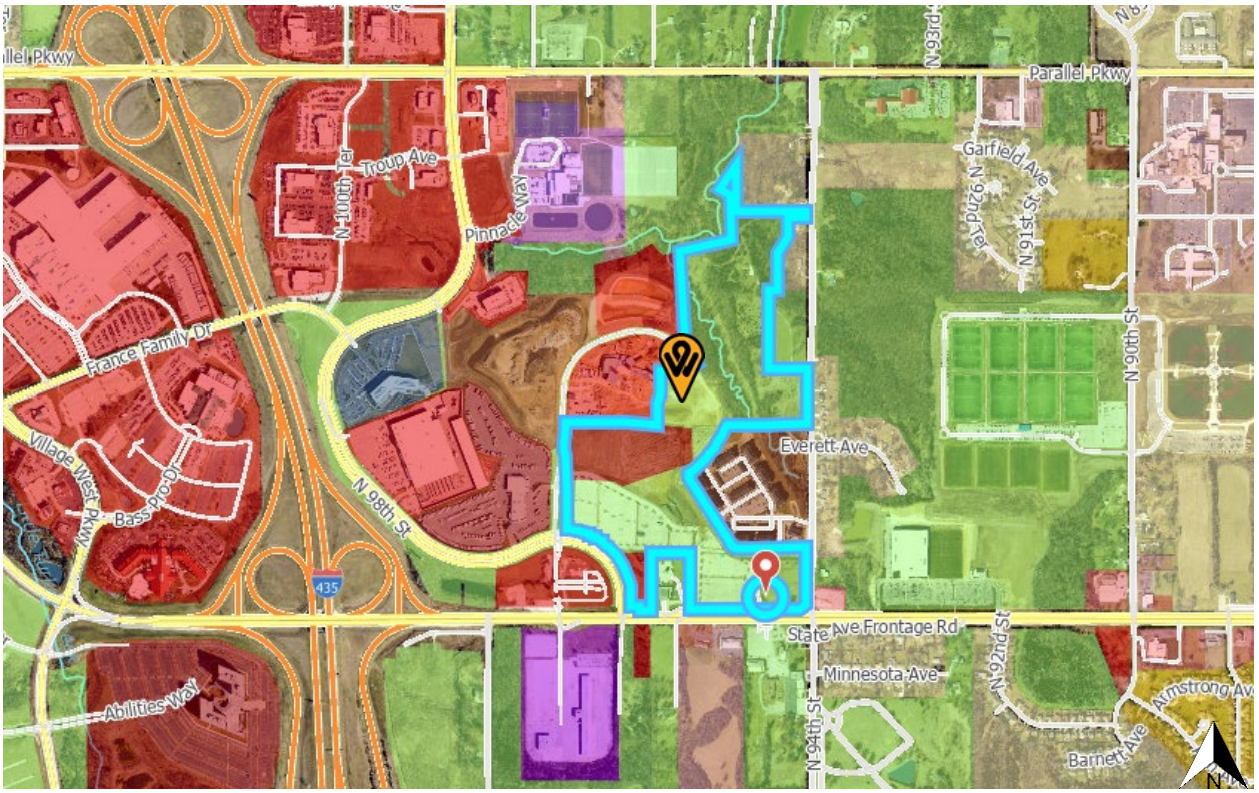
Motion to recommend APPROVAL passed: 7 to 0
Subject to the above conditions.

ATTACHMENTS

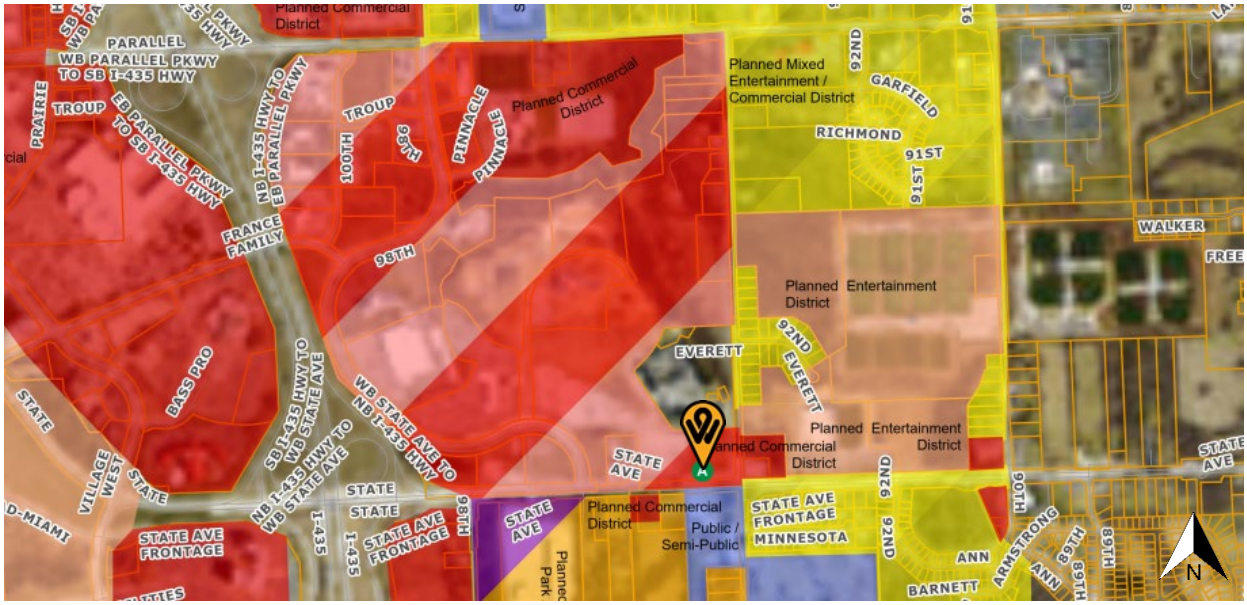
AERIAL IMAGERY



ZONING MAP



LAND USE MAP


Planned Commercial District
PARALLEL
WB PARALLEL PKWY TO SB I-435 HWY
TROUP
EB PARALLEL PKWY TO SB I-435 HWY
PRAIRIE
NB I-435 HWY TO EB PARALLEL PKWY
TROUP
100TH
PINNACLE
PINNACLE
Planned Commercial District
Planned Mixed Entertainment / Commercial District
92ND
GARFIELD
RICHMOND
91ST
91ST
WALKER
FRANCE FAMILY
98TH
Planned Entertainment District
92ND
EVERETT
EVERETT
BASS PRO
STATE
SB I-435 HWY TO WB STATE AVE
WB STATE AVE TO NB I-435 HWY
VILLAGE WEST
STATE
NB I-435 HWY TO WB STATE AVE
STATE
STATE
STATE AVE
Planned Commercial District
Planned Entertainment District
STATE AVE
STATE AVE FRONTAGE
STATE AVE FRONTAGE
I-435
98TH
STATE AVE
Planned Commercial District
Public / Semi-Public
STATE AVE FRONTAGE MINNESOTA
92ND
90TH
ANN
ARMSTRONG
ANN
89TH
89TH
BARNETT
N

ADDITIONAL ATTACHMENTS

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Missouri)
) SS:
COUNTY OF Clay)

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

1. That I am the petitioner for Petition # COZ2026-004 & MPL2026-002.
2. That I conducted a neighborhood meeting on March 23, 2026.
3. The notice to nearby property owners was sent on March 6, 2026.
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.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24th day of March, 2026.

My commission expires 8th of November, 2027.

AARON TRUAX
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES NOVEMBER 8, 2027
PLATTE COUNTY
COMMISSION #15627411

Notary Public

MEETING MINUTES:

AMD Partners LLC
1440 Erie Street, Suite A
North Kansas City, MO 64116

Application Number:_COZ2026-004 & MPL2026-002_
Date and Location: 3/23/26, KCK Community College - Mary Ann Flunder Lodge by the Lake

Meeting called to order at: 5:00pm

Project Team:
Matthew Danner – AMD Partners LLC
Jim Anderson – Kaw Valley Engineering
Tom Solon – AMD Partners LLC

Names of people in attendance: *None in attendance.*

Introductions: *0*

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

Applicant had all of the items / plans, in hard copy, that was submitted with the rezoning / master plan amendment to answer questions from attendees at the Neighborhood Information Meeting.

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

No questions / comments were received because there were 0 attendees.

Meeting adjourned at: 6:10pm

Minutes taken by: Tom Solon, AMD Partners LLC

Neighborhood Information Meeting : COZ2026-004 & MPL2026-002
Sign-In Sheet

	Full Name	Address
1	None	None
2		
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Wyandotte County Conservation District
1204 N. 79th Street - Kansas City, KS 66112 - Phone (913)-340-4362 - wyco.conservation@gmail.com

Rodney Lucas
Director of Planning
701 North 7th Street Rm. 423
Kansas City, KS 66101
913-573-5750

March 13, 2026

RE: COZ2026-004

Dear Mr. Lucas:

The Wyandotte County Conservation District has completed an environmental review of COZ2026-004 for change of zone from agriculture district to RP-5 apartment planned district at 9400 State Ave in conjunction with MPL2026-002.

In addition to the site review the following reports were generated from the Wyandotte County Soil Survey to assess the limitations for development and/or natural resources concerns for this site.

MAPS AND REPORTS

Soils Map
Soils Inventory Report
Map Unit Description (Brief)

In summary, the following limitations and resource concerns were noted for this plat:

- There are six major soil types identified: Basehor complex, 5 to 30 percent slopes, Sharpsburg silty clay loam, 4 to 9 percent slopes, Lagoda silt loam, 3 to 8 percent slopes, Knox silt loam, 7 to 12 percents slopes, Kennebec silt loam, frequently flooded and Marshall silt loam, 2 to 5 percent slopes. These soil types are considered erodible when the surface is denuded of a protective cover.
- It will be necessary to include a buffer strip of no less than 50 feet along each side of the blue line creek that runs through the property as well as the roadways to prevent pollution, further stormwater runoff and stormwater contamination.
- There is vegetation overgrowth that will need to be taken care of to keep the property in compliance.
- Trash and debris throughout the property will need to be properly disposed of before development can occur

The following Best Management Practices are recommended for this plat:

* **Critical Area Planting** - After final grade has been completed permanent vegetation will be established.

* **Filter Strips** – During development, strategic non disturbance of existing perennial grass vegetation can function as filter strips.

***Silt Fences**- Temporary sediment barrier consisting of a geotextile fabric which is attached to supporting posts and trenched into the ground may be substituted for vegetative strips. Install on the contour, where fence can intercept runoff as a sheet flow; not located in crossing channels, waterways, or other concentrated flow paths.

* **Mulching** – Mulch can be applied to seeded areas to help establish plant cover. It can also be used in unseeded areas to protect against erosion over the winter or until final grading and shaping can be accomplished.

* **Precision Land Forming** – Keep disturbed areas small; open only the land that is minimally necessary to perform the intended construction activities; and only for the minimum duration of time necessary to complete construction. Permanent or temporary soil stabilization should be applied to denuded areas that will remain undisturbed for longer than 60 days.

Technical assistance is available from our office. Limitation maps, detailed soil reports and a conservation plan can also be requested for this site from our office.

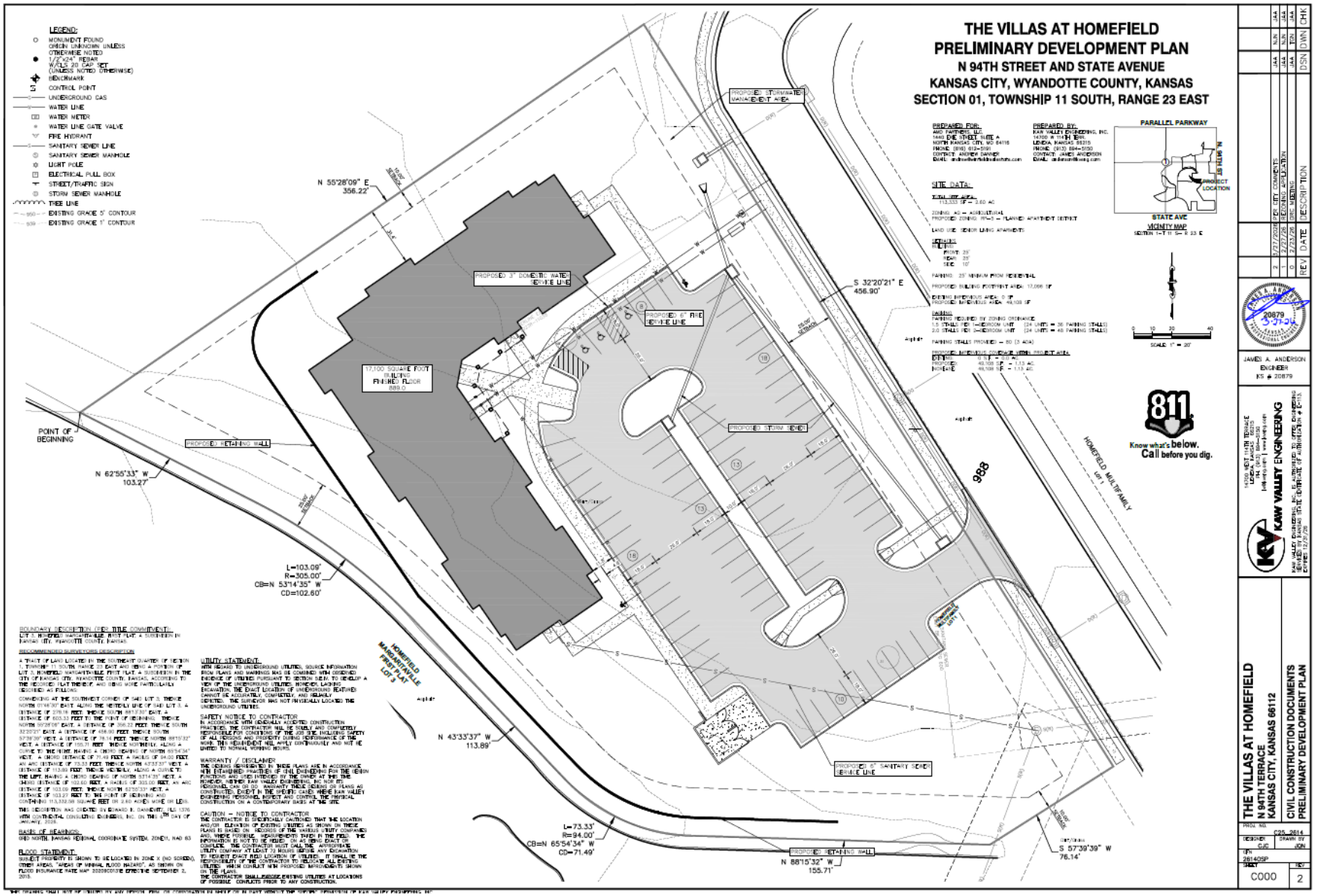
The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological investigation may be needed. The natural soils and drainage pattern may have been changed in this area due to previous urban development. Therefore, the physical composition influencing the structure of the natural soil has already been altered; however, some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineation on the maps includes soils that differ from the named soil. Soil lines may not be exact; therefore, on site investigation is needed for site specific planning.

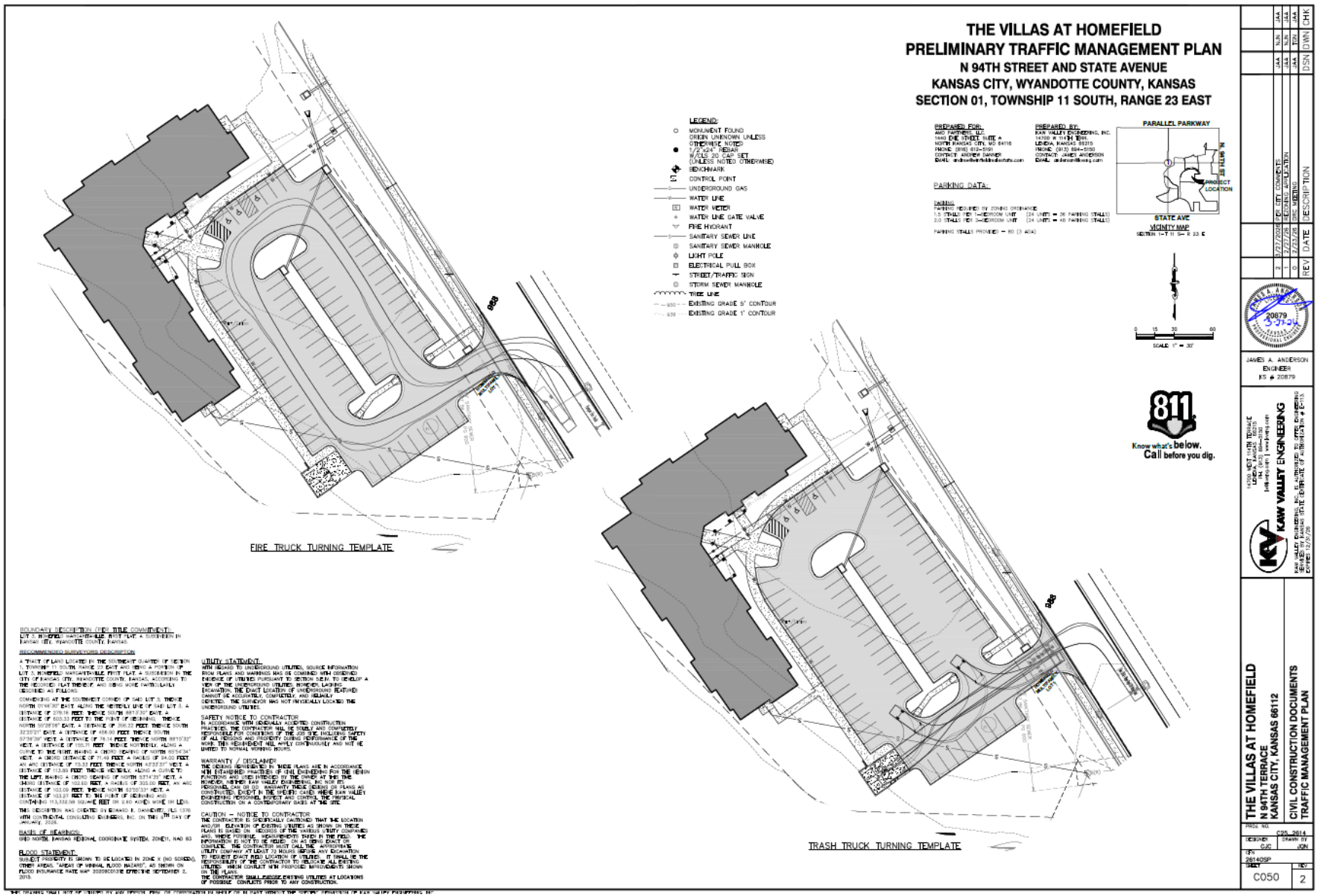
If you have any comments or questions, please email our office at wyco.conservation@gmail.com

Sincerely,

Cheri Miller
District Manager

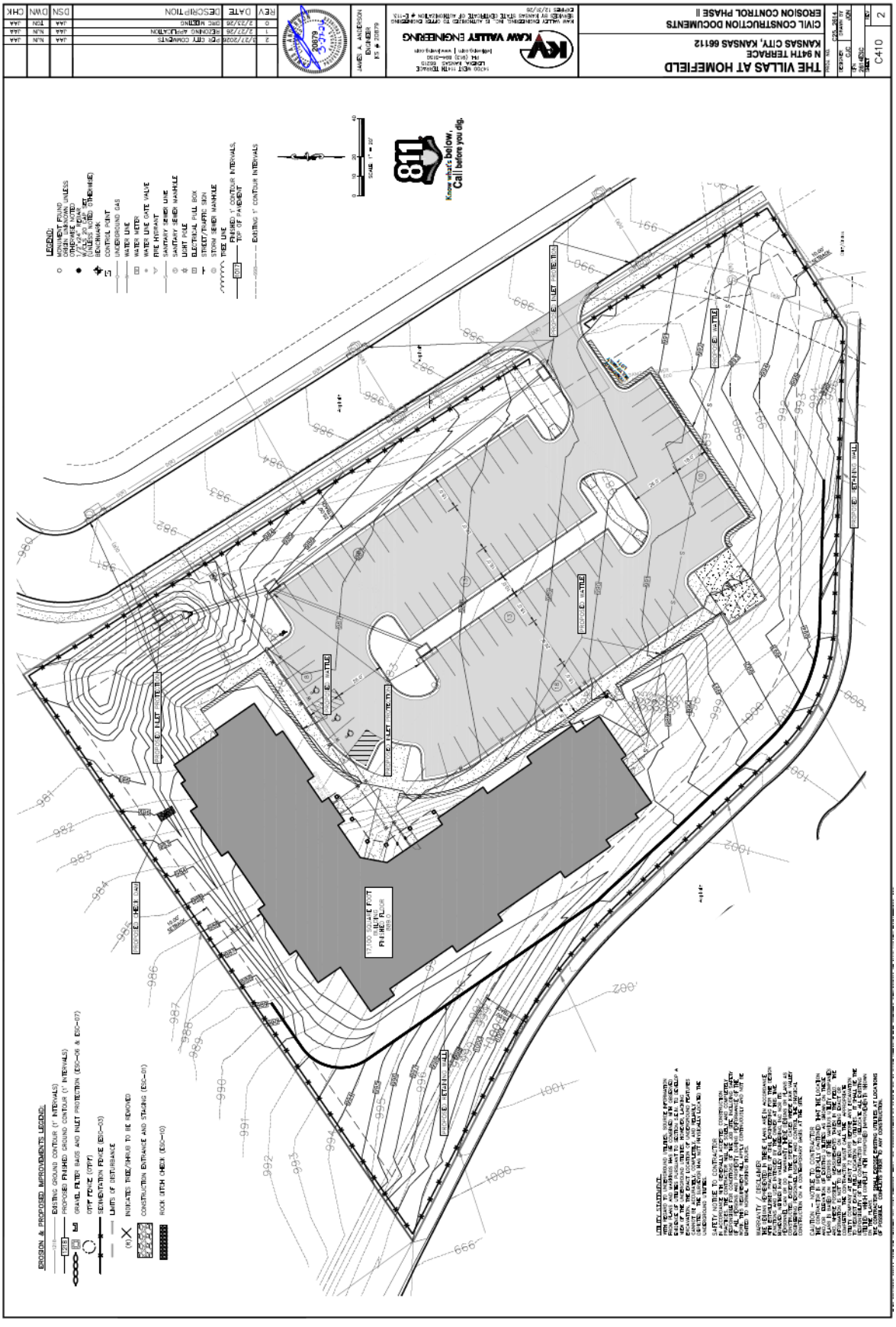
enclosures


THE VILLAS AT HOMEFIELD
PRELIMINARY DEVELOPMENT PLAN
N 94TH STREET AND STATE AVENUE
KANSAS CITY, WYANDOTTE COUNTY, KANSAS
SECTION 01, TOWNSHIP 11 SOUTH, RANGE 23 EAST
LEGEND:
PROPOSED STORMWATER MANAGEMENT AREA
PROPOSED 3" DOMESTIC WATER SERVICE LINE
PROPOSED 4" FIRE SERVICE LINE
PROPOSED STORM SEWER
PROPOSED 8" SANITARY SEWER SERVICE LINE
PROPOSED RETAINING WALL
17,100 SQUARE FOOT BUILDING FINISHED FLOOR 889.0
POINT OF BEGINNING
N 62°55'33" W 103.27'
N 55°28'09" E 356.22'
S 32°20'21" E 456.90'
S 57°39'39" W 76.14'
N 88°15'32" W 155.71'
N 43°33'37" W 113.89'
L=103.09' R=305.00' CB=N 53°14'35" W CD=102.60'
L=73.33' R=94.00' CB=N 65°54'34" W CD=71.49'
HOMEFIELD MULTIFAMILY LOT 1
HOMEFIELD MEADOWVALE FIRST PLAT LOT 3
988
PARALLEL PARKWAY
STATE AVE
PROJECT LOCATION
VICINITY MAP
SITE DATA:
PREPARED FOR:
PREPARED BY:
BOUNDARY DESCRIPTION PER TITLE COMMITMENT:
RECOMMENDED SURVEYORS DESCRIPTION:
UTILITY STATEMENT:
SAFETY NOTICE TO CONTRACTOR:
WARRANTY / DISCLAIMER:
CAUTION – NOTICE TO CONTRACTOR:
BASIS OF BEARINGS:
FLOOD STATEMENT:
Know what's below. Call before you dig.
811
KAW VALLEY ENGINEERING
JAMES A. ANDERSON ENGINEER KS # 20879
THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
PRELIMINARY DEVELOPMENT PLAN
C000
2

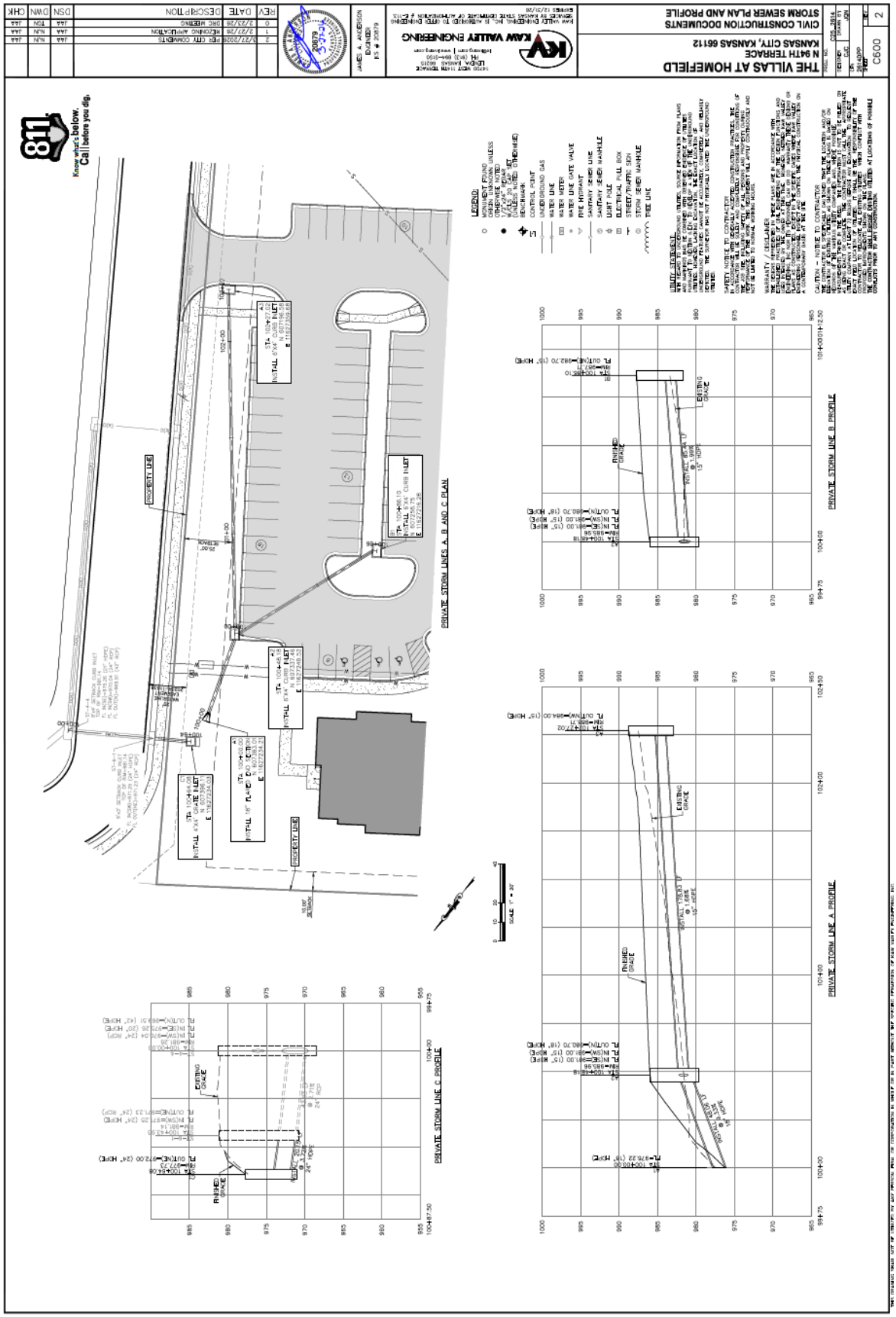

THE VILLAS AT HOMEFIELD
PRELIMINARY TRAFFIC MANAGEMENT PLAN
N 94TH STREET AND STATE AVENUE
KANSAS CITY, WYANDOTTE COUNTY, KANSAS
SECTION 01, TOWNSHIP 11 SOUTH, RANGE 23 EAST
LEGEND:
MONUMENT FOUND
ORIGIN UNKNOWN UNLESS OTHERWISE NOTED
1/2"x24" REBAR W/ILLS 20 CAP SET (UNLESS NOTED OTHERWISE)
BENCHMARK
CONTROL POINT
UNDERGROUND GAS
WATER LINE
WATER METER
WATER LINE GATE VALVE
FIRE HYDRANT
SANITARY SEWER LINE
SANITARY SEWER MANHOLE
LIGHT POLE
ELECTRICAL PULL BOX
STREET/TRAFFIC SIGN
STORM SEWER MANHOLE
TREE LINE
EXISTING GRADE 5' CONTOUR
EXISTING GRADE 1' CONTOUR
PREPARED FOR:
PREPARED BY:
PARKING DATA:
PARALLEL PARKWAY
STATE AVE
PROJECT LOCATION
VICINITY MAP
SCALE: 1" = 30'
Know what's below. Call before you dig.
FIRE TRUCK TURNING TEMPLATE
TRASH TRUCK TURNING TEMPLATE
BOUNDARY DESCRIPTION (PER TITLE COMMITMENT):
RECOMMENDED SURVEY ZONE DESCRIPTION:
UTILITY STATEMENT:
SAFETY NOTICE TO CONTRACTOR
WARRANTY / DISCLAIMER
CAUTION — NOTICE TO CONTRACTOR
BASIS OF BEARINGS:
FLOOD STATEMENT:
REV DATE DESCRIPTION DSN DWN CHK
2 9/27/2026 PC CITY COMMENTS JAA N.N. JAA
1 8/25/26 REC MEETING COMMENTS JAA BDS JAA
0 3/23/26 INITIAL SUBMITTAL JAA JAA
JAMES A. ANDERSON ENGINEER KS # 20879
KAW VALLEY ENGINEERING
THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
TRAFFIC MANAGEMENT PLAN
PROJ. NO. C25_2614
DESIGNED CJC
DRAWN BY JON
DATE 20140SP
SHEET C050
REV 2

THE VILLAS AT HOMEFIELD
PRELIMINARY GRADING PLAN
N 98TH TERRACE AND STATE AVENUE
KANSAS CITY, WYANDOTTE COUNTY, KANSAS
SECTION 01, TOWNSHIP 11 SOUTH, RANGE 23 EAST
LEGEND
BOUNDARY DESCRIPTION
BASIS OF BEARINGS
BASIS OF ELEVATIONS
UTILITY STATEMENT
SAFETY NOTICE TO CONTRACTOR
WARRANTY / DISCLAIMER
CAUTION – NOTICE TO CONTRACTOR
POINT OF BEGINNING
HOMEFIELD MULTIFAMILY
HOMEFIELD MANSARTAVILLE FIRST PLAT LOT 2
811
Know what's below. Call before you dig.
KAW VALLEY ENGINEERING
CIVIL CONSTRUCTION DOCUMENTS
GRADING PLAN
THE VILLAS AT HOMEFIELD
N 98TH TERRACE
KANSAS CITY, KANSAS 66112
C300
2

THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
EROSION CONTROL PHASE I
C400
KAW VALLEY ENGINEERING
JAMES A. ANDERSON
ENGINEER
LS # 20879
REV
DATE
DESCRIPTION
DSN
DWN
CHK
EROSION & PROPOSED IMPROVEMENTS LEGEND:
EXISTING GROUND CONTOUR (1' INTERVALS)
PROPOSED FINISHED GROUND CONTOUR (1' INTERVALS)
GRAVEL FILTER BASE AND INLET PROTECTION (ESC-06 & ESC-07)
SILT FENCE (SFF)
SEDIMENTATION FENCE (ESC-03)
LIMITS OF DISTURBANCE
INDICATES TREE/SHRUB TO BE REMOVED
CONSTRUCTION ENTRANCE AND STAGING (ESC-01)
ROCK DITCH CHECK (ESC-05)
LEGEND
MONUMENT FOUND
AS NOTED OTHERWISE UNLESS
SET
W/ 2" ALUM. CAP
(UNLESS NOTED OTHERWISE)
CONTROL POINT
UNDERGROUND GAS
WATER LINE
WATER METER
WATER LINE GATE VALVE
FIRE HYDRANT
SANITARY SEWER LINE
SANITARY SEWER MANHOLE
LIGHT POLE
ELECTRICAL PULL BOX
STREET/TRAFFIC SIGN
STORM SEWER MANHOLE
FIRE LINE
SCALE: 1" = 20'
Know what's below.
Call before you dig.
PROPOSED INLET PROTECTION
PROPOSED OUTLET PROTECTION
PROPOSED CONSTRUCTION ENTRANCE
UTILITY NOTIFICATION
SAFETY NOTICE TO CONTRACTOR
WARRANTY / DISCLAIMER
CAUTION - NOTICE TO CONTRACTOR


THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
EROSION CONTROL PHASE II
KAW VALLEY ENGINEERING
JAMES A. ANDERSON
EROSION & PROPOSED IMPROVEMENTS LEGEND:
EXISTING GROUND CONTOUR (1' INTERVALS)
PROPOSED FINISHED GROUND CONTOUR (1' INTERVALS)
GRAVEL FILTER RING AND INLET PROTECTION (ESC-06 & ESC-07)
SILT FENCE (SF)
RETENTION FENCE (ESC-03)
LIMITS OF DISTURBANCE
INDICATES TREE/SHRUB TO BE REMOVED
CONSTRUCTION ENTRANCE AND STAKING (ESC-01)
ROCK DITCH CHECK (ESC-10)
LEGEND
811
Know what's below, Call before you dig.
SCALE: 1" = 20'
PROPOSED INLET PROTECTION
PROPOSED WATER
PROPOSED STORM
C410
2

THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
UTILITY PLAN
C500
KAW VALLEY ENGINEERING
JAMES A. ANDERSON
LEGEND
Know what's below.
Call before you dig.
811
SCALE: 1" = 30'
PROPOSED 8" PVC
PROPOSED 8" DIP
PROPOSED 6" DOMESTIC WATER LINE
PROPOSED 15" RCP
PROPOSED 24" RCP
PROPOSED 30" RCP
PROPOSED 36" RCP
PROPOSED 4' DIA MANHOLE
PROPOSED 5' DIA MANHOLE
PROPOSED CURB INLET
PROPOSED AREA INLET
PROPOSED FLARE END SECTION
PROPOSED SANITARY SEWER
PROPOSED STORM SEWER
PROPOSED WATER LINE
PROPOSED GAS LINE
PROPOSED ELECTRIC LINE
PROPOSED TELEPHONE LINE
PROPOSED CABLE LINE
PROPOSED FIRE HYDRANT
PROPOSED VALVE
PROPOSED BUILDING
PROPOSED PAVEMENT
PROPOSED CONCRETE
PROPOSED GRASS
PROPOSED TREE
PROPOSED SHRUB
PROPOSED FENCE
PROPOSED RETAINING WALL
PROPOSED SIGN
PROPOSED LIGHT POLE
PROPOSED TRANSFORMER
PROPOSED METER
PROPOSED VAULT
PROPOSED CLEANOUT
PROPOSED GREASE TRAP
PROPOSED GAS METER
PROPOSED ELECTRIC METER
PROPOSED TELEPHONE PEDESTAL
PROPOSED CABLE PEDESTAL
PROPOSED MAILBOX
PROPOSED BENCH
PROPOSED TRASH CAN
PROPOSED BIKE RACK
PROPOSED PICNIC TABLE
PROPOSED GRILL
PROPOSED FIRE PIT
PROPOSED PLAYGROUND EQUIPMENT
PROPOSED SWIMMING POOL
PROPOSED HOT TUB
PROPOSED SAUNA
PROPOSED TENNIS COURT
PROPOSED BASKETBALL COURT
PROPOSED VOLLEYBALL COURT
PROPOSED SOCCER FIELD
PROPOSED BASEBALL FIELD
PROPOSED FOOTBALL FIELD
PROPOSED GOLF COURSE
PROPOSED GOLF GREEN
PROPOSED GOLF TEE
PROPOSED GOLF BUNKER
PROPOSED GOLF CART PATH
PROPOSED GOLF CART BARN
PROPOSED GOLF CART
PROPOSED GOLF BAG
PROPOSED GOLF CLUB
PROPOSED GOLF BALL
PROPOSED GOLF HOLE
PROPOSED GOLF FLAG
PROPOSED GOLF PIN
PROPOSED GOLF CUP
PROPOSED GOLF TEE MARKER
PROPOSED GOLF BALL MARKER
PROPOSED GOLF CLUB MARKER
PROPOSED GOLF BAG MARKER
PROPOSED GOLF CART MARKER
PROPOSED GOLF BARN MARKER
PROPOSED GOLF COURSE MARKER
PROPOSED GOLF HOLE MARKER
PROPOSED GOLF FLAG MARKER
PROPOSED GOLF PIN MARKER
PROPOSED GOLF CUP MARKER
PROPOSED GOLF TEE MARKER
PROPOSED GOLF BALL MARKER
PROPOSED GOLF CLUB MARKER
PROPOSED GOLF BAG MARKER
PROPOSED GOLF CART MARKER
PROPOSED GOLF BARN MARKER
PROPOSED GOLF COURSE MARKER


THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
STORM SEWER PLAN AND PROFILE
KAW VALLEY ENGINEERING
C600
PRIVATE STORM LINES A, B AND C PLAN
PRIVATE STORM LINE A PROFILE
PRIVATE STORM LINE B PROFILE
PRIVATE STORM LINE C PROFILE
PROPERTY LINE
EXISTING GRADE
FINISHED GRADE
LEGEND
Know what's below. Call before you dig.
811

THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
SANITARY SEWER PLAN AND PROFILE
KAW VALLEY ENGINEERING
C700
PRIVATE SANITARY SERVICE LINE PLAN
PRIVATE SANITARY SERVICE LINE PROFILE
PROPERTY LINE
EXISTING GRADE
FINISHED GRADE
LEGEND:
Know what's below. Call before you dig.
811

KAW VALLEY ENGINEERING, INC.

Office: 913.894.5150
Fax: 913.894.5977
Web: www.kveng.com
Address: 14700 West 114th Terrace
Lenexa, KS 66215

March 27, 2026 **C26D2614**

Unified Government of Wyandotte County/Kansas City, KS
Department of Planning + Urban Design
701 North 7th Street – Suite 423
Kansas City, KS 66101

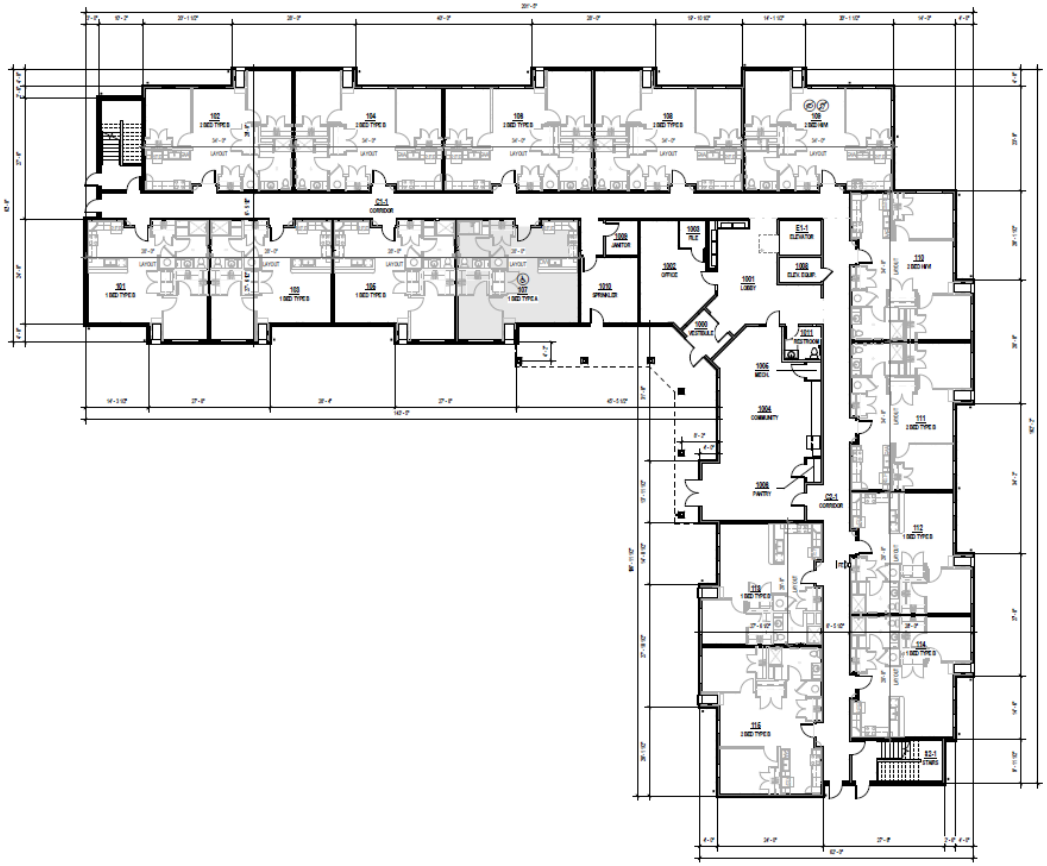
RE: PRELIMINARY SANITARY SEWER ANALYSIS
CHANGE OF ZONE – COZ2026-004
MASTER PLAN AMENDMENT – MPL2026-002
THE VILLAS AT HOMEFIELD
KANSAS CITY, KS

This letter is to provide a preliminary analysis for the anticipated changes in the public sanitary sewer system associated with the construction of the proposed senior apartments project. The project site is located off N. 98th Terrace west of the recently constructed Homefield Apartment Complex in Kansas City, KS. The project area is approximately 2.60 acres and was previously developed as part of the Schlitterbahn Water Park. There is an an existing 8" sanitary sewer main that runs southwest to northeast with the upstream manhole located on the subject property. Based on available records there is a single upstream connection to the public manhole coming from the KCK fire station to the southwest. The 8" main runs to the northeast from the subject property through the recently constructed Homefield Apartment Complex. Based on available records it appears that approximately ½ of the Homefield Apartment Complex contributes to said 8" main. Based on the existing slope of the 8" main the capacity of the 8" main downstream of the subject property is 1.20 cfs (0.88 cfs at 2/3 full). Utilizing the minimum design peak hourly flows as described in the *Unified Government of Wyandotte County Kansas City, Kansas Minimum Design Standards for Sanitary Sewers*, the existing contributing flow rate in the 8" main from the fire station and apartment complex is 0.22 cfs. The peak hourly flow for the proposed development is 0.05 cfs which results in a combined peak hourly flow rate of 0.27 cfs following construction of the proposed project. The existing 8" main will adequately convey this peak flow and with velocities ranging from 2.7 to 3.4 ft/s.

If you have any further questions on this matter, please call Jim Anderson at (913) 894-5150.

Respectfully Submitted,
Kaw Valley Engineering

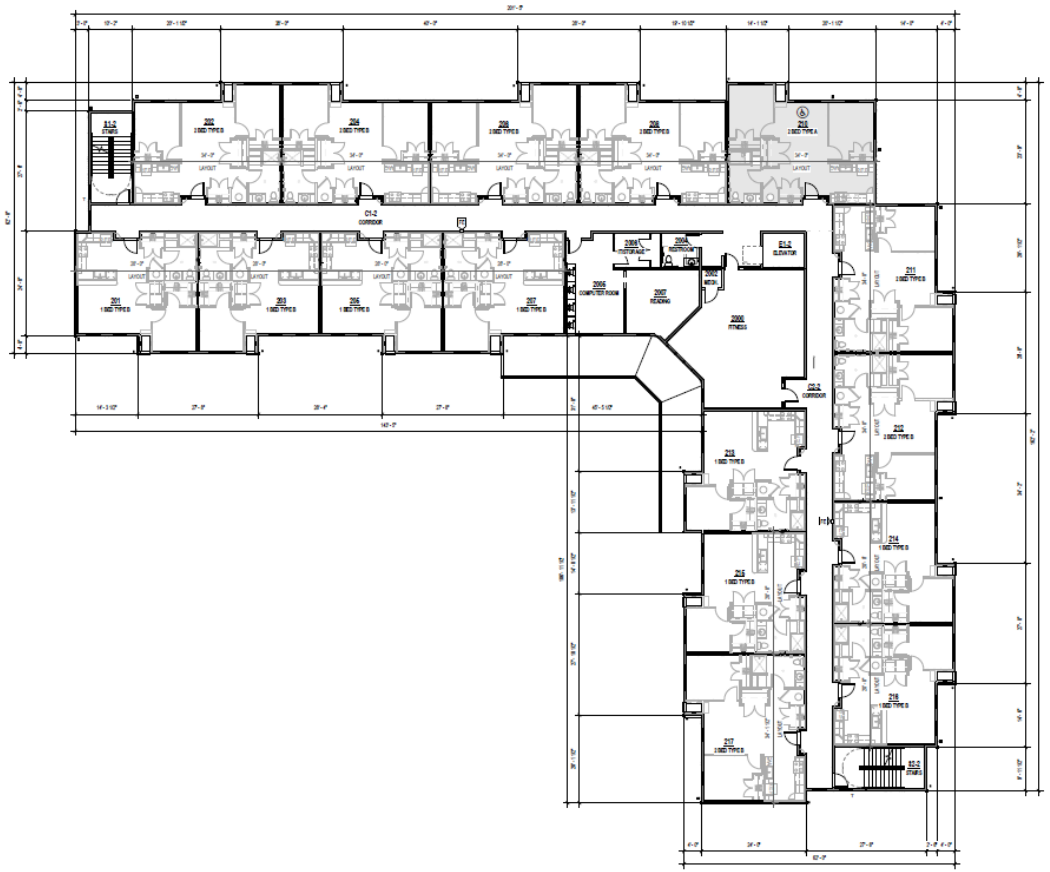
James A. Anderson, P.E.
Project Manager



A1 1ST FLOOR PLAN
3/32" = 1'-0"

PRELIMINARY FLOOR PLANS	The Villas at Homefield NWC 94th St. & State Ave. Kansas City, Kansas	A1

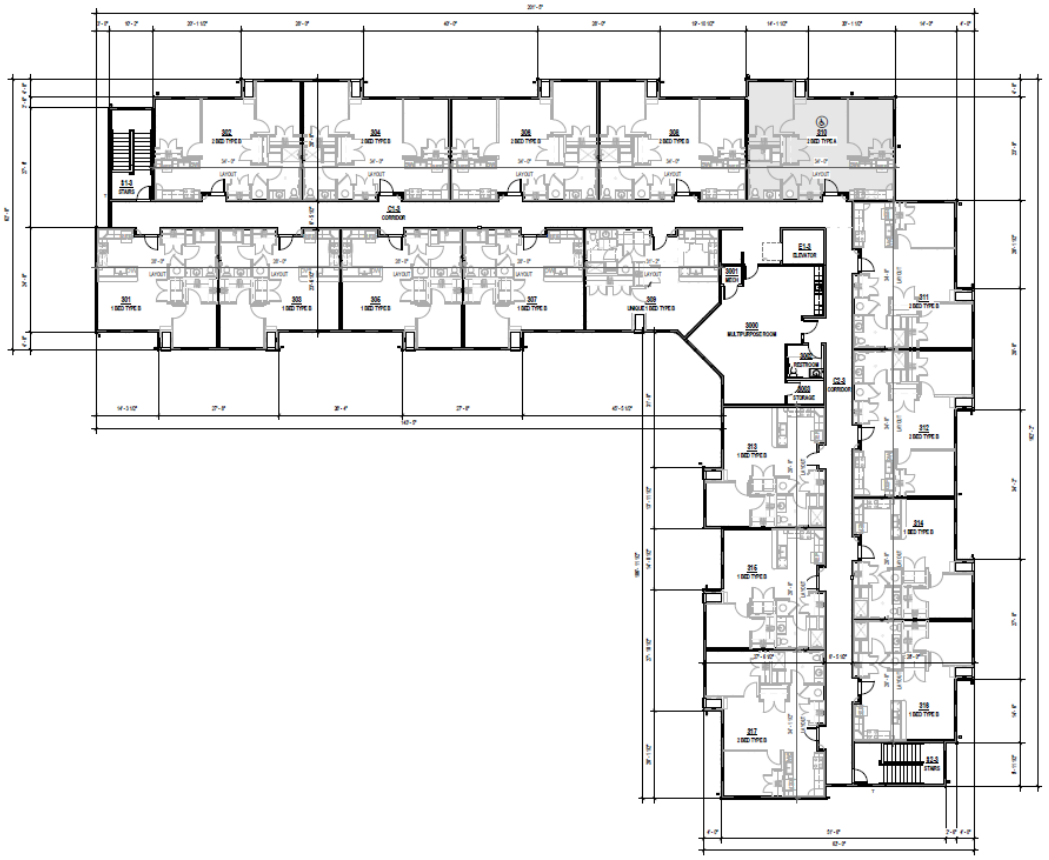
rosemann & ASSOCIATES P.C.



A1 SECOND FLOOR PLAN
3/32" = 1'-0"

PRELIMINARY FLOOR PLANS	The Villas at Homefield NWC 94th St. & State Ave. Kansas City, Kansas	A2

rosemann & ASSOCIATES P.C.



A1 THIRD FLOOR PLAN
3/32" = 1'-0"

PRELIMINARY FLOOR PLANS	The Villas at Homefield NWC 94th St. & State Ave. Kansas City, Kansas	A3

rosemann & ASSOCIATES P.C.

B1
EAST ELEVATION - COLORED
B2
SOUTH ELEVATION - COLORED
PRELIMINARY COLOR ELEVATIONS
The Villas at Homefield
NWC 94th St. & State Ave. Kansas City, Kansas
A4
rosemann
& ASSOCIATES P.C.



B4 NORTH ELEVATION - COLORED
3/32" = 1'-0"



B3 WEST ELEVATION - COLORED
3/32" = 1'-0"



A3 ENTRY ELEVATION - COLORED
3/32" = 1'-0"

PRELIMINARY COLOR ELEVATIONS 03/26/2026	The Villas at Homefield NWC 94th St. & State Ave. Kansas City, Kansas	A5

rosemann & ASSOCIATES P.C.

April 30, 2026

COZ2026-004 and MPL2026-002

PRELIMINARY RENDERINGS
02/20/2026
The Villas at Homefield
NWC 94th St. & State Ave. Kansas City, Kansas
A6
rosemann & ASSOCIATES P.C.
rosemann & ASSOCIATES P.C.

PRELIMINARY RENDERINGS
The Villas at Homefield
NWC 94th St. & State Ave. Kansas City, Kansas
A7
rosemann & ASSOCIATES P.C.
rosemann & ASSOCIATES P.C.

811
Know what's below.
Call before you dig.
PLANT SCHEDULE
THE VILLAS AT HOMEFIELD
N 94TH STREET
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
KAW VALLEY ENGINEERING
REV
DATE
DESCRIPTION
DSN
DWN
CHK













(First published_____)

COZ2026-004

ORDINANCE NO._____

AN ORDINANCE rezoning property hereinafter described located at approximately 9400 State Avenue, in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to RP-5 Apartment Planned District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on February 27, 2026, by the owners of property to have the zoning of said property changed from its present zoning of A-G Agriculture District to RP-5 Apartment Planned District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

COMMENCING at the Southwest corner of said Lot 3; thence North 01°46'30" East, along the Westerly line of said Lot 3, a distance of 279.16 feet; thence South 88°13'30" East, a distance of 603.33 feet to the POINT OF BEGINNING; thence North 55°28'09' East, a distance of 356.22 feet; thence South 32°20'21" East, a distance of 456.90 feet; thence South 57°39'39" West, a distance of 76.14 feet; thence North 88°15'32" West, a distance of 155.71 feet thence Northerly, along a curve to the right, having a Chord Bearing of North 65°54'34" West, a Chord Distance of 71.49 feet, a Radius of 94.00 feet, an Arc Distance of 73.33 feet; thence North 43°33'37" West, a distance of 113.89 feet; thence Westerly, along a curve to the left, having a Chord Bearing of North 53°14'35" West, a Chord Distance of 102.60 feet, a Radius of 305.00 feet, an Arc distance of 103.09 feet; thence North 62°55'33" West, a distance of 103.27 feet to the Point of Beginning and containing 113,332.58 Square feet or 2.60 Acres

more or less, located at approximately 9400 State Avenue, Kansas City, Kansas,

be changed from its present zoning of A-G Agriculture District to RP-5 Apartment Planned District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-460, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Planning and Urban Design Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for RP-5 Apartment Planned District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2026-005**

GENERAL INFORMATION

Applicant Information:
LaJoyce Calloway with Beautiful Beginnings Early Childhood Center
Applicant and Operator
3440 North 99th Street
Kansas City, Kansas 66109

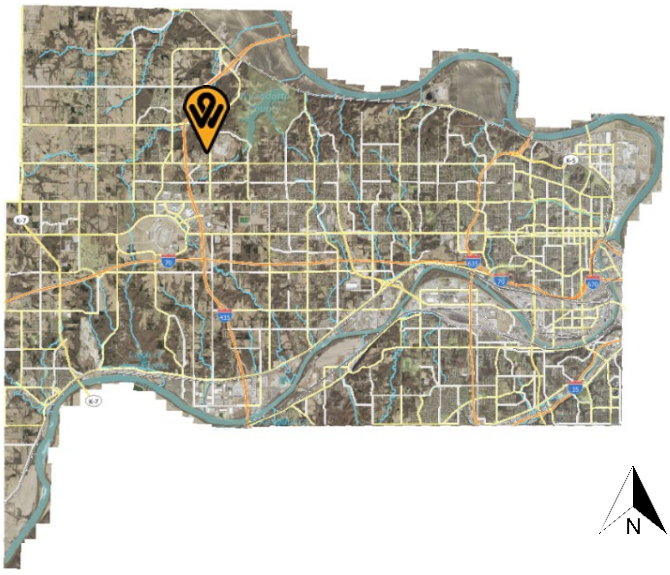
Subject Property:
3440 North 99th Street
Kansas City, Kansas 66109

Requested Action and Purpose:
Approval of a Special Use Permit to continue operating a daycare (SP2016-056 expires August 25, 2016).

Commission Districts:
At-Large Commissioner, District #1: Melissa Bynum
District #5 Commissioner: Dr. Edward Pacheco III

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

Plan Area:
Prairie Delaware Piper Area Plan





	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture District	Large lot single-family home
South	A-G Agriculture District	Single-family home (daycare)
East	MP-2 Planned General Industrial District	Industrial manufacturing (Marvin Windows)
West	A-G Agriculture District	Large lot single-family home

Total Tract Size: 1.84 Acres

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

Planned Office allows business parks.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 99th Street as a Major Collector.

Parking Requirement: Section 27-668(b) Any use not included in the parking requirements found in this article shall be assigned a parking requirement by the Planning Commission. At least four (4) parking spaces are provided.

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.

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing(s): April 13, 2026 and April 30, 2026

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant and operator, LaJoyce Calloway with Beautiful Beginnings Childhood and Education Center, is requesting a Special Use Permit to continue operating an early childhood development and education center at 3440 North 99th Street.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

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

Outstanding or Related Permit and Cases:

1. PLM24-1054 – Plumbing Permit to replace 50-gallon gas water heater in 2024.
2. MEC22-0451 – Mechanical Permit for an air condition and furnace in 2022.
3. DRC 16300-01022 – Building Permit for a commercial addition for Beautiful Beginnings daycare. Approved in 2017.
4. 07325-00226 – Building Occupancy for building zoning inspection in 2007.
5. 07390-007983 – Pluming Permit for gas line repair and gas pressure test in 2007.
6. 07385-00653 – Mechanical Permit to replace two (2 furnaces in 2007.
7. 07380-01332 – Electrical Permit for wired smoke detectors and two (2) receptacles in 2007.

Previous Planning Actions:

1. SP-2016-56 – expansion of SP2016-24 and operate a daycare – Approved for 10 years on August 25, 2016.
2. SP-2016-24 – continue to operate a daycare – Approved for 10 years on March 31, 2016.
3. SP-2011-29 – continue to operate a daycare – Approved for two (2) years on June 30, 2011.
4. SP-2009-34 – continue to operate a daycare – Approved for two (2) years on June 25, 2009.
5. SP-2007-25 – operate a daycare – Approved for two (2) years on July 26, 2007.

FACTORS TO BE CONSIDERED

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

   The subject property is located within the I-435 Statistical Neighborhood, the Leavenworth Road Association (LRA) Business Group, and Census Block Group #0448042. The character of the neighborhood is large lot homes and agricultural uses to the north and west. The Woodlands racetrack, although vacant, is located across North 99th Street, to the east. The Graham Heights Subdivision is a short distance to the south.

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

   The zoning and uses of nearby property are set out above. The zoning and uses of nearby properties are agricultural in nature. The proposed use is not compatible with the surrounding parcels. The proposed use is a commercial use in an agricultural zone district. However, the use is complementary in that there are residences in the surrounding area that this use would fit with.

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

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

   The hours of operation are such as not to cause problems for nearby property owners, which are during "traditional" workday hours.

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

   The property is not vacant.

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

   Special Use Permits are not addressed in the Comprehensive Plan. The PlanKCK Comprehensive Plan designates this property as Mixed Residential and Office, which allows patio (zero lot line) homes, townhouses, condominiums, garden apartments, housing for seniors, other multi-family uses, and business parks.

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

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

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

   The proposed use is necessary for those who will use the service. To date, the childcare center has not substantially injured visual quality or marketability of adjoining property. In fact, it might make it more attractive for families raising children in the area.

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

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

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

   The proposed use will not pollute air, land or water as it is located in an existing, permitted structure.

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

    The proposed use would not damage or destroy an irreplaceable natural resource as it will operate within an existing structure.

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

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

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

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

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

    The proposed use would not result in undue concentrations of populations as the Fire Marshal will provide a limit on the number of allowed occupants. The property is 1.8 acres, which is ample enough room to have this center on the property.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 1737 North 82nd Street (Kansas City Kansas Public Library – West Branch) on March 30, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of application **SP2026-005**, **for 10 years**, subject to:

1. **Adhere to the previous conditions of approval with SP-2016-56;**
2. **Hours of operation are Monday through Friday, 7:30 AM – 5:00 PM, and occasional evening care Friday and Saturday from 7:00 PM – 11:00 PM;**
3. **The applicant has filed and maintained a current business occupation tax application with the Business Licensing Division. If approved, the occupying business must maintain a 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;**
4. **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;**
5. **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;

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. **The Special Use Permit shall be valid for 10 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;**
8. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
9. **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 Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of this Petition subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Floor Plans
Site Photographs

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	April 13, 2026 Approval	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2026-005** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2026-005,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 12:14:

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

CONSIDERATION OF THE MARCH 9, 2026 CITY PLANNING COMMISSION MINUTES.

SP2026-005 - LAJOYCE CALLOWAY
Synopsis: Special Use Permit (Renewal of SP2016-056, expires August 25, 2026) for a childcare center at 3440 North 99th Street. *Detailed Outline of Requested Action:* The applicant and operator, LaJoyce Calloway with Beautiful Beginnings Childhood and Education Center, is requesting a Special Use Permit to continue operating an early childhood development and education center at 3440 North 99th Street.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the areas in question;
3. The City's currently adopted Master Plan for the areas in question;
4. The staff report and attachments dated April 13, 2026;
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 Permit, Change of Zones, and Master Plan Amendments; 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. Commissioner Foglesong requested PLAT2026-010 be removed from the Consent Agenda.

Motion starts at 15:58:

On motion by Commissioner Jones, seconded by Commissioner Straws, the Planning Commission voted as follows to **APPROVE the remainder of the consent agenda:**

Carson	**Chairman**
Ernst	**Not present**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Miller	**Not present**

Armstrong Not present
Mohler Not present
Motion to recommend APPROVAL passed: 6 to 0
Subject to:
SP2026-005:

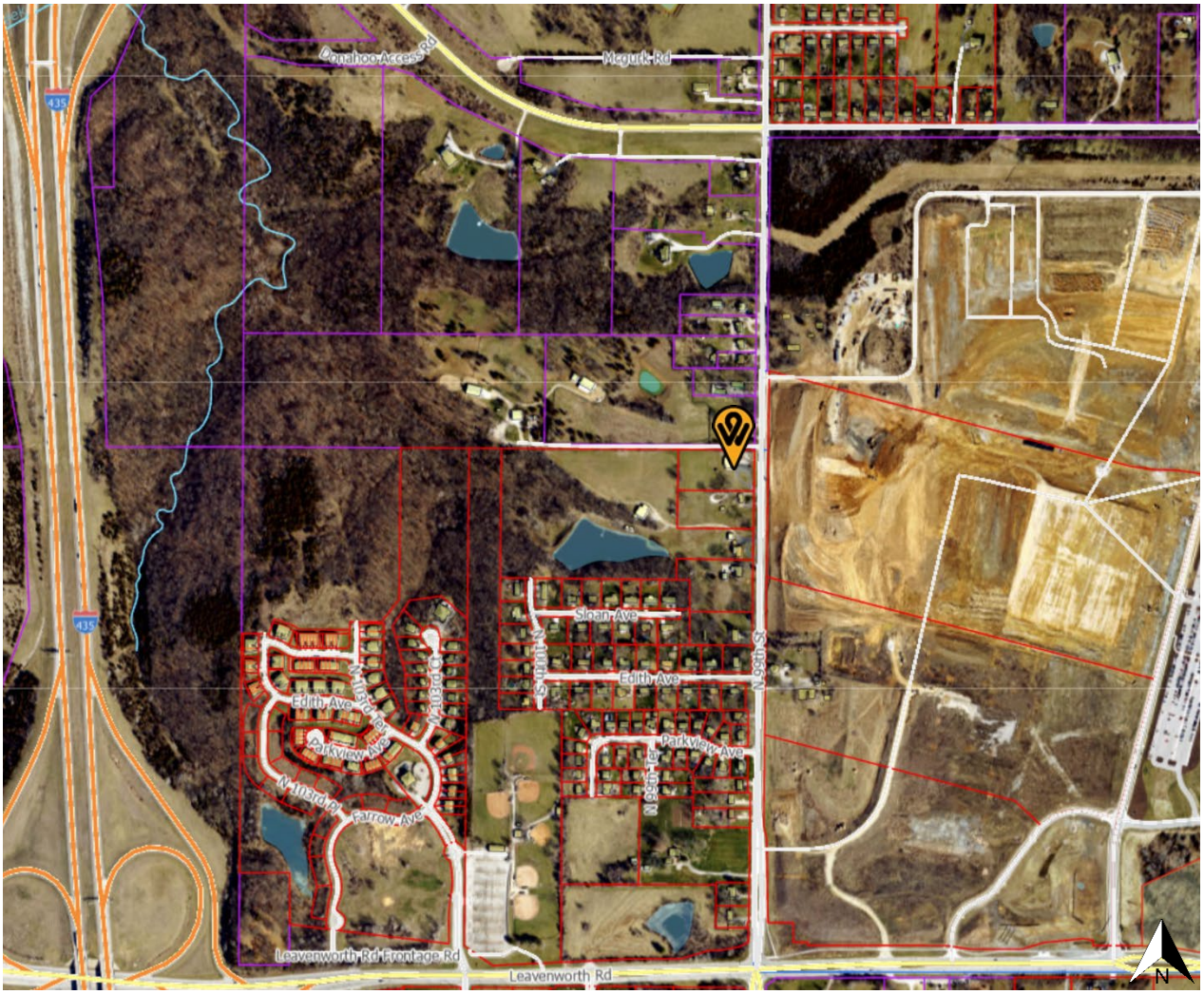
1. **Adhere to the previous conditions of approval with SP-2016-56;**
2. **Hours of operation are Monday through Friday, 7:30 AM – 5:00 PM, and occasional evening care Friday and Saturday from 7:00 PM – 11:00 PM;**
3. **The applicant has filed and maintained a current business occupation tax application with the Business Licensing Division. If approved, the occupying business must maintain a 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;**
4. **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;**
5. **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;**
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. **The Special Use Permit shall be valid for 10 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;

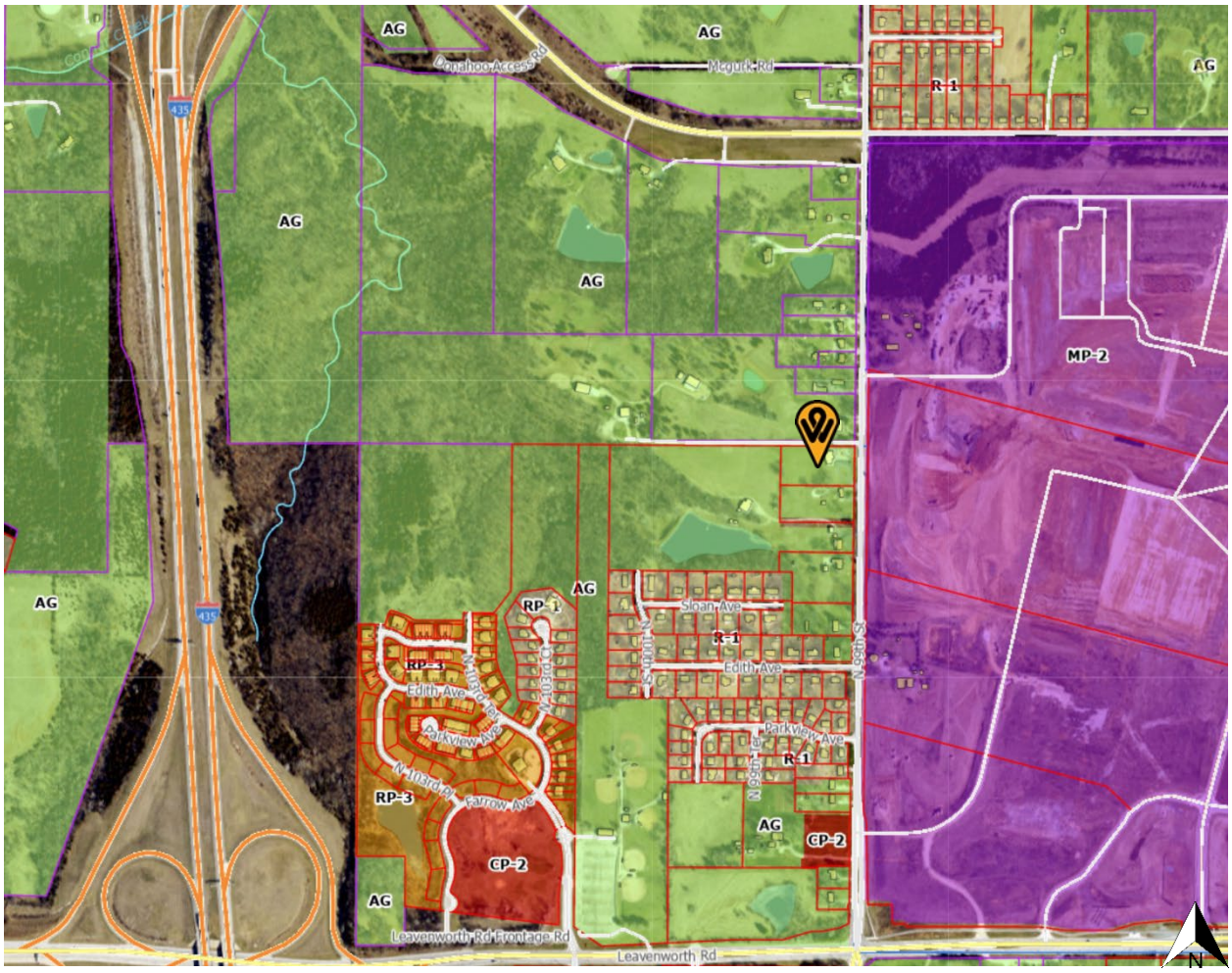
8. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
9. **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

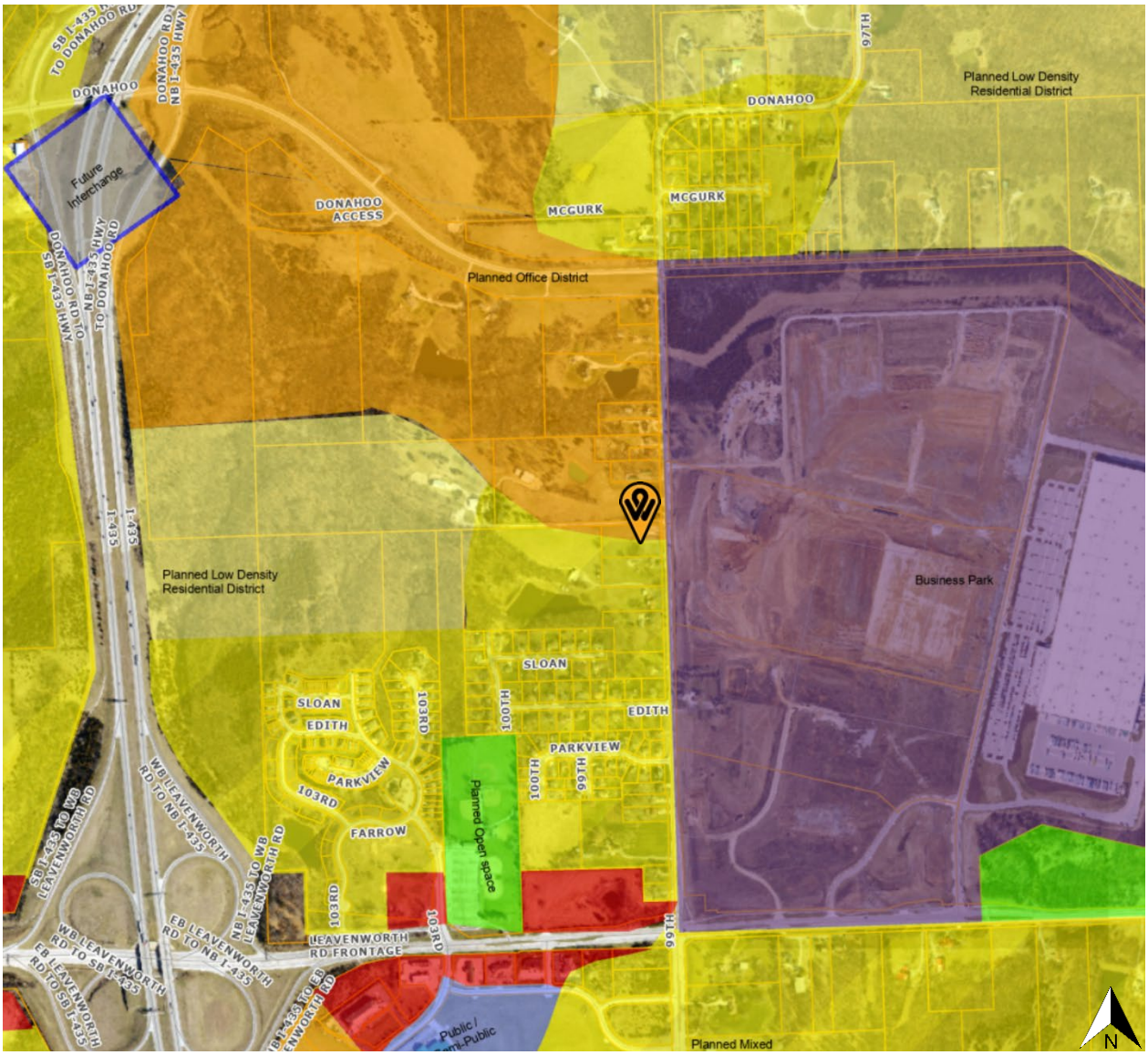
AERIAL IMAGERY



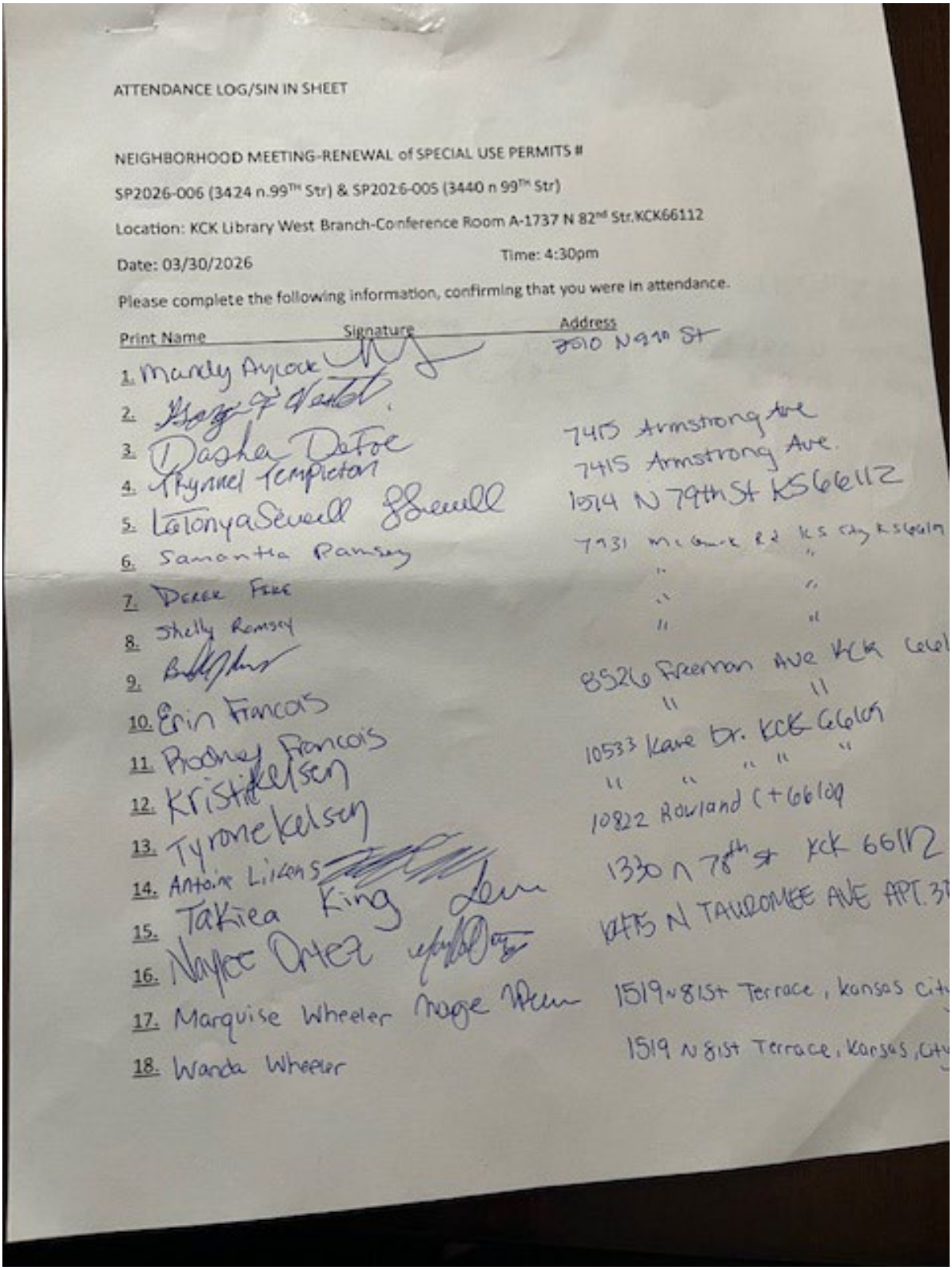
ZONING MAP


AG
Conahoo Access Rd
Meguth Rd
R-1
MP-2
435
RP-1
Sloan Ave
Edith Ave
Parkview Ave
N Lisa Ln
Farrow Ave
RP-3
CP-2
Leavenworth Rd Frontage Rd
Leavenworth Rd
N

LAND USE MAP


Future Interchange
DONAHOO
DONAHOO ACCESS
MCGURK
Planned Office District
Planned Low Density Residential District
Business Park
Planned Open space
SLOAN
EDITH
PARKVIEW
FARROW
103RD
100TH
97TH
LEAVENWORTH RD FRONTAGE
I-435
N

ADDITIONAL ATTACHMENTS



ATTENDANCE LOG/SIN IN SHEET

NEIGHBORHOOD MEETING-RENEWAL of SPECIAL USE PERMITS #

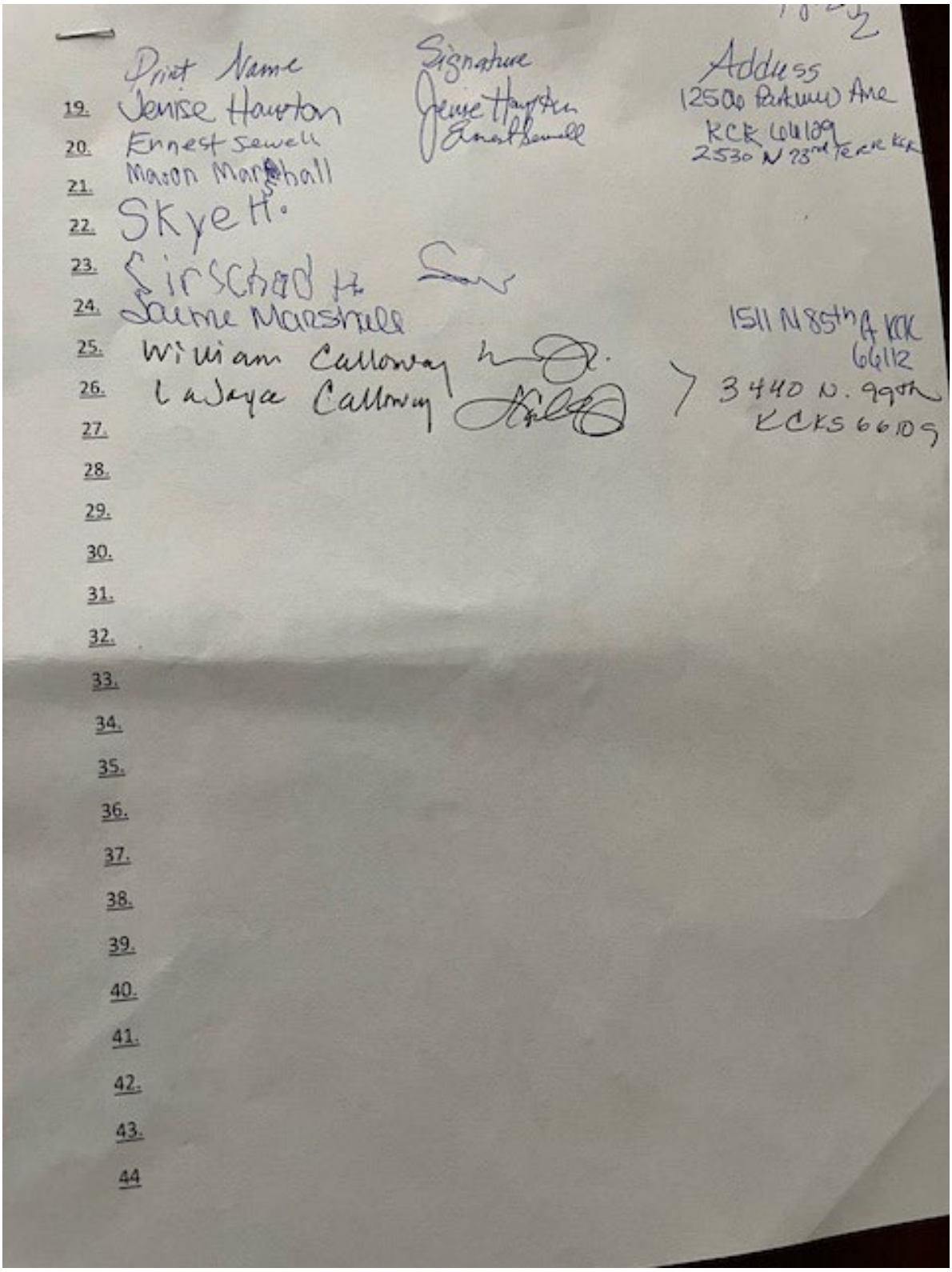
SP2026-006 (3424 n.99TH Str) & SP2026-005 (3440 n 99TH Str)

Location: KCK Library West Branch-Conference Room A-1737 N 82nd Str.KCK66112

Date: 03/30/2026 Time: 4:30pm

Please complete the following information, confirming that you were in attendance.

Print Name	Signature	Address
1. Mandy Aylock		7010 N 91st St
2.		
3. Dasha DeFoe		7415 Armstrong Ave
4. Thyrnel Templeton		7415 Armstrong Ave.
5. LaTonya Sewell		1514 N 79th St KS66112
6. Samantha Ramsey		7931 Michael Rd Ks City KS66109
7. Derek Fike		" "
8. Shelly Ramsey		" "
9.		" "
10. Erin Francois		8526 Freeman Ave KCK 66109
11. Rodney Francois		" "
12. Kristi Kelsey		10533 Kaw Dr. KCK 66109
13. Tyrone Kelsey		" " " "
14. Antoine Lizons		10822 Rowland Ct 66109
15. Takiea King		1330 N 78th St KCK 66112
16. Nayee Ortez		1515 N TALLOMEE AVE APT 3
17. Marquise Wheeler		1519 N 81st Terrace, kansas city
18. Wanda Wheeler		1519 N 81st Terrace, Kansas, City



	Print Name	Signature	Address
19.	Jenise Hawton	Jenise Hawton	12500 Parkwood Ave KCK 66109
20.	Ernest Sewell	Ernest Sewell	2530 N 78th Terr KCK
21.	Mason Marshall		
22.	Skye H.		
23.	Sirshad H.		
24.	Jaime Marshall		1511 N 85th St KCK 66112
25.	William Calloway		3440 N. 99th KCKS 66109
26.	LaJoyce Calloway		
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44			

Proverbs 22:6
BEAUTIFUL BEGINNINGS

Beautiful Beginnings Early Childhood Education Center
3440 NORTH 99TH STREET
KANSAS CITY, KS 66109
913-788-2275

March 31,2026

Subject: Neighborhood Meeting

Application#SP2026-005 & SP2026-006

Date and Location of the meeting:

Monday, March 30,2026

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

Meeting called to order at: 4:30 pm

Names of People in attendance (see attached sign in sheets)

Thank you, Introduction, Summary
By LaJoyce Calloway

Summary:
The purpose of this meeting is: To inform neighbors and those of the request of a 10-year renewal, continuous operations of Beautiful Beginnings Early Childhood Education Center/Beautiful Beginnings Family Childcare, keep transparency and to address questions or concerns.

QUESTION:
Dasha Defoe ??

What is a SUP
Answered by LaJoyce Calloway:

Special Use Permit is permission granted by the Unified Government (UG) to authorize special use of land that requires additional review to ensure that the use requested is in alignment with the surrounding areas.

Example. If land is zoned agricultural and the applicant is requesting to use it as a childcare facility, then it would require submitting a SUP.

1 SP2026-005 SP2026-006

Many Aycock??
How many years are you requesting for both locations and is the House (3424 N 99th address) commercial.

Answer by LaJoyce Calloway:
Requesting a ten-year renewal for both addresses and the 3424 N 99th address is a residential house.

Gary Veestal???
Are you renting out the place, a car was parked overnight at the 3424 N 99th address.

Answered by LaJoyce Calloway:
Prior to acquiring the property, the little house located behind primary residence was/had been rented out by the previous owners for over twenty years.

Prior to acquiring the property with searched for rental licenses and found no records on file. No, we are not renting the house (referring to the 3424 N. 99th Str.) To rent the property, I'm required to apply and be approved for a rental license by the UG.

You may have witness a vehicle being parked overnight, unfortunately we had a Team Member/Employee that discovered a bed bug infestation in what she thought was going to be her new residence.

After exhausting funds for hotel expenses, she was temporary homeless, being that she had been fingerprinted and cleared through KBI (which is a KDHE mandatory staff requirement) and needed a safe place to rest/relax/shower and eat she was offered to use the 3424 addresses after hour for a few days. (During her being there after hours we not in any violations and did maintained compliance with KDHE-Kansas Department of Health and Environment-Child Care Licensing).

Gary Vestal ???
Is it okay to call the police if I see someone snooping around??

Answered by LaJoyce Calloway:
As neighbors we're to lookout for one another and if you feel the need to contact the police you have a right to do so.

Mandy Aycock
Last meeting 2024 there was some mention of building permit

LaJoyce Calloway:
Yes, during the 2024 Neighborhood meeting you and your husband Taylor Aycock did mention a building permit.

Those in attendance had side conversations about the SUP process experiences and looking forward to the upcoming City Planning Commission Meeting/Public Hearing on April 13,2026

The floor was open several times for additional questions or comments… none

Meeting was adjourned at 5:05 pm

Minutes taken by: William Calloway, LaJoyce Calloway, Takiea King

2 SP2026-005 SP2026-006

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

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

1. That I am the petitioner for Petition # SP 2026-005 + SP 2026-006
2. That I conducted a neighborhood meeting on 03/30/2026
3. The notice to nearby property owners was sent on 03/16/2026.
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.

LaJoyce Calloway
Affiant

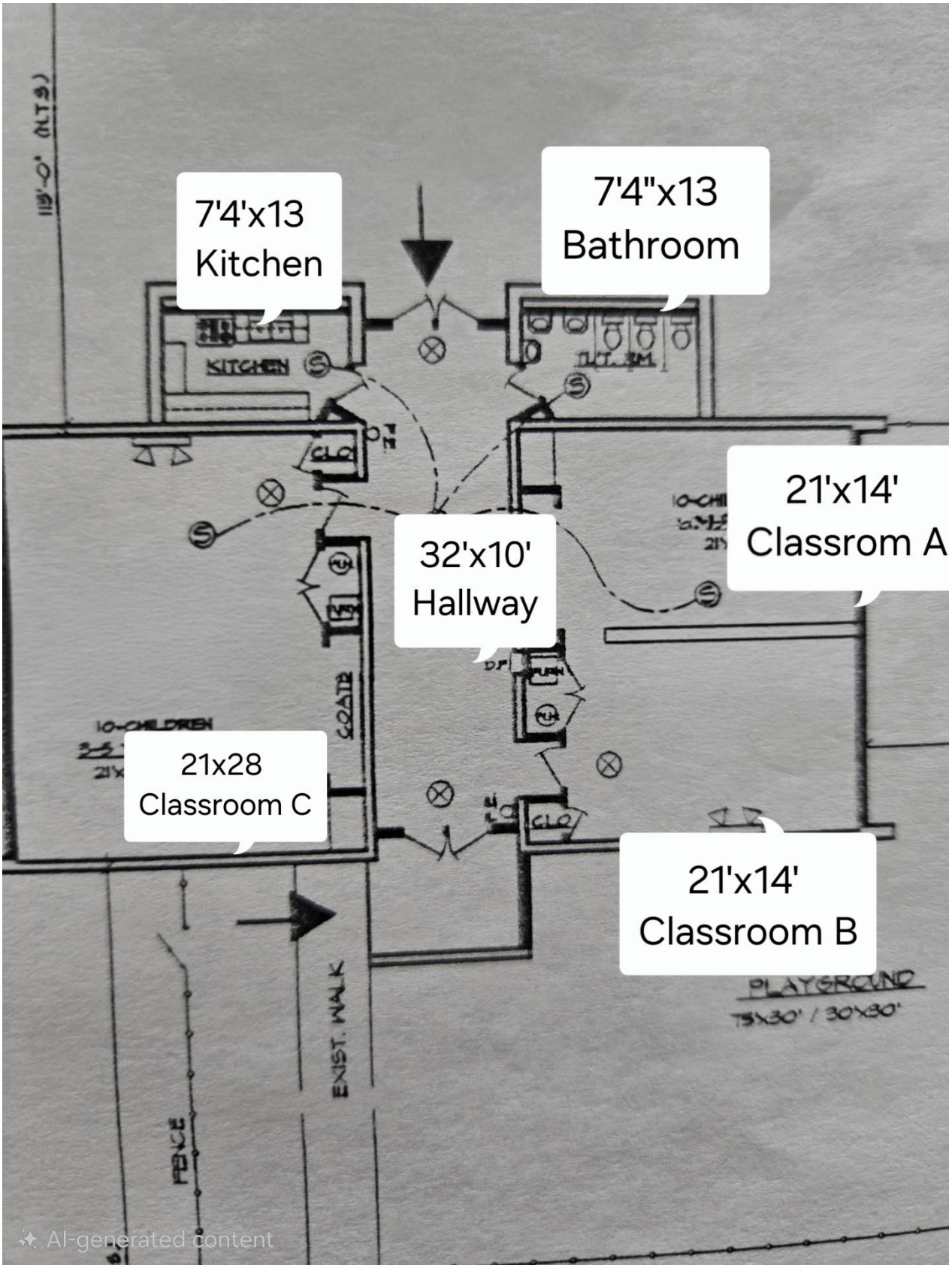
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 31 day of March, 2026.

My commission expires 10th of August, 2028.

Brooke Cooper
Notary Public

BROOKE A. COOPER
Notary Public-State of Kansas
My Appt. Expires 8/10/28

Windows / Windows
Toilets/Handicap
Door
Classroom
Classroom
Backdoor
Hallway
Door
Kitchen
Door
Classroom
Windows / Windows
Front Doors
3440 N. 9th St.
KCKS


7'4'x13
Kitchen
7'4"x13
Bathroom
21'x14'
Classrom A
32'x10'
Hallway
21x28
Classroom C
21'x14'
Classroom B
KITCHEN
EXIST. WALK
FENCE
PLAYGROUND
75'x30' / 30'x30'
AI-generated content

SITE PHOTOS TAKEN BY THE APPLICANT










EXIT
Obama
Winfrey
Black
History


THE WORLD
BUGS

(Published _____)

SP2026-005

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2026-005, commonly known as 3440 North 99th Street, Kansas City, Kansas, legally described as:

> HAFFS SUB CORR PLAT, S26, TI0, R23, ACRES 1.820000, SCHOOL TRACT: BEG NE COR SEl/4 26-10-23; W417.4FT, S 208.7FT, E417.4FT, N208.7FTTO POB 2AC M/L, located at approximately 3440 North 99th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a childcare center.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Adhere to the previous conditions of approval with SP-2016-56;**
2. **Hours of operation are Monday through Friday, 7:30 AM – 5:00 PM, and occasional evening care Friday and Saturday from 7:00 PM – 11:00 PM;**
3. **The applicant has filed and maintained a current business occupation tax application with the Business Licensing Division. If approved, the occupying business must maintain a 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;

4. **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;**
5. **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;**
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. **The Special Use Permit shall be valid for 10 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;**
8. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
9. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all**

conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2026-006**

GENERAL INFORMATION

Applicant Information:
LaJoyce Calloway
Beautiful Beginnings Early Childhood Center
Applicant and Operator
3424 North 99th Street
Kansas City, Kansas 66109

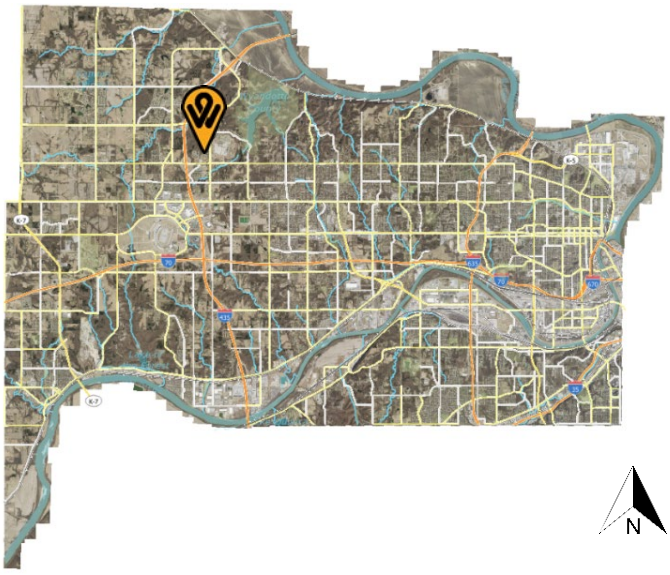
Subject Property:
3424 North 99th Street
Kansas City, Kansas 66109

Requested Action and Purpose:
Approval of a Special Use Permit to continue operating a daycare center (SP2024-065 expires on January 23, 2027).

Commission Districts:
At-Large Commissioner, District #1: Melissa Bynum
District #5 Commissioner: Dr. Edward Pacheco III

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

Plan Area:
Prairie Delaware Piper Area Plan





	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture District	Single-family home (daycare)
South	A-G Agriculture District	Large lot single-family home
East	MP-2 Planned General Industrial District	Industrial manufacturing (Marvin Windows)
West	A-G Agriculture District	Large lot, single-family home

Total Tract Size: 1.71 Acres

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates the subject property as Planned Mixed Residential District, which allow patio (zero lot line) homes, townhouses, condominiums, garden apartments, housing for seniors, and other multifamily uses. Public oriented uses such as schools, libraries, community recreation facilities (both indoor and outdoor) and places for worship may also be planned within a mixed residential development.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 99th Street as a Major Collector.

Parking Requirement: Section 27-668(b) states any use not included in the parking requirements found in this article shall be assigned a parking requirement by the Planning Commission. There are only four (4) spaces provided on property.

Landscaping Requirement: Section 27-700(a) states one (1) shade tree per dwelling unit is required in the front or corner side yard. Aerial photos of the subject property demonstrate sufficient landscaping on the property parcels (see “Aerial Map” within the Attachments section of this report).

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing: April 13 and April 30, 2026

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, LaJoyce Calloway, is requesting a Special Use Permit (Renewal of SP2024-065) to continue to operate a children's daycare at 3424 North 99th Street. This is a secondary facility to the already permitted facility directly north at 3440 North 99th Street.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

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

Outstanding or Related Permit and Cases:

1. 2024 – ELE24-0889 – Electrical Permit for an electrical rewire and service upgrade.
2. 2023 – PLM23-0328 – Plumbing Permit for gas repair and gas pressure test.

Previous Planning Actions:

1. SP2024-065 – operate a daycare – Approved for two (2) years on October 31, 2024.

FACTORS TO BE CONSIDERED

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

   The subject property is located within the I-435 Statistical Neighborhood, the Leavenworth Road Association (LRA) Business Group, and Census Block Group #0448042. The neighborhood consists of single-family residences and the I-435 Logistics Park warehouse complex. The property is north of Leavenworth Road, which runs west to Leavenworth County and east to Quindaro.

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 nearby property are set out above. The zoning and uses of nearby properties are agricultural in nature. The proposed use is not compatible with the surrounding parcels. The proposed use is commercial use in an agricultural zoned district. However, the use is complementary as there are residences in the surrounding area that this use would fit with.

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

   The proposed use may be reasonably suitable for the subject property with the proper modifications per local and state ordinance. The removal of restrictions is not expected to detrimentally affect nearby property.

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

   The property is not vacant and has been used as a residence since construction in 1946.

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

   Special Use Permits are not addressed in the Prairie-Delaware-Piper Area Plan. The Prairie-Delaware-Piper Area Plan designates the subject property as Planned Mixed Residential District, which allows patio (zero lot line) homes, townhouses, condominiums, garden apartments, housing for seniors, and other multifamily uses. Public oriented uses such as schools, libraries, community recreation facilities (both indoor and outdoor) and places for worship may also be planned within a mixed residential development. The proposed use conforms to the Area Plan 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 has the potential to increase vehicular traffic, as it is a new business in an existing residence, however, it should exceed the capacity of North 99th Street, a Major Collector, to accommodate it if managed properly. There are concerns, however, with on-site circulation, as it appears that the only ingress/egress onto the site is a driveway, rather than a purpose-built parking lot. The applicant has improved the driveway to allow for circular traffic pattern through the property.

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

The proposed use is reasonably necessary for the convenience and welfare of the public as it provides additional childcare options for the public. It is unlikely that the use will substantially or permanently injure the use, quality, or marketability of nearby property, especially since nearby properties consist of another daycare and various industrial warehouses.

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 illumination are primary concerns with daycares, especially if the daycare facility operates earlier or later in the day. If managed properly, however, these issues should not create problems for nearby properties. Dust and vibration are not expected to be issues on the subject property.

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 structure. Any construction to the residence must be done in a manner that does not pollute air, land or water.

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

    The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence, in an existing, rural 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 to public health, safety and welfare may be significant, as the use provides another childcare option for the community. If denied, the property owner may not use the property for a daycare, however, they can still use the building as a residence.

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

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

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

    The proposed use could potentially result in both the overcrowding of land and undue concentrations of population. These issues may arise if occupancy limits are not properly established and adhered to, and if site management is not

maintained. If managed properly, however, these items should not be a major concern.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 1737 North 82nd Street (Kansas City Kansas Public Library – West Branch) on March 30, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of application **SP2026-006**, **for five (5) years**, subject to:

1. **Adhere to the previous conditions of approval with SP2024-065;**
2. **Hours of operation are from Monday through Friday, 7:00 AM – 5:00 PM;**
3. **The applicant has filed and maintained a current business occupation tax application with the Business Licensing Division. If approved, the occupying business must maintain a 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;**
4. **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;**
5. **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;**
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. **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;**
8. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
9. **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 Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of this Petition subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Neighborhood Meeting Documents
Floor Plan
Site Photos taken by the Applicant on February 17, 2026

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	April 13, 2026 Approval	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2026-006** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2026-006,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 12:14:

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

SP2026-006 - LAJOYCE CALLOWAY
Synopsis: Special Use Permit (Renewal of SP2024-065, expires January 23, 2027) for a childcare center at 3424 North 99th Street. *Detailed Outline of Requested Action:* The applicant, LaJoyce Calloway, is requesting a Special Use Permit (Renewal of SP2024-065) to continue to operate a children's daycare at 3424 North 99th Street. This is a secondary facility to the already permitted facility directly north at 3440 North 99th Street.

The items I have just read are on the Consent Agenda. At this time, does any member of

the Commission wish to disclose any contact on any of the items? No one responded in the affirmative.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the areas in question;
3. The City's currently adopted Master Plan for the areas in question;
4. The staff report and attachments dated April 13, 2026;
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 Permit, Change of Zones, and Master Plan Amendments; 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. Commissioner Foglesong requested PLAT2026-010 be removed from the Consent Agenda.

Motion starts at 15:58:

On motion by Commissioner Jones, seconded by Commissioner Straws, the Planning Commission voted as follows to **APPROVE the remainder of the consent agenda:**

Carson	**Chairman**
Ernst	**Not present**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

Motion to recommend APPROVAL passed: 6 to 0
Subject to:

SP2026-006:

1. **Adhere to the previous conditions of approval with SP2024-065;**
2. **Hours of operation are from Monday through Friday, 7:00 AM – 5:00 PM;**
3. **The applicant has filed and maintained a current business occupation tax application with the Business Licensing Division. If approved, the occupying business must maintain a 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;

4. **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;**
5. **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;**
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. **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;**
8. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
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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

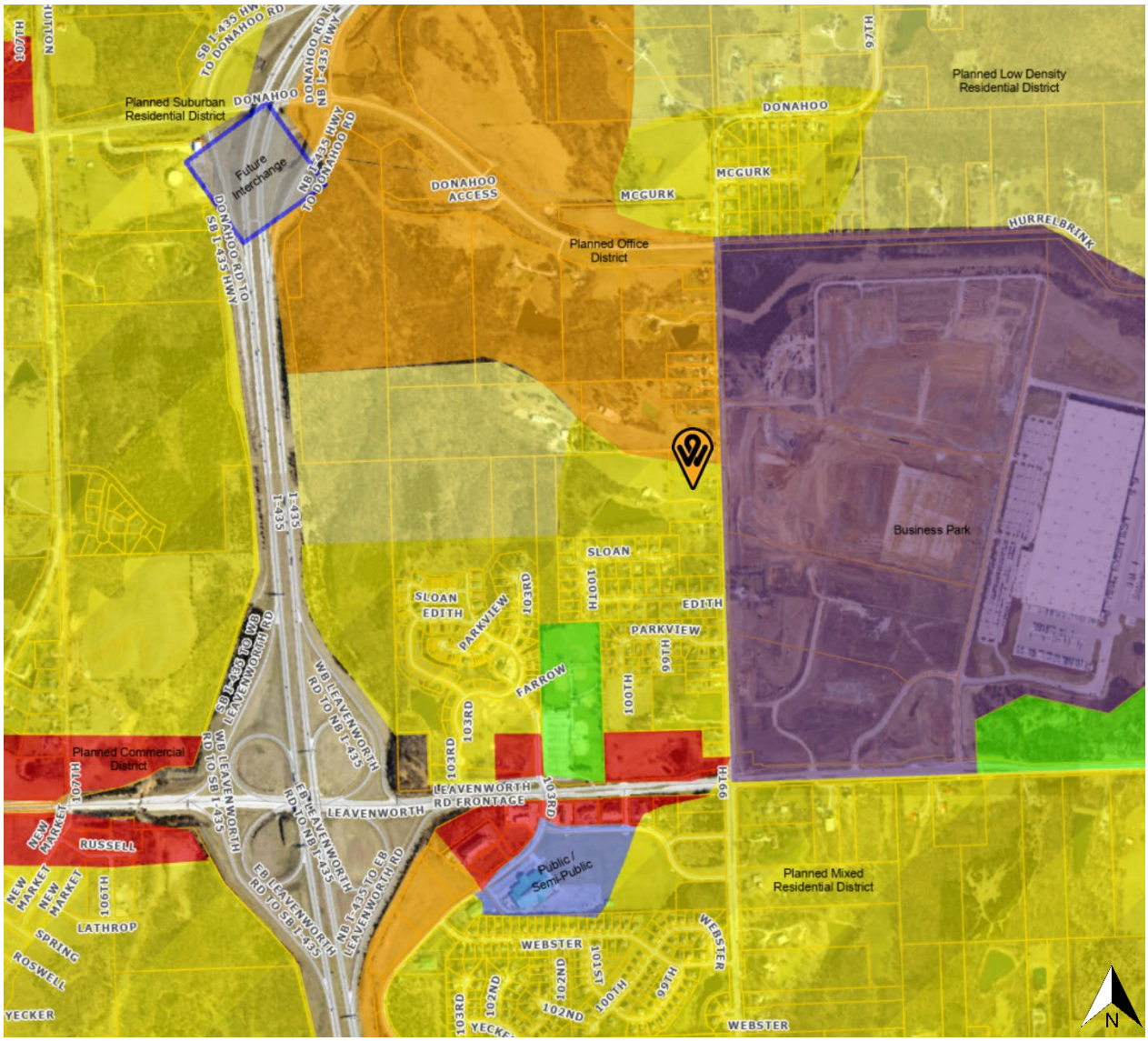
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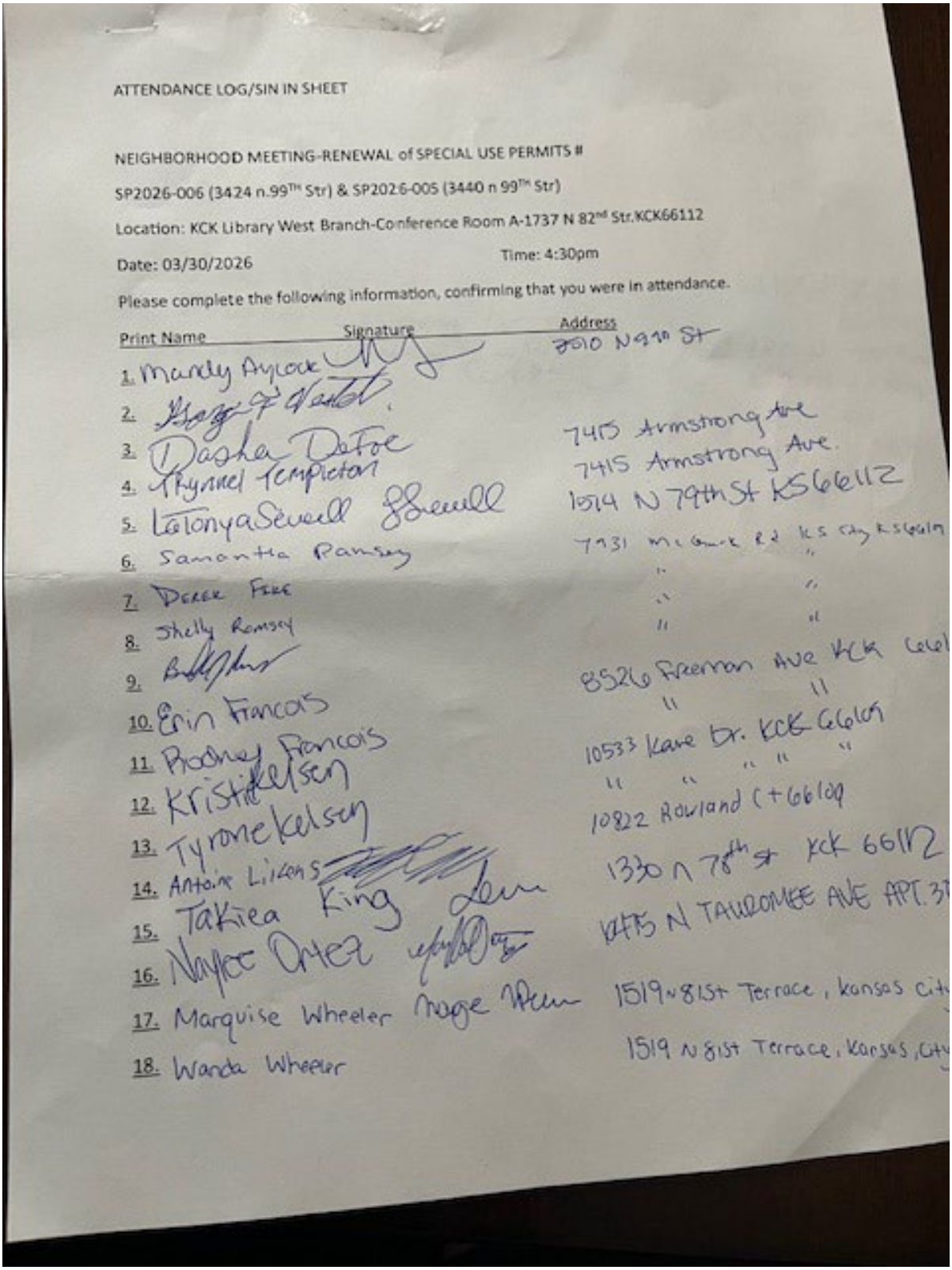
ZONING MAP



LAND USE MAP


Planned Suburban Residential District
Future Interchange
Planned Low Density Residential District
Planned Office District
Business Park
Planned Commercial District
Planned Mixed Residential District
Public / Semi-Public
DONAHOO
DONAHOO ACCESS
MCGURK
HURRELBRINK
SLOAN
EDITH
PARKVIEW
FARROW
LEAVENWORTH
LEAVENWORTH RD FRONTAGE
RUSSELL
NEW MARKET
LATHROP
SPRING
ROSWELL
YECKER
WEBSTER
I-435
97TH
100TH
101ST
102ND
103RD
106TH
107TH
N

ADDITIONAL ATTACHMENTS



ATTENDANCE LOG/SIN IN SHEET

NEIGHBORHOOD MEETING-RENEWAL of SPECIAL USE PERMITS #

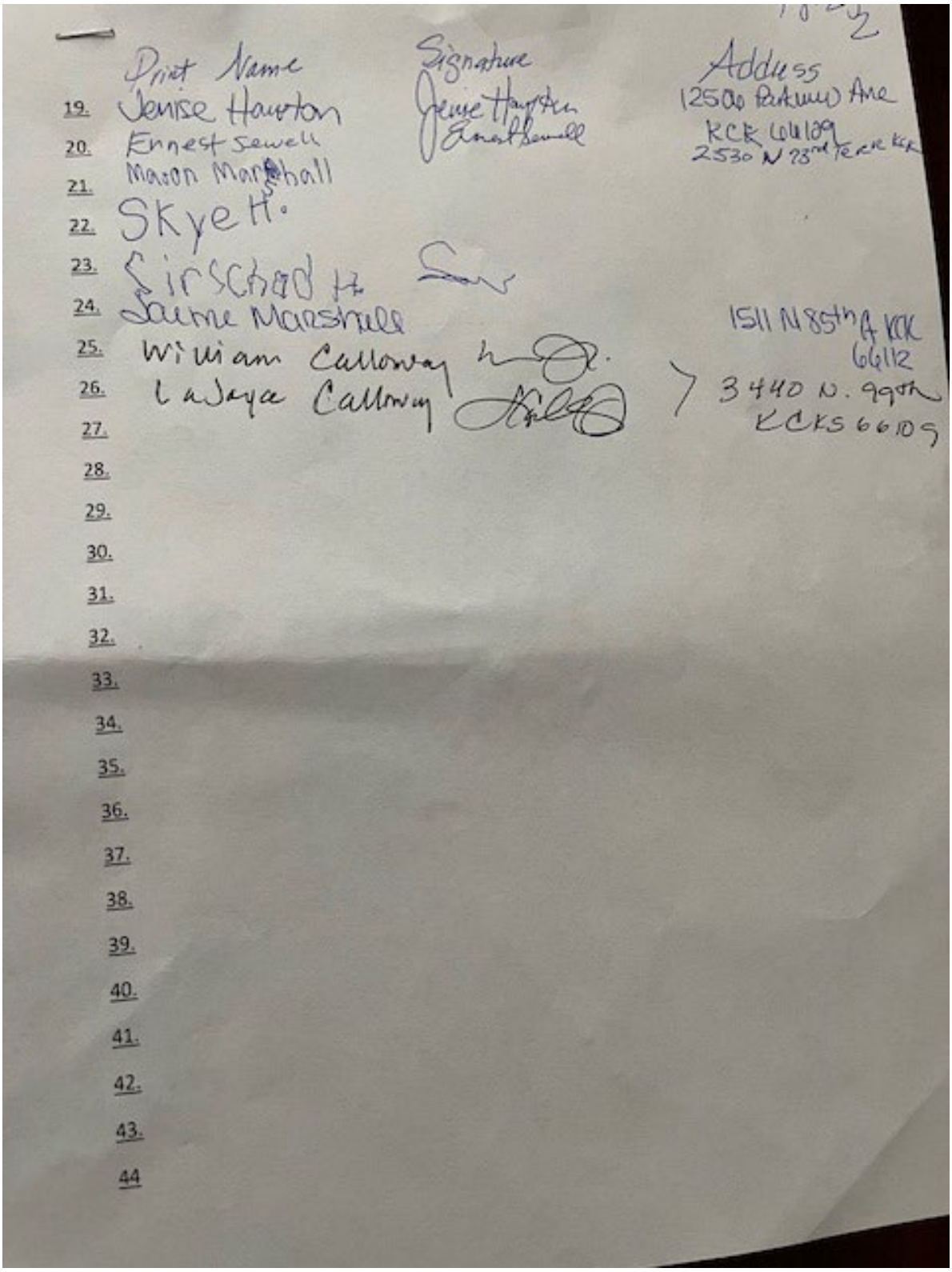
SP2026-006 (3424 n.99TH Str) & SP2026-005 (3440 n 99TH Str)

Location: KCK Library West Branch-Conference Room A-1737 N 82nd Str.KCK66112

Date: 03/30/2026 Time: 4:30pm

Please complete the following information, confirming that you were in attendance.

Print Name	Signature	Address
1. Mandy Aylock		7010 N 91st St
2.		
3. Dasha DeFoe		7415 Armstrong Ave
4. Thyrnel Templeton		7415 Armstrong Ave.
5. Lolonya Sewell		1514 N 79th St KS66112
6. Samantha Ramsey		7931 Michael Rd KS City KS66109
7. Derek Fike		" "
8. Shelly Ramsey		" "
9.		" "
10. Erin Francois		8526 Freeman Ave KCK 66109
11. Rodney Francois		" "
12. Kristi Kelsey		10533 Kaw Dr. KCK 66109
13. Tyrone Kelsey		" " " "
14. Antoine Lizens		10822 Rowland Ct 66109
15. Takiea King		1330 N 78th St KCK 66112
16. Nayee Ortez		1515 N TALLOMEE AVE APT 3
17. Marquise Wheeler		1519 N 81st Terrace, Kansas City
18. Wanda Wheeler		1519 N 81st Terrace, Kansas, City



	Print Name	Signature	Address
19.	Jenise Hawton	Jenise Hawton	12500 Parkwood Ave KCK 66109
20.	Ernest Sewell	Ernest Sewell	2530 N 78th Terr KCK
21.	Mason Marshall		
22.	Skye H.		
23.	Sirschad H.		
24.	Jaime Marshall		1511 N 85th St KCK 66112
25.	William Calloway		3440 N. 99th KCKS 66109
26.	LaJoyce Calloway		
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44			

Proverbs 22:6
BEAUTIFUL BEGINNINGS

Beautiful Beginnings Early Childhood Education Center
3440 NORTH 99TH STREET
KANSAS CITY, KS 66109
913-788-2275

March 31,2026

Subject: Neighborhood Meeting

Application#SP2026-005 & SP2026-006

Date and Location of the meeting:

Monday, March 30,2026

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

Meeting called to order at: 4:30 pm

Names of People in attendance (see attached sign in sheets)

Thank you, Introduction, Summary
By LaJoyce Calloway

Summary:
The purpose of this meeting is: To inform neighbors and those of the request of a 10-year renewal, continuous operations of Beautiful Beginnings Early Childhood Education Center/Beautiful Beginnings Family Childcare, keep transparency and to address questions or concerns.

QUESTION:
Dasha Defoe ??

What is a SUP
Answered by LaJoyce Calloway:

Special Use Permit is permission granted by the Unified Government (UG) to authorize special use of land that requires additional review to ensure that the use requested is in alignment with the surrounding areas.

Example. If land is zoned agricultural and the applicant is requesting to use it as a childcare facility, then it would require submitting a SUP.

1 SP2026-005 SP2026-006

Many Aycock??
How many years are you requesting for both locations and is the House (3424 N 99th address) commercial.

Answer by LaJoyce Calloway:
Requesting a ten-year renewal for both addresses and the 3424 N 99th address is a residential house.

Gary Veestal???
Are you renting out the place, a car was parked overnight at the 3424 N 99th address.

Answered by LaJoyce Calloway:
Prior to acquiring the property, the little house located behind primary residence was/had been rented out by the previous owners for over twenty years.

Prior to acquiring the property with searched for rental licenses and found no records on file. No, we are not renting the house (referring to the 3424 N. 99th Str.) To rent the property, I'm required to apply and be approved for a rental license by the UG.

You may have witness a vehicle being parked overnight, unfortunately we had a Team Member/Employee that discovered a bed bug infestation in what she thought was going to be her new residence.

After exhausting funds for hotel expenses, she was temporary homeless, being that she had been fingerprinted and cleared through KBI (which is a KDHE mandatory staff requirement) and needed a safe place to rest/relax/shower and eat she was offered to use the 3424 addresses after hour for a few days. (During her being there after hours we not in any violations and did maintained compliance with KDHE-Kansas Department of Health and Environment-Child Care Licensing).

Gary Vestal ???
Is it okay to call the police if I see someone snooping around??

Answered by LaJoyce Calloway:
As neighbors we're to lookout for one another and if you feel the need to contact the police you have a right to do so.

Mandy Aycock
Last meeting 2024 there was some mention of building permit

LaJoyce Calloway:
Yes, during the 2024 Neighborhood meeting you and your husband Taylor Aycock did mention a building permit.

Those in attendance had side conversations about the SUP process experiences and looking forward to the upcoming City Planning Commission Meeting/Public Hearing on April 13,2026

The floor was open several times for additional questions or comments… none

Meeting was adjourned at 5:05 pm

Minutes taken by: William Calloway, LaJoyce Calloway, Takiea King

2 SP2026-005 SP2026-006

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

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

1. That I am the petitioner for Petition # SP 2026-005 + SP 2026-006
2. That I conducted a neighborhood meeting on 03/30/2026
3. The notice to nearby property owners was sent on 03/16/2026.
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.

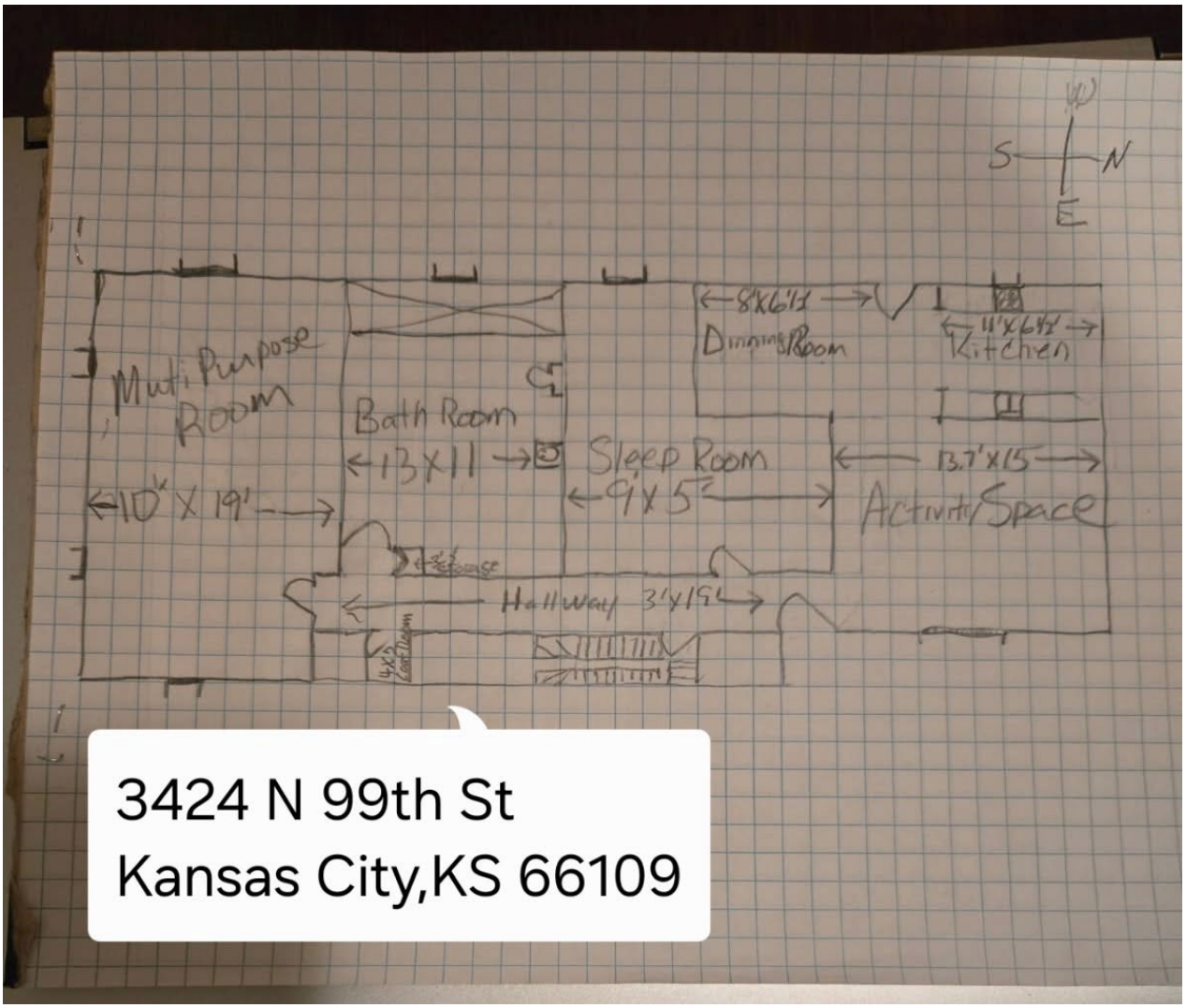
LaJoyce Calloway
Affiant

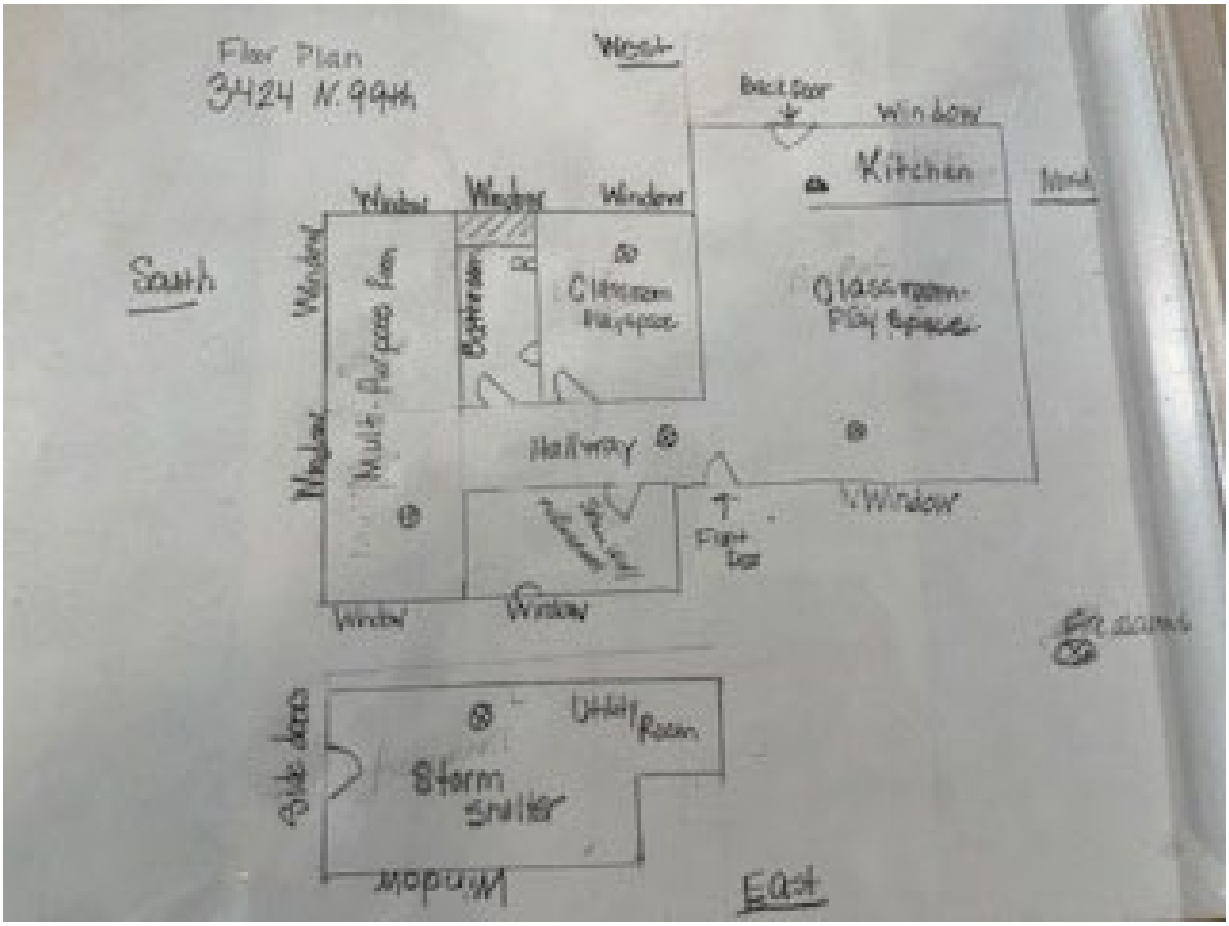
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 31 day of March, 2026.

My commission expires 10th of August, 2028.

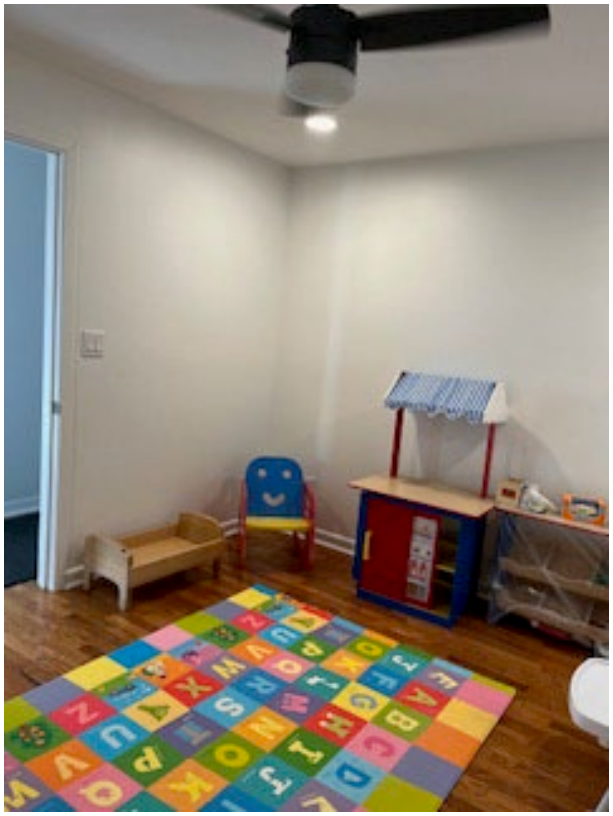
Brooke Cooper
Notary Public

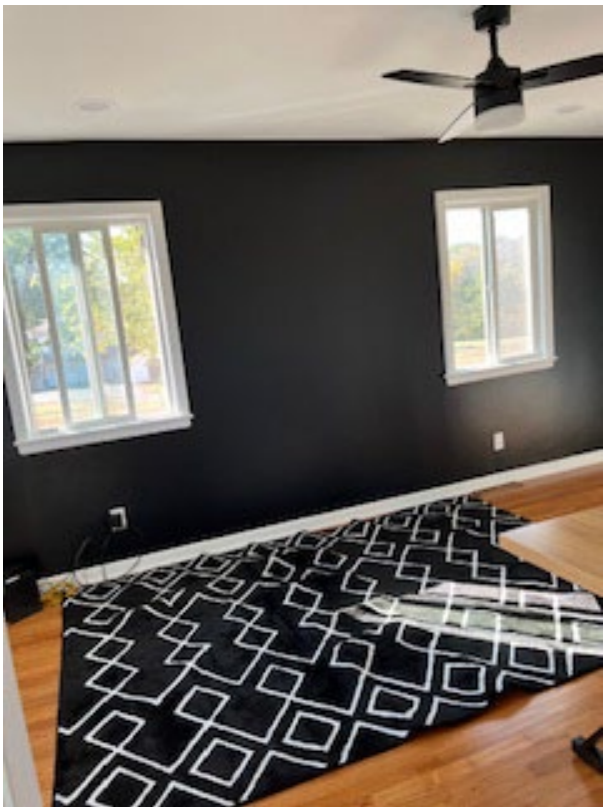
BROOKE A. COOPER
Notary Public-State of Kansas
My Appt. Expires 8/10/28


S
N
E
Muti Purpose Room
10' X 19'
Bath Room
13X11
Sleep Room
9'X5'
8'X6'1/2
Dining Room
11'X6'1/2
Kitchen
13.7'X15
Activity Space
Hallway 3'X15'
4x3 Coat Room
3424 N 99th St
Kansas City,KS 66109


Floor Plan
3424 N. 99th
West
Back Door
Window
Kitchen
Window
Window
Window
South
Classroom
Play Space
Hallway
Window
Window
Window
Window
Window
Flight Bar
Window
Side doors
Storm Shelter
Utility Room
Window
East

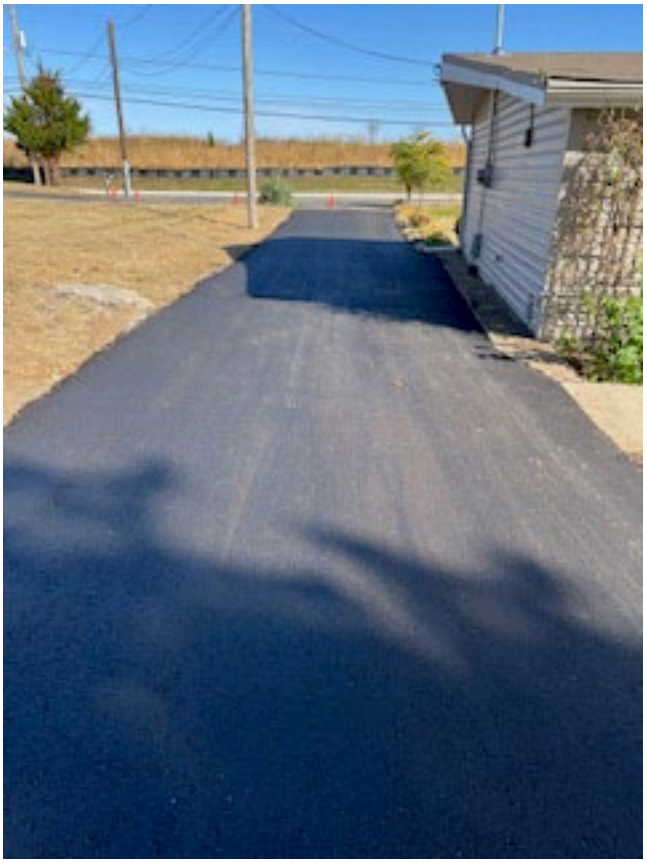
SITE PHOTOS, TAKEN BY STAFF, DATED FEBRUARY 17, 2026













(Published _____)

SP2026-006

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2026-006, commonly known as 3424 North 99th Street, Kansas City, Kansas, legally described as:

> HAFFS SUB CORR PLAT, S26, T10, R23, ACRES 1. 710000, PART OF L1:BEG208.7FT S NE CORE 1/2 SE 1/4 26-10-23; W 417.4FT, S 192FT, E 417.4FT, N 192FT TO POB COTG 1.84AC LS RD, located at approximately 3424 North 99th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a childcare center.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Adhere to the previous conditions of approval with SP2024-065;**
2. **Hours of operation are from Monday through Friday, 7:00 AM – 5:00 PM;**
3. **The applicant has filed and maintained a current business occupation tax application with the Business Licensing Division. If approved, the occupying business must maintain a 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;**

4. **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;**
5. **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;**
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. **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;**
8. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
9. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by**

the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioner

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2026-008**

GENERAL INFORMATION

Applicant Information:
Lee and Jamie Rosterman with
Blessing Abundant LLC
4473 Belinder Rd
Westwood, Kansas 66205

Subject Property:
4407 Springfield Avenue
Kansas City, Kansas 66103

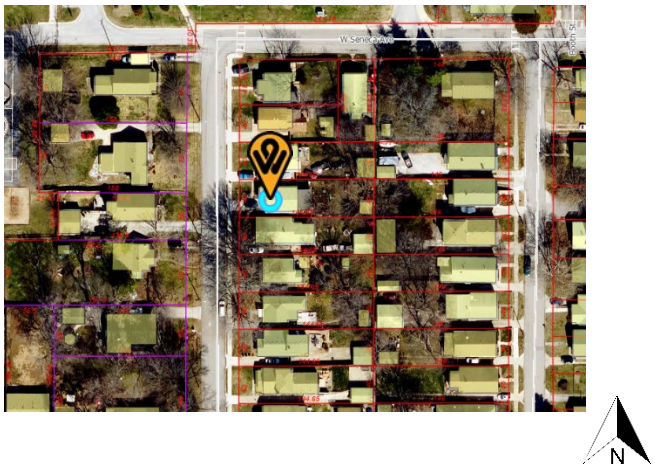
Requested Action and Purpose:
Approval of Special Use Permit to operate a Non-Owner-Occupied Short-Term Rental.

Commission Districts:
At-Large Commissioner, District #2:
Andrew Kump
District #3 Commissioner:
Christian Ramirez

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

Plan Area:
Rosedale Area Plan





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

Total Tract Size: 0.13 Acre

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

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

Parking Requirement: Section 27-455(d) states that two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling.

Landscaping Requirement: Section 27-700(a) states that one (1) shade tree per dwelling unit is required in the front or corner side yard. The subject property does not fulfill this requirement.

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing(s): April 13 and April 30, 2026

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Lee and Jamie Rosterman with Blessing Abundant LLC, are requesting a Special Use Permit to operate a short-term rental at AirBnB. This is not the owner's primary residence. This would be the first and only permitted short-term rental on 4400 block of Springfield Avenue, Kansas City, Kansas 66103.

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. 12200-03834 – Code-Environment – October 11, 2012 – Completed – Handrail on steps and front porch steps need to be repaired – Previous property owner.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Rosedale Statistical Neighborhood, Frank Rushton Neighborhood Group, Rosedale Development Association Neighborhood Group, and Census Block Group #0452004 The neighborhood consists of single family residences to the north, east, south, and west of the subject property. To the north of the subject property Frank Rushton Elementary is also located.

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

The zoning and uses are set out above. The subject property is surrounded by the R-1(B) Single Family District to the north, east, south and west. 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.

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

   Special Use Permits are not addressed in the Rosedale Area Plan. The Rosedale Area Plan designates the subject property as Single Family Neighborhood, which allows for single family, detached houses. Townhomes and side-by-side rowhouses are appropriate where the property has frontage on a mixed-use or neighborhood corridor. The proposed use conforms to the Rosedale Area Plan designation.

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

   The proposed use has the potential to increase vehicular traffic, will not exceed the capacity of Springfield 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 near-by property.***

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

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

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

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

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

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

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

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

    The applicant 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 six (6). The maximum number of vehicles off-street is two (2). There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on March 25, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Overcrowding
Parking

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **SP2026-008**, **for one (1) year**, subject to:

1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is two (2) No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **If approved, the business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing**

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

12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
16. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
17. **The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
18. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the**

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

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

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Short-Term Rental Map
Neighborhood Meeting Affidavit
Neighborhood Meeting Minutes
Site Plan
Floor Plan
Home Inspection Report
Home Insurance Policy
Guestbook
Images of the Property Submitted by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	**City Planning Commission**	**Unified Government Board of Commissioners**
Special Use Permit	April 13, 2026 Approval	April 30, 2026

STAFF CONTACT: **Osiris Nuñez Espinoza, Planner**
Oespinoza@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2026-008** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-008,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 1:38:36:

SP2026-008 - LEE AND JAMIE ROSTERMAN WITH BLESSING ABUNDANT LLC
Synopsis: Special Use Permit for a Non-Owner Occupied Short-Term Rental at 4407 Springfield Street. *Detailed Outline of Requested Action:* The applicants, Lee and Jamie Rosterman with Blessing Abundant LLC, are requesting a Special Use Permit to operate a short-term rental at AirBnB. This is not the owner's primary residence. This would be the first and only permitted short-term rental on 4400 block of Springfield Avenue, Kansas City, Kansas 66103.

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

Present in Support:

- Lee and Jamie Rosterman, Applicants, 4407 Springfield Street, Kansas City, Kansas 66103

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:39:56: Lead Planner Byron Toy stated that staff recommends approval with conditions for one (1) year.

Motion starts at 1:40:17:

On motion by Commissioner Straws, seconded by Commissioner Jones, the Planning Commission voted as follows to **recommend APPROVAL of SP2026-008 for one (1) year:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

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

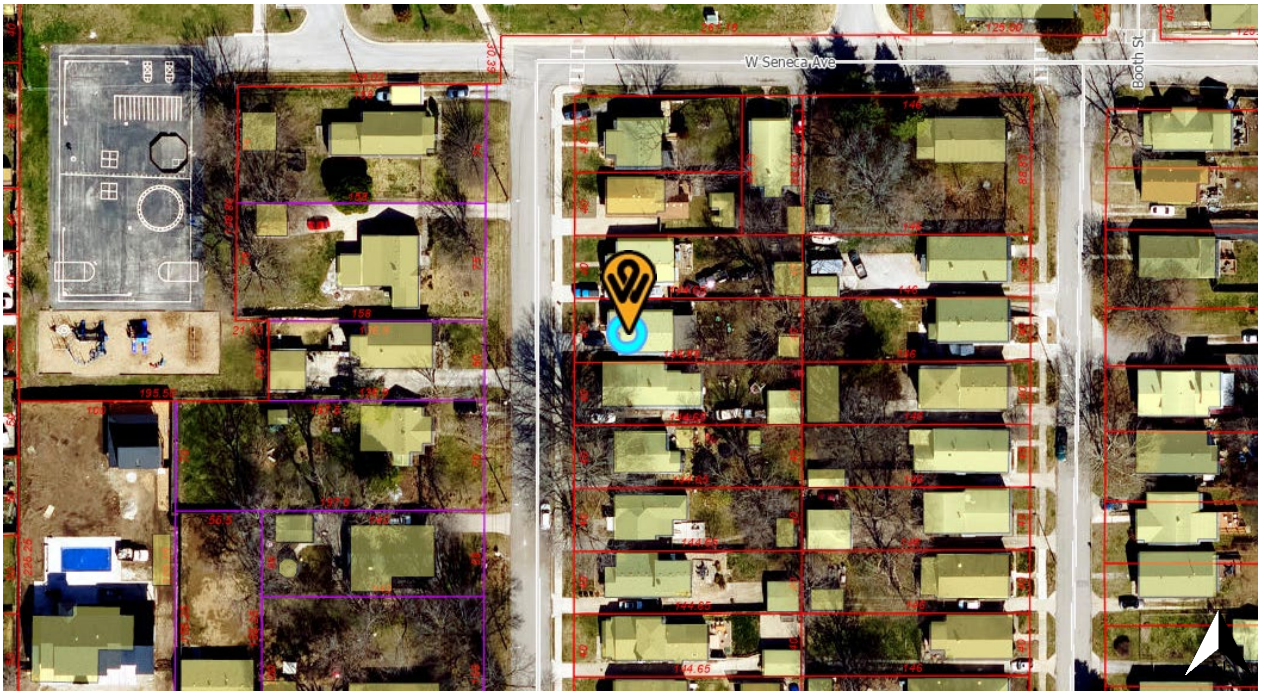
1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is two (2) No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant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

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

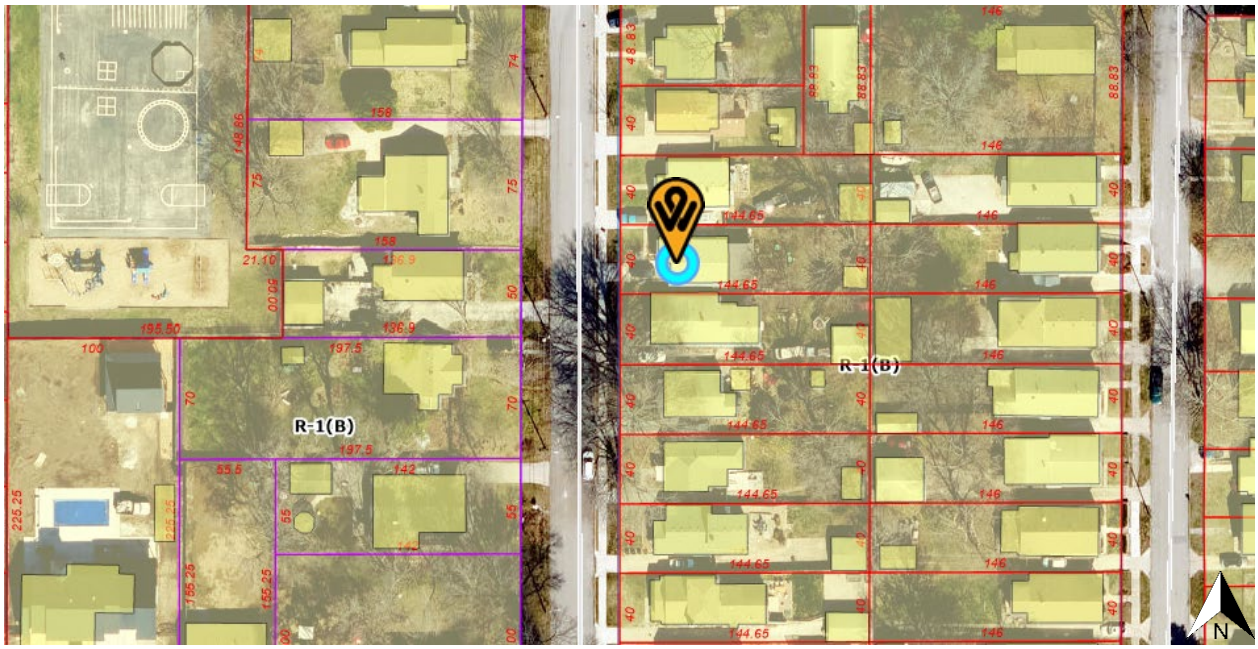
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19. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must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

ATTACHMENTS

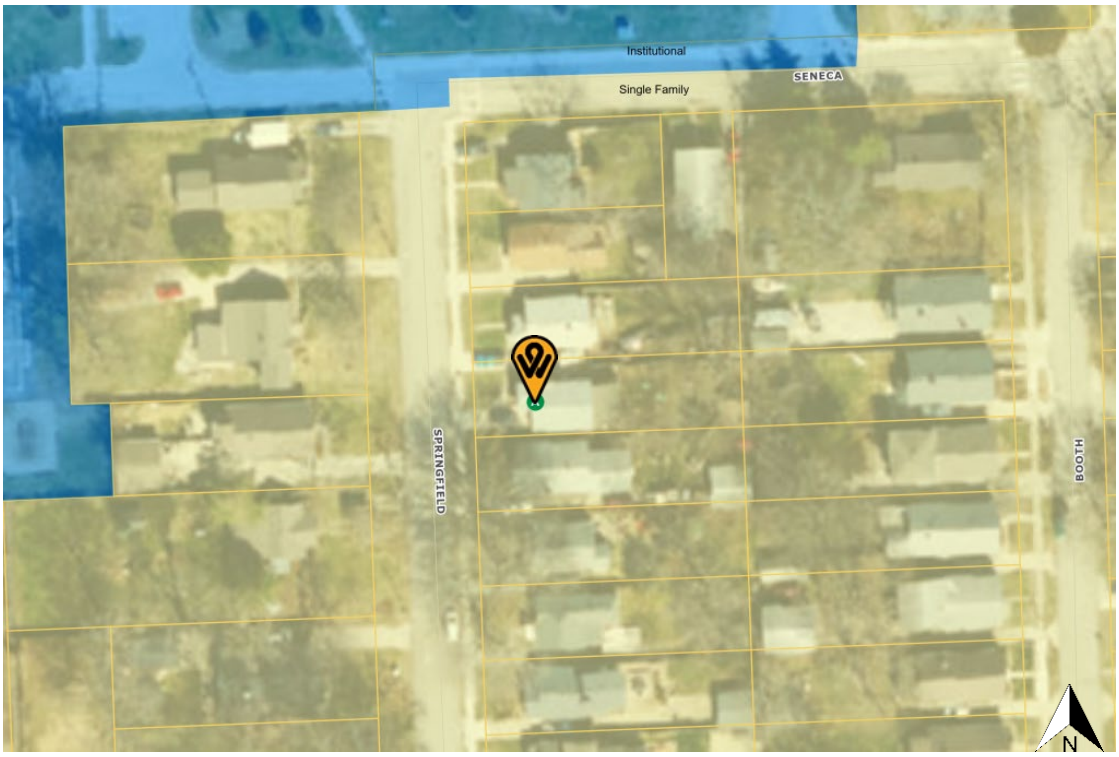
AERIAL IMAGERY



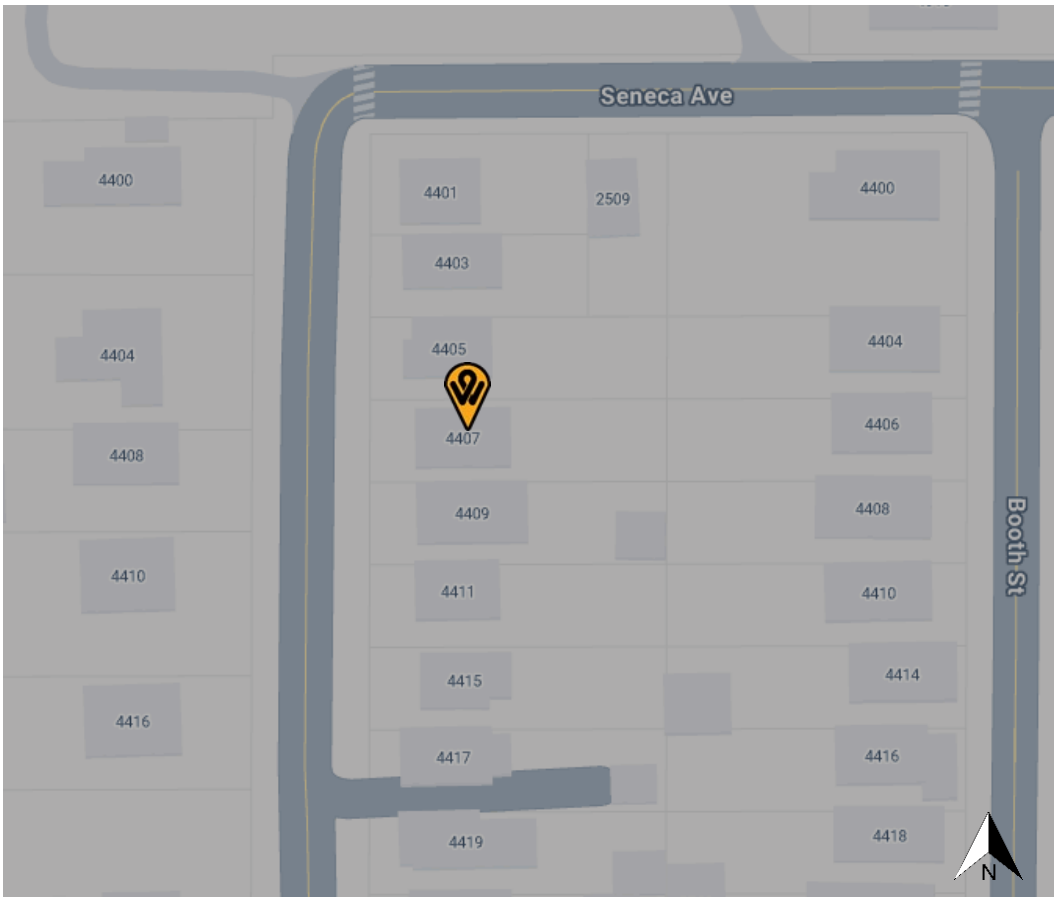
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



ADDITIONAL ATTACHMENTS

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Johnson)

Comes now Lee Rosterman and Jamie Rosterman, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP2026-008 .
2. That I conducted a neighborhood meeting on 03/25/2026 .
3. The notice to nearby property owners was sent on 03/11/2026 .
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.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26th day of March, 2026

My commission expires 4th of February, 2029

Notary Public

NOTARY PUBLIC - State of Kansas
ABBY LYNNE SCHNEWEIS
My Appt. Exp. 2/4/29

MINUTES

Application Number SP2026-008
Date and Location: 03/25/2026, Virtual meeting via Zoom
Meeting called to order at: 13:00

Names of people in attendance: Lee Rosterman, Jamie Rosterman, Rick Harmon

Introductions: Lee Rosterman and Jamie Rosterman introduced themselves. Rick Harmon introduced himself, located at 4410 Springfield St

Presentation by applicant:

- Description of intended use of property – short-term rental
- Expected guest and benefit of short-term rental – Rotating or visiting healthcare students and workers, families/friends supporting loved ones at nearby hospitals, world cup guest.
- Plan for upkeep and maintenance
- Contact information for Owners/managers

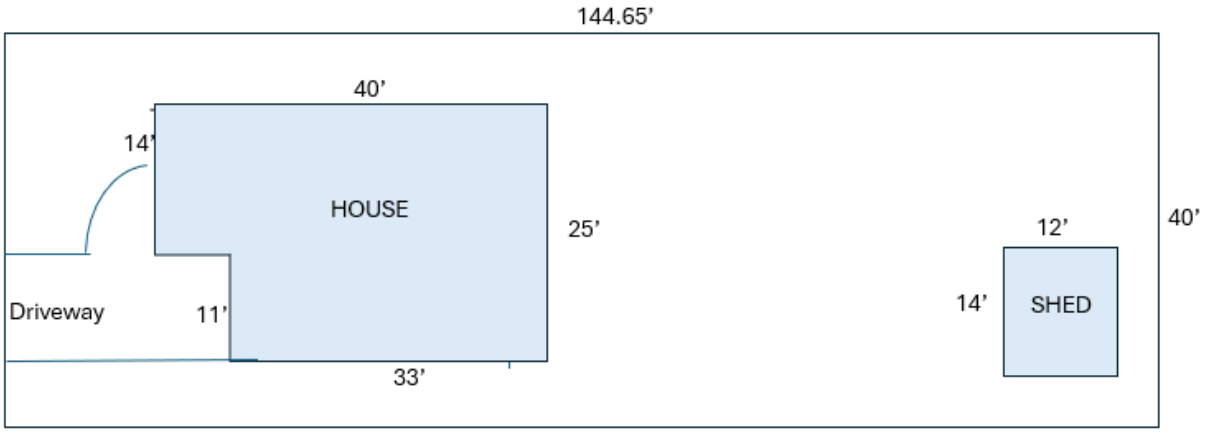
Questions and answers (include the following):

- Rick Harmon, question – Will there be any screening of guest?
- Jamie Rosterman, answer – Screening would involve evaluating potential guest profiles and past reviews. Rules and regulations will be provided virtually and a physical handbook on the property. If any neighbors have concerns, they can directly contact us.
- Rick Harmon, comment – Confirmed he understands we are point of contact and has our email.
- Jamie Rosterman, comment – Phone numbers provided. We are within walking distance and will frequently visit the property as well.
- Lee Rosterman, comment – Please reach out if any concerns, or if you need help with anything.
- Rick Harmon, comment – We have setup a neighborhood watch. There is also a neighborhood meeting for the local community once monthly on Tuesday at 630pm. It provides good information about the community.

Meeting adjourned at: 13:40
Minutes taken by: Lee Rosterman

Site Plan

4407 Springfield St, Kansas City, Ks





Basement 1

1st floor

TOTAL: 1055 sq. ft
Basement 1: 393 sq. ft, 1st floor: 662 sq. ft
EXCLUDED AREAS: UTILITY: 37 sq. ft, W.I.C.: 24 sq. ft, FIREPLACE: 11 sq. ft,
WALLS: 102 sq. ft

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

Report Summary

This summary page is not the entire report. The complete report may include additional information of interest or concern to you. It is strongly recommended that you promptly read the complete report. For information regarding the negotiability of any item in this report under the real estate purchase contract, contact your real estate agent or an attorney.

Roofing

1) Comment 1: 1. Recommend all downspouts have extensions installed to move water away from the foundation.
2. Recommend to repair any cracked or deteriorated mortar joints in the chimney. Recommend to seal any cracks in the chimney crown.
3. Posts supporting the roof over the patio are in direct contact with the soil and are subject to wood rot.
4. There was a gap between siding and step flashing near the gable at the front of the roof.

Exterior

2) Comment 4: 1. Some of siding on the back of the home is damaged.
2. The outlet on the back of the home has a loose cover and is not operational. Recommend correction.
3. Parts of the back patio are unfinished.
4. There is a cracked window on the south side of the home. Recommend repair or replace.
5. The hose bib valve on the back of the house leaks the valve also pops out and has to be pushed back in to shut water off.

Site

3) Comment 6: 1. It is recommended to improve the grading so that it slopes away from the home at a minimum of 6 inches within the first 10 feet.
2. There is damage and settlement in the driveway and walkways in several areas. Recommend repair. It is recommended to seal all cracks and gaps.
3. The gate is sagging and damaged.

(Report Summary continued)

Electrical

4) Comment 7: 1. The overhead electrical service line should have a minimum of 6 feet of clearance around it.
2. Any electrical end, connection or fixture should be properly secured in an electrical box with appropriate cover plate.
3. Inspector recommends adding smoke/CO detectors in all living areas including basement and smoke detectors in each bedroom.

5) Comment 9: 1. It is recommended to cover open junction boxes.

Structure

6) Comment 11: 1. Recommend to repair any cracked or deteriorated mortar joints in the foundation.

Plumbing

7) Comment 17: 1. The inspector notes galvanized steel in the supply plumbing near the main water shut off. Galvanized steel can corrode on the inside of the pipe and reduce flow.

Plumbing: Water Heater

8) Comment 19: 1. The plastic caps around the supply lines have been melted in indicating that there has been a back draft of carbon monoxide at some point. Recommend further evaluation and correction by a licensed plumber or HVAC specialist.
2. The TPR blow off leg should not be smaller than the valve and should not reduce in size downstream from the valve. Recommend correction.
3. There is a downward slope in part of the flue's run. This can cause a back draft of carbon monoxide. Recommend correction.

Basement/ Bedroom 3

9) Comment 21: 1. Work was still in progress at the time of inspection. There were doors that wouldn't shut. Lights were not installed in some places. Supply vent registers were not installed.
2. Balusters in the railing should be no more than 4 inches apart.
3. Casement windows don't latch well.

(Report Summary continued)

Interior

10) Comment 24: 1. Door to the basement should not swing over the stairway.

Bathrooms: Bathroom #1

11) Comment 27: 1. It is recommends to replace the accordion waste drain with hard, smooth pvc or abs plastic.
2. The outlet cover is unattached. Recommend correction.
3. The toilet tank is loose. Recommend securing.
4. It is recommended to seal the gaps at the edges of the flooring.
5. It is recommended to seal the gaps between the sink and the wall.

Bathrooms: Bathroom #2

12) Comment 28: Bathroom was being painted at the time of inspection and was partially inspected. Cold water was shut off to the sink. There was no toilet installed. The shower wasn't tested. Ventilator fan and light fixture installation were not complete. The bathroom door doesn't latch. Flooring was covered.

Bedrooms: Bedroom #1

13) Comment 30: 1. The remote for the light fixture/fan was out of batteries at the time of the inspection. Recommend further evaluation of the fan/light fixture.
2. It is recommended to add door handles to the bifold closet doors.
3. The seal is coming loose on some of the windows in the room. Recommend repair or replace.

Bedrooms: Bedroom #2

14) Comment 32: 1. It is recommended to eliminate gaps behind outlets and secure any loose outlets.
2. It is recommended to add handles to the bifold closet doors.
3. There are broken seals on several windows in the room. Recommend repair or replace.

Living Room

15) Comment 34: 1. One of the outlets was extended away from the wall.

Laundry

16) Comment 37: 1. The cold water washer hook up valve was leaking.

(Report Summary continued)

Shed/Outbuilding

17) Comment 39: 1. Siding and trim in contact with the ground are subject to wood rot and wood destroying organisms. Siding has wood rot and termite damage inside the shed. Inspector noted Termite shelter tubes.

Rental Dwelling Insurance Declarations

COUNTRY Preferred Insurance Company®
1701 Towanda Ave.
PO Box 2100
Bloomington, IL 61702-2100

866-COUNTRY
countryfinancial.com

Policy Number: P010908273
Billing Account Number: 0005760846
Policy Term: 12 Months
Payment Plan: Annual
Declarations Effective Date: Nov 5, 2025

Policy State: Kansas
Policy Effective Date: Nov 5, 2025
Policy Expiration Date: Nov 5, 2026 at 12:01 a.m. standard time at your address
Declarations Reason: New Business

Jamie Rosterman
4733 Belinder Rd
Westwood, KS 66205-1845

Total Premium: $1,452.70

This is not a bill, do not pay this amount. Any balance will be included with your next billing notice.

Contact us. We're here to help!

Your representative
Stephen J Pirch
(816) 795-6232
stephen.pirch@countryfinancial.com
http://www.countryfinancial.com/stephen.pirch

Online Client Support
View your policy, bill payment, claims, chat and more!
countryfinancial.com

Call 866-COUNTRY
Call 866-268-6879 anytime for claims assistance and customer service.

Welcome to 4407 Springfield St.



Address: 4407 Springfield Street, Kansas City, Kansas

GUEST BOOK

Check in

Arrival Instructions

Directions, key codes, and other information will be provided upon receipt of the final payment. Door codes will not be activated if this agreement is not accepted, and full payment is not received. Upon arrival, go straight to the rented property using the address from the received email/communication, use the electronic door code provided from the email/communication, and open the door.

Arrival and Departure Times

The check-in time is 3 PM. The appropriate check-in time is noted in the email the Guest received with check-in instructions.
The checkout time is 11 AM. The Guest's prompt departure is appreciated so the property can be prepared for incoming guests. If late checkout has not been arranged and paid for, the guest will be charged a minimum of $50 per hour for staying in the property after checkout. The minimum charge for unapproved late checkout is $50. If the rental has not been vacated by 4 pm, a fee equal to the rental rate of two and a half (2 ½) days may be assessed.
If any guest has not departed the property on their end date of their reservation they will be considered as trespassers and law enforcement will be contacted to have anyone removed.

Early Arrival and Late Departure

The only way to guarantee an early arrival or late departure is to book an additional night on the front end or backend of the stay. The Agent often offers discounted rates for adding additional nights and the Guest can inquire about adding additional nights with the Agent. If additional nights are not purchased, the Guest will need to wait until early afternoon on the day of arrival or the morning of departure to request early arrival or late departure. Additional fees may apply.

The Agent cannot let the Guest into any property until the cleaning staff has completed cleaning and released the property to the Agent. The Agent will make note in the reservation if the guest has called the day of arrival or departure regarding early check-in or late checkout but cannot guarantee either unless the guest has paid for the night before or after. The Agent will send the Guest a text message to the phone number on file if the home is ready early.



Security & Doors

To enter the property, please use the front door only. Press the lock button to light up the key pad, then enter the access code provided.

To secure the property when leaving, please make sure that both the downstairs door and sliding door are closed and locked. Upon exit from the front door, press the lock button on the key pad.



Parking

The driveway offers 2 parking spots. There is additional parking on the street.



WiFi - Internet

SSID: ImFeelingAConnection
Password: Be our guest



Kitchen

The Kitchen is equipped with a full refrigerator, stove, oven, and microwave. It is furnished with dishes, pots/pans, utensils, dish soap, and one (1) roll of paper towels.

GUEST BOOK



Bedrooms

In each of the three (3) bedrooms, there is a personal 55 inch TV with either a King-sized or Full-sized bed and bedside stands with USB and USB-C charging stations.



Living Room

The couch can pull out to a queen-sized bed if additional sleeping arrangements are needed.

The television can receive local channels through antenna and is connected to the internet for streaming. There is no cable or satellite TV available.



Fireplace

Do not start use the fireplace or start a fire inside the house. This is decoration only. Any fire started may result in harm to the guest and property. If the discovery of an unauthorized fire is made after the Guest's departure, a penalty of $75 per day plus any additional cleaning charges will be assessed. The minimum charge for such instances is $300.



Dining Room

Dinnerware and napkins/paper towels are found in the kitchen area.



Bathrooms

The main level bathroom includes a tub and shower. The downstairs bathroom is a shower only. One (1) roll of toilet paper per bathroom is provided.

Laundry

Washer and dryer are located on the basement level. Laundry soap is provided. Please clean the dryer lint trap after each use.

Towels & Linens

Each guest has been provided with two sets of towels for use within the property. Upon departure, kindly place any used towels in the bathtub.

Heating & Air Conditioning

Heating and air conditioning included. The switch is located in the hallway between the bedrooms.

Trash / Recycling

Please place garbage/trash bags in the bins outside.

Plumbing

Do not put any feminine products in the toilet. The toilets are water-saving models and don't have a strong flush – limiting the amount of toilet paper used will help prevent a clog. Plungers are provided if a clog occurs. Please do not pour grease down the drain.

Smoking

GUEST BOOK

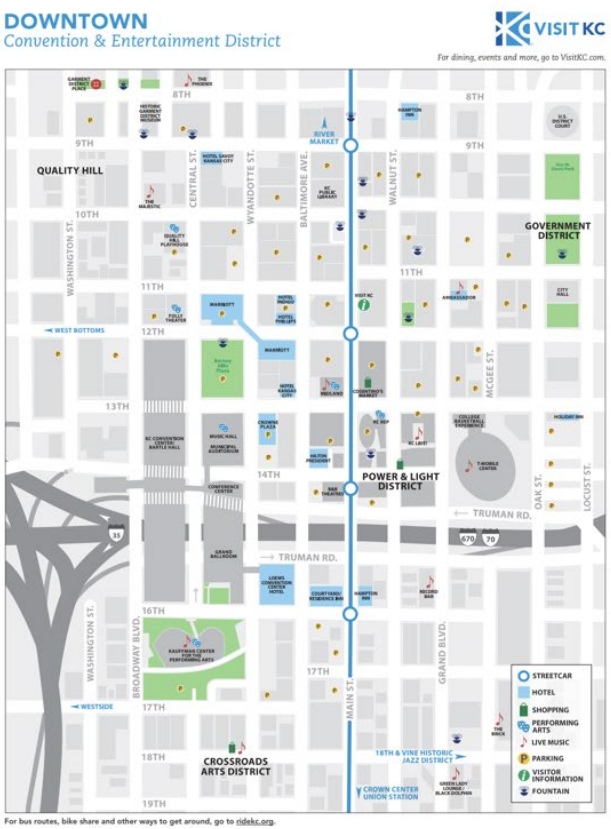
Smoking of any kind is not permitted in the property. If there is any smoke odor, or smoking remnants within the rental after the Guest's departure, there will be an air quality fine of up to $1500 but no less than $250. If we notice any smoking in the property during your stay you will be asked to leave immediately and forfeit your stay. This will be charged to the method of payment on file. If deemed necessary, the Agent will bring in an outside source for smoke removal and may charge the Guest's method of payment for additional costs that are incurred to remove the smell of smoke or smoke damage. Oil lamps, candles, and incense are not permitted due to the long-lasting odor, fire risk, and liability. Smoking is only allowed outside if the remnants are properly disposed of. Do not throw cigarette butts on the ground (including the fire ring) or bring them into the rental. If this policy is violated, there will be an additional charge for excessive cleaning.

Children

Under age guests are welcome, but there are conditions in and around the home that may be hazardous to them, as well as to adults, such as the open stairways, wildlife, icy surfaces, fireplace, etc. The Agent does not assume any responsibility for injuries resulting from the Guest's failure to use due caution. Children must always be supervised. Children should not be left alone in the premise.

Animals

In this property, no pets are allowed. An unannounced pet will be required to leave immediately. If the guest refuses, the entire party will be asked to leave without any refund. An external camera may be used to notify the owner if a pet has entered. Unauthorized occupancy of pets will result in immediate eviction and loss of all rents and deposits.



For bus routes, bike share and other ways to get around, go to ridekc.org.

GUEST BOOK

WE HOPE YOU ENJOY YOUR STAY WITH US!

Property Photos



Address: 4407 Springfield Street, Kansas City, Kansas
Parcel: 112933












LED 4K
INSIGNIA
fire tv







(Published _____)

SP2026-008

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2026-008, commonly known as 4407 Springfield Street, Kansas City, Kansas, legally described as:

HUDSON PLACE, S34, T11, R25, ACRES 0.130000, L87, located at approximately 4407 Springfield Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for a Non-Owner Occupied Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is two (2) No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards,**

pests, or infestations;

7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **If approved, the business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any**

business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

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

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2026-010**

GENERAL INFORMATION

Applicant Information:
Andrew Beselica
Property Owner
3910 Valley Road
Nashville, Tennessee 37205

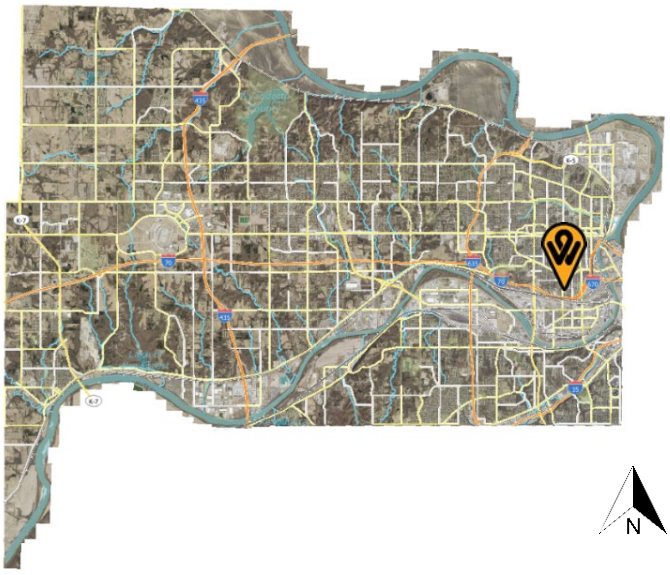
Subject Property:
111 South 16th Street
Kansas City, Kansas 64105

Requested Action and Purpose:
Approval of a Special Use Permit for a short-term rental (Renewal of SP2024-074 – expired on April 10, 2026).

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

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

Plan Area:
Central Area Plan





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

Total Tract Size: 0.08 Acres

Comprehensive Plan Designation: The Central Area Plan designates the subject property as Urban Density, which allows for a mix of detached and attached residential, including single-family residences, townhomes, duplexes, and fourplexes.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 16th Street as Local Street.

Parking Requirement: Section 27-455(d) states two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling. The applicant is providing two (2) parking spaces in the driveway.

Landscaping Requirement: Section 27-700(a) states one (1) shade tree per dwelling unit is required in the front or corner side yard. Aerial photos of the subject property demonstrate sufficient landscaping on the property parcels (see “Aerial Map” within the Attachments section of this report).

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing: April 13 and April 30, 2026

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Andrew Beseclica, is requesting a Special Use Permit (Renewal of SP2024-074) to continue operating a short-term rental at 111 South 16th Street. This is not the owner's primary residence. This is the only permitted short-term rental on the 100 block of South 16th Street.

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

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. There have been several Notices of Violation on the subject property for structural violations and an unfit structure. These violations have been remedied via building permits.
    a. 2023 – VPR23-0035 – Vacant Property.
    b. 2023 – STR22-1171 – Structural Violations.
    c. 2022 – UNF22-0346 – Unfit Structure.
    d. 2022 – VPC22-0505 – Unregistered Vacant Property.
    e. 2022 – CAC22-2781 – Admin Citation – Structural Violations.
    f. 2022 – UNS22-0166 – Unsecure Secure.
    g. 2022 – CAC22-1822 – Admin Citation – Structural Violations.
    h. 2022 – CAC22-1048 – Admin Citation – Structural Violations.

Outstanding or Related Permit and Cases:

1. 2023 – RES23-0045 – Residential Remodel.
2. 2023 – RES24-0083 – Residential Remodel.

Previous Planning Actions:

1. 2025 – PLAT2024-038 – Preliminary and Final Plat (Beselica Estates) to plat one (1) lot and vacate adjacent right-of-way. Approved on February 10, 2025.
2. 2024 – SP2024-074 – Special Use Permit for a short-term rental. Approved for one (1) year on April 10, 2025).

FACTORS TO BE CONSIDERED

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

   The subject property is located within the Riverview Statistical Neighborhood, the Central Area Betterment Association (CABA), the Prescott Neighborhood Group, and Census Block Group #0423001. The neighborhood consists of a mix of single-family residences and duplexes. To the west, along 18th Street and south, there are several commercial businesses, including the Prescott Plaza Shopping Center.

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

   The zoning and uses are set out above. The subject property is surrounded by the R-1(B) Single Family District, with commercial uses and zoning to the west and southwest. 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, subject to operating the short-term rental.

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

   Special Use Permits are not addressed in the Central Area Plan. The Central Area Plan designates the subject property as Urban Density, which allows for a mix of detached and attached residential, including single-family residences, townhomes, duplexes, and fourplexes. The proposed use conforms to the Central Area Plan.

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

   The proposed use has the potential to increase vehicular traffic along North 16th Street, which should be able 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. There are concerns, however, as there is no off-street parking available on site, which will increase demand for on-street parking within the neighborhood.

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, overcrowding of land, illumination, and undue concentrations of population could impact nearby properties negatively. If managed properly, however, the use of the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

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

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

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

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

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

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

    The relative gain or loss to public health, safety and welfare is minimal as it only provides the convenience of lodging with some economic benefit. If denied, the

landowner could not use the property as a short-term rental, but may still use the property as a long-term rental with appropriate permits and licenses, their primary residence, or sell the property.

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

The applicant will be required to maintain their short-term rental according to the submitted management plan and conditions of approval, as well as limits to number of guests and number of vehicles on the property, as well as all 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 seven (7). There is no provided off-street parking. The applicant must provide the parking, as there shall be no on-street parking for STR renters or guests. 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 24, 2026. 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
Overcrowding and Undue Concentrations of Population
Parking

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of application **SP2026-010**, **for two (2) years**, subject to:

1. **Maximum number of guests shall be 7;**
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.hostcomplaince.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, the occupying business must maintain a business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any**

business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

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

STAFF RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Applicant Response Letter
Neighborhood Meeting Documents
House Rules
Floor Plan
Site Photos taken by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	April 13, 2026 Approval	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2026-010** 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:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2026-010,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 12:14:

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

CONSIDERATION OF THE MARCH 9, 2026 CITY PLANNING COMMISSION MINUTES.

SP2026-010 - ANDREW BASELICA
Synopsis: Special Use Permit (Renewal of SP2024-074, expires April 10, 2026) for a Non-Owner Occupied Short-Term Rental at 111 South 16th Street. *Detailed Outline of Requested Action:* The applicant, Andrew Beseclica, is requesting a Special Use Permit (Renewal of SP2024-074) to continue operating a short-term rental at 111 South 16th Street. This is not the owner's primary residence. This is the only permitted short-term rental on the 100 block of South 16th Street.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the areas in question;
3. The City's currently adopted Master Plan for the areas in question;
4. The staff report and attachments dated April 13, 2026;
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 Permit, Change of Zones, and Master Plan Amendments; 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. Commissioner Foglesong requested PLAT2026-010 be removed from the Consent Agenda.

Motion starts at 15:58:

On motion by Commissioner Jones, seconded by Commissioner Straws, the Planning Commission voted as follows to **APPROVE the remainder of the consent agenda:**

Carson	**Chairman**
Ernst	**Not present**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**

Straws **Aye**
Ward **Aye**
Beth **Aye**
Miller **Not present**
Armstrong **Not present**
Mohler **Not present**

Motion to recommend APPROVAL passed: 6 to 0

Subject to:

SP2026-010:

1. **Maximum number of guests shall be 7;**
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.hostcomplaince.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, the occupying business must maintain a business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are**

constructed to UG standards;

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

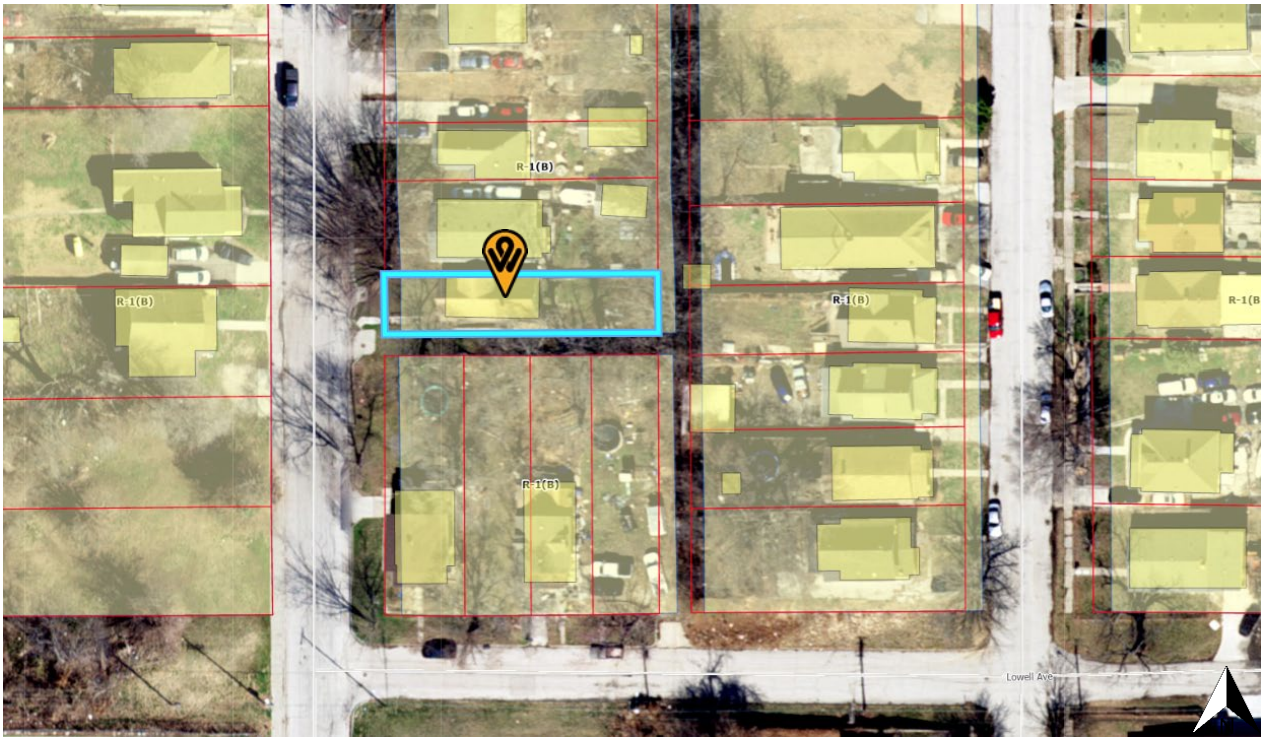
determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

AERIAL IMAGERY



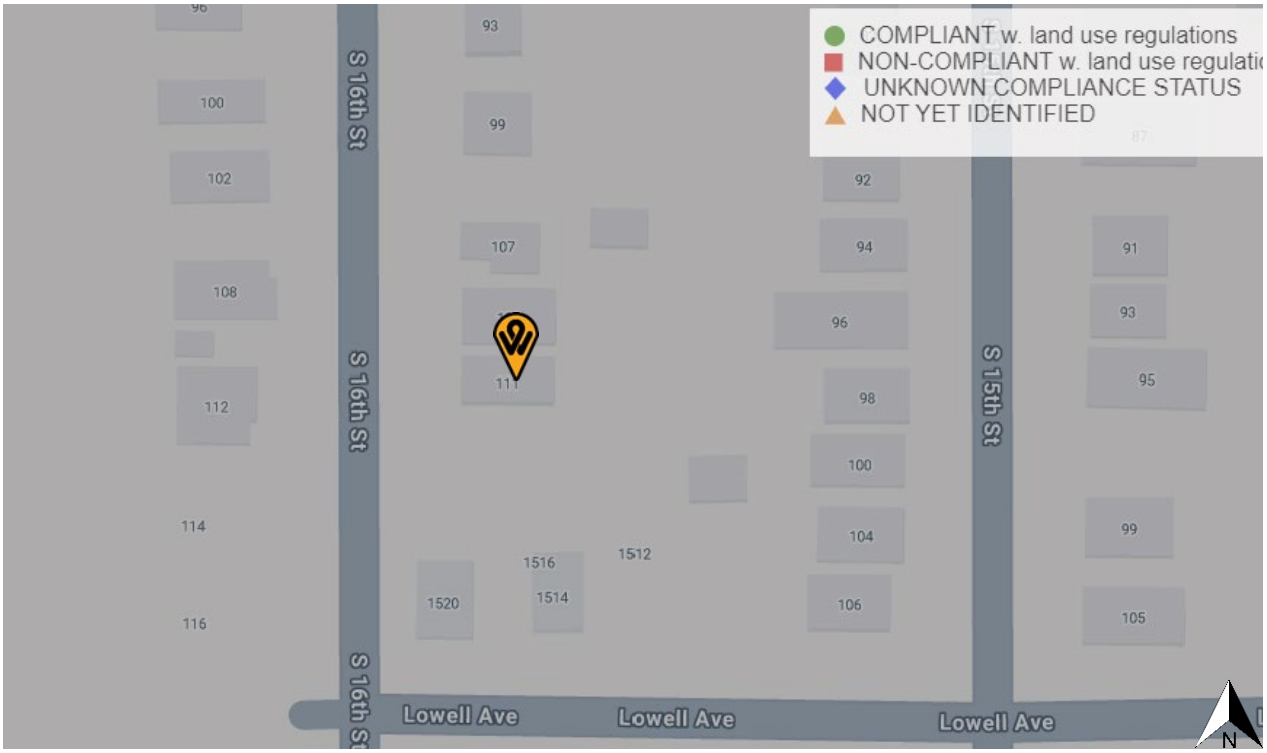
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



ADDITIONAL ATTACHMENTS

1. How have you complied with the previous conditions of approval from SP2024-065?
    a. Because the Unified Government owns the alley, the alley needs to be conveyed to the property owner prior to recording the plat with the Register of Deeds. The deed (from the Unified Government to the property owner) must be file first, followed by the plat with the Register of Deeds. The applicant or their representative(s) are responsible for recording the deed;
    b. The short-term rental will not be permitted to operate until the Plat process is complete. Any operation prior to the plat being filed will result in nullification of the Special Use Permit;
    c. Maximum number of guests shall be 7;
    d. All parking must be off-street, maximum number of vehicles is two (2). No STR renters or guests may park on-street;
    e. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
    f. 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;
    g. Applicant is to maintain liability insurance;
    h. The property must remain in proper maintenance and free of hazards, pests, or infestations;
    i. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
    j. 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.hostcomplaince.com/tips (website);
    k. 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;
    l. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
    m. 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;
    n. All existing and future driveways must feature curb cuts that are constructed to UG standards;
    o. 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;
    p. 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

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

q. 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;

r. 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;

s. The Special Use Permit shall be valid for one (1) 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;

t. 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,

u. 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.

Applicant Response: Yes Acknowledged.

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

Applicant Response: 7

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: Owl Stays. Local Short Term Property Manager who manages the entire property and available for any needs. 913-276-0272

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

   Applicant Response: Promptly via property manger or directly as needed

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: 15 mins

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

   Applicant Response: 65%

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: Acknowledged. Owner/Property manager maintains all of these standards of guest safety and property working condition

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 handles directly

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

   Applicant Response: Yes

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

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Applicant Response: Yes

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: 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) 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

SAMPLE MINUTES:

Application Number SP2026-010
Date and Location: 3/24/2026 via Zoom

Meeting called to order at: 4:30pm

Names of people in attendance:

GREG TAKE

Introductions:

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

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

Greg Take asked how thing were going with the property as he was only in attendance to show support. Greg offered letter of support to include with the application to Wyndotte County for continuation of the Special Use Permit. I answered him that everything was going well with the property. I answered all questions directly in this meeting. Since Greg gave his support and approval on the initial permit most of our conversation was catching up personally. No others were in attendance.

Meeting adjourned at: 5:00pm

Minutes taken by: Andrew Beselica

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF TN)
) SS:
COUNTY OF Davidson)

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

1. That I am the petitioner for Petition #SP2026-010
2. That I conducted a neighborhood meeting on 3/24/2026 at 4:30pm.
3. The notice to nearby property owners was sent on 3/10/2026.
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.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25TH day of March 2026.

My commission expires 22ND of January 2029.

CYNTHIA LARA
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires January 22, 2029

Notary Public

From: **Michael Carino Gutierrez** michaelcg@owlstays.com
Subject: House Rules for 2504 and 111 S 16th
Date: January 28, 2026 at 2:37 PM
To: andrew@theframegroup.net
Cc: Janice Policarpio pollie@owlstays.com

For 2504

★★ GENERAL RULES ★★
We do not allow any personal mail &/or package deliveries of any kind, no exceptions.

~We provide initial supplies to get you started. For the duration of your stay, you'll need to purchase any additional supplies you require.
~Do not disrespect Neighbors.
~Please follow check-in and check-out instructions.
~Do not wash dishes in the bathroom sink.
~Do not remove makeup with white towels in the unit. There are dark towels in the bathroom cabinet under the sink for this.
~Do not burn candles, incense, or any other open flames. Doing so will result to a $500 fine)
~Lock the door AT ALL TIMES. We want you and your things to be safe.
~No smoking, vaping, or use of marijuana at anytime anywhere on the property. Smoking of any kind will result in an additional charge (listed below).
~No parties, events, birthdays, bachelor or bachelorette stays, get-togethers, hangouts and the like.
~Do not have more guests (regardless of age) than stated in your reservation and we do not allow visitors. Any overnight guests not on the reservation will be considered an additional guest for the reservation and will result in an additional guest fee (listed below).
~No loud music or disturbances, especially noise past 10pm.
~All Guests are expected to clean up after themselves prior to departure: If you open it, close it; if you borrow it, return it; if you turn it on, turn it off; if you break it, fix it; if you use it, take care of it; if you make a mess, clean it up; if you move it, put it back.
~All Guests are expected to wash their own dishes prior to departure.
~We are not responsible or liable for any accidents, injuries, or illness that occurs while on the premises. We are not responsible for the loss of personal belongings or valuables during your stay. We cannot be responsible for any items left behind. Shipping items that have been left behind will result in an additional handling charge (listed below). Items may be donated or disposed of at our discretion 2 days after your scheduled departure.

Building Office Access: Please note that the building office reserves the right to enter the premises during your stay for scheduled maintenance or in case of emergency situations beyond the host's control. We appreciate your understanding and cooperation in such circumstances.

★★If we make a mistake you may be entitled to a partial or full refund depending on the extent of the mistake. We DO NOT refund Airbnb service fees or taxes. ★★

★★ FEES ★★
★★FEES, if incurred, must be paid within 1 hour of submission or reservation will be subject to termination with no refund. ★★
★FEES: A $50 handling fee must be paid prior to any request for our staff to return a lost item left in the unit.
★FEES: Lost TV remote control will result in a $25 charge.
★FEES: Unapproved Late Check Out fees: $75 for every 30 minutes past check-out.
★FEES: Smoking of any kind will result in a $250 deodorization fee.
★FEES: Undeclared/Unauthorized guests $100 fine per guest.
★FEES: Party/Noise in the listing $250 fine.
★FEES: Unauthorized Pets will result in an additional $250 charge per pet.
★FEES: Tampering of any kind to the security systems, smoke detectors, noise monitoring device, exterior cameras or any other permanent electronic device in the effort to disable, damage, unplug or degrade the use of these systems will result in an immediate $250 charge.

★★Early check-in/Late checkout maybe available for an extra cost.

★ In the event that this account is referred to a collection agency, guests agree to pay any collection fees incurred by (OwlStays Services LLC or OwlStays LLC) in addition but not limited to any attorneys fees or costs of collections.

For 111 S 16th

★★ GENERAL RULES ★★
We do not allow any personal mail &/or package deliveries of any kind, no exceptions.

~We provide initial supplies to get you started. For the duration of your stay, you'll need to purchase any additional supplies you require.
~Do not disrespect Neighbors.
~Please follow check-in and check-out instructions.
~Do not wash dishes in the bathroom sink.
~Do not remove makeup with white towels in the unit. There are dark towels in the bathroom cabinet under the sink for this.
~Do not burn candles, incense, or any other open flames. Doing so will result to a $500 fine)
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★FEES: Unauthorized Pets will result in an additional $250 charge per pet.
★FEES: Tampering of any kind to the security systems, smoke detectors, noise monitoring device, exterior cameras or any other permanent electronic device in the effort to disable, damage, unplug or degrade the use of these systems will result in an immediate $250 charge.

★ ★ PET RULES ★ ★
★ Pets must be approved prior to booking. Dogs allowed. NO CATS, BIRDS, HAMSTERS, MICE, OR ANY OTHER PETS.
★ Pets must be added to the reservation and pet fee is requested after booking.
★ Pet fee must be paid prior to check in.
★ Pets are not allowed on beds or furniture at anytime during stay.
★ Pets must be current on their shots and flea and tick treatments.
★ Pets must be taken out to do their business and not go inside the home or patio. You MUST pick up after your pet. Disposable bags are provided on the back deck and must be discarded in the exterior trash on the side of the house.
★ Pet cannot mark indoors.
★ Pet cannot be washed or showered in tubs or sinks.
★ Pets cannot be left unattended.

★ ★ PET FEES ★ ★
★FEES: Pet fee is $25 per pet/per night.
★FEES: Unauthorized Pets will result in an additional $250 charge per pet on top of the pet fee.
★FEES: Pet urinating inside will result in a $100 floor disinfecting charge.
★FEES: Pet showered in tubs or sinks will result in a $200 charge.
★FEES: Pet hairs found on sheets or furniture will result in a $60 charge.
★FEES: Any evidence of flea or tick infestation will result in an additional $500 cleaning fee.

★★Early check-in/Late checkout maybe available for an extra cost.

★ In the event that this account is referred to a collection agency, guests agree to pay any collection fees incurred by (OwlStays Services LLC or OwlStays LLC) in addition but not limited to any attorneys fees or costs of collections.

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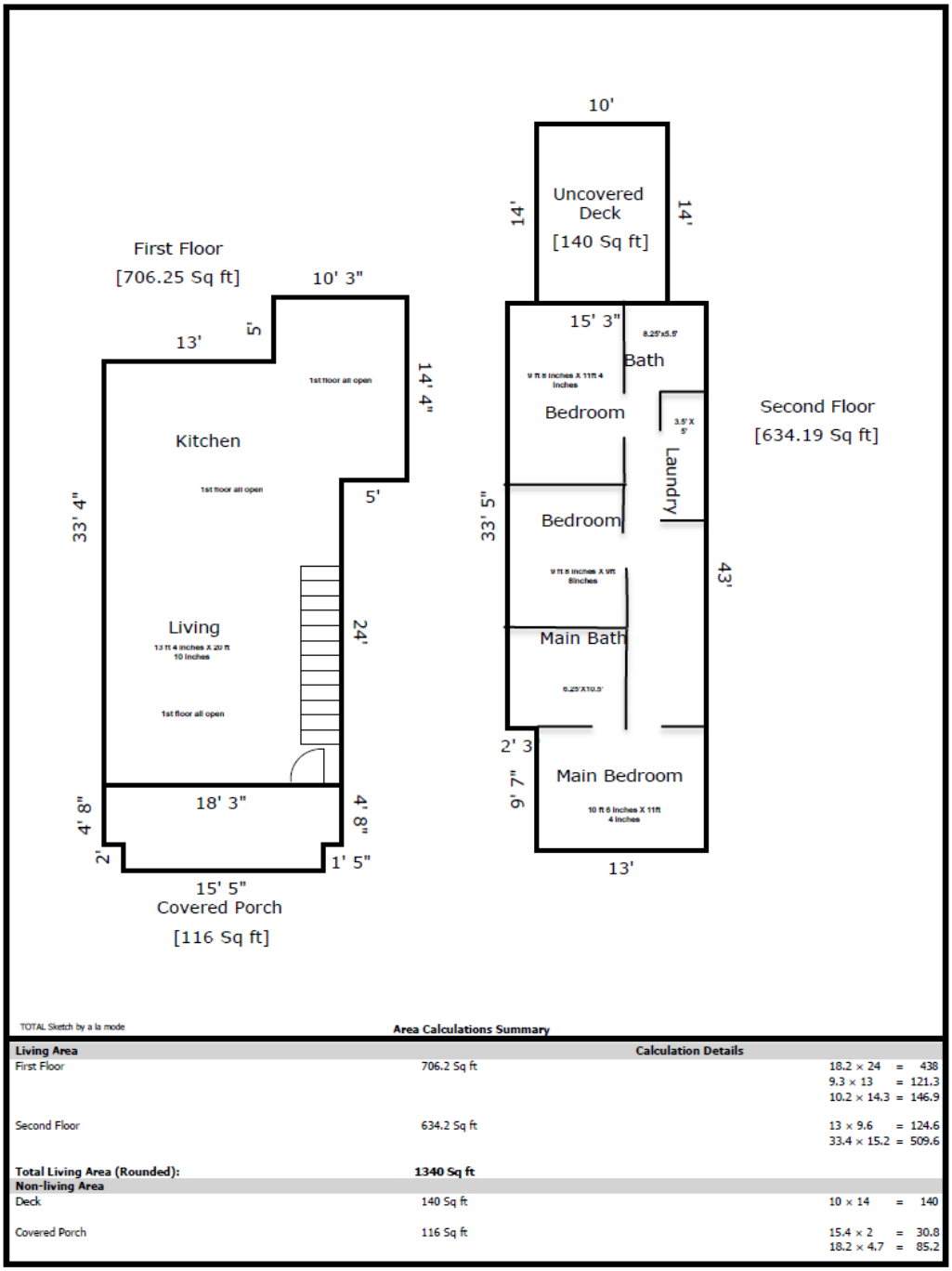
owlstays.com

MICHAEL G
Virtual Assistant

913-276-0253
michaelcg@owlstays.com
owlstays.com

Building Sketch

Borrower	Andrew Beselica						
Property Address	111 S 16th St						
City	Kansas City	County	Wyandotte	State	KS	Zip Code	66102
Lender/Client	Equity Prime Mortgage LLC - Wholesale						



TOTAL Sketch by a la mode

Area Calculations Summary

Living Area		Calculation Details	
First Floor	706.2 Sq ft	18.2 × 24	= 438
		9.3 × 13	= 121.3
		10.2 × 14.3	= 146.9
Second Floor	634.2 Sq ft	13 × 9.6	= 124.6
		33.4 × 15.2	= 509.6
Total Living Area (Rounded):	**1340 Sq ft**		
Non-living Area			
Deck	140 Sq ft	10 × 14	= 140
Covered Porch	116 Sq ft	15.4 × 2	= 30.8
		18.2 × 4.7	= 85.2

Form SKT.BLDSKI - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

Serial# A34BD840
esign.alamode.com/verify

SITE PHOTOS, TAKEN BY STAFF, DATED SEPTEMBER 26, 2024



















(Published _____)

SP2026-010

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2026-010, commonly known as 111 South 16th Street, Kansas City, Kansas, legally described as:

RIVERVIEW HEIGHTS, S16, T11, R25, ACRES 0.080000, B2 N 20FT L15, S 5FT L16, located at approximately 111 South 16th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Non-Owner Occupied Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be 7;**
2. **All parking must be off-street, maximum number of vehicles is 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.hostcomplaince.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, the occupying business must maintain a business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any**

business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

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

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2026-011**

GENERAL INFORMATION

Applicant Information:
Andrew Beselica
Owner
3910 Valley Road
Nashville, Tennessee 37205

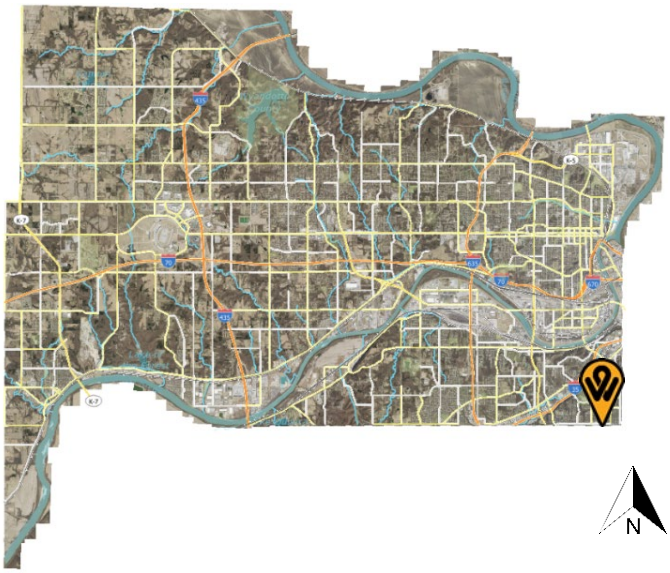
Subject Property:
2504 West 47th Avenue
Kansas City, Kansas 66103

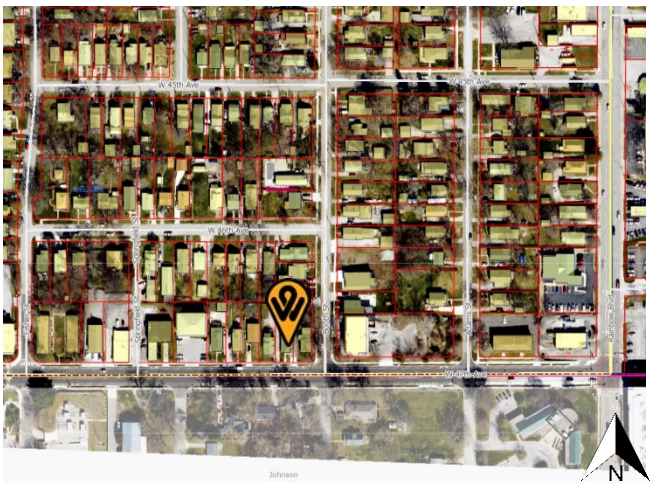
Requested Action and Purpose:
Renewal of a Special Use Permit (expires September 12, 2026) to operate a short-term rental.

Commission Districts:
At-Large Commissioner, District #2:
Andrew Kump
District #3 Commissioner:
Christian Ramirez

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

Comprehensive Plan Area
Rosedale Area Plan





	Adjacent Zoning	Adjacent Uses
North	R-1(B) Single Family District	Single-family home
South	None (City of Westwood, Kansas)	Single-family home (City of Westwood, Kansas)
East	R-1(B) Single Family District	Single-family home
West	R-1(B) Single Family District	Single-family Home

Total Tract Size: 0.132 Acre

Comprehensive Plan Area: Rosedale Area Plan

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

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates West 47th Avenue as a Major Collector Street.

Parking Requirement: Section 27-455 (d) states two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling. The property provides three (3) 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, and one (1) tree per 7,000 square feet of site area for uses other than residences. The subject property fulfills this requirement.

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing: April 13 and April 30, 2026

Public Support: None to date

Public Opposition: None to date

PROPOSAL

Detailed Outline of Requested Action: The applicant, Andrew Beselica, is requesting a renewal of a Special Use Permit (Renewal of SP2024-035) to continue operating a short-term rental at 2504 West 47th Avenue, Kansas City, Kansas 66103. This is not the owner's primary residence. This would be the only permitted short-term rental on the 2500 block of 47th 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. There are no notices of violation on the subject property.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. 2024 – SP2024-035 – Special Use Permit to continue operating a short-term rental. Approved for two (2) years on September 12, 2024.
2. 2023 – SP2023-053 – Special Use Permit to operate a short-term rental. Approved for one (1) year on October 5, 2023.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Rosedale Statistical Neighborhood, the Frank Rushton Neighborhood Group, and the Rosedale Development Association (RDA) Group, Census Block Group #0452004. The neighborhood consists of primarily single-family residences with small-scale commercial mixed within the West 47th Avenue corridor.

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

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

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

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

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

The property is not vacant. The property operated as an unpermitted short-term rental from 2020 to 2023, but has since received their Special Use Permit. The property was built circa 1925.

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

Special Use Permits are not addressed in the Rosedale Area Plan. The Rosedale Area Plan designates the subject property as General Urban which allows for rowhouses, townhomes, and single-family houses. Three (3) story apartment buildings, retail, and office uses are allowed only on neighborhood and mixed-use corridors. The proposed use conforms to the Rosedale Area Plan designation with the continuation of a Special Use Permit.

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

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of West 47th Avenue, a Major Collector, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

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

The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, overcrowding of land, illumination, 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 urban neighborhood.

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

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

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

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

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

    The proposed use is not expected to 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 STR renters or guests. 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 24, 2026. 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

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of application **SP2026-011**, **for two (2) years**, subject to:

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 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, the business must maintain a business occupation tax application with the Business Licensing Division. Their office is located at**

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

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

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

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

STAFF RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Applicant Response Letter
Neighborhood Meeting Minutes
Site Plan
Floor Plan
Site Visit Photos, Taken by Staff – Dated June 7, 2024

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	April 13, 2026 Approval	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2026-011** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2026-011,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 12:14:

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

CONSIDERATION OF THE MARCH 9, 2026 CITY PLANNING COMMISSION MINUTES.

SP2026-011 - ANDREW BESELICA
Synopsis: Special Use Permit (Renewal of SP2024-035, expires September 12, 2026) for a Non-Owner Occupied Short-Term Rental at 2504 West 47th Avenue. *Detailed Outline of Requested Action:* The applicant, Andrew Beselica, is requesting a renewal of a Special Use Permit (Renewal of SP2024-035) to continue operating a short-term rental

at 2504 West 47th Avenue, Kansas City, Kansas 66103. This is not the owner's primary residence. This would be the only permitted short-term rental on the 2500 block of 47th 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 Items on the Agenda tonight:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the areas in question;
3. The City's currently adopted Master Plan for the areas in question;
4. The staff report and attachments dated April 13, 2026;
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 Permit, Change of Zones, and Master Plan Amendments; 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. Commissioner Foglesong requested PLAT2026-010 be removed from the Consent Agenda.

Motion starts at 15:58:

On motion by Commissioner Jones, seconded by Commissioner Straws, the Planning Commission voted as follows to **APPROVE the remainder of the consent agenda:**

Carson	**Chairman**
Ernst	**Not present**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

Motion to recommend APPROVAL passed: 6 to 0
Subject to:

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 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, the business must maintain a business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**

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

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP

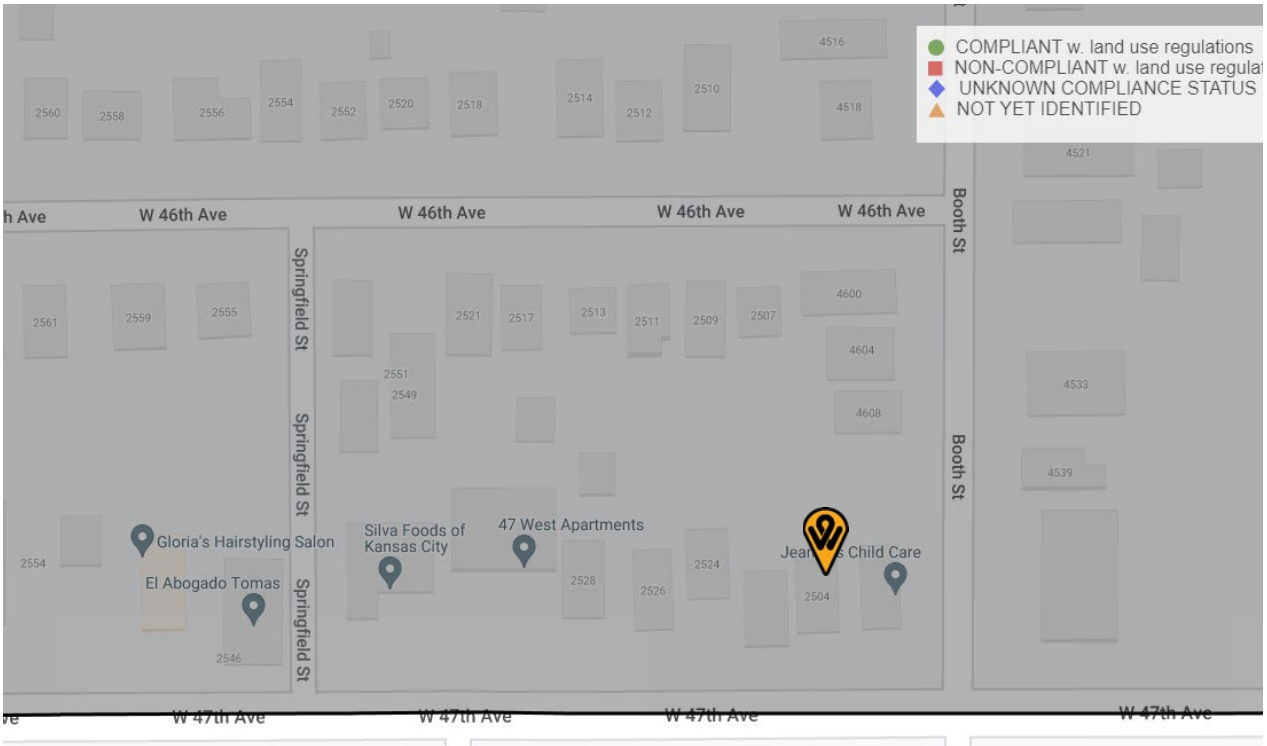


LAND USE MAP



N

SHORT-TERM RENTAL MAP



N

ADDITIONAL ATTACHMENTS

1. How have you complied with the previous conditions of approval from SP2024-035?
    a. Maximum number of guests shall be seven (7);
    b. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street.
    c. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
    d. 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;
    e. Applicant is to maintain liability insurance;
    f. The property must remain in proper maintenance and free of hazards, pests, or infestations;
    g. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
    h. 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);
    i. 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;
    j. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
    k. 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;
    l. All existing and future driveways must feature curb cuts that are constructed to UG standards;
    m. 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;
    n. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
    o. 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;

p. 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;
q. 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;
r. 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,
s. 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.

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

   Applicant Response: 7

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: Owl Stays. Local Short Term Property Manager who manages the entire property and available for any needs. 913-276-0272

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

   Applicant Response: Promptly via property manger or directly as needed

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: 15 mins

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

   Applicant Response: 65%

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: Acknowledged. Owner/Property manager maintains all of these standards of guest safety and property working condition

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 handles directly

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

   Applicant Response: Yes

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

    Applicant Response: No

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: Acknowledged.

DRAFT

SAMPLE MINUTES:

Application Number SP2026-011
Date and Location: 3/24/2026 via Zoom

Meeting called to order at: 5:15pm

Names of people in attendance:

NONE IN ATTENDANCE

Introductions:

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

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

None in attendance

Meeting adjourned at: 5:45pm

Minutes taken by: Andrew Beselica

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF TN)
) SS:
COUNTY OF Davidson)

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

1. That I am the petitioner for Petition #SP2026-011
2. That I conducted a neighborhood meeting on 3/24/2026 at 5:15 pm.
3. The notice to nearby property owners was sent on 3/10/2026.
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.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25th day of March, 2026.

My commission expires 22ND of January, 2029.

CYNTHIA LARA
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires January 22, 2029

Notary Public

From: **Michael Carino Gutierrez** michaelcg@owlstays.com
Subject: House Rules for 2504 and 111 S 16th
Date: January 28, 2026 at 2:37 PM
To: andrew@theframegroup.net
Cc: Janice Policarpio pollie@owlstays.com

For 2504

★★ GENERAL RULES ★★
We do not allow any personal mail &/or package deliveries of any kind, no exceptions.

~We provide initial supplies to get you started. For the duration of your stay, you'll need to purchase any additional supplies you require.
~Do not disrespect Neighbors.
~Please follow check-in and check-out instructions.
~Do not wash dishes in the bathroom sink.
~Do not remove makeup with white towels in the unit. There are dark towels in the bathroom cabinet under the sink for this.
~Do not burn candles, incense, or any other open flames. Doing so will result to a $500 fine)
~Lock the door AT ALL TIMES. We want you and your things to be safe.
~No smoking, vaping, or use of marijuana at anytime anywhere on the property. Smoking of any kind will result in an additional charge (listed below).
~No parties, events, birthdays, bachelor or bachelorette stays, get-togethers, hangouts and the like.
~Do not have more guests (regardless of age) than stated in your reservation and we do not allow visitors. Any overnight guests not on the reservation will be considered an additional guest for the reservation and will result in an additional guest fee (listed below).
~No loud music or disturbances, especially noise past 10pm.
~All Guests are expected to clean up after themselves prior to departure: If you open it, close it; if you borrow it, return it; if you turn it on, turn it off; if you break it, fix it; if you use it, take care of it; if you make a mess, clean it up; if you move it, put it back.
~All Guests are expected to wash their own dishes prior to departure.
~We are not responsible or liable for any accidents, injuries, or illness that occurs while on the premises. We are not responsible for the loss of personal belongings or valuables during your stay. We cannot be responsible for any items left behind. Shipping items that have been left behind will result in an additional handling charge (listed below). Items may be donated or disposed of at our discretion 2 days after your scheduled departure.

Building Office Access: Please note that the building office reserves the right to enter the premises during your stay for scheduled maintenance or in case of emergency situations beyond the host's control. We appreciate your understanding and cooperation in such circumstances.

★★If we make a mistake you may be entitled to a partial or full refund depending on the extent of the mistake. We DO NOT refund Airbnb service fees or taxes. ★★

★★ FEES ★★
★★FEES, if incurred, must be paid within 1 hour of submission or reservation will be subject to termination with no refund. ★★
★FEES: A $50 handling fee must be paid prior to any request for our staff to return a lost item left in the unit.
★FEES: Lost TV remote control will result in a $25 charge.
★FEES: Unapproved Late Check Out fees: $75 for every 30 minutes past check-out.
★FEES: Smoking of any kind will result in a $250 deodorization fee.
★FEES: Undeclared/Unauthorized guests $100 fine per guest.
★FEES: Party/Noise in the listing $250 fine.
★FEES: Unauthorized Pets will result in an additional $250 charge per pet.
★FEES: Tampering of any kind to the security systems, smoke detectors, noise monitoring device, exterior cameras or any other permanent electronic device in the effort to disable, damage, unplug or degrade the use of these systems will result in an immediate $250 charge.

★★Early check-in/Late checkout maybe available for an extra cost.

★ In the event that this account is referred to a collection agency, guests agree to pay any collection fees incurred by (OwlStays Services LLC or OwlStays LLC) in addition but not limited to any attorneys fees or costs of collections.

For 111 S 16th

★★ GENERAL RULES ★★
We do not allow any personal mail &/or package deliveries of any kind, no exceptions.

~We provide initial supplies to get you started. For the duration of your stay, you'll need to purchase any additional supplies you require.
~Do not disrespect Neighbors.
~Please follow check-in and check-out instructions.
~Do not wash dishes in the bathroom sink.
~Do not remove makeup with white towels in the unit. There are dark towels in the bathroom cabinet under the sink for this.
~Do not burn candles, incense, or any other open flames. Doing so will result to a $500 fine)
~Lock the door AT ALL TIMES. We want you and your things to be safe.
~No smoking, vaping, or use of marijuana at anytime anywhere on the property. Smoking of any kind will result in an additional charge (listed below).
~No parties, events, birthdays, bachelor or bachelorette stays, get-togethers, hangouts and the like.
~Do not have more guests (regardless of age) than stated in your reservation and we do not allow visitors. Any overnight guests not on the reservation will be considered an additional guest for the reservation and will result in an additional guest fee (listed below).
~No loud music or disturbances, especially noise past 10pm.
~All Guests are expected to clean up after themselves prior to departure: If you open it, close it; if you borrow it, return it; if you turn it on, turn it off; if you break it, fix it; if you use it, take care of it; if you make a mess, clean it up; if you move it, put it back.
~All Guests are expected to wash their own dishes prior to departure.

~We are not responsible or liable for any accidents, injuries, or illness that occurs while on the premises. We are not responsible for the loss of personal belongings or valuables during your stay. We cannot be responsible for any items left behind. Shipping items that have been left behind will result in an additional handling charge (listed below). Items may be donated or disposed of at our discretion 2 days after your scheduled departure.

Building Office Access: Please note that the building office reserves the right to enter the premises during your stay for scheduled maintenance or in case of emergency situations beyond the host's control. We appreciate your understanding and cooperation in such circumstances.

★★If we make a mistake you may be entitled to a partial or full refund depending on the extent of the mistake. We DO NOT refund Airbnb service fees or taxes. ★★

★ ★ FEES ★ ★
★★FEES, if incurred, must be paid within 1 hour of submission or reservation will be subject to termination with no refund. ★★
★FEES: A $50 handling fee must be paid prior to any request for our staff to return a lost item left in the unit.
★FEES: Lost TV remote control will result in a $25 charge.
★FEES: Unapproved Late Check Out fees: $75 for every 30 minutes past check-out.
★FEES: Smoking of any kind will result in a $250 deodorization fee.
★FEES: Undeclared/Unauthorized guests $100 fine per guest.
★FEES: Party/Noise in the listing $250 fine.
★FEES: Unauthorized Pets will result in an additional $250 charge per pet.
★FEES: Tampering of any kind to the security systems, smoke detectors, noise monitoring device, exterior cameras or any other permanent electronic device in the effort to disable, damage, unplug or degrade the use of these systems will result in an immediate $250 charge.

★ ★ PET RULES ★ ★
★ Pets must be approved prior to booking. Dogs allowed. NO CATS, BIRDS, HAMSTERS, MICE, OR ANY OTHER PETS.
★ Pets must be added to the reservation and pet fee is requested after booking.
★ Pet fee must be paid prior to check in.
★ Pets are not allowed on beds or furniture at anytime during stay.
★ Pets must be current on their shots and flea and tick treatments.
★ Pets must be taken out to do their business and not go inside the home or patio. You MUST pick up after your pet. Disposable bags are provided on the back deck and must be discarded in the exterior trash on the side of the house.
★ Pet cannot mark indoors.
★ Pet cannot be washed or showered in tubs or sinks.
★ Pets cannot be left unattended.

★ ★ PET FEES ★ ★
★FEES: Pet fee is $25 per pet/per night.
★FEES: Unauthorized Pets will result in an additional $250 charge per pet on top of the pet fee.
★FEES: Pet urinating inside will result in a $100 floor disinfecting charge.
★FEES: Pet showered in tubs or sinks will result in a $200 charge.
★FEES: Pet hairs found on sheets or furniture will result in a $60 charge.
★FEES: Any evidence of flea or tick infestation will result in an additional $500 cleaning fee.

★★Early check-in/Late checkout maybe available for an extra cost.

★ In the event that this account is referred to a collection agency, guests agree to pay any collection fees incurred by (OwlStays Services LLC or OwlStays LLC) in addition but not limited to any attorneys fees or costs of collections.

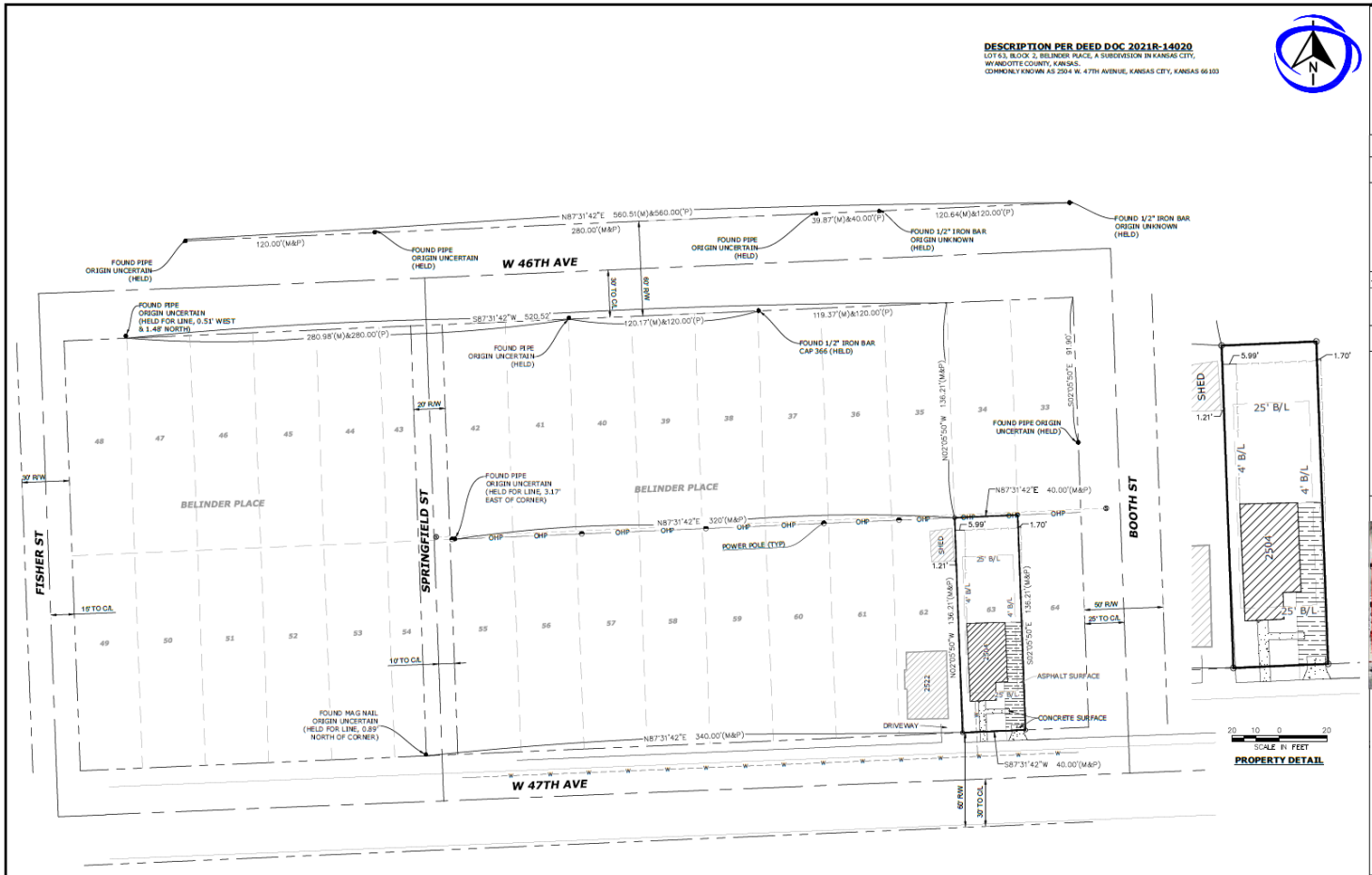
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owlstays.com

MICHAEL G
Virtual Assistant

913-276-0253
michaelcg@owlstays.com
owlstays.com

DESCRIPTION PER DEED DOC 2021R-14020
LOT 63, BLOCK 2, BELINDER PLACE, A SUBDIVISION IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS.
COMMONLY KNOWN AS 2504 W. 47TH AVENUE, KANSAS CITY, KANSAS 66103



7/18/2023 12:14 PM AUSTI
CAD FILE : Q:\Atlas Land Consulting\2023\23-167 Andrew Beselica 2504 W 47th Ave KCK Boundary\2504 W 47th Ave.dwg

ALC
ATLAS LAND CONSULTING
SURVEYING / ENGINEERING / DRONE UCAS
KS CLS 363
MO DES FEA 2005036-4861
MO DES COA 2005036-4351
14300 Pawnee Road, Unit B, Bonner KS 66007
ANDREA@ALCONSULT-LLC.COM

BOUNDARY SURVEY

LEGEND

- DENOTES SET 1/2" REBAR WITH CAP ALC KS CLS 363 MO CLS 2022014231
- DENOTES FOUND MONUMENT AS NOTED
- (M) MEASURED
- (P) PLATTED
- POWER POLE
- (S) SANITARY MANHOLE
- OHP — OVERHEAD POWER LINE
- W — WATER LINE
- SANITARY LINE

GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS SURVEY IS KANSAS NORTH ZONE U.S. STATE PLANE 1983
2. ALL DISTANCES SHOWN HEREON ARE IN FEET
3. KS ONE WAS CALLED ON THIS SURVEY TICKET NO. 23350994
4. NO TITLE WORK WAS COMPLETED ON THIS SURVEY
5. REFERENCE SURVEYS:
   -BELINDER PLACE FINAL PLAT

VICINITY MAP



VICINITY MAP
NOT TO SCALE

This is to certify on this 7TH day of JULY, 2023 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.

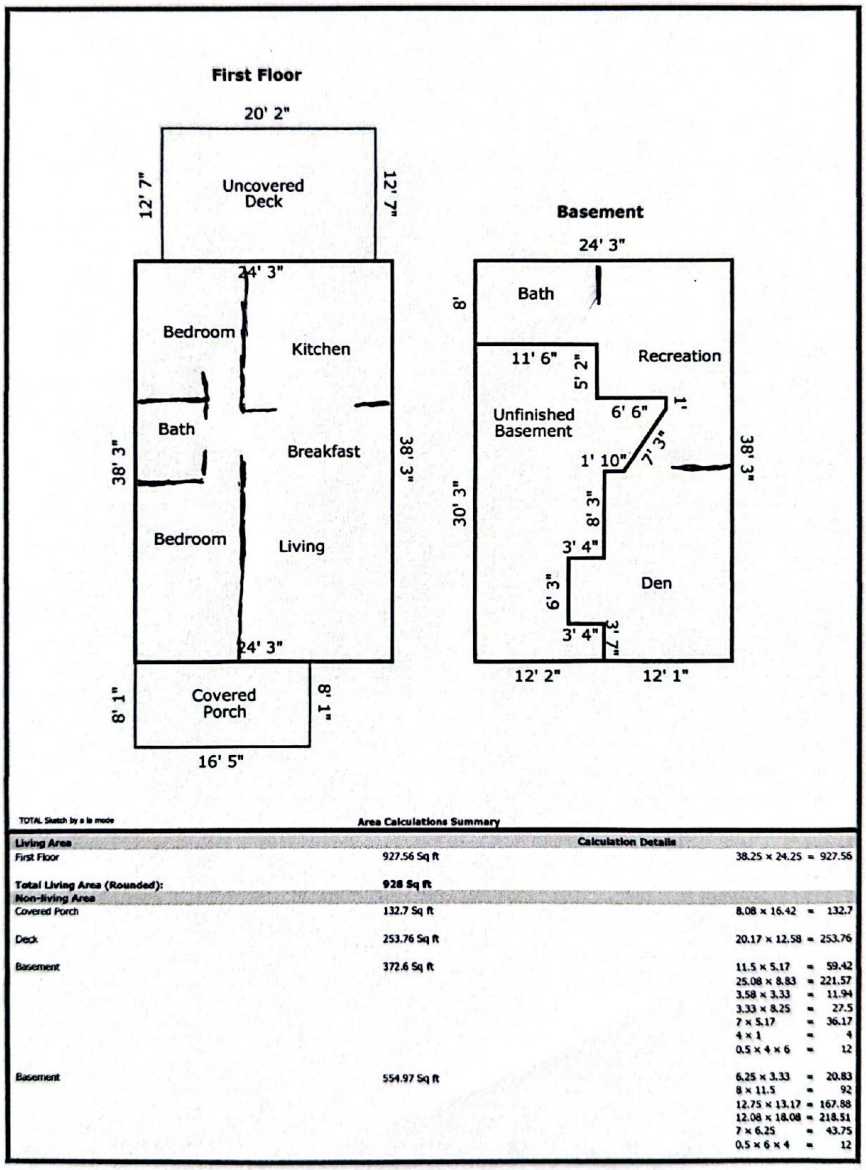
ROGER B. COLE LS 1408

JOB NO. 23-167

SCALE	PREPARED FOR
30 15 0 30 SCALE IN FEET	
SEC-TWN-RNG	ANDREW BESELICA
34-11-25	ADDRESS: 2504 W 47TH AVE KANSAS CITY, KS 66103
DATE	
JULY 14,2023	

Building Sketch

Borrower	Beselica, Andrew				
Property Address	2504 W 47th Ave				
City	Kansas City	County Wyandotte	State KS	Zip Code 66103	
Lender/Client	United Wholesale Mortgage, LLC				



TOTAL Sketch by a la mode

Area Calculations Summary

Living Area		Calculation Details	
First Floor	927.56 Sq ft	38.25 x 24.25	= 927.56
Total Living Area (Rounded):	**928 Sq ft**		
Non-living Area			
Covered Porch	132.7 Sq ft	8.08 x 16.42	= 132.7
Deck	253.76 Sq ft	20.17 x 12.58	= 253.76
Basement	372.6 Sq ft	11.5 x 5.17	= 59.42
		25.08 x 8.83	= 221.57
		3.58 x 3.33	= 11.94
		3.33 x 8.25	= 27.5
		7 x 5.17	= 36.17
		4 x 1	= 4
		0.5 x 4 x 6	= 12
Basement	554.97 Sq ft	6.25 x 3.33	= 20.83
		8 x 11.5	= 92
		12.75 x 13.17	= 167.88
		12.08 x 18.08	= 218.51
		7 x 6.25	= 43.75
		0.5 x 6 x 4	= 12

Form SKT.BLDSKI - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

Scanned with CamScanner

SITE VISIT PHOTOS, TAKEN BY STAFF – DATED JUNE 7, 2024





SITE VISIT PHOTOS, TAKEN BY STAFF – DATED JUNE 7, 2024





(Published _____)

SP2026-011

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2026-011, commonly known as 2504 West 47th Avenue, Kansas City, Kansas, legally described as:

> BELINDER PLACE, S34, T11, R25, ACRES 0.13, B2 L63, located at approximately 2504 West 47th Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Non-Owner Occupied Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be seven (7);**
2. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards,**

pests, or infestations;

7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **If approved, the business must maintain a business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any**

business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

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

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2026-012**

GENERAL INFORMATION

Applicant Information:
Brian Glasser
Co-Owner
aKCo Investments, LLC
2734 Belleview Avenue
Kansas City, Missouri 64108

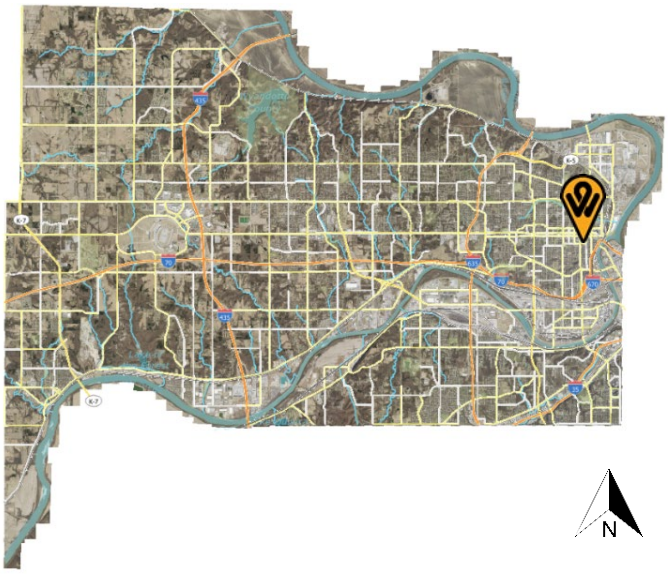
Subject Property:
616 Elizabeth Avenue
Kansas City, Kansas 66101

Requested Action and Purpose:
Approval of Special Use Permit (Renewal) to continue operating a Non-Owner-Occupied Short-Term Rental (SP2025-015 expires June 19, 2026).

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

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

Plan Area:
Central Area Plan





	Adjacent Zoning	Adjacent Uses
North	R-1(B) Single Family District	Single-family residence
South	RP-5 Planned Apartment District	Duplex
East	R-1(B) Single Family District	Single-family residence
West	R-1(B) Single Family District	Single-family residence

Total Tract Size: 0.57 Acre

Comprehensive Plan Designation: The Central Area Plan designates the subject property as Urban Density, which allows for a mix of detached and attached residential uses, including single-family homes, townhomes, duplexes, multifamily, and institutional uses.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Elizabeth Avenue as Local Street.

Parking Requirement: Section 27-455(d) requires that two (2) off-street parking spaces be provided for each single-family dwelling. The subject property has a tandem driveway at the rear of the property, providing two (2) parking 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 does not provide for adequate space to accommodate a shade tree in the front or side yard, but is legal non-conforming. A large tree is maintained in the rear of the property.

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing(s): April 13 and April 30, 2026

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Brian Glasser with aKCo Investments, is requesting a renewal of a Special Use Permit to operate a short-term rental at AirBnB. This is not the owner's primary residence. This is the only permitted short-term rental on 600 block of Elizabeth Avenue, Kansas City, Kansas 66103.

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. 19225-03853 – Abatement – August 14, 2019 – Completed – Grass and weeds on site.
2. 19200-03721 – Code-Environment – July 25, 2019 – Completed – Grass and weeds on site.
3. 17299-00106 – Code Admin Citation – April 19, 2017 – Completed – Grass and weeds – Previous property owner.
4. From 2017 to 2006 there has been three (3) additional abatement notices and 7 Code-Environment notices issued. All 10 items were related to tall weeds, grass, and trash on property – Previous property owner.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. SP2025-015 – Special Use Permit – July 18, 2025 – Approved – Short-term rental (1-year approval).
2. SP2019-086 – Special Use Permit – June 24, 2019 – Completed – Administrative Short-term rental (2-year approval).
3. SP2018-063 – Special Use Permit – June 20, 2018 – Completed – Administrative Short-term rental (1-year approval).

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Riverview Statistical Neighborhood in Strawberry Hill. The neighborhood consists of a mix of single-family and multi-family homes and mixed-used developments typical of urban densities built prior

to 1940. The adjacent North 6th Street corridor is a mix of uses, including drinking establishments, restaurants, and retail shops.

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 and mixed-use 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. 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.

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

   Special Use Permits are not addressed in the Central Area Plan. The Central Area Plan designates the subject property as Urban Density, which allows for a mix of detached and attached residential uses, including single-family homes, townhomes, duplexes, multifamily, and institutional uses. The proposed use conforms to the Central Area 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 Elizabeth Avenue, 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 near-by property.***

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

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

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

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

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

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

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

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

    The applicant 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 five (5). The maximum number of vehicles off-street is two (2). There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Google on March 30, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of application **SP2026-012**, **for two (2) years**, 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, the business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
16. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion**

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

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

STAFF RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Short-Term Rental Map
Neighborhood Meeting Affidavit
Neighborhood Meeting Minutes
Site Plan
Floor Plan
Home Inspection Report
Insurance Policy
Guestbook

Business Plan
Images of the Property Submitted by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	April 13, 2026 Approval	April 30, 2026

STAFF CONTACT: **Osiris Nuñez Espinoza, Planner**
Oespinoza@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2026-012** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2026-012,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

April 13, 2026, City Planning Commission Minutes:
Hearing starts at 12:14:

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

CONSIDERATION OF THE MARCH 9, 2026 CITY PLANNING COMMISSION MINUTES.

SP2026-012 - BRIAN GLASSER WITH AKCO INVESTMENTS LLC
Synopsis: Special Use Permit (Renewal of SP2025-015, expires June 19, 2026) for a Non-Owner Occupied Short-Term Rental at 616 Elizabeth Avenue. *Detailed Outline of Requested Action:* The applicant, Brian Glasser with aKCo Investments, is requesting a

renewal of a Special Use Permit to operate a short-term rental at AirBnB. This is not the owner's primary residence. This is the only permitted short-term rental on 600 block of Elizabeth Avenue, Kansas City, Kansas 66103.

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 Items on the Agenda tonight:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the areas in question;
3. The City's currently adopted Master Plan for the areas in question;
4. The staff report and attachments dated April 13, 2026;
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 Permit, Change of Zones, and Master Plan Amendments; 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. Commissioner Foglesong requested PLAT2026-010 be removed from the Consent Agenda.

Motion starts at 15:58:

On motion by Commissioner Jones, seconded by Commissioner Straws, the Planning Commission voted as follows to **APPROVE the remainder of the consent agenda:**

Carson	**Chairman**
Ernst	**Not present**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**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, the business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special**

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

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

ATTACHMENTS

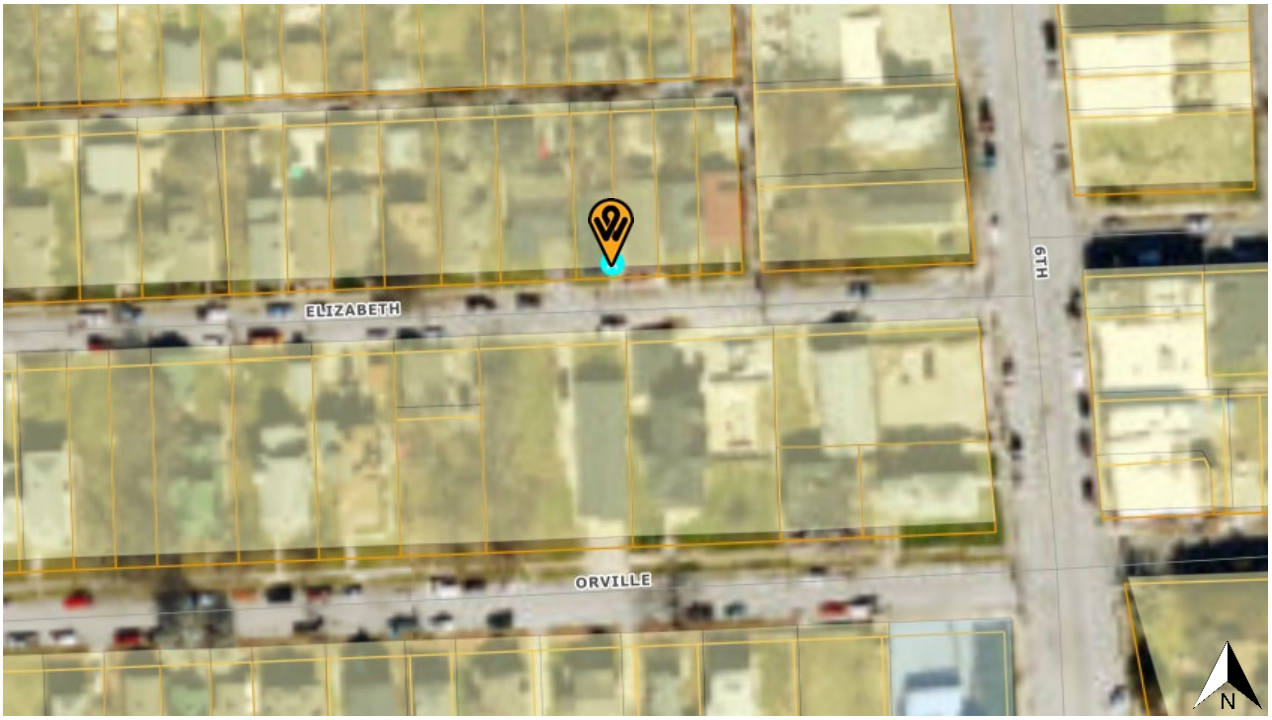
AERIAL IMAGERY



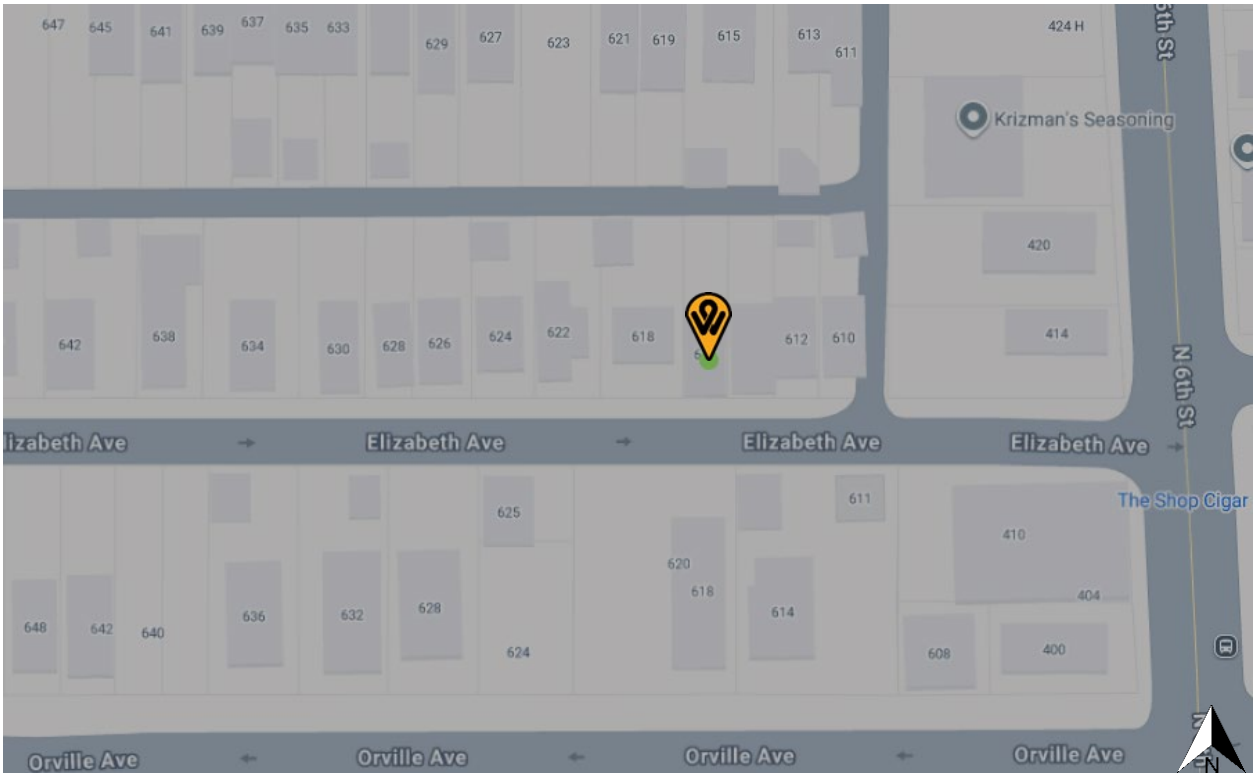
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



ADDITIONAL ATTACHMENTS

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KS)
) SS:
COUNTY OF Johnson)

Comes now Brian Glasser, of aKCo Investments, LLC, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition #SP2026-012
2. That I conducted a neighborhood meeting on 30-MAR-26
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 31st day of March, ~~200~~ 2026

My commission expires 30th of April, ~~200~~ 2030

NOTARY PUBLIC - State of Kansas
FALLON MICHELLE THOMPSON
MY APPT. EXPIRES 4/30/30

Notary Public

MEETING MINUTES:

Application Number: #SP2026-012

Date and Location: 30-MAR-26 via Virtual Meeting (Google)

Meeting called to order at: 17:30 CST on 30-MAR-26

Names of people in attendance: Brian Glasser & Andrew Morgans

Overview: No attendees showed up, and no attendees called or emailed us personally.

- We concluded the meeting at 18:00 and we were available via phone call as well until 19:00 pm CST.

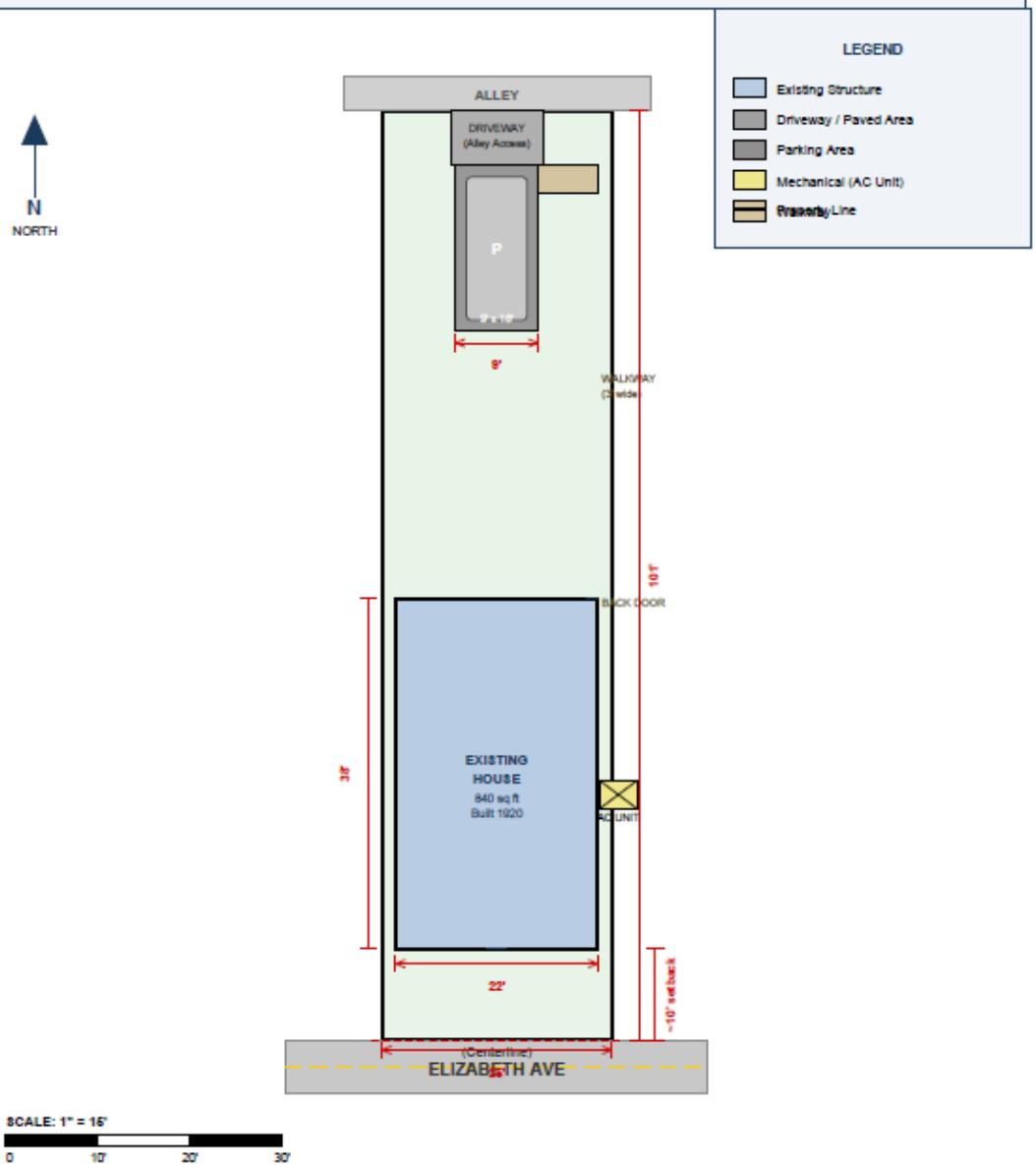
Meeting adjourned at: 18:00 CST, on 30-MAR-26

Minutes taken by: Andrew Morgans

SITE PLAN

616 Elizabeth Ave, Kansas City, KS 66101 | Dreyers Sub, S10, T11, R25, Lot 8

OWNER: aKCo Investments LLC	PARCEL ID:118516	LEGAL DESCRIPTION:	Dreyers Sub, L8
PHONE: 702-845-6296	LOT SIZE: 25' x 101' (2,492 sq ft)	BUILDING AREA:	840 sq ft



Property: 616 Elizabeth Ave, Kansas City, KS 66101 | Parcel ID: 118516 | Legal: Dreyers Sub, S10, T11, R25, Lot 8

Owner: aKCo Investments LLC | Phone: 702-845-6296 | Prepared for: Short Term Rental Permit Application

Unified Government of Wyandotte County / Kansas City, KS


W/D Room
+ Backdoor
Kitchen
& Basement
Door
Full
Bathroom
Bedroom
2
Dining
Area
& Living
Area
Bedroom
1
Entry
Door

Electrical		
Page 8	Main Panel	• Repair: Observed oversized breaker(s) for the gauge of wire attached. Recommend that a licensed electrician evaluate the electrical components of the home for necessary repairs.
Heating		
Page 9	Furnace	• Repair: Observed loud rattling noises coming from within the furnace unit during operation. Was unable to determine the source of the noises. Recommend repair.
Page 9	Furnace/Water Heater Exhaust	• Repair: Observed improper clearance at the furnace exhaust flue. Recommend repair.

Cooling/Heat Pumps

Description of Cooling/Heat Pumps

- Energy Source: Electricity | 240 Volt Power Supply
- Central System Type: Air Cooled Central Air Conditioning

General Comments

- Due to temperature constraints, was not able to fully inspect the cooling system when outside temperature is below 65 degrees
- See recommendations below.

Central Air Conditioning

- Due to temperature constraints, was not able to fully inspect the cooling system when outside temperature is below 65 degrees. A licensed HVAC technician could give a better evaluation.
- Repair: The outdoors condensing unit needs to be cleaned. Recommend that a licensed HVAC technician evaluate for necessary repairs.



MFG: York | MFG Date: 2017



Needs to be cleaned / serviced

EVIDENCE OF INSURANCE

ISSUE DATE: 12/16/2025

THIS EVIDENCE OF INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER, AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY
RealProtect
434 Green St. NE
Gainesville, GA 30501

COMPANY
Great American E&S Insurance Company
c/o Overby-Seawell Company
3550 George Busbee Pkwy NW, Suite 300
Kennesaw, GA 30144

PHONE NUMBER
1-800-579-0652

EMAIL
sales@realprotect.com

REFERENCE NUMBER
NVES9235

POLICY NUMBER
GAIL240733-GAIL240734

INSURED
aKCo Investments LLC
2734 Belleview
Kansas City, MO 64108

EFFECTIVE DATE
02/10/2026

EXPIRATION DATE
02/10/2027

PROPERTY INFORMATION

LOCATION/DESCRIPTION
616 Elizabeth Ave.
Kansas City, KS 66101

PROPERTY TYPE
Single Family Residence

THE POLICY INSURANCE LISTED BELOW HAS 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 POLICY DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICY. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

Coverage / Perils / Forms	Amount of Insurance	Deductible
Property Coverage	$112,000.00	Dwelling: $5,000.00
Loss of Rent	$15,600.00	Wind/Hail: Greater of Dwelling Deductible ($5,000) or 2% of TIV ($2,552)
Contents Coverage	$0.00	
Liability	$1,000,000 occurrence / $2,000,000 aggregate	
Ordinance or Law	$12,760.00	

REMARKS (Including Special Conditions)

Replacement Cost Optional Coverage Applies

Hazard Premium:	$625.72
Policy Fee:	$50.00
Liability Premium:	$120.00
Surplus Lines Tax:	$25.02
Ordinance and Law:	$38.28
Total:	$859.02

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICY BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS
Shellpoint Mortgage Servicing ISAOA/ATIMA
P.O. Box 7050
Troy, MI 48007-7050

☑ Lender ☐ Additional Insured ☑ Loss Payee

AUTHORIZED REPRESENTATIVE
Robert V Norton

RealProtect - 5205001

616 Elizabeth Ave.

Welcome to our home!

Welcome:

In this guest book you will find a brief overview of the home, our rules (which are also outlined in your booking app), the neighborhood, as well as contact info, etc.

The House / The Rules:

This 2 bed 1 bath home is designed to optimally accommodate 4-5 people.

- We have zero tolerance for guests that break this rule and zero tolerance for parties

There are 2 exits: Front Door and Backdoor

- Our security system is managed by and monitored by us as owners. It is not designed for guests to arm. It is designed to notify us of entries and exits, etc.

Fire Extinguisher and First Aid Kit: Are co-located in the closet adjacent from the kitchen, towards the basement.

If there is damage upon your arrival this must be immediately reported to MGT via the app

- Guests will receive feedback within 24 hours of their stay with respect to findings upon the staff reviewing the property/post stay

Kansas City, KS

Places to Eat: See app for detailed local highlights

Places to Visit: See app for detailed local highlights

The House / The Details:

- The Washer/Dryer is located near the backdoor. Guests will be allocated enough material for a single laundry load. Anything beyond that is a guest expense.
- Wifi and TV instructions are located within the app.
  - Complimentary free high speed internet via Spectrum
  - Complimentary basic cable package via Spectrum
- Drawers are labeled for ease

Contact Info:

Owners & Management:

aKCo Investments

Brian Glasser

Andrew Morgans

C: 702-845-6296

Rental Management Plan
(616 Elizabeth Ave. Kansas City, KS 66101)

This is an owner occupied short-term rental. The management plan is consistent with standard short-term rental operations with the exception of accounting for the owners required time on the property.. The property is advertised on short-term rental sites such as airbnb and VRBO. As bookings come in, those bookings are cross referenced with the occupants (Andrew Morgans) schedule to ensure no overlap.

aKCo Properties (which the owner is a member of), manages the maintenance on the property at all times.

The property is professionally cleaned prior to the owner residing back at the property, and self cleaned after the owner resides at the property.

All communication with guests is completed through the applicable booking apps.









(Published _____)

SP2026-012

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2026-012, commonly known as 616 Elizabeth Avenue, Kansas City, Kansas, legally described as:

DREYERS SUB, S10, T11, R25, ACRES 0.060000, L8, located at approximately 616 Elizabeth Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Non-Owner Occupied Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be 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, the business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any**

business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

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

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2026-014**

GENERAL INFORMATION

Applicant Information:
Syl Barnett
2311 North 104th Terrace
Kansas City, Kansas 66109

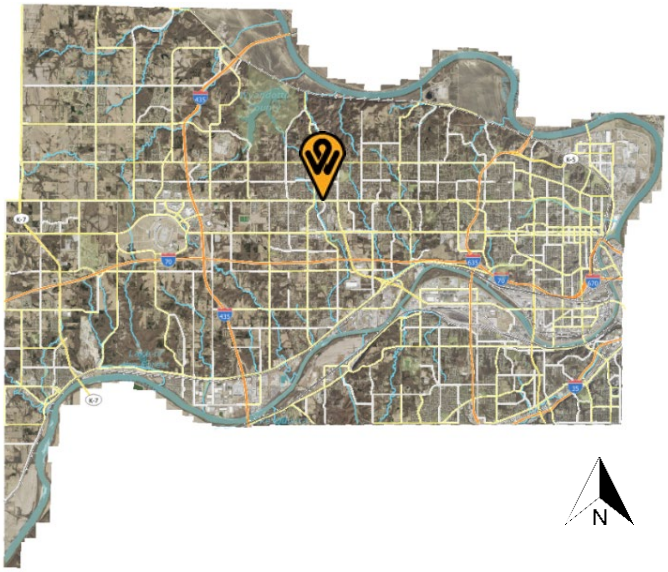
Subject Property:
2049 North 75th Street
Kansas City, Kansas 66109

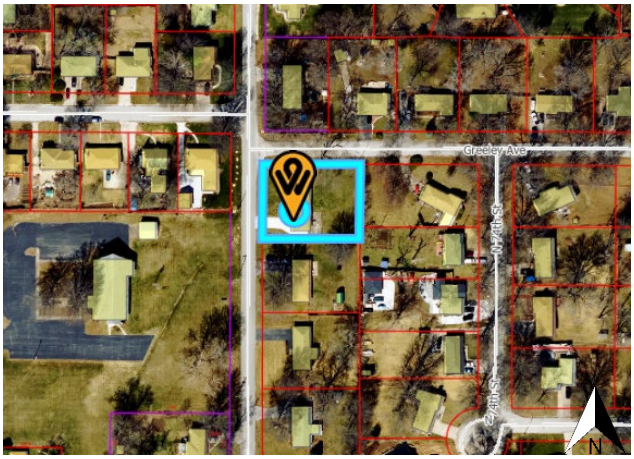
Requested Action and Purpose:
Approval of Special Use Permit to operate a Non-Owner-Occupied Short-Term Rental.

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

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

Plan Area:
PlanKCK Comprehensive Plan





	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Single-family residence
South	R-1 Single Family District	Single-family residence
East	R-1 Single Family District	Single-family residence
West	R-1 Single Family District	Single-family residence and Covenant Baptist Church

Total Tract Size: 0.40 Acre

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

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 75th Street as a Local Street.

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

Landscaping Requirement: Section 27-700(a) states that one (1) shade tree per dwelling unit is required in the front or corner side yard. The subject property does not fulfill this requirement. The applicant meets the requirements.

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing(s): April 13 and April 30, 2026

Public Support: None to date.

Public Opposition: Staff received one (1) phone call with complaints about weeds on the property.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Syl Barnett, is requesting a Special Use Permit to operate a short-term rental at Airbnb. This is not the owner's primary residence. This would be the first and only permitted short-term rental on 2049 North 75th face-block.

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. ENV23-1032 – Code-Environment – March 29, 2023 – Closed – Mattresses and box springer near driveway.
2. 16200-01436 – Code-Environment – April 20, 2016 – Completed – Southside of waves are falling.
3. 13208-00284 – TOW – February 25, 2013 – Completed – 1993 Honda Accord – Placarded.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Victory Hills Statistical Neighborhood, Leavenworth Road Association Neighborhood Business Group, and Census Block Group #0442023. The neighborhood consists of single-family residences to the north, east, south, and west of the subject property. Additionally, to the west, a Covenant Baptist Church is located.

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 R-1 Single Family District. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity. 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.

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

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

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

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of North 75th 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 near-by property.***

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

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

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

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

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

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

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

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

    The applicant 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 six (6). The maximum number of vehicles off-street is two (2). There shall be no on-street parking for renters or guests of any short-term

rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on March 25, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **SP2026-014**, **for one (1) year**, subject to:

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

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

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

STAFF RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Short-Term Rental Map
Neighborhood Meeting Affidavit
Neighborhood Meeting Minutes
Site Plan
Floor Plan
Home Inspection Report
Insurance Policy
Guestbook
Images of the Property Submitted by Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	April 13, 2026 Approval	April 30, 2026

STAFF CONTACT: **Osiris Nuñez Espinoza, Planner**
Oespinoza@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2026-014** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2026-014,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 1:40:59:

SP2026-014 - SYL BARNETT
Synopsis: Special Use Permit for a Non-Owner Occupied Short-Term Rental at 2049 North 75th Street. *Detailed Outline of Requested Action:* The applicant, Syl Barnett, is requesting a Special Use Permit to operate a short-term rental at Airbnb. This is not the

owner's primary residence. This would be the first and only permitted short-term rental on 2049 North 75th face-block.

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

Present in Support:

- Syl Barnett, Applicant, 910 Northwest Princeton Square, Bentonville, Arkansas 72712

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:42:35: Lead Planner Byron Toy stated that staff received a phone call today from a neighbor with a complaint about tall grass and weeds on the property. Staff recommends approval with conditions.

Motion starts at 1:43:51:

On motion by Commissioner Beth, seconded by Commissioner Easterwood, the Planning Commission voted as follows to **recommend APPROVAL of SP2026-014 for one (1) year:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

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

1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests,**

or infestations;

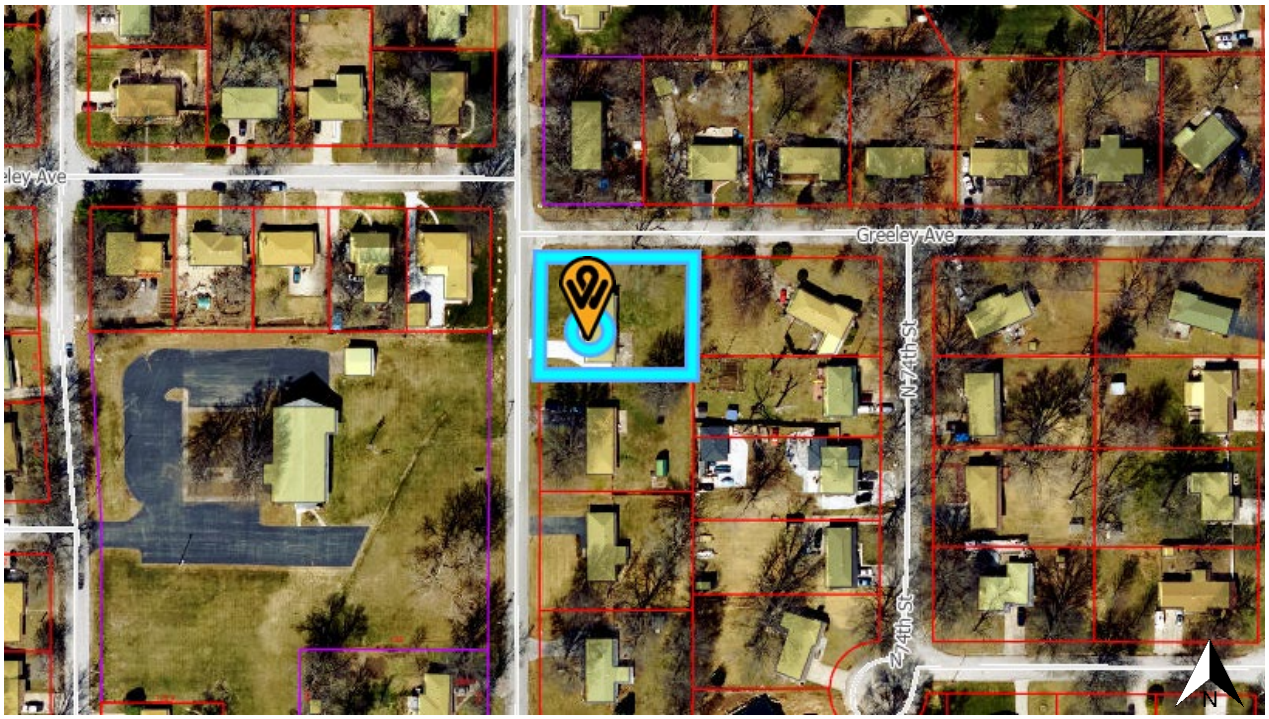
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
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to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

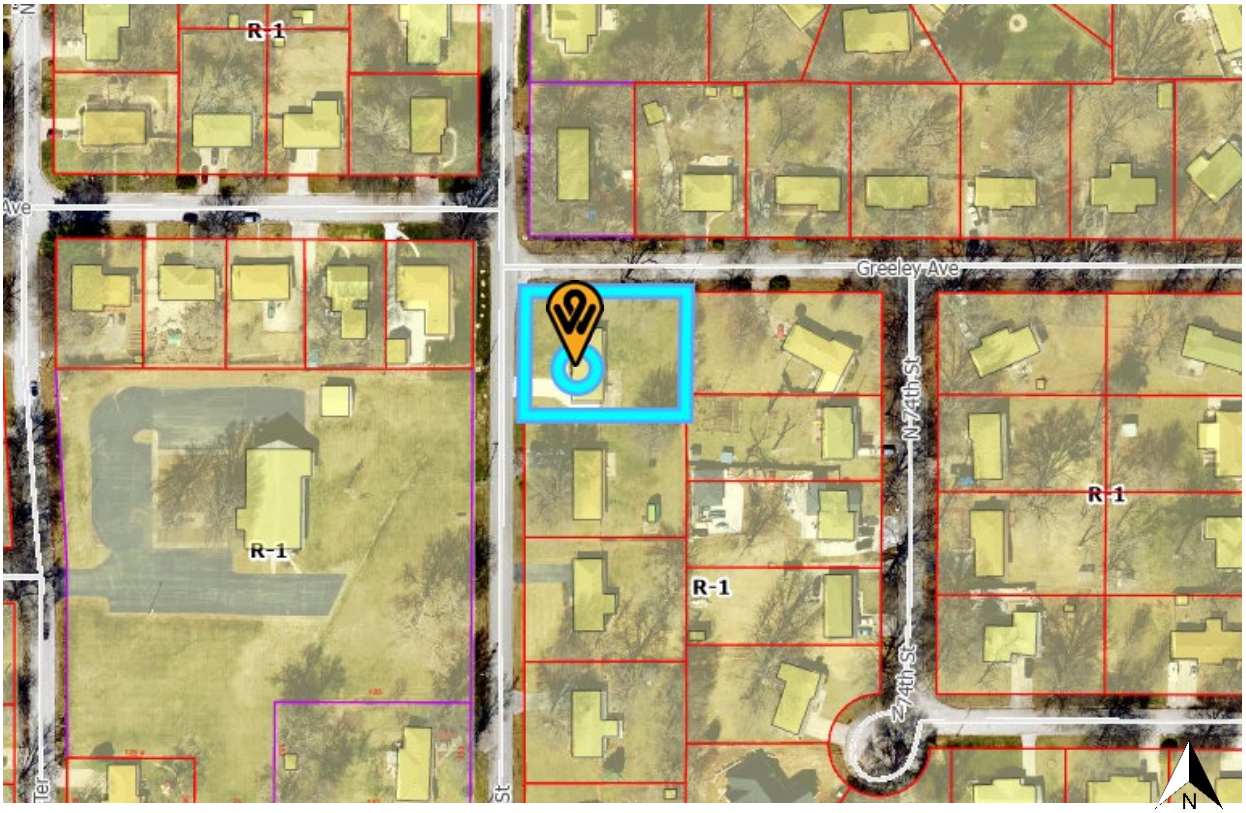
16. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and 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;**
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ATTACHMENTS

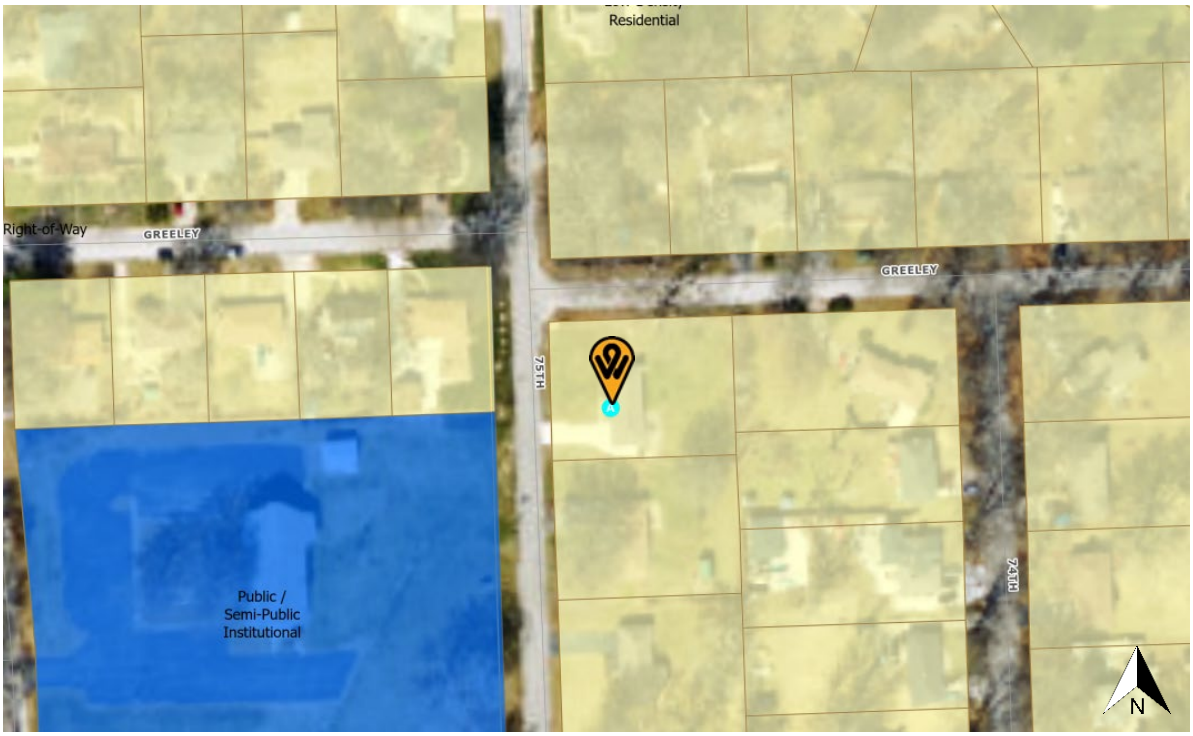
AERIAL IMAGERY



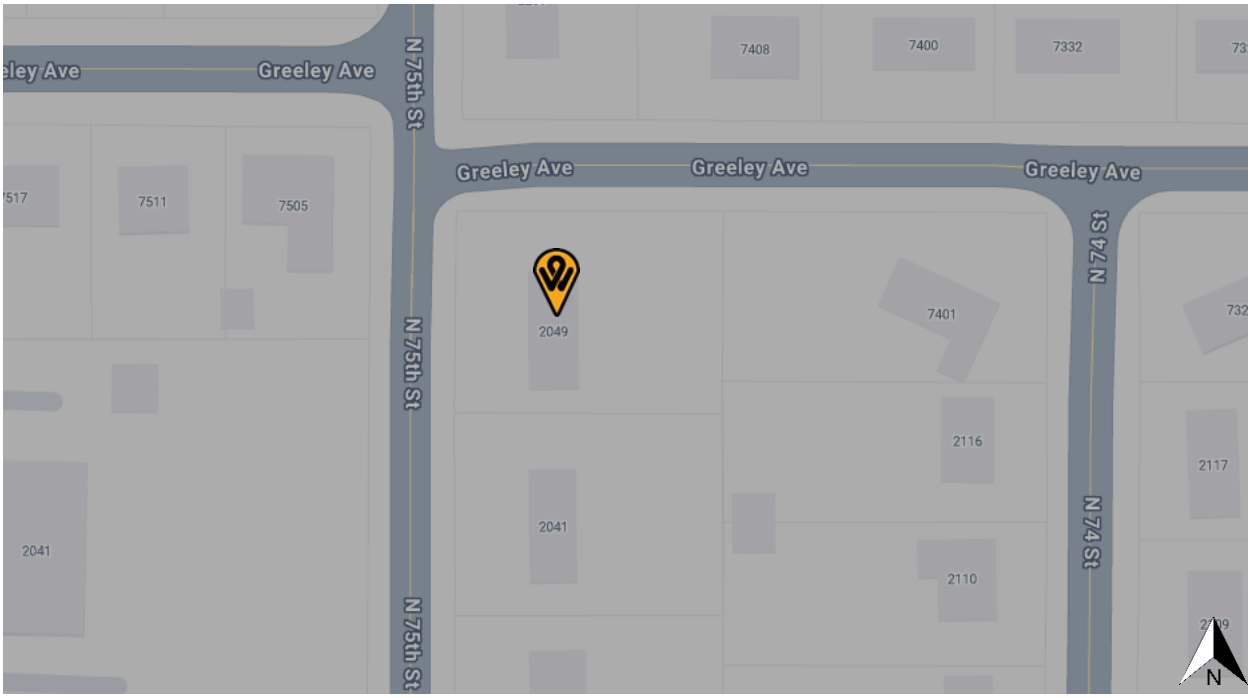
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Arkansas)
) SS:
COUNTY OF Benton)

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

1. That I am the petitioner for Petition # SP2026-014.
2. That I conducted a neighborhood meeting on March 25, 2026
3. The notice to nearby property owners was sent on March 10, 2026
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.

Sylvesta P. Barnett
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26 day of March, 2026.

My commission expires 01 of December 2034.

NIDHI PATEL Comm No. 00003845 NOTARY PUBLIC Exp. 12-01-2034 BENTON COUNTY, ARKANSAS

Nidhi Patel
Notary Public

Meeting Minutes

Applicant Number: **SP2026-014**
Date and Location: **03/25/2026 via Zoom call**
Property Address: **2049 N.75th Street, Kansas City, KS 66109**

Meeting called to order at: **6:22pm**

Names of people in attendance:

- **Zero residents / no people joined the meeting.**

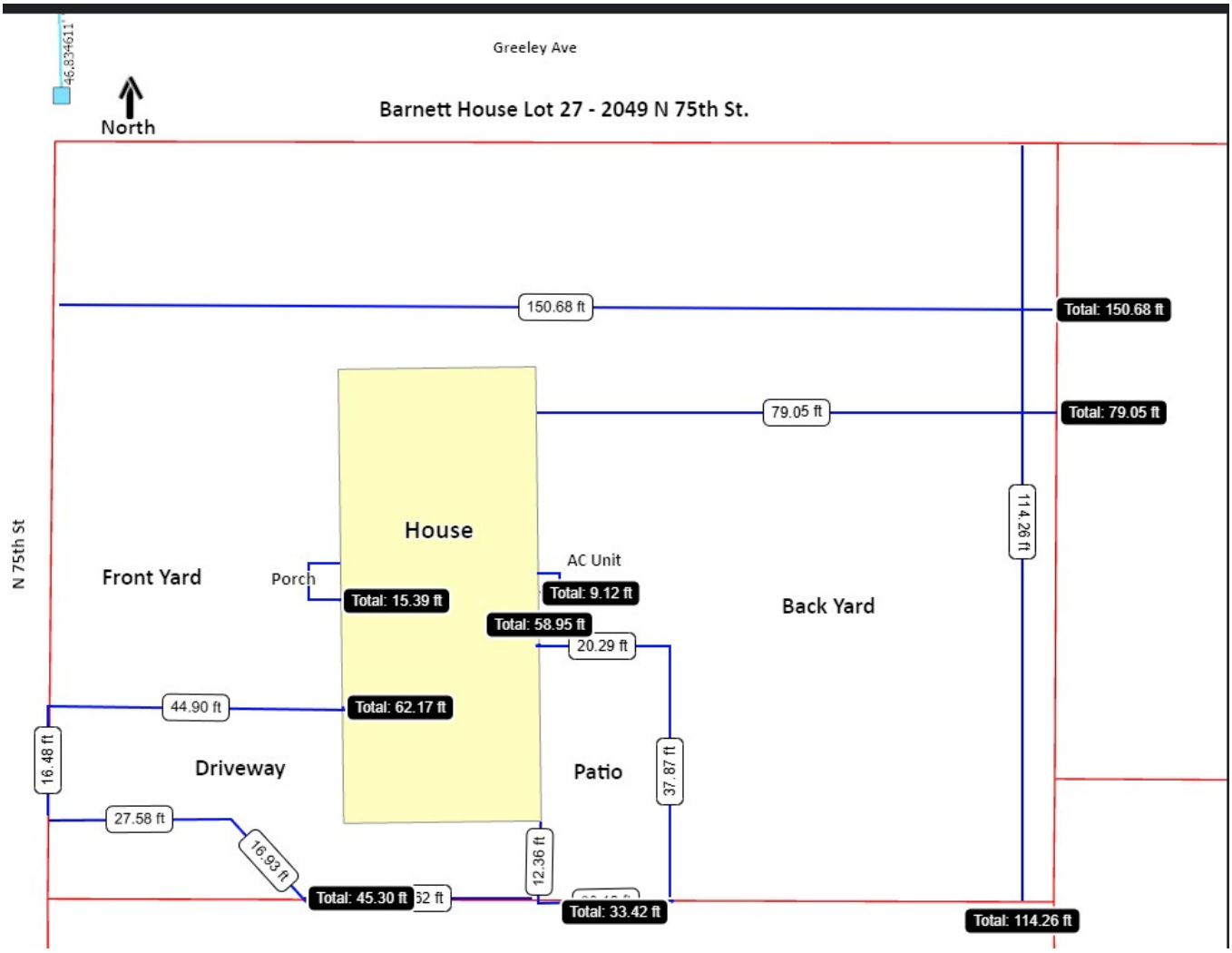
- Introduction

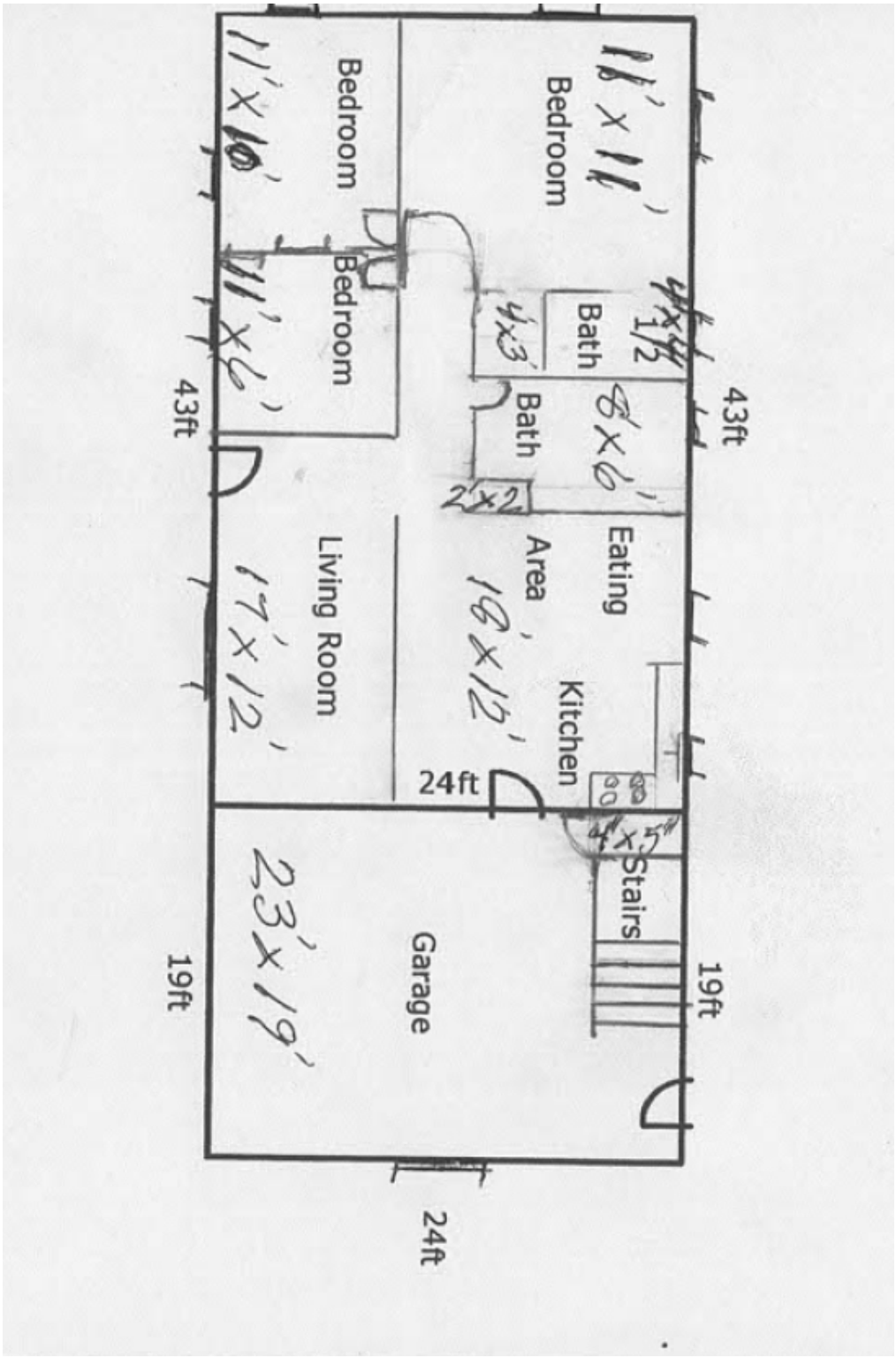
- Presentation by applicant and/or team
  - (explain what information was given to those in attendance and a summary of what the speaker said).

- Questions and answers (include the following):
  - Who asked the question or gave the comment
  - What was the question or comment
  - Who answered the question/comment
  - What was the answer given

Meeting adjourned at: **7:01pm**

Minutes taken by: **Donna Barnett**


Greeley Ave
North
Barnett House Lot 27 - 2049 N 75th St.
N 75th St
150.68 ft
Total: 150.68 ft
79.05 ft
Total: 79.05 ft
114.26 ft
House
Front Yard
Porch
Total: 15.39 ft
AC Unit
Total: 9.12 ft
Total: 58.95 ft
20.29 ft
Back Yard
44.90 ft
Total: 62.17 ft
16.48 ft
Driveway
Patio
37.87 ft
27.58 ft
16.93 ft
12.36 ft
Total: 45.30 ft
Total: 33.42 ft
Total: 114.26 ft


Bedroom
Bedroom
Bedroom
Bath
Bath
Eating
Area
Kitchen
Living Room
Garage
Stairs
43ft
43ft
19ft
19ft
24ft
24ft

REPORT SUMMARY

This summary is not the entire report. The complete report may include additional information of concern to the client. It is recommended that the client read the entire report.

4.0 ROOFING SYSTEM

4.5 Roof Drainage

4.5.1 Downspout(s) are discharging into underground drain(s). The inspector was unable to determine the location of discharge and operational status. Recommend further evaluation and maintenance (clean / snake, and ensure pops-ups are not blocked) to ensure proper drainage. **(Exterior North)**

8.0 ELECTRICAL SYSTEM

8.8 Receptacles

8.8.1 Reversed-polarized outlet(s) are present. Recommend repairing by a qualified electrician to ensure proper function and safety. **(Family Room)**

8.9 Lighting / Ceiling Fan(s)

8.9.1 The blades rub against something in the ceiling fan / light fixture. Have this evaluated and repaired by a qualified contractor for improved functionality.

- Family Room
- Front Middle Bedroom

8.9.2 Ceiling fan pull-chain is jammed. The ceiling fan could not be operated. Recommend repairing to ensure operation of the ceiling fan. **(Front Corner Bedroom)**

8.10 Exhaust Fan(s)

8.10.1 The exhaust fan is not functioning. Recommend repairing by a qualified electrician to ensure proper function and to prevent moisture damage. **(Hallway Bathroom)**

8.11 GFCI Devices

8.11.2 The amount of GFI outlets at the exterior and kitchen is inadequate. Have a qualified electrician install additional GFI outlets at the exterior and the kitchen for improved functionality and safety.

- Exterior East
- Exterior West
- Kitchen

8.14 Carbon Monoxide Alarms

8.14.1 Carbon monoxide detectors are missing. The International Association of Fire Chiefs recommends a carbon monoxide detector to be replaced every 10 years and to be installed within 10 feet of each bedroom door, on every floor of your home, including the basement and there should be one near or over any attached garage. Have a qualified contractor install new, properly functioning carbon monoxide detectors at the required locations to ensure safety. **(Throughout)**

9.0 HEATING/COOLING/VENTILATION SYSTEM(S)

9.6 Combustion/Venting

9.6.1 Rust and deterioration is present on the furnace flue (vent). The current condition has caused the metal to crack and has allowed moisture entry / exhaust that contains carbon monoxide to enter the attic. The vent cap for the furnace flue on the roof is loose and may be letting rainwater in causing the problem. Recommend further evaluation by a HVAC qualified contractor to prevent further deterioration and ensure proper function. This a high priority safety concern.

- Attic
- Roof

10.0 PLUMBING SYSTEM

10.6 Water Heater Venting

10.6.1 Vent pipe connections are not secured with screws. All connections should be made with proper sheet metal screws to ensure safety. Recommend repairing by a qualified contractor. **(Mechanical Room)**

10.10 Toilet(s)

10.10.1 Toilet runs for several minutes after flushing. The float does not appear to rise high enough to stop the water running. Recommend repairing by a qualified plumber to ensure proper operation. **(Bedroom Bathroom)**

10.10.2 The shut off valve for the toilet is heavily corroded. The current condition may not allow for the shut off valve to work when needed, and could possibly leak when shut off due to the significant corrosion. Have this evaluated by qualified plumber and repair to ensure proper condition and function **(Hallway Bathroom)**

13.0 APPLIANCES

13.8 Clothes Dryer

13.8.1 Dryer vent is improperly installed. Have a qualified contractor install a flexible metal exhaust vent connector and rigid vent for the dryer to ensure safety.
(Mechanical Room)

13.8.2 Dryer vent hood is crushed and / or too small. The damper stays open and will not close allowing for vermin entry. Have this repaired by a qualified contractor to ensure proper function and safety. **(Exterior East)**

State Farm Fire and Casualty Company

PO Box 2356
Bloomington IL 61702-2356

RENEWAL CERTIFICATE

POLICY NUMBER 91-BW-V642-1

Rental Dwelling Pol - Special Form
JAN 23 2026 to JAN 23 2027

TO BE PAID BY MORTGAGEE

AT1 H-26- 9120-FAF5 R F
000364 0001
BARNETT, SYLVESTA & DONNA
910 NW PRINCETON SQ
BENTONVILLE AR 72712-3917

ST-0102-0000

Location: 2049 N 75TH ST
KANSAS CITY KS
66109-2301

Mortgagee: BOKF NA DBA
BOKF FINANCIAL MORTGAGE ISAOA

Loan No: 0003705523

Coverages and Limits

Section I

A	Dwelling	$244,500
	Dwelling Extension	24,450
B	Personal Property	36,675
C	Loss of Rents	Actual Loss

Deductibles - Section I

Basic	1.00%	2,445

Section II

L	Business Liab (per occurrence)	$500,000
	(annual aggregate)	1,000,000
M	Medical Payments to Others (each person)	1,000

Forms, Options, and Endorsements

Special Form 3	FP-8103.3
Replacement Cost on Contents	OPT RC
Amendatory Endorsement	FE-8216.3
Debris Removal Endorsement	FE-7540
Fungus (Including Mold) Excl	FE-5722
Mandatory Reportng Endorsement	FE-5801
Rental Dwelling Endorsement	FE-5610
Actual Cash Value Endorsement	FE-3650
Actual Cash Value Roof Cov	FE-5612
Terrorism Insurance Cov Notice	* FE-6999.3

*Effective: JAN 23 2026

Annual Premium $1,333.00

Inflation Coverage Index: 379.7

NOTICE: Information concerning changes in your policy language is included. Please call your agent if you have any questions.

Please help us update the data used to determine your premium. Contact your agent with the year each of your home's utilities (heating/cooling, plumbing, or electrical) and roof were last updated.

136-3075 IL 8 10-11-2010 (o1f030f9c)

Thanks for letting us serve you...

Moving? See your State Farm agent.
See reverse for important information.

0744 401E I
N *
012

Agent JANE WEBB
Telephone (913) 334-0038

REB

Prepared DEC 03 2025

Welcome!

GET CONNECTED:

NETWORK NAME: DRAY2
PASSWORD:DCR3211

HOUSE RULES:

- [ ] NO SMOKING INDOORS.
- [ ] RESPECT QUIET HOURS FROM 11PM TO 7 AM
- [ ] NO PARTIES OR EVENTS.
- [ ] NO PETS
- [ ] BE CONSIDERATE OF NEICHBORS.
- [ ] ENJOY YOUR STAY AND HAVE FUN!

THINGS TO KNOW:

- MOST LOCAL RESTAURANTS ARE ONE MILE AWAY
- BEST HAPPY HOUR IS YARD HOUSE 3PM TO 6PM
- BEST PIZZA IS MINSKY'S IN SHAWNEE MISSION
- BEST DRINKS ARE AT DANNY'S
- THE TV HAS NETFLIX AND HBO MAX

CHECKOUT:

- [ ] CHECK OUT IS AT 11 AM
- [ ] LEAVE THE KEY ON THE TABLE
- [ ] MAKE SURE TO CLOSE ALL WINDOWS AND DOORS
- [ ] TURN OFF THE UTILITIES
- [ ] IF YOU LIKED STAYING WITH US, LEAVE US A REVIEW!






















(Published _____)

SP2026-014

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2026-014, commonly known as 2049 North 75th Street, Kansas City, Kansas, legally described as:

LONE STAR HEIGHTS, S33, T10, R24, ACRES 0.400000, L27, located at approximately 2049 North 75th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for a Non-Owner Occupied Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards,**

pests, or infestations;

7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
10. **If approved, the business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
12. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
13. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
14. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
15. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any**

business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

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

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2026-016**

GENERAL INFORMATION

Applicant Information:
Grier Bryant
1919 Federal Avenue
Kansas City, Kansas 66103

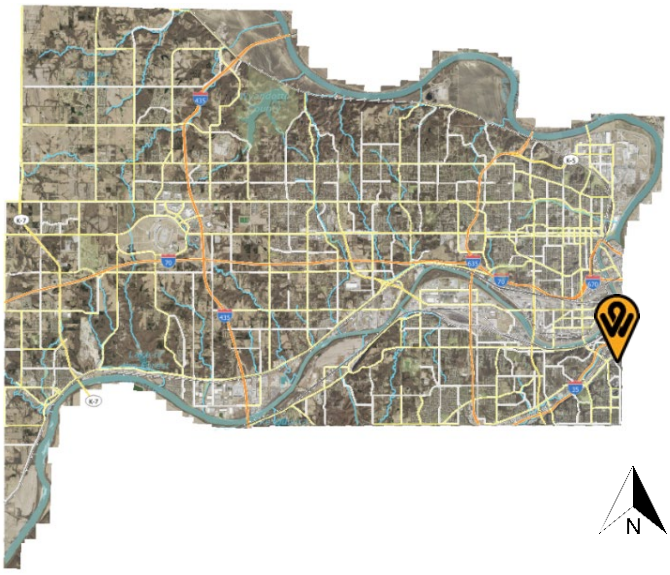
Subject Property:
1919 Federal Avenue
Kansas City, Kansas 66103

Requested Action and Purpose:
Approval of Special Use Permit to operate an Investor Short-Term Rental (Non-Owner Occupied).

Commission Districts:
At-Large Commissioner, District #2: Andrew Kump
District #3 Commissioner: Christian Ramirez

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

Plan Area:
Rosedale Area Plan





	Adjacent Zoning	Adjacent Uses
North	R-2(B) Two Family District	Single-family home
South	R-2(B) Two Family District	Single-family home
East	R-2(B) Two Family District	Single-family home
West	R-2(B) Two Family District	Single-family home

Total Tract Size: 0.16 Acre

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

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

Parking Requirement: Section 27-457(b)(1) Any use permitted in the R-1(B) single-family district, under the standards and requirements of that district.

Section 27-455(d) states that two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling. Two (2) off-street parking spaces are required. The Applicant is providing two (2) parking spaces.

Landscaping Requirement: Section 27-700(a) states that one (1) shade tree per dwelling unit is required in the front or corner side yard. One (1) tree is planted in the front yard

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing(s): April 13 and April 30, 2026

Public Support: None to date

Public Opposition: None to date

PROPOSAL

Detailed Outline of Requested Action: The applicant, Grier Bryant, is requesting a Special Use Permit to operate a short-term rental at Airbnb. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 1900 block of Federal 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. There have been numerous code enforcement violations between 2011 and 2017 under a previous owner. The violations included brush and excess vegetation, overgrown bushes, debris on the front porch, and cars parked with no tags.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Rosedale Statistical Neighborhood, the Rosedale Development Association Business Group, and Census Block #0452001. The neighborhood consists of a mix of single-family residences and townhouses as well as various uses for the University of Kansas Medical Center.

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 primarily by the R-2(B) Two Family District. Continuing use as a rental, either short or long-term, is consistent with other nearby properties in close proximity to the mixed-use corridor. While use as a short-term rental is commercial in

nature, the use is occurring in a purpose-built residence, which should not present issues with nearby property. The proposed use is compatible if properly managed.

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

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

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

   The length of time the property has been vacant in undetermined as

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

   Special Use Permits are not addressed in the Rosedale Area Plan. The Rosedale Area Plan designates the property as Single Family, which allows for single family, detached houses. Townhomes and side-by-side rowhouses are appropriate where the property has frontage on a mixed-use or neighborhood corridor. The proposed use (single-family home) conforms to the Rosedale Area Plan land use 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 has the potential to increase vehicular traffic, but should not exceed the capacity of Federal Avenue, 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 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 six (6). The maximum number of vehicles off-street is two (2). There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not

be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via in-person at 1919 Federal Avenue on March 26, 2026. 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

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **SP2026-0XX**, **for one (1) year**, subject to:

1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is four (4). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per the applicant's declaration, pets are not allowed at the property; however, in accordance with ADA requirements, service animals are permitted. If a guest requires a service animal or an assistance animal for health-related reasons, we have policies in place to ensure proper care and responsible handling. We provide pet waste bags and appropriate disposal facilities on the property;**
10. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this**

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

11. **If approved, the business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
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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.**

STAFF RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Short-Term Rental Map
Applicant Response Letter
Neighborhood Meeting Documents
Guest Book
Site Plan
Floor Plan
Home Inspection Report
Images Submitted by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	April 13, 2026 Approval	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2026-016** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2026-016,** 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.

April 13, 2026, City Planning Commission Minutes:
Hearing starts at 1:55:57:

SP2026-016 - GRIER BRYANT
Synopsis: Special Use Permit for a Non-Owner Occupied Short-Term Rental at 1919 Federal Avenue. *Detailed Outline of Requested Action:* The applicant, Grier Bryant, is requesting a Special Use Permit to operate a short-term rental at Airbnb. This is not the owner's primary residence. This would be the first and only permitted short-term rental

on the 1900 block of Federal Avenue.

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

Present in Support:

- Grier Bryant, Applicant, 1919 Federal Avenue, Kansas City, Kansas 66103

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:57:05: Lead Planner Byron Toy stated that staff recommends approval with conditions for one (1) year.

Motion starts at 1:57:21:

On motion by Commissioner Straws, seconded by Commissioner Jones, the Planning Commission voted as follows to **recommend APPROVAL of SP2026-016 for one (1) year:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

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

1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is four (4). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**

8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
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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;

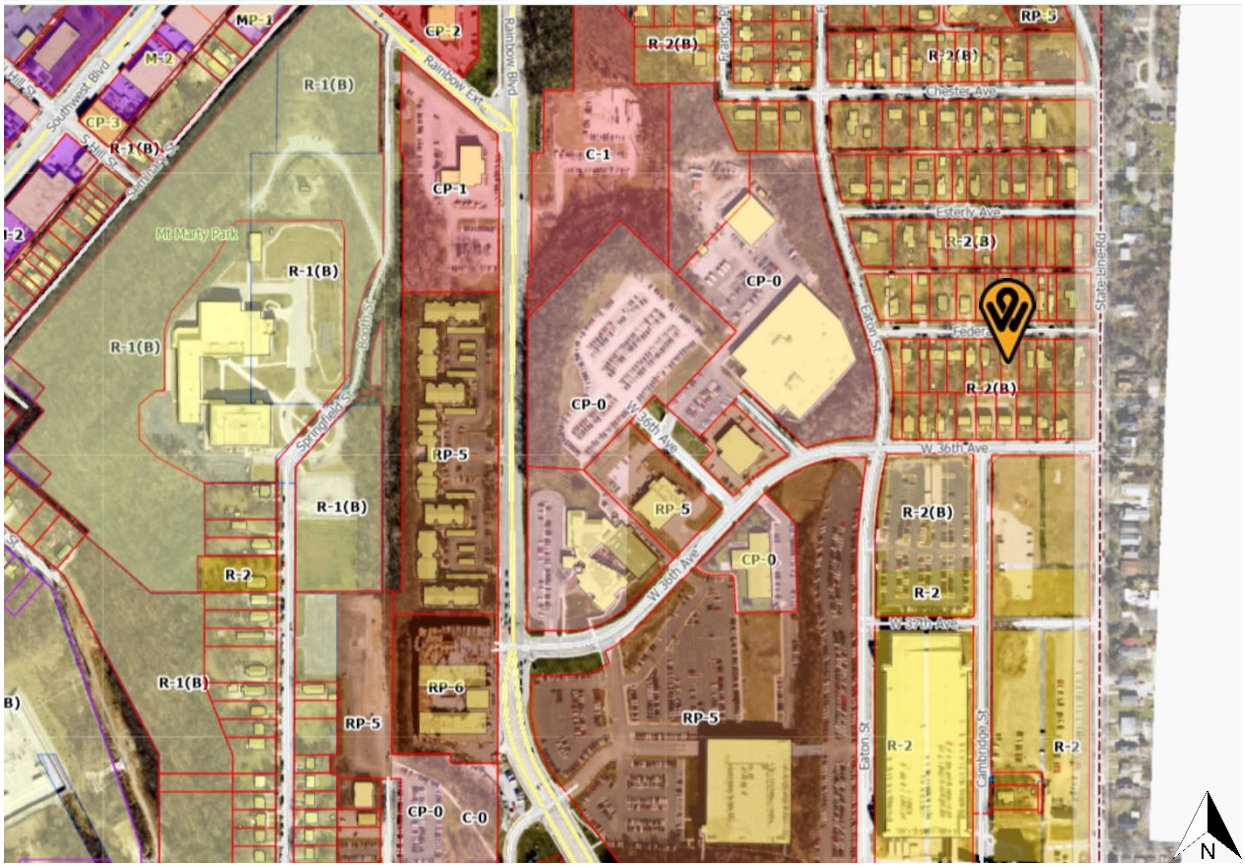
17. **Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and 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;**
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20. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

ATTACHMENTS

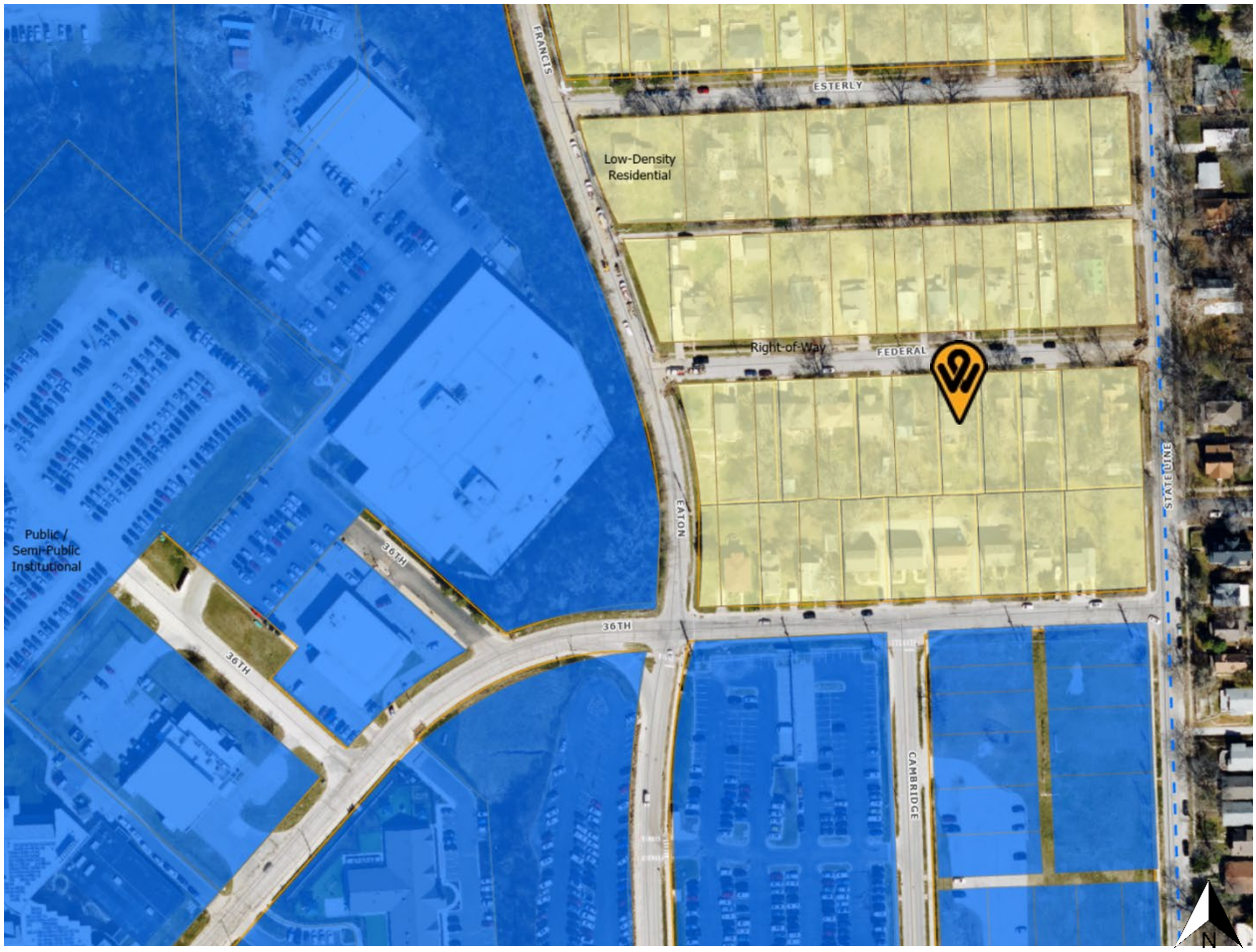
AERIAL IMAGERY



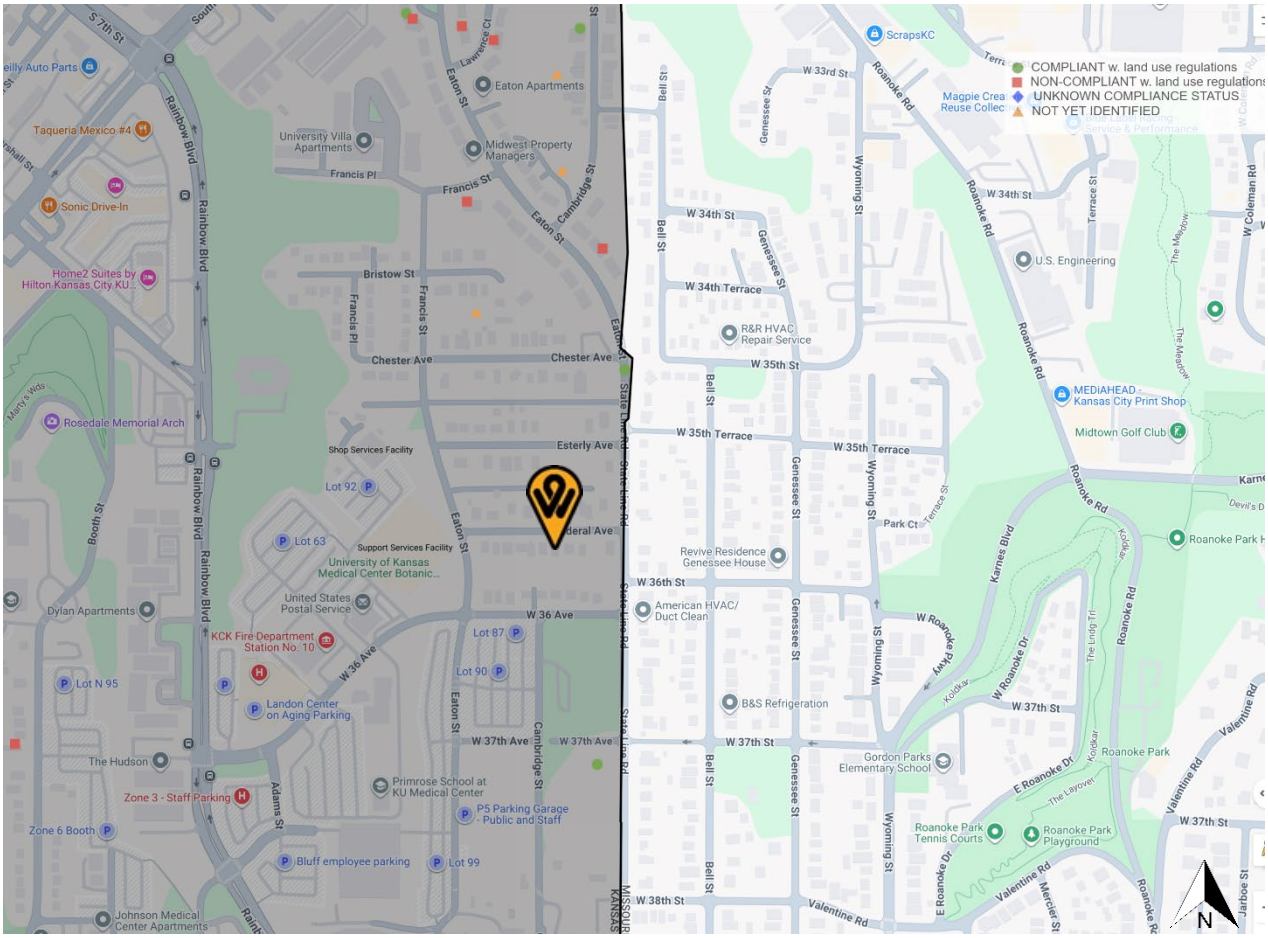
ZONING MAP


MP-1
M-2
CP-2
Rainbow Blvd
Rainbow Ext
R-1(B)
Southwest Blvd
Hill St
CP-3
R-1(B)
Summit St
CP-1
C-1
R-2(B)
Prairie St
RP-5
Chester Ave
Esterly Ave
Mt Marty Park
R-1(B)
CP-0
Eaton St
State Hwy 34
R-1(B)
Goodrich St
Springfield St
CP-0
W 36th Ave
RP-5
R-2(B)
R-1(B)
RP-5
CP-0
R-2
R-2
W 37th Ave
R-1(B)
RP-6
RP-5
RP-5
Eaton St
Cambridge St
R-2
CP-0
C-0
N

LAND USE MAP


FRANCIS
ESTERLY
Low-Density Residential
Right-of-Way
FEDERAL
STATE LINE
EATON
36TH
36TH
36TH
Public / Semi-Public Institutional
CAMBRIDGE
N

SHORT-TERM RENTAL MAP



STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. Albeit cosmetic, how are you addressing the comments from the home inspection regarding holes in the wall in the bathroom and basement, cracks in the walls, water damage on the trim, and missing outlet cover in the bathroom?

   Applicant Response:

1. The bathroom walls have been repaired and updated. Missing outlet was replaced before closing on the property per the details of the loan on the home. The trim that had water damaged has been removed. Water leaks have been fixed and no longer is an issue. All cracks in walls have been repaired, and walls repainted.

2. 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:

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

   Applicant Response:

2 and 3. First floor of the home will be rented; the basement will have a lock on the door. 6 guests are allowed at one time. 4 cars can be parked in the off-street driveway, with 2 cars on the street in front of the property.

4. 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:

4. My wife and I are the property managers, contact information is in the guestbook with contact information. I will provide contact information to the neighbors; they also have my contact information from the neighborhood meeting held on 3/26.

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

   Applicant Response:

6. 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:

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

   Applicant Response:

5. We will contact the neighbor and listen to any complaints on the property.

6. We live 5 minutes from the property on 45th and Francis St.

7. The nightly rate will be between $250-$350, depending on timing and demand.

8. 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;

      Applicant Response:

   b. GFCI outlets required in bathrooms;

      Applicant Response:

   c. Double keyed locks are not allowed;

      Applicant Response:

   d. Copper cannot be used for gas supply lines;

      Applicant Response:

   e. Windows must be operable, not blocked or boarded;

      Applicant Response:

   f. Handrails are required at sets of 4 or more stairs/ risers;

      Applicant Response:

   g. Hot water tank and furnace must be vented properly and operational;

      Applicant Response:

   h. Electric panel and circuits must be safe; and,

      Applicant Response:

   i. Facility cleaned and sanitized after each guest check-out.

      Applicant Response:

DRAFT

8A. Smoke detectors are installed in each bedroom and living space, plus basement. 6 month scheduled battery replacement and operating checks.

8B. There is a current working GFCI outlet in the bathroom.

8C. Digital locks are going to be on the doors.

8D. Copper is not used for the gas supply lines.

8E. Windows are not blocked or boarded.

8F. Handrails are installed on all steps.

8G. Hot water tank and furnace are vented and working properly.

8H. Electric panel is secured properly.

8I. The property will be cleaned and sanitized after every guest stay.

Applicant Response:

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

   Applicant Response:

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

    Applicant Response:

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

    Applicant Response:

9. Many of the platforms collect and pay the lodging taxes and the transient guest tax in Kansas. As a host I will still monitor this to make sure lodging taxes are paid.

10. Yes, we have a guest book with rules of the property, as no parties, quiet time between 10pm-8am, this will also be posted on the rental listing.

11. No pets are allowed.

12. 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:

12. I have added this statement with the phone number to the guestbook for the property.

Grier Bryant

913-957-9116

bryantlgrier@gmail.com

Application number: SP2026-016

Meeting called to order at 5pm.

We didn't have any attendance, one email regarding included on the attachment.

Meeting Adjourned at 5:30pm.

Minutes taken by Sandy Roland.

Gmail

Grier Bryant <bryantlgrier@gmail.com>

1919 Federal - Meeting
1 message

Paul Gilliford <paulgilsr@msn.com> Sat, Mar 14, 2026 at 1:05 PM
To: "bryantlgrier@gmail.com" <bryantlgrier@gmail.com>

Hello,

Re: Meeting on Thursday, March 26 about Special Use Permit for short-term rental.

As owner of 1920 Federal via Paul H. Gilliford Trust, I'm responding to your letter.

I don't have any problems with the short-term rental of your property.

The home just East of me is a short-term rental and there has never been a problem that I know of.

My brother, Michael P. Gilliford, has lived at 1920 for 35 years.

Good luck with this and let me know if you need any additional information.

Paul H. Gilliford

Paul H Gilliford Trust

.....paulgilsr@msn.com 913-908-7252

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

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

1. That I am the petitioner for Petition # SP 2026-016
2. That I conducted a neighborhood meeting on 3/26/26.
3. The notice to nearby property owners was sent on 3/10/2026.
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.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 27 day of March, 2026.

My commission expires 11 of November, 2027.

MATTHEW KEYS
Notary Public - State of Kansas
My Appointment Expires 11-6-27

Notary Public

Fountain Bungalow

Sandy and I would like to welcome you to our cozy Fountain Bungalow. We hope you enjoy your stay and please feel free to call or text us at (913)-957-9116 or (913)-240-8130.

Check in/Check Out

Check in 4pm, Check out 11am.

Smoking is not permitted, smoking inside will result in a $500 fee.

Pets-no pets allowed.

Trash: Please place all trash in trash cans located by front door.

Quiet Time: Please respect our neighbors, quiet time is from 10:00pm-8:00am.

WiFi:

Nework-[redacted]. Password[redacted]

Parking-2 spaces in drive way, 2 street parking.

Nearest Hospital: KU Medical Center 3901 Rainbow, Kansas City, KS 66103 (913)-588-5000. 2 minutes.

Local Restauants:

KC Joes-3002 W 47th St. Kansas City, KS 66013 (913)-722-3366 5 minutes.

Tanners-3900 Rainbow, Kansas City, KS 66103 (913)-283-7367 5 minutes.

Blue Sushi Sake Grill-4705 Rainbow, Westwood, KS 66205 (913)-236-6100. 5 minutes.

Cupini's-1809 Westport, RD. Kansas City, MO 64111 (816)-753-7266. 5 minutes.

Ponaks-2856 Southwest BLVD, Kansas City, MO 64148 (816)-753-0775 5 minutes.

Local Attractions

World War One monument 5 minutes

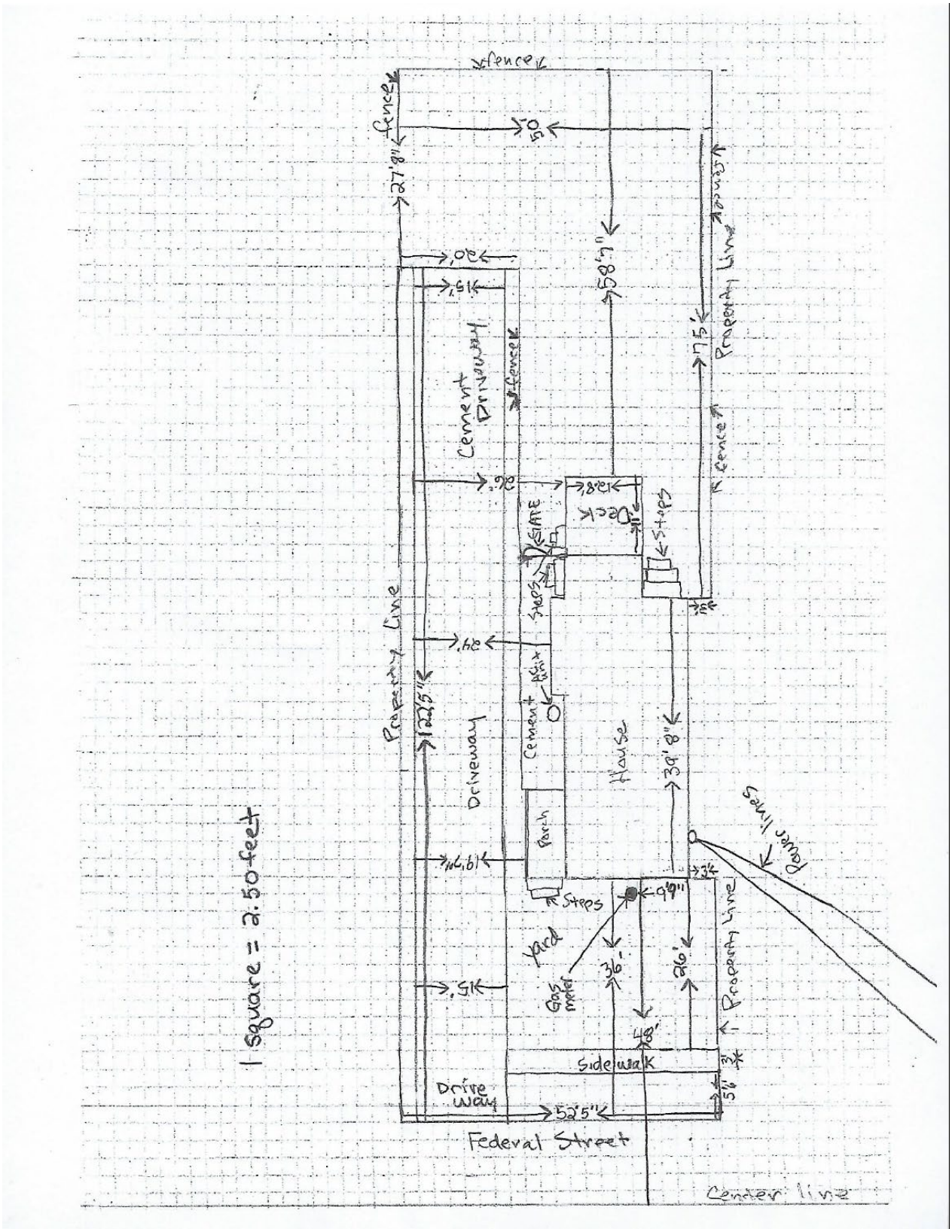
Arrowhead Stadium 25 minutes

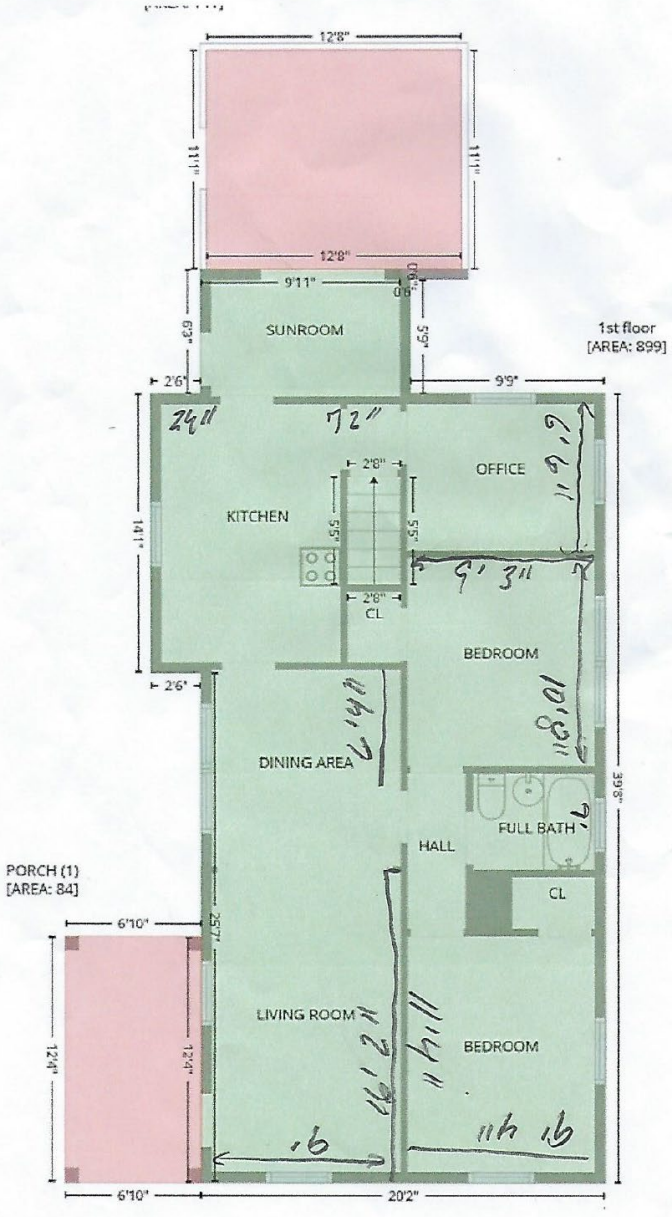
Sporting KC 25 minutes

KCI airport 25 minutes

Worlds/Oceans of Fun 25 minutes

Check out Checklist-Please place sheets on bed, and run dishwasher.


fence
fence
50'
27'8"
30'
58'4"
1.5'
Property Line
Cement Driveway
fence
fence
Property Line
13'8"
Deck
Steps
State
Steps
1.6'
Property Line
122'5"
Cement
Driveway
House
34'8"
Porch
Steps
Power lines
Yard
Gas meter
36'
36'
48'
Property Line
Sidewalk
3'
5'
Drive Way
52'5"
Federal Street
Center line
1 square = 2.50 feet


12'8"
11'1"
11'1"
12'8"
9'11"
SUNROOM
1st floor
[AREA: 899]
2'6"
9'9"
KITCHEN
2'8"
OFFICE
14'1"
5'5"
5'5"
2'8"
CL
BEDROOM
2'6"
DINING AREA
HALL
FULL BATH
39'8"
PORCH (1)
[AREA: 84]
6'10"
25'7"
CL
LIVING ROOM
BEDROOM
12'4"
12'4"
6'10"
20'2"

MPDR | Property Data Report



Property Address	1919 Federal Avenue Kansas City, KS 66103
Inspection Date	January 29, 2026

Powered By: MUELLER

Building

Structure Type	Dwelling	Contains Rooms	Yes
Structure Area	1,677 sf	Construction Status	Complete
Year Built	1946	Construction Type	Frame
Year Built Estimated	No	Attachment Type	Detached
Foundation Type	Basement	Exterior Updates	No
Exterior Deficiencies	Yes		

Exterior Deficiencies

Type	Detail	Severe	Description
Exterior Walls - Excessive Wear	Other	No	Peeling paint.
Windows - Missing	Boarded Up	No	Covered window.
Windows - Excessive Wear	Exposed Wood	No	Peeling paint with exposed wood.

Unit 1

Heating Systems	Gas Furnace	ADU Indicator	No
Cooling Systems	Central Air Conditioning, Ductless Air Conditioning	Mechanical Deficiencies	No
Garages	No	Mechanical Updates	Yes

Mechanical Updates

Type	Timeframe	Description
Cooling - Fully Updated	1 To 5 Years	Estimated timeframe.

Unit 1 | Level 1

Total Area	778 sf	Level Low Ceiling	No
Finished Area	46 sf	Attic	No
Non-Standard Finished Area	0 sf	Attic Access	- -
Below Grade	Yes	Attic Access Location	- -
Below Grade Exit	Interior		

Unit 1 | Level 1 | Full Bath

Unit 1 | Level 1 | Full Bath (Continued)

Features	None	Fixtures	Sink, Toilet, Walk In Shower
Range/Oven Hook-up	- -	Updates	Yes
Deficiencies	Yes	Security Bars	None
Release Latches	- -		

Updates

Type	Timeframe	Description
Flooring - Partially Updated	1 To 5 Years	Ceramic tile on floor.
Plumbing Fixtures - Partially Updated	5 To 10 Years	Added all fixtures.

Deficiencies

Type	Detail	Severe	Description
Ceiling - Missing	Missing	No	No ceiling in the basement bathroom, only studs.
Electrical Fixtures - Missing	- -	No	Missing outlet cover.

Unit 1 | Level 1 | Unfinished Basement

Features	None	Fixtures	- -
Range/Oven Hook-up	- -	Updates	No
Deficiencies	Yes	Security Bars	None
Release Latches	- -		

Deficiencies

Type	Detail	Severe	Description
Walls - Other	Crumbling	No	Cracking on walls.
Walls - Other	Other	No	Hole in drywall.
Walls - Damage	Water Damage	No	Signs of water damage on the trim.

Unit 1 | Level 1 | Utility Room

Features	None	Fixtures	Laundry Hookup
Range/Oven Hook-up	- -	Updates	Yes
Deficiencies	No	Security Bars	None
Release Latches	- -		

Unit 1 | Level 1 | Utility Room (Continued)

Updates

Type	Timeframe	Description
Walls - Partially Updated	Less Than 1 Year	Appears to have new paint.

Unit 1 | Level 2

Total Area	899 sf	Level Low Ceiling	No
Finished Area	899 sf	Attic	No
Non-Standard Finished Area	0 sf	Attic Access	- -
Below Grade	No	Attic Access Location	- -
Below Grade Exit	- -		

Unit 1 | Level 2 | Bedroom 1

Features	None	Fixtures	- -
Range/Oven Hook-up	- -	Updates	No
Deficiencies	Yes	Security Bars	None
Release Latches	- -		

Deficiencies

Type	Detail	Severe	Description
Ceiling - Damage	Other	No	Cracking on ceiling.
Walls - Damage	Other	No	Cracking on wall.

Unit 1 | Level 2 | Bedroom 2

Features	None	Fixtures	- -
Range/Oven Hook-up	- -	Updates	No
Deficiencies	No	Security Bars	None
Release Latches	- -		

Unit 1 | Level 2 | Dining Room

Features	None	Fixtures	- -
Range/Oven Hook-up	- -	Updates	No
Deficiencies	No	Security Bars	None
Release Latches	- -		

MOKAN
Foundation Repair
5633 Reeds Rd
Mission, KS 66202

To Whom It May Concern,

On Tuesday, February 10th 2026, I inspected the property located at 1919 Federal in Kansas City, Kansas. The basement has a horizontal foundation crack that is of no structural concern. The basement walls appear to be in good condition and are not in need of repairs at this time.

I also reviewed the wooden support for the AC unit and it is not causing any moisture damage. I do not see any immediate concerns with mold growth in the basement. It is recommended to keep all gutters clear of debris and downspouts extended away from the home. This is a major component in maintaining a dry basement.

Sincerely,

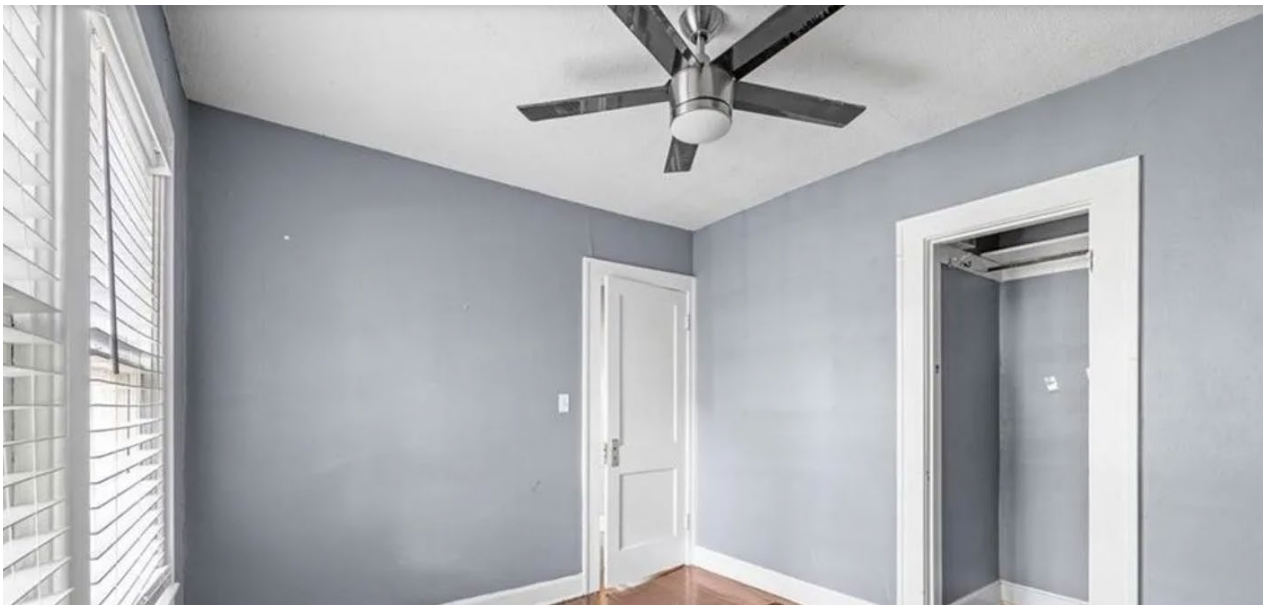
Bob Olson

Owner/Operator



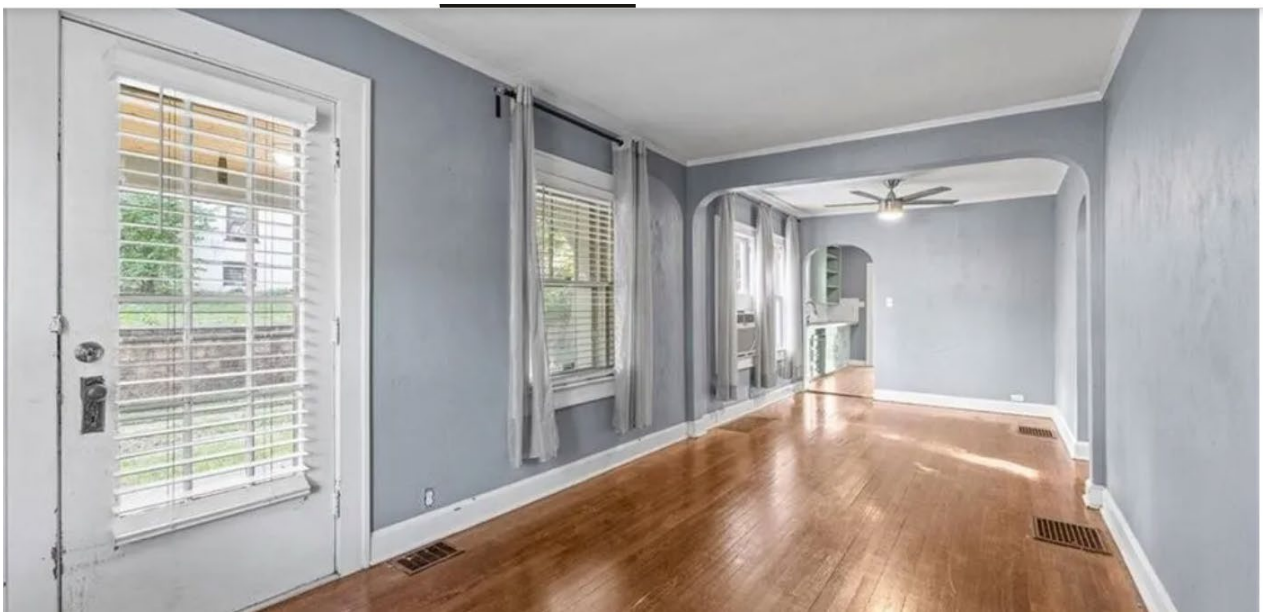












(Published _____)

SP2026-016

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2026-016, commonly known as 1919 Federal Avenue, Kansas City, Kansas, legally described as:

LONE STAR HEIGHTS, S33, T10, R24, ACRES 0.400000, L27, located at approximately 1919 Federal Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for a Non-Owner Occupied Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be six (6);**
2. **All parking must be off-street, maximum number of vehicles is four (4). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards,**

pests, or infestations;

7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
9. **Per the applicant's declaration, pets are not allowed at the property; however, in accordance with ADA requirements, service animals are permitted. If a guest requires a service animal or an assistance animal for health-related reasons, we have policies in place to ensure proper care and responsible handling. We provide pet waste bags and appropriate disposal facilities on the property;**
10. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;**
11. **If approved, the business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
12. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
13. **All existing and future driveways must feature curb cuts that are constructed to UG standards;**
14. **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
15. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**

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

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2026-017**

GENERAL INFORMATION

Applicant Information:
Kameron Green
12130 Augusta Drive
Kansas City, Kansas 66109

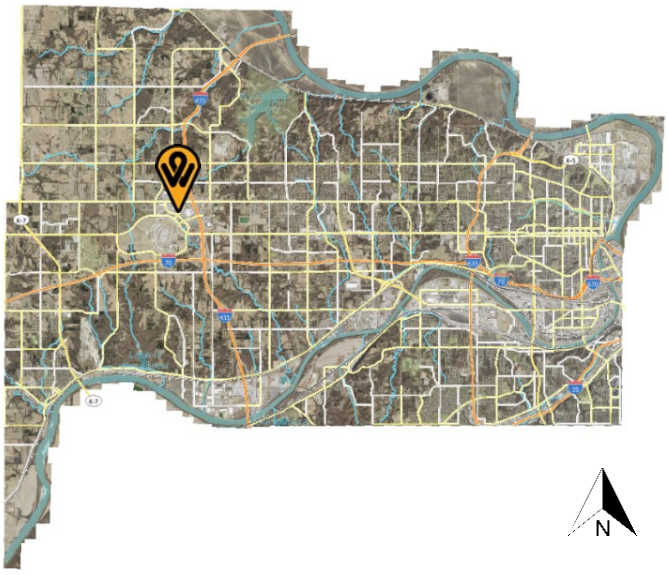
Subject Property:
1813 Village West Parkway,
Suite Q102
Kansas City, Kansas 66111

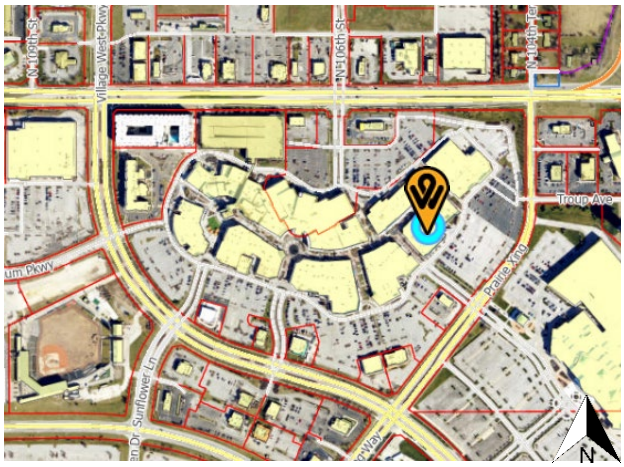
Requested Action and Purpose:
Approval of a Special Use Permit for an event space with live entertainment.

Commission Districts:
At-Large Commissioner, District #2:
Andrew Kump
District #7 Commissioner:
Chuck Stites

Existing Zoning District(s):
CP-2 Planned General Business District

Plan Area:
Prairie Delaware Piper Area Plan





	Adjacent Zoning	Adjacent Uses
North	CP-2 Planned General Business District	Commercial businesses (within the Tanger Outlets)
South	CP-2 Planned General Business District	Commercial business (Nebraska Furniture Mart – across Prairie Crossing)
East	CP-2 Planned General Business District	Commercial businesses (within the Tanger Outlets)
West	CP-2 Planned General Business District	Commercial businesses (within the Tanger Outlets)

Total Tract Size: 49.54 Acres

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates this property as Planned Commercial District, which allows commercial retail and limited commercial services at major arterials near low-density residential areas of the community. These locations are not intended to provide a complete range of goods and services.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates Village West as Minor Arterial.

Parking Requirement: Section 27-466(e) states that four (4) spaces per 1,000 square feet of floor area in the building. Applicant meets the requirements.

Landscaping Requirement: Section 27-466(g) states that 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. Applicant meets the requirements.

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing(s): April 13, 2026 and April 30, 2026

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Kameron Green, is requesting a Special Use Permit to operate an event space with live entertainment (in the former Uniform Destination retail store) at 1813 Village West Parkway, Suite Q102, Kansas City, Kansas 66111.

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. 10980-00703 – Retail Trade – September 24, 2010 – Terminated – Business terminated – previous tenant.
2. 10365-00021 – Fire Suppression – August 19, 2010 – Completed – previous tenant.
3. 10300-00442 – Commercial – July 15, 2010 – Completed – previous tenant.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. There are no previous planning entitlements on the subject property for Suite Q-102.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the I-435 Statistical Neighborhood and Census Block Group #0447031. The property is within the Tanger Outlets, which is an outdoor commercial shopping center with numerous pad sites within the center.

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 CP-2 Planned General Business District to the north, east, south, and west. The proposed use, which is commercial in nature, is compatible with nearby uses if properly managed.

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

   The proposed use is suitable for the subject property as the zoning allows it and the proposed use is within a commercial area. The removal of restrictions will detrimentally affect nearby property.

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

   The property is not vacant.

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

   Special Use Permits are not addressed in the Prairie Delaware Piper Area Plan. The Prairie Delaware Piper Area Plan designates this property as Planned Commercial District, which allows commercial retail and limited commercial services at major arterials near low-density residential areas of the community. These locations are not intended to provide a complete range of goods and services. The proposed use conforms to the Prairie Delaware Piper Area designation.

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

   The proposed use does have the potential to increase vehicular traffic, but should not exceed the capacity of Prairie Crossing or Village West Parkway, a Minor 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.***

   While the proposed use may not be strictly “reasonably necessary” for the convenience or welfare of the public, establishing an event space within an existing commercial district offers meaningful benefits. The property is already constructed and suited for this type of activity, which minimizes new development impacts and aligns with the intended character of the area. Utilizing an existing commercial structure for an event venue supports economic activity, encourages appropriate use of built space, and contributes positively to

the district without imposing additional burdens on surrounding properties. The proposed use will not affect the use, quality, or marketability of nearby property.

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

   Noise and vibration are expected to occur in durations or intensities as to create issues with nearby properties. These are not expected to create problems for nearby property, however the property owner will be required to mitigate the noise and vibration if an issue is brought up.

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

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

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

    The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted commercial business 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 to public health, safety and welfare is large as not only will this benefit the property owner, but it will provide space for events in a neighborhood already established for commercial use. If denied, the property owner may not use the property for an event space with live entertainment however, the applicant can still use the property with any other CP-2 Planned General Business District allowed use.

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

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

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

    The proposed use is not expected to result in the overcrowding or land or undue concentrations of population because there are enough parking spaces, it is in an established commercial neighborhood, and the site is already capable of having the proposed use on site.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on March 26, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **SP2026-017**, **for two (2) years**, subject to:

1. **The applicant has stated that events will conclude at 10:00 PM. Generally, entertainment must cease by 12:00 AM;**
2. **Doors and windows must stay closed during any entertainment performance;**
3. **Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:**
    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, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
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. **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 two (2) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
15. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**

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

STAFF RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Neighborhood Meeting Affidavit
Neighborhood Meeting Minutes
Site Plan
Floor Plan
Business Plan
Images of the Property Submitted by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	April 13, 2026 Approval	April 30, 2026

STAFF CONTACT: **Osiris Nuñez Espinoza, Planner**
Oespinoza@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2026-017** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2026-017,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 1:58:12:

SP2026-017 - KAMERON GREEN WITH WITH LOVE EVENT SPACE
Synopsis: Special Use Permit for an event space with live entertainment at 1813 Village West Parkway. *Detailed Outline of Requested Action:* The applicant, Kameron Green, is requesting a Special Use Permit to operate an event space with live entertainment (in the former Uniform Destination retail store) at 1813 Village West Parkway, Suite Q102, Kansas City, Kansas 66111.

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. Commissioner Jones stated she spoke with Green's mother.

Present in Support:

- Kameron Green, Applicant, 1813 Village West Parkway, Kansas City, Kansas 66109

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:00:35: Lead Planner Byron Toy stated that staff

recommends approval with conditions.

Motion starts at 2:01:18:

On motion by Commissioner Jones, seconded by Commissioner Straws, the Planning Commission voted as follows to **recommend APPROVAL of SP2026-017 for two (2) years:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

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

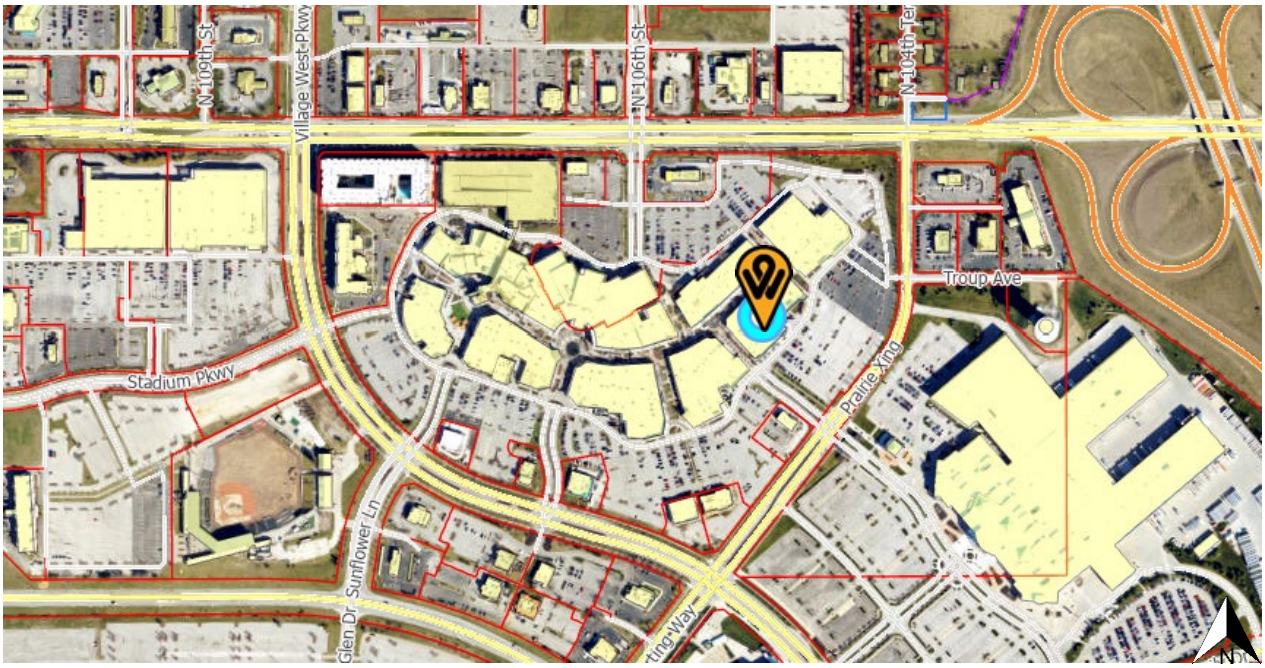
1. **The applicant has stated that events will conclude at 10:00 PM. Generally, entertainment must cease by 12:00 AM;**
2. **Doors and windows must stay closed during any entertainment performance;**
3. **Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:**
    e. **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;**
    f. **Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;**
    g. **An I.D. scanner will be used at all times;**
    h. **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, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**

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

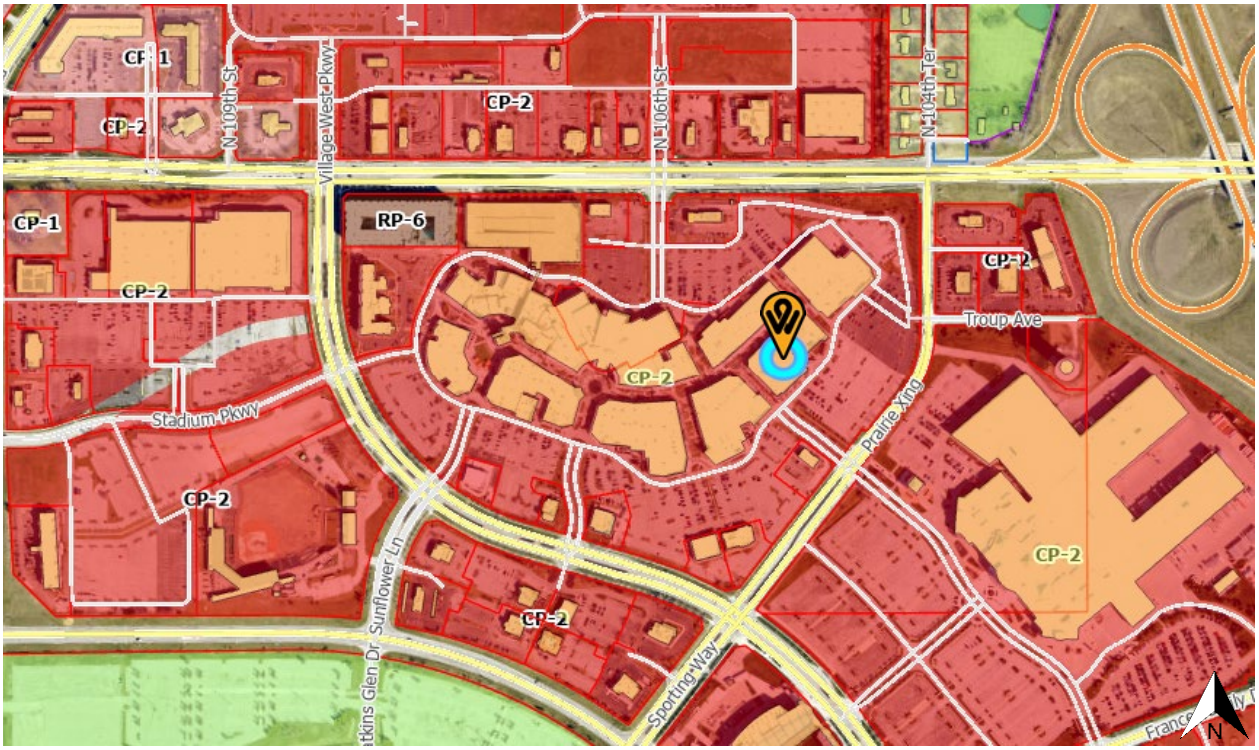
15. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition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

ATTACHMENTS

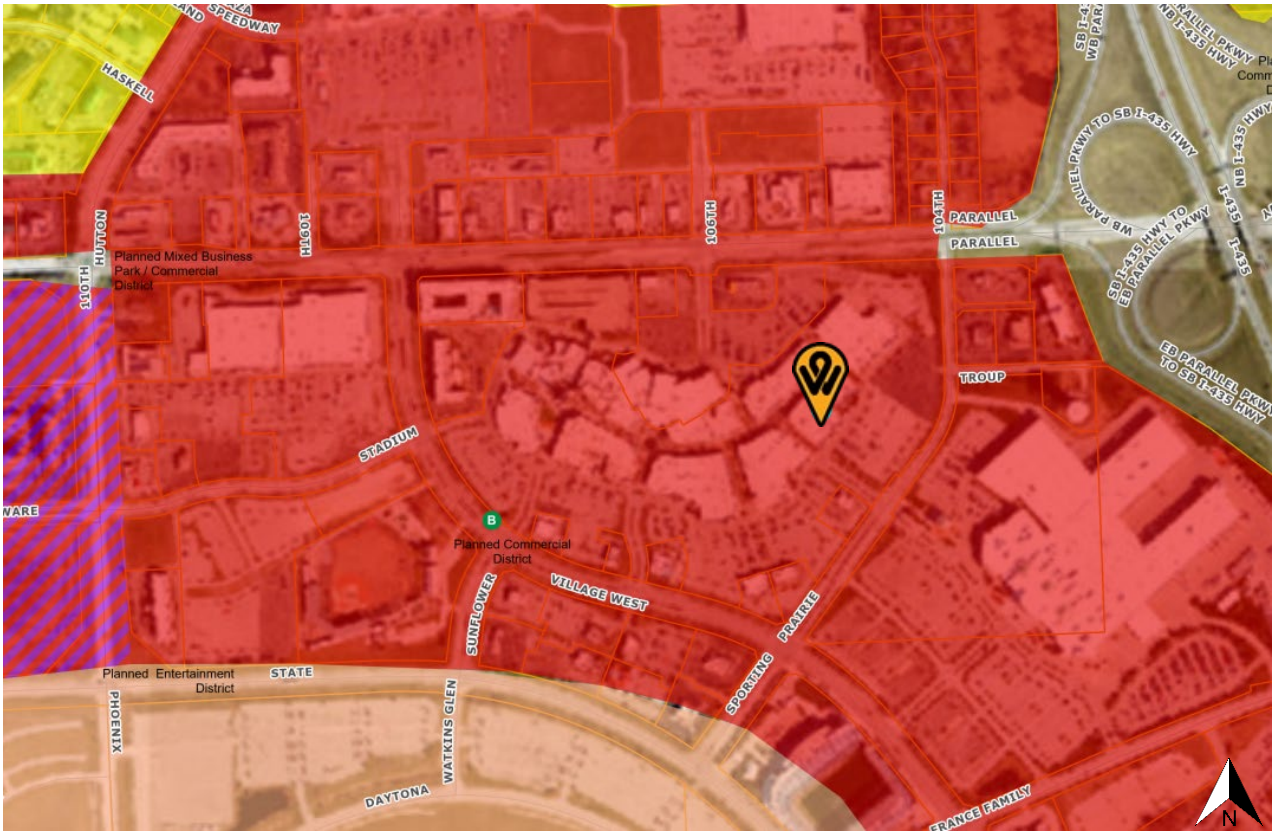
AERIAL IMAGERY



ZONING MAP



LAND USE MAP


SPEEDWAY
HASKELL
HUTTON
110TH
109TH
106TH
104TH
PARALLEL
PARALLEL
Planned Mixed Business Park / Commercial District
STADIUM
TROUP
Planned Commercial District
VILLAGE WEST
SUNFLOWER
PRAIRIE
SPORTING
Planned Entertainment District
STATE
PHOENIX
WATKINS GLEN
DAYTONA
N

ADDITIONAL ATTACHMENTS

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Missouri)
) SS:
COUNTY OF Jackson)

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

1. That I am the petitioner for Petition # SP2026-017.
2. That I conducted a neighborhood meeting on March 26, 2026
3. The notice to nearby property owners was sent on March 11, 2026.
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.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29 day of March, 2026.

My commission expires 25 of December 2027.

Notary Public

CRISTINA J. BETTS
Notary Public – Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires Dec. 25, 2027
Commission #23663988

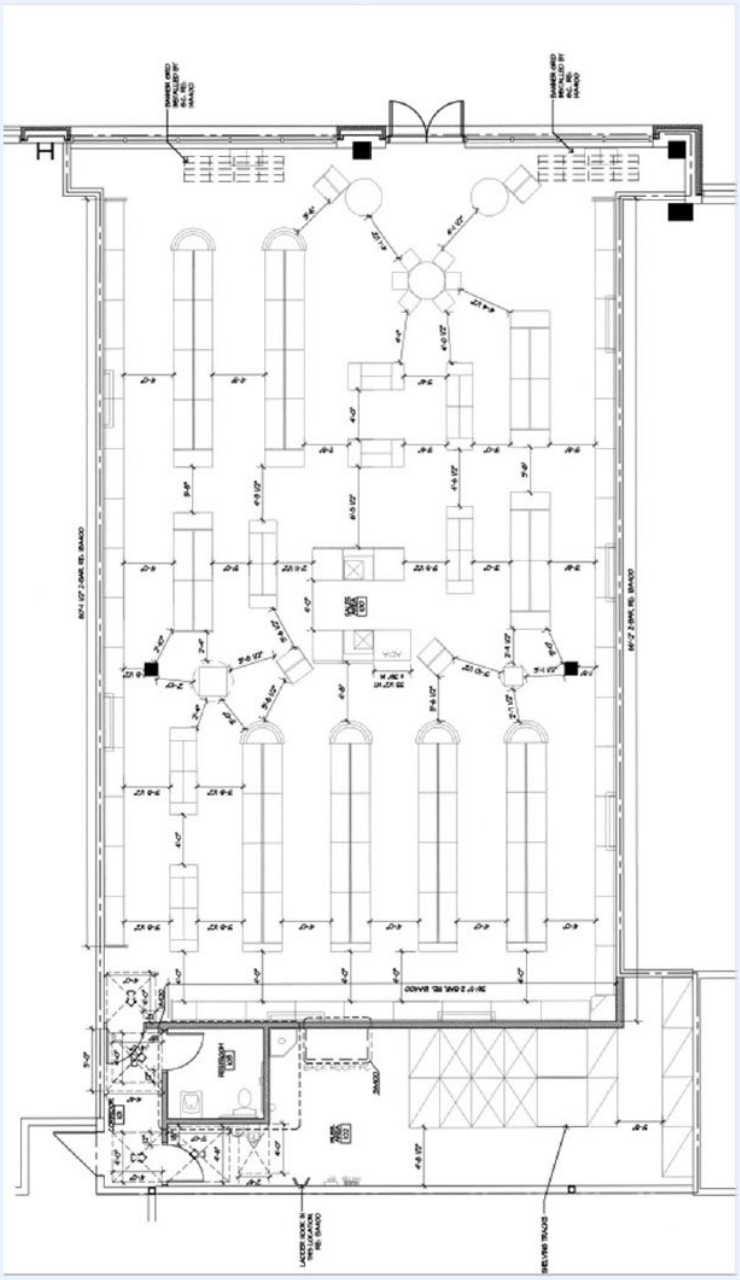
Good Morning,
My Neighborhood Meeting took place on Thursday, March 26, 2026 at 5:30pm. No one attended but I stayed on until 6:07pm. I've attached the letter I mailed, the affidavit and the power point deck that I planned to present. Please let me know if you need any additional information to substantiate this requirement.

Thank You,
Kameron Green

KANSAS CITY at LEGENDS
KANSAS CITY, KS
CONFIDENTIAL
FOR INTERNAL USE ONLY
Tanger
AMC THEATER
FOUNTAIN
SERVICE
BRIDGE
PATIO
BUILDING C
ALDI
JC PENNEY
NORTH
11/26/2025

Suite Q102: Floor Plan

Approx. 3,748 SF



LEASING OPPORTUNITIES

Kansas City, KS

Tanger



Suite Q102

Approx. 3,748 SF

Currently VACANT

Frontage	Approx. 55′
Dressing Rooms	Yes
Fixtures	Shelves, Cashwrap
Cashwrap	Yes
Ceiling	Dropped
Stockroom	YES
Restroom	YES
Neighboring Tenants	Chiptole, Banana Republic

Executive Summary

The proposed event space will serve as a versatile venue for family- friendly events such as baby showers, graduation parties, birthday parties, etc. Located in a high-demand urban area, the space will offer modern amenities, customizable layouts, and premium services to meet the growing demand for flexible event venues. The business will generate revenue through venue rentals, add-on services, and partnerships with vendors.

Business Objectives

- Establish a premier event space within the first year of operations. Achieve 70% booking capacity by the end of year two.
- Build strong partnerships with event planners, caterers, and entertainment providers.
- Make the space available for co-working and podcast recording studio by the end of year 2

Market Analysis

Industry Overview

The event industry continues to grow, driven by baby showers, milestone birthdays, meetings, holiday gatherings, graduation parties and more. Clients increasingly seek unique, customizable spaces with modern amenities.

Target Market

- **Residence of Kansas City, Kansas, specifically Western Wyandotte County**: Families looking to have events such as milestone birthday parties, baby showers, graduation parties, etc.
- **Local Businesses, Community and Cultural groups**: Organizations hosting fundraisers, cultural events, meetings or workshops
- **Creative Professionals**: Photographers, filmmakers, and artists needing studio or showcase space.

Competitive Analysis

- Competitors include Kansas City, KS. Community College Facility Rental, The Public Library and event spaces in
- Flexible, modern design Transparent pricing
- All inclusive
- Superior customer service

Services Offered

- Venue rental (By the hour)
- Rental includes Tables and Chairs
- Add ons will include access to the TV's or Projector and use of Bluetooth Speaker
- Event setup and breakdown
- Audio-visual equipment and technical support Furniture and décor options

Marketing Strategy

- Branding: Position as a modern, versatile, and customer-focused venue.
- Digital Marketing: Website with virtual tours, social media campaigns, and targeted ads.
- Partnerships: Collaborations with event planners, caterers, and local businesses.
  Promotions: Introductory discounts, referral programs, and seasonal packages. Community Engagement: Hosting open houses, networking events, and charity functions.

Operations Plan

- Location: Centrally located in a safe neighborhood with easy access parking.
- Facility Features: Flexible floor plans and modern amenities.
- Technology: Online booking system, customer relationship management (CRM), and digital marketing tools.

Financial Plan

Revenue Streams

- Venue rental fees
- Add-on services (AV, décor, furniture, coordination)

Startup Costs

- Space improvements and renovations (paint and flooring), Furniture, fixtures, and equipment.
- Marketing and branding
- Licensing and permits

Projected Financials (Year 1–3)

Financial Projections

Year	Projection
First 6 Months	75% booking capacity, break-even
Year 1 and 2	90% booking capacity, profitability
Year 3	100% booking capacity, expanded services

Risk Analysis

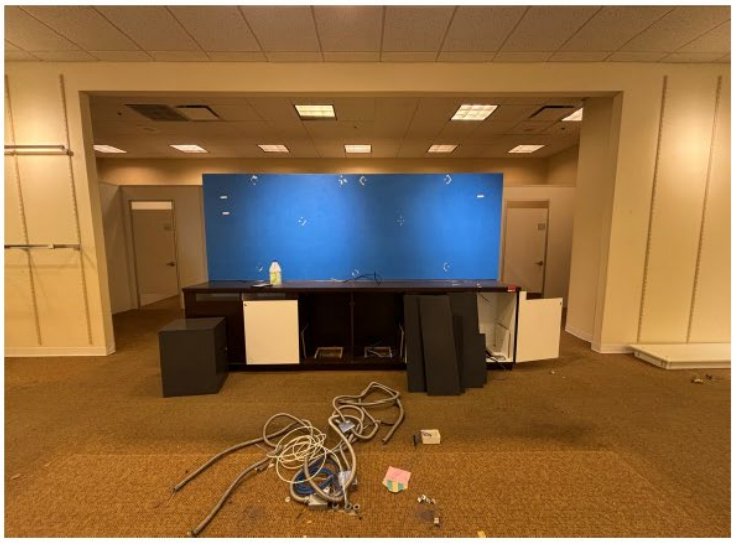
- Competition with event spaces in nearby areas like Kansas City, MO. And Johnson County
- Seasonality: Offer off-season discounts and diversify event types.
- Perception of the location depending on where it is located in Kansas City, KS.

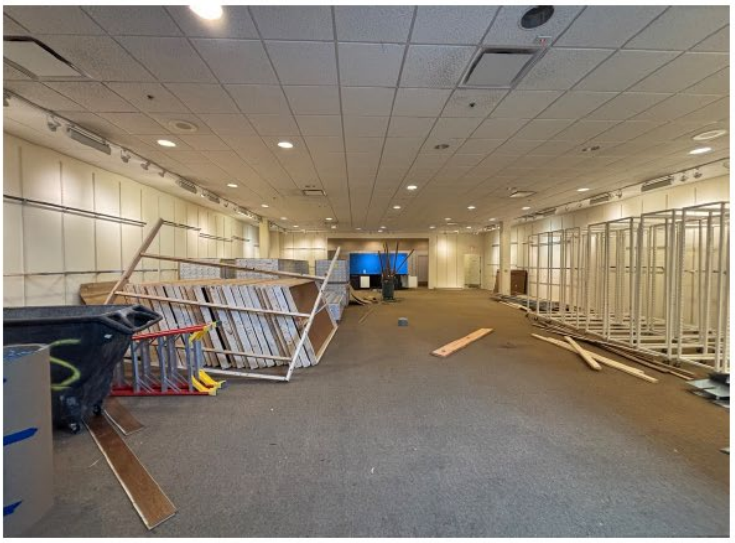
Growth Strategy

- Rent out space to use as a studio or podcasting
- Connect with local companies to host meetings and team building activities

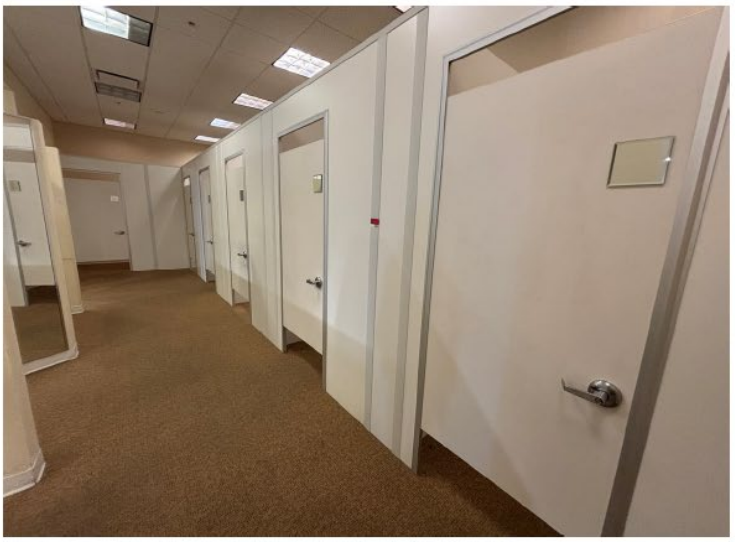
Conclusion

The Event space business will capitalize on the demand for options to have gatherings in the Kansas City, Kansas area by offering a flexible, modern venue with exceptional service, customizable options in a convenient location. With a clear strategy, strong marketing, and a focus on customer experience, the business is positioned for sustainable growth and profitability.









(Published _____)

SP2026-017

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2026-017, commonly known as 1813 Village West Parkway, Kansas City, Kansas, legally described as:

LEGENDS AT VILLAGE WEST THIRD PLAT, S2, T11, R23, ACRES 49.54, L24, L25, L31 & L29 LS: LEGENDS AT VILLAGE WEST FOURTH PLAT LS: LEGENDS AT VILLAGE WEST FIFTH PLAT LS: THE LEGENDS AT VILLAGE WEST SIXTH PLAT, located at approximately 1813 Village West Parkway, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for an event space with live entertainment.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The applicant has stated that events will conclude at 10:00 PM. Generally, entertainment must cease by 12:00 AM;**
2. **Doors and windows must stay closed during any entertainment performance;**
3. **Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:**
    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, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;**
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. **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 two (2) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
15. **Subject to approval, a $125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
16. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Vacation Petition VAC2026-001**

GENERAL INFORMATION

Applicant Information:
Chad McElroy with TGC Kansas City, LLC
322 South Mosley Street
Wichita, Kansas 67202

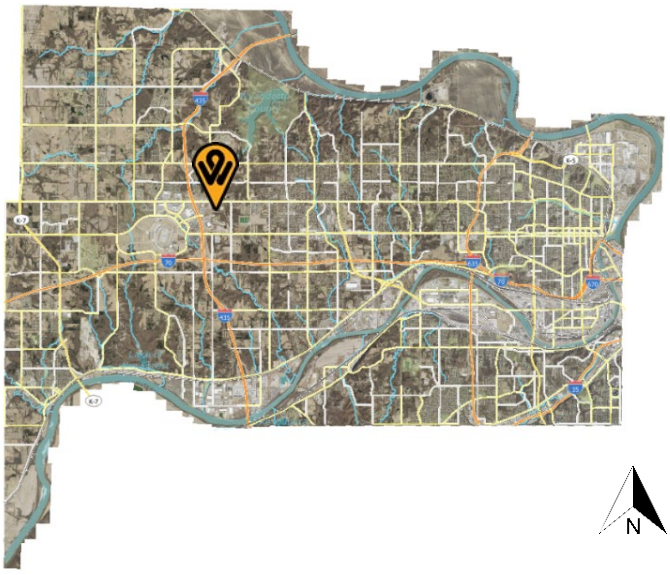
Subject Property:
1709 North 98th Street
Kansas City, Kansas 66111

Requested Action and Purpose:
Approval of a Vacation to vacate a utility easement.

Commission Districts:
At-Large Commissioner, District #2: Andrew Kump
District #7 Commissioner: Chuck Stites

Existing Zoning District(s):
CP-2 Planned General Business District

Comprehensive Plan Area:
Prairie Delaware Piper Area Plan





	Adjacent Zoning	Adjacent Uses
North	CP-2 Planned General Business District	Undeveloped parcel (pad site)
South	A-G Agriculture District	Drainage and Access Easement
East	CP-1 Planned Limited Business and MP-1 Light Industrial and Industrial Park Districts	USMNT Soccer Training Facility and Children's Mercy Rehabilitation Center
West	CP-2 Planned General Business District	Car wash and undeveloped parcel (pad site)

Total Tract Size: 2.75 Acres

Neighborhood Characteristics: The subject property is within the I-435 West Statistical Neighborhood, Census Block #0447042 and is not within any Neighborhood Group Boundary. The subject property is, however, considered within the Legends/Kansas Speedway area. The neighborhood is defined by commercial service retail to the west, the USMNT Soccer Training and Children's Mercy facility to the east, and a hotel (Fairfield Inn) to the north and is in close proximity to two (2) interstates (I-70 and I-435) and two (2) major roadways (State Avenue and Parallel Parkway).

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates this property as Planned Mixed Entertainment / Commercial District, which allows major retail uses, including restaurants and hotels, as well as centers for large discount stores currently called big box centers and have stores that serve large populations.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 98th Street as a Major Collector and additional access points as private drives.

Parking Requirement: Section 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.

	107 parking spaces are required. The Applicant is providing 107 parking spaces.
Landscaping Requirement:	Section 27-467(g) states trees are required to be provided at not less than one (1) per 7,000 square feet of site area. Section 27-577(a)(5) states landscaping shall exceed the typical code requirements by at least 75 percent. The site is 120,226 square feet, which requires 17 trees. The 75 percent multiplier increases that number to 30 trees on the site. 50 trees are provided. This total does not include requirement for street trees and trees planted within parking lot islands.
Advertisement:	The Wyandotte Echo – March 20, 2026 Letters to Property Owners – March 19, 2026
Public Hearing:	April 13 and April 30, 2026
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Chad McElroy with TGC Kansas City, LLC, is requesting a Vacation of a utility easement that vacates an electric easement at 1709 North 98th Street.

City Ordinance Requirements: K.S.A. 12-504, Article XXI Sections 27-502 – 27-709 to 12-506 and 12-512b. 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. Citations for weeds, tall grass between 2020 – 2022.

Outstanding or Related Permit and Cases:

1. PR2024-042 and PLAT2024-040 (Home2Suites Final Plat) approved by the City Planning Commission for February 10, 2025.
2. PR2024-032 and PLAT2024-033 (Home2Suites Preliminary Plat) approved by the City Planning Commission and Unified Government Board of Commissioners on November 12, 2024 and December 5, 2024.
3. 17375-00021 - a demolition permit for the removal of a private residence in 2017.

Previous Planning Actions:

1. Approval of an indefinite Special Use Permit (SP-2005-41) for signage in the Village West District in 2005.
2. Approval of a Change of Zone (COZ 2859) from A-G, R-1, CP-0, CP-1 and CP-2 to CP-2 for the Schlitterbahn Vacation Village.
3. Approval of a Preliminary Plat (Schlitterbahn) for one (1) commercial lot in 2008.
4. Approval of a Final Development Plan (PR-2008-19) for the Schlitterbahn Vacation Village in 2008.
5. Approval of a Final Plat (Schlitterbahn Vacation Village) for one (1) commercial lot in 2008.
6. Approval of a Final Development Plan (PR-2008-22) for phase 1 of the Schlitterbahn Vacation Village in 2008.
7. Approval of a Final Development Plan (PR-2008-31) for a 140,518 square foot resort enclosure in 2008.
8. Approval of Final Development Plan (PR-2009-10) for a parking lot, slides, and pools for the Schlitterbahn Vacation Village in 2009.
9. Approval of a Final Development Plan (PR-2009-28) for a train attraction in the Schlitterbahn Vacation Village in 2009.
10. Approval of a Final Plat (Schlitterbahn Vacation Village 2nd Plat) to create nine (9) lots.
11. Approval of a Change of Zone (COZ 3120) from CP-1 Planned Limited Business District to CP-2 Planned General Business District for retail business plan and a hotel.

FACTORS TO BE CONSIDERED

1. No private rights will be injured or endangered by such vacation or exclusion.

No private rights will be injured or endangered by such vacation or exclusion, as a new sanitary sewer easement will be dedicated on the lot.

2. ***The public will suffer no loss or inconvenience thereby.***

   The public will not suffer any loss or inconvenience thereby from the proposed sanitary sewer easement vacation because a new easement was dedicated.

3. ***In justice to the petitioner or petitioners, the request of the petitioner ought to be granted.***

   The request of the petitioner to vacate the electric easement ought to be granted.

4. ***Vacation will not create utility conflicts.***

   The proposed vacation will not create utility conflicts, as the electric easement that is proposed to be vacated has been relocated and dedicated elsewhere on Home2Suites, First Plat, Lot 1.

NEIGHBORHOOD MEETING INFORMATION

A neighborhood meeting is not required for a Vacation application.

KEY ISSUES

Right to Reenter

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **VAC2026-001**, subject to:

1. **The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,**
2. **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 RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Vacation Exhibit
Vacation Exhibit Legal Description

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Vacation of Easement	April 13, 2026 Approval	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **VAC2026-001** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **VAC2026-001 ,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 1:46:51:

VAC2026-001 - TGC KANSAS CITY LLC
Synopsis: Vacation of a utility easement at 1709 North 98th Street. *Detailed Outline of Requested Action:* The applicant, Chad McElroy with TGC Kansas City, LLC, is requesting a Vacation of a utility easement that vacates an electric easement at 1709 North 98th Street.

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

Present in Support:

- Mark Hendrichs, Applicant Representative, 11006 Parallel Parkway, Kansas City, Kansas 66109

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:48:09: Lead Planner Byron Toy stated that staff recommends approval with conditions.

Motion starts at 1:48:25:

On motion by Commissioner Beth, seconded by Commissioner Jones, the Planning Commission voted as follows to **recommend APPROVAL of VAC2026-001:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

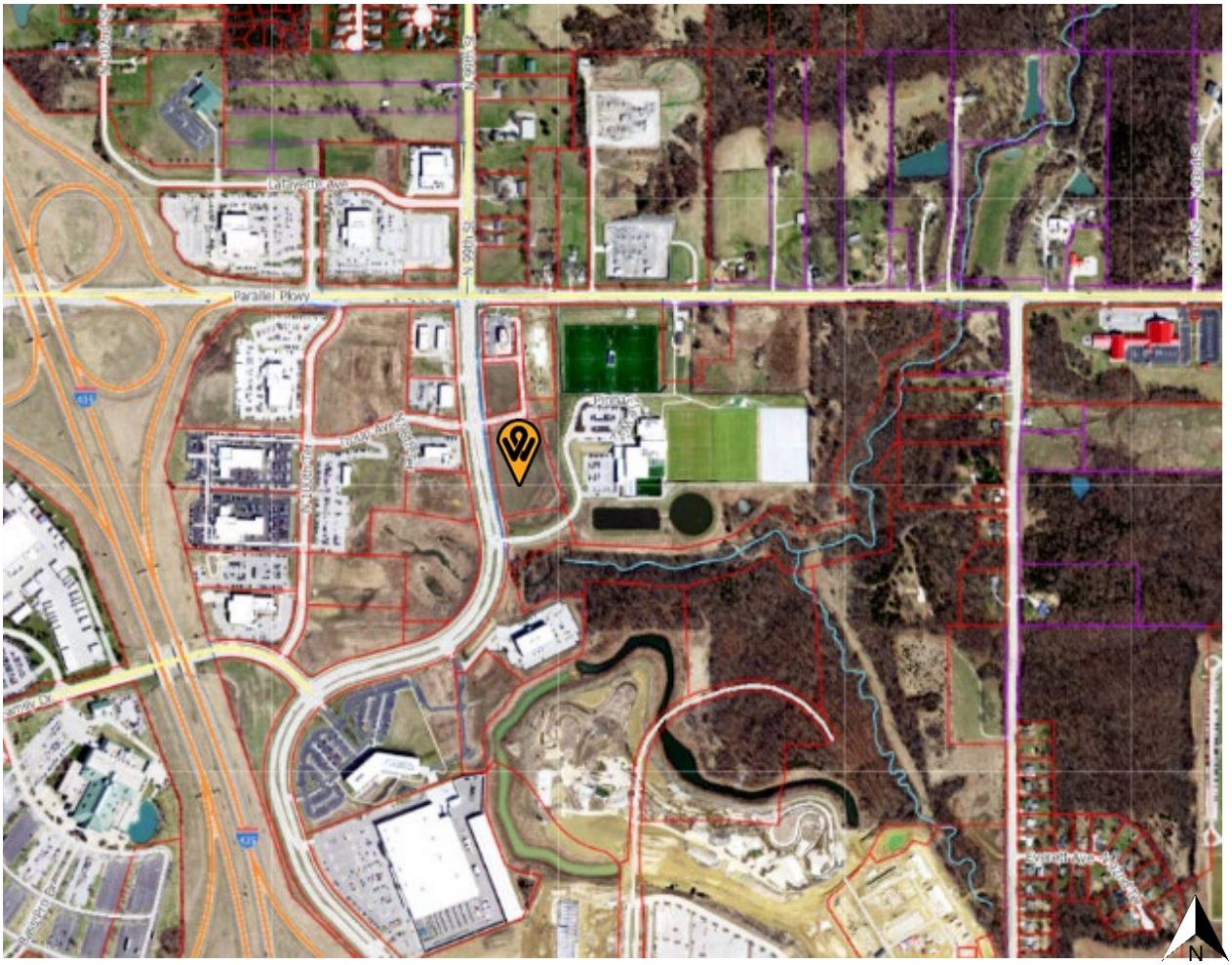
Motion to recommend APPROVAL passed: 7 to 0

Subject to:

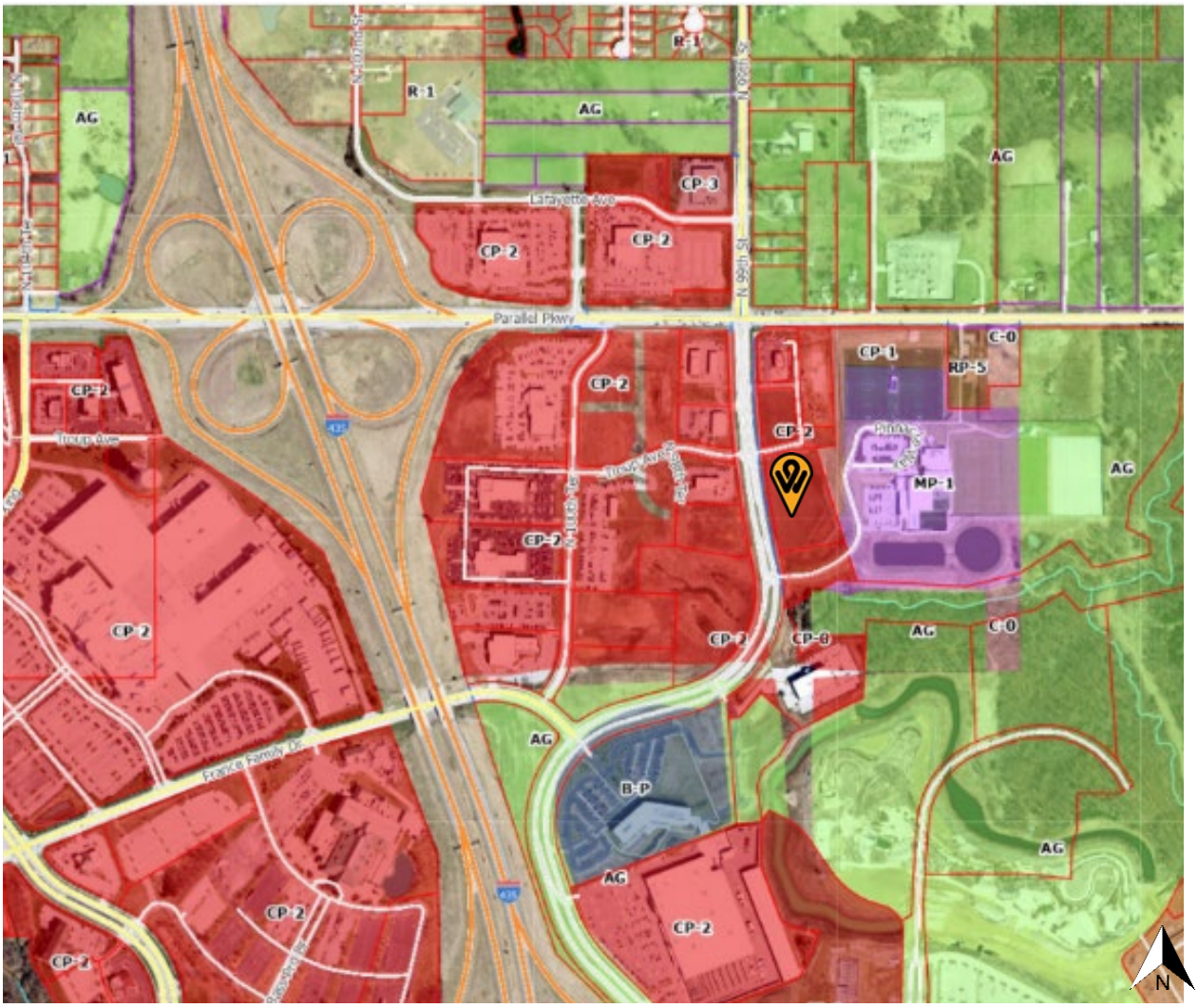
3. **The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,**
4. **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

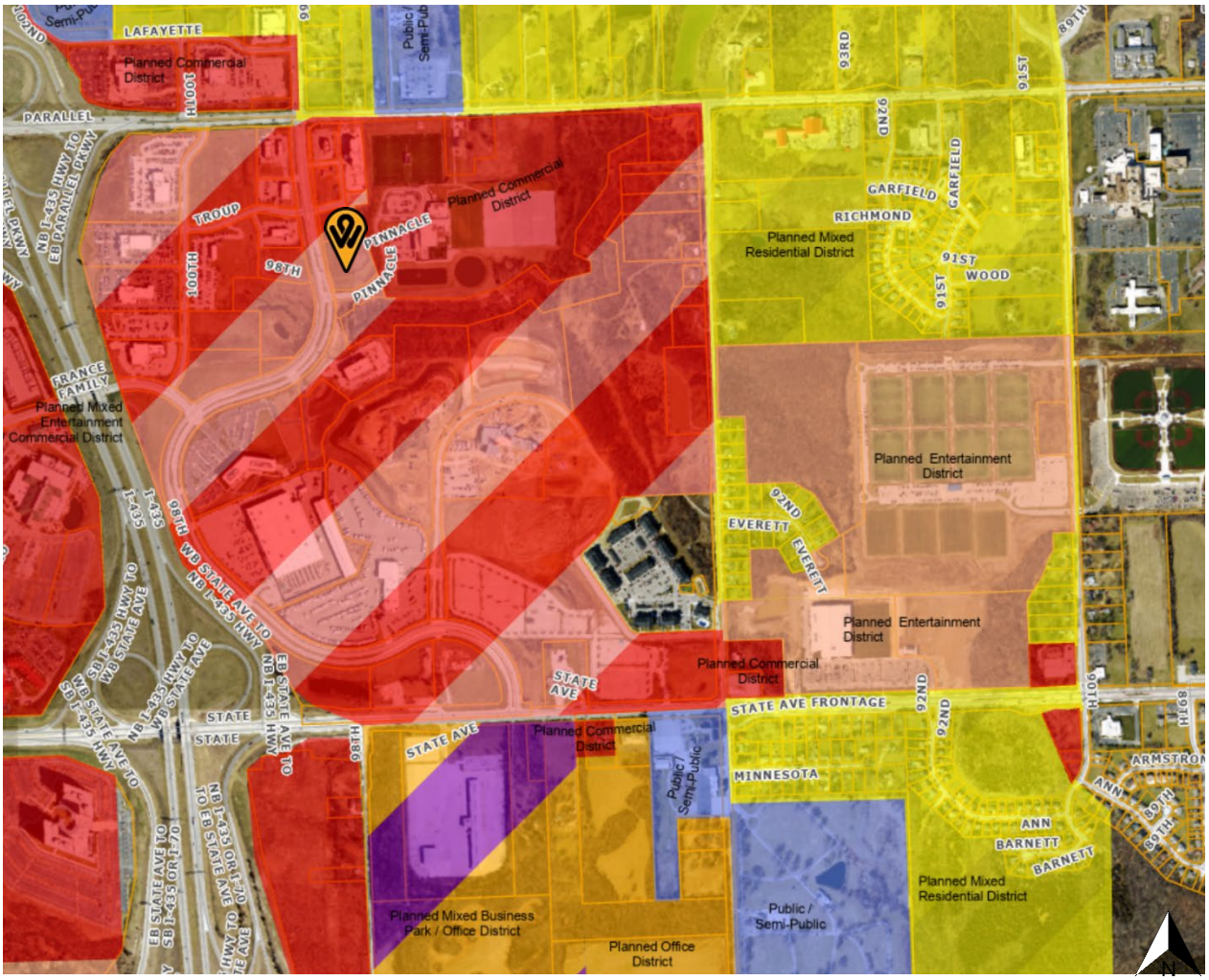
AERIAL IMAGERY



ZONING MAP



LAND USE MAP


LAFAYETTE
Planned Commercial District
PARALLEL
100TH
Public / Semi-Pub
93RD
91ST
89TH
92ND
GARFIELD
RICHMOND
Planned Mixed Residential District
WOOD
TROUP
98TH
PINNACLE
Planned Commercial District
FRANCE FAMILY
Planned Mixed Entertainment Commercial District
Planned Entertainment District
EVERETT
I-435
WB STATE AVE TO NB I-435 HWY
STATE AVE
STATE AVE FRONTAGE
MINNESOTA
ANN
BARNETT
Planned Mixed Business Park / Office District
Planned Office District
Public / Semi-Public
Planned Mixed Residential District
N

ADDITIONAL ATTACHMENTS

SINCE 1976
Continental
CONSULTING ENGINEERS, INC.

9000 State Line Road
Leawood, Kansas 66206

11006 Parallel Parkway, Suite 1
Kansas City, Kansas 66109

Tel: (913) 642-6642
Fax: (913) 642-6941

March 26, 2026

Development Review Coordinator
Department of Urban Planning and Land Use
Neighborhood Resource Center
Unified Government of Wyandotte County / Kansas City, Kansas
4953 State Avenue
Kansas City, Kansas 66102

RE: Easement Vacation – Home2 Suites
VAC2026-001
1709 North 98th Street

We have received no additional comments for the easement vacations proposed at 1709 N. 98th Street (VAC2026-001). We are in receipt of the DRAFT Planning and Urban Design Staff comments that contained no comments that required responses. This case is to vacate a platted easement for BPU's electric line. After the plat was filed, the electrical line was relocated and this was coordinated with BPU (Robert Newman) and the County Surveyor (Brent Thompson). New easements have been recorded for the relocated the electrical line and are attached to this letter.

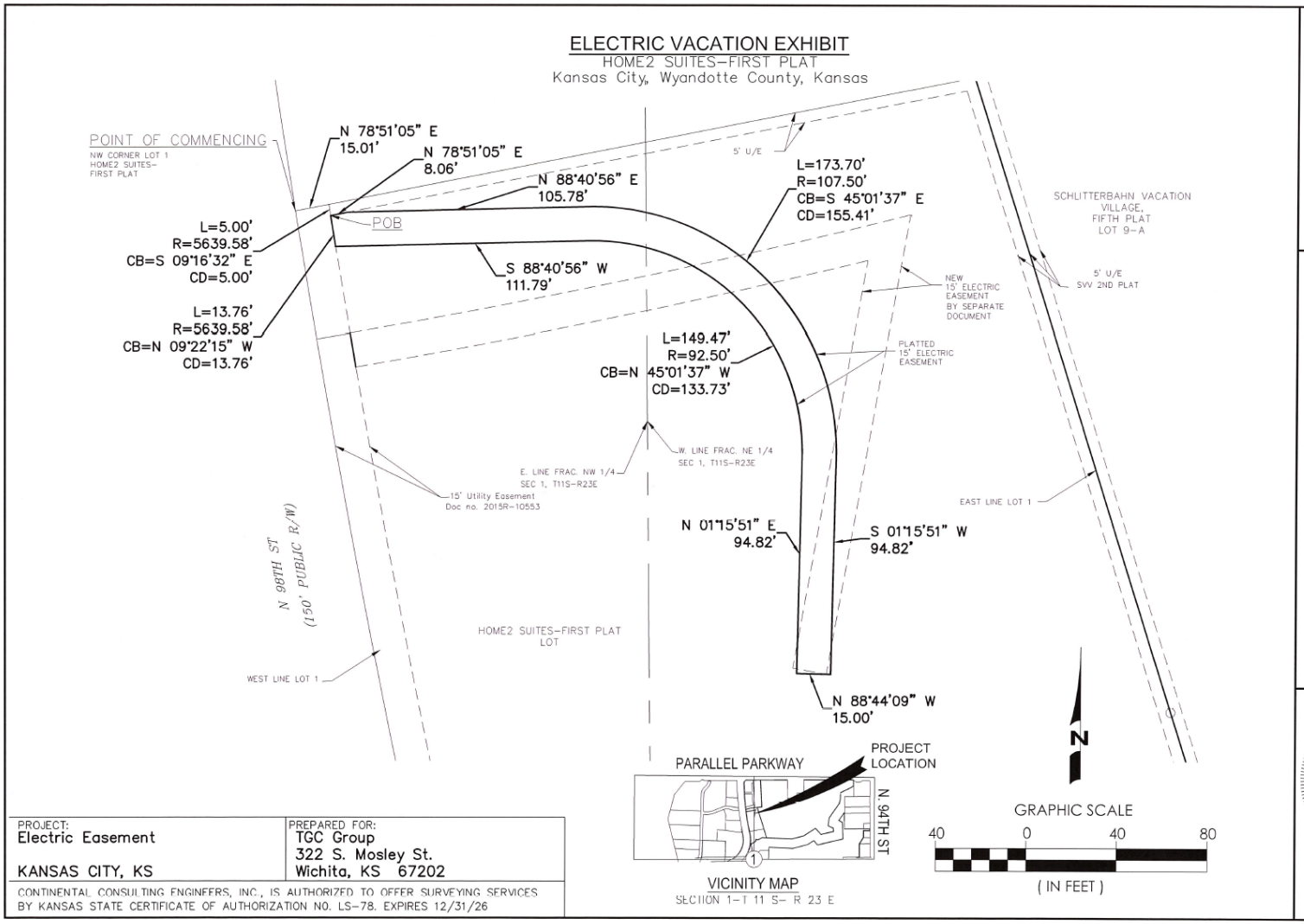
If you should need any further information, please let me know.

Sincerely,

Mark Henrichs, P.E.
Continental Consulting Engineers, Inc.

ELECTRIC VACATION EXHIBIT

HOME2 SUITES–FIRST PLAT
Kansas City, Wyandotte County, Kansas



PROJECT:	PREPARED FOR:
Electric Easement KANSAS CITY, KS	TGC Group 322 S. Mosley St. Wichita, KS 67202

CONTINENTAL CONSULTING ENGINEERS, INC., IS AUTHORIZED TO OFFER SURVEYING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION NO. LS–78. EXPIRES 12/31/26

PROJECT NO.	2408–29
DRAWN BY	E. Dannewitz
DATE	10/31/2025
CFN	ELEC. VACATION
SHEET	1 OF 1

9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206
11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109
TEL (913) 642–6642
FAX (913) 642–6941
www.ccengineers.com

SINCE 1976 Continental CONSULTING ENGINEERS, INC.

STATE OF KANSAS
EDWARD K. DANNEWITZ
NUMBER LS-1376
1-22-26
REGISTERED LAND SURVEYOR

EDWARD K. DANNEWITZ
LS–1376
survey@ccengineers.com

THIS DRAWING SHALL NOT BE UTILIZED BY ANY PERSON, FIRM, OR CORPORATION IN WHOLE OR IN PART WITHOUT THE SPECIFIC PERMISSION OF CONTINENTAL CONSULTING ENGINEERS, INC.

Parcel: 433100
Owner: TGC KANSAS CITY, LLC
322 S. MOSLEY ST.
WICHITA, KS 67202

Electric Easement Vacation:

A tract of land located in the North half of Section 1, Township 11 South, Range 23 East and being a portion of Lot 1, Home2 Suites-First Plat, a subdivision in the City of Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof, and being more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 1; thence North 78°51'05" East, along the Northerly line of said Lot 1, a distance of 15.01 feet to the Easterly line of a 15.00 foot Utility Easement defined by Document Number 2015R-10553; thence Southerly, along said Easterly line, along a curve to the right, having a Chord Bearing of South 09°16'32" East, a Chord Distance of 5.00 feet, a Radius of 5639.58 feet, an Arc Distance of 5.00 feet to the POINT OF BEGINNING; thence North 78°51'05" East, a distance of 8.06 feet; thence North 88°40'56" East, a distance of 105.78 feet; thence Southerly, along a curve to the right, having a Chord Bearing of South 45°01'37" East, a Chord Distance of 155.41 feet, a Radius of 107.50 feet, an Arc Distance of 173.70 feet; thence South 01°15'51" West, a distance of 94.82 feet; thence North 88°44'09" West, a distance of 15.00 feet; thence North 01°15'51" East, a distance of 94.82 feet; thence Northerly, along a curve to the left, having a Chord Bearing of North 45°01'37" West, a Chord Distance of 133.73 feet, a Radius of 92.50 feet, an Arc distance of 149.47 feet; thence South 88°40'56" West, a distance of 111.79 feet to the Esterly line of the 15.00 foot Utility Easement defined by said Document Number 2015R-10553; thence Northerly, along said Easterly line, along a curve to the left, having a Chord Bearing of North 09°22'15" West, a Chord distance of 13.76 feet, a Radius of 5639.58 feet, an Arc Distance of 13.76 feet to the Point of beginning and containing 5,553.28 Square feet or 0.13 Acres more or less.

This Description was created by Edward K. Dannewitz, PLS 1376 with Continental Consulting Engineers Inc. on October 31st, 2025.

EDWARD K. DANNEWITZ LICENSED 1-23-26 LS-1376 KANSAS PROFESSIONAL LAND SURVEYOR

Edward K. Dannewitz, KS PLS #1376

Brent E. Thompson, KS PLS #1277
County Surveyor

(Published_____)

VAC2026-001

ORDINANCE NO._____

AN ORDINANCE vacating all of the COMMENCING at the Northwest corner of said Lot 1; thence North 78° 51'05" East, along the Northerly line of said Lot 1, a distance of 15.01 feet to the Easterly line of a 15.00 foot Utility Easement defined by Document Number 2015R-10553; thence Southerly, along said Easterly line, along a curve to the right, having a Chord Bearing of South 09° 16'32" East, a Chord Distance of 5.00 feet, a Radius of 5639.58 feet, an Arc Distance of 5.00 feet to the POINT OF BEGINNING; thence North 78 ° 51'05" East, a distance of 8.06 feet; thence North 88 ° 40'56" East, a distance of 105.78 feet; thence Southerly, along a curve to the right, having a Chord Bearing of South 45 ° 01'37" East, a Chord Distance of 155.41 feet, a Radius of 107.50 feet, an Arc Distance of 173.70 feet; thence South 01 ° 15'51" West, a distance of 94.82 feet; thence North 88 °44'09" West, a distance of 15.00 feet; thence North 01 ° 15'51" East, a distance of 94.82 feet; thence Northerly, along a curve to the left, having a Chord Bearing of North 45 ° 01'37" West, a Chord Distance of 133.73 feet, a Radius of 92.50 feet, an Arc distance of 149.47 feet; thence South 88° 40'56" West, a distance of 111.79 feet to the Esterly line of the 15.00 foot Utility Easement defined by said Document Number 2015R-10553; thence Northerly, along said Easterly line, along a curve to the left, having a Chord Bearing of North 09 ° 22'15" West, a Chord distance of 13.76 feet, a Radius of 5639.58 feet, an Arc Distance of 13.76 feet to the Point of beginning and containing 5,553.28 Square feet or 0.13 Acres more or less, located at approximately 1709 North 98th Street, Kansas City, Kansas.

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

Section 1. That the following described utility easement in Kansas City, Kansas be and the same is hereby vacated:

COMMENCING at the Northwest corner of said Lot 1; thence North 78° 51'05" East, along the Northerly line of said Lot 1, a distance of 15.01 feet to the Easterly line of a 15.00 foot Utility Easement defined by Document Number 2015R-10553; thence Southerly, along said Easterly line, along a curve to the right, having a Chord Bearing of South 09° 16'32" East, a Chord Distance of 5.00 feet, a Radius of 5639.58 feet, an Arc Distance of 5.00 feet to the POINT OF BEGINNING; thence North 78 ° 51'05" East, a distance of 8.06 feet; thence North 88 ° 40'56" East, a distance of 105.78 feet; thence Southerly, along a curve to the right, having a Chord Bearing of South 45 ° 01'37" East, a Chord Distance of 155.41 feet, a Radius of 107.50 feet, an Arc Distance

of 173.70 feet; thence South 01 ° 15'51" West, a distance of 94.82 feet; thence North 88 °44'09" West, a distance of 15.00 feet; thence North 01 ° 15'51" East, a distance of 94.82 feet; thence Northerly, along a curve to the left, having a Chord Bearing of North 45 ° 01'37" West, a Chord Distance of 133.73 feet, a Radius of 92.50 feet, an Arc distance of 149.47 feet; thence South 88° 40'56" West, a distance of 111.79 feet to the Esterly line of the 15.00 foot Utility Easement defined by said Document Number 2015R-10553; thence Northerly, along said Easterly line, along a curve to the left, having a Chord Bearing of North 09 ° 22'15" West, a Chord distance of 13.76 feet, a Radius of 5639.58 feet, an Arc Distance of 13.76 feet to the Point of beginning and containing 5,553.28 Square feet or 0.13 Acres more or less, located at approximately 1709 North 98th Street, Kansas City, Kansas.

Section 2. The City of Kansas City, Kansas, reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing, installing, constructing or reconstructing any public utilities, such as sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication in the WYANDOTTE COUNTY ECHO.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Vacation Petition VAC2026-002**

GENERAL INFORMATION

Applicant Information:
Jake Young with J & J Survey
8680 North Green Gills Road
Kansas City, Missouri 64154

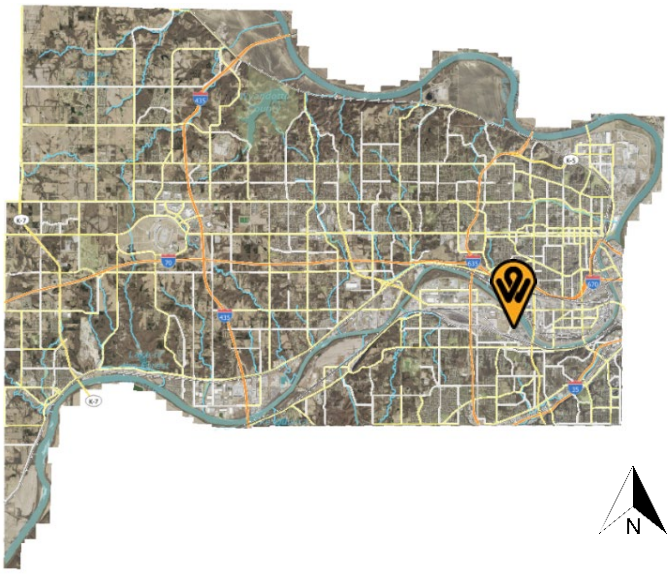
Subject Property:
938 South 26th Street
Kansas City, Kansas 66106

Requested Action and Purpose:
Approval of a Vacation to vacate an alley and right-of-way adjacent to Miami Avenue.

Commission Districts:
At-Large Commissioner, District #2:
Andrew Kump
District #6 Commissioner:
Philip Lopez

Existing Zoning District(s):
M-3 Heavy Industrial District

Comprehensive Plan Area:
PlanKCK Comprehensive 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	Open space and baseball field

Total Tract Size: 0.82 Acre

Neighborhood Characteristics: The subject property is within the Santa Fe Statistical Neighborhood, Census Block Group #0438041 and is not within any Neighborhood Group Boundary. The neighborhood is encompassed by industrial uses, primarily scrap metal recycling and salvage businesses to the north, east and south. Immediately to the west is open land with a baseball field, however, west of Miami Avenue is Sinclair Transportation's tank farm.

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates this property as Industrial, which allows land featuring small, medium, and large-scale industrial processing, manufacturing 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. These areas should be designed to support multi-modal connectivity with sidewalks and street trees, and include amenities such as enhanced landscaping, lighting, walking trails on an attractive campus feel.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates South 26th Street as a Local Street.

Parking Requirement: Section 27-470(f) states that parking requirements for this district are required at a ratio of one (1) space for every 500 square feet of building area up to 20,000 square

	feet. The existing 2,200 square foot building will be converted into an office for a tow lot, so four (4) spaces are required. The Unified Government passed a Resolution on July 17, 2025, which does not require off-street parking for commercial/industrial businesses and mixed-use buildings with up to six (6) residential units east of Interstate 635.
Landscaping Requirement:	Section 27-470(h) All land area that is not covered by buildings or otherwise surfaced shall be brought to a finished grade and landscaped. A six (6') foot high architectural screening in combination with a buffer area 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 – March 20, 2026 Letters to Property Owners – March 19, 2026
Public Hearing:	April 13 and April 30, 2026
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jake Young with J&J Survey, on behalf of David Griffiths with G6 Properties, is requesting to vacate an alley in the rear and a portion of right-of-way along Miami Avenue to acquire the parts of those adjoining to Mr. Griffiths property located at 938 South 26th Street.

City Ordinance Requirements: K.S.A. 12-504, Article XXI Sections 27-502 – 27-709 to 12-506 and 12-512b. 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. Between 2000 – 2022, there were numerous citations for trash, weeds, damaged fences, tires, and vehicles and batteries kept improperly on the property (previous owners).

Outstanding or Related Permit and Cases:

1. 2025 – PDEMO25-0035 – Partial demolition, existing main structure to remain. Inspected on November 7, 2025.

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

1. ***No private rights will be injured or endangered by such vacation or exclusion.***

   No private rights will be injured or endangered by such vacation or exclusion, as there is no new construction associated with vacation of the alley and right-of-way.

2. ***The public will suffer no loss or inconvenience thereby.***

   The public will not suffer any loss or inconvenience thereby from the proposed alley and right-of-way vacations because these areas are currently overgrown and grass medians.

3. ***In justice to the petitioner or petitioners, the request of the petitioner ought to be granted.***

   The request of the petitioner to vacate the alley and right-of-way ought to be granted.

4. ***Vacation will not create utility conflicts.***

   The proposed vacation will not create utility conflicts, as there are no utilities in the rear alley or Miami Avenue right-of-way.

NEIGHBORHOOD MEETING INFORMATION

A neighborhood meeting is not required for a Vacation application.

KEY ISSUES

Right to Reenter

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **VAC2026-002**, subject to:

1. **The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,**
2. **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 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 **VAC2026-002** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,**
2. **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

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Vacation Exhibit
Vacation Exhibit Legal Description

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Vacation of Easement	April 13, 2026 Approval	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **VAC2026-002** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **VAC2026-002 ,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 1:49:14:

VAC2026-002 - JAKE YOUNG
Synopsis: Vacation of an alleyway and right-of-way at 938 South 26th Street. *Detailed Outline of Requested Action:* The applicant, Jake Young with J&J Survey, on behalf of David Griffiths with G6 Properties, is requesting to vacate an alley in the rear and a portion of right-of-way along Miami Avenue to acquire the parts of those adjoining to Mr. Griffiths property located at 938 South 26th Street.

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

Present in Support:

- Jake Young, Applicant, 8680 North Green Hills Road, Kansas City, Missouri 64154

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:50:42: Lead Planner Byron Toy stated that staff recommends approval with conditions.

Motion starts at 1:50:57:

On motion by Commissioner Jones, seconded by Commissioner Easterwood, the Planning Commission voted as follows to **recommend APPROVAL of VAC2026-002:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

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

3. **The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,**

4. **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

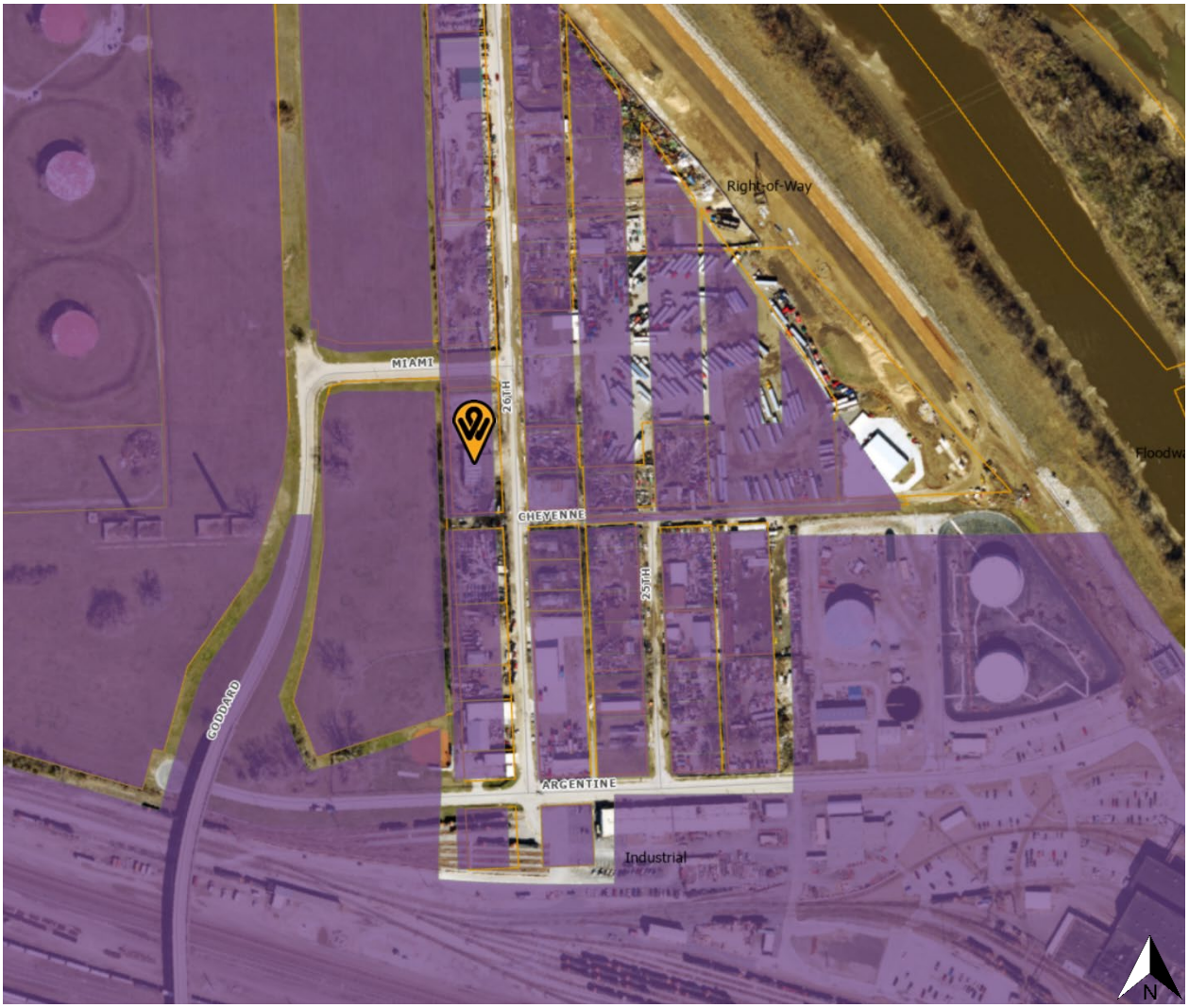
AERIAL IMAGERY



ZONING MAP



LAND USE MAP


Right-of-Way
MIAMI
26TH
CHEVENNE
25TH
GODDARD
ARGENTINE
Industrial
N

J & J SURVEY, LLC

March 24, 2026

RE: VAC2026-002

COMMENT RESPONSE LETTER

Planning and Urban Design Comments:

1. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated.

   - Response: **Comment acknowledged.**

2. 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.

   - Response: **Comment 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.
      - Response: **No plans submitted; no comments received.**

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

8680A N GREEN HILLS ROAD • KANSAS CITY, MO 64154
PHONE 816.741.1017 • JANDJSURVEY.COM



J & J SURVEY, LLC

Sincerely,

Jake Young

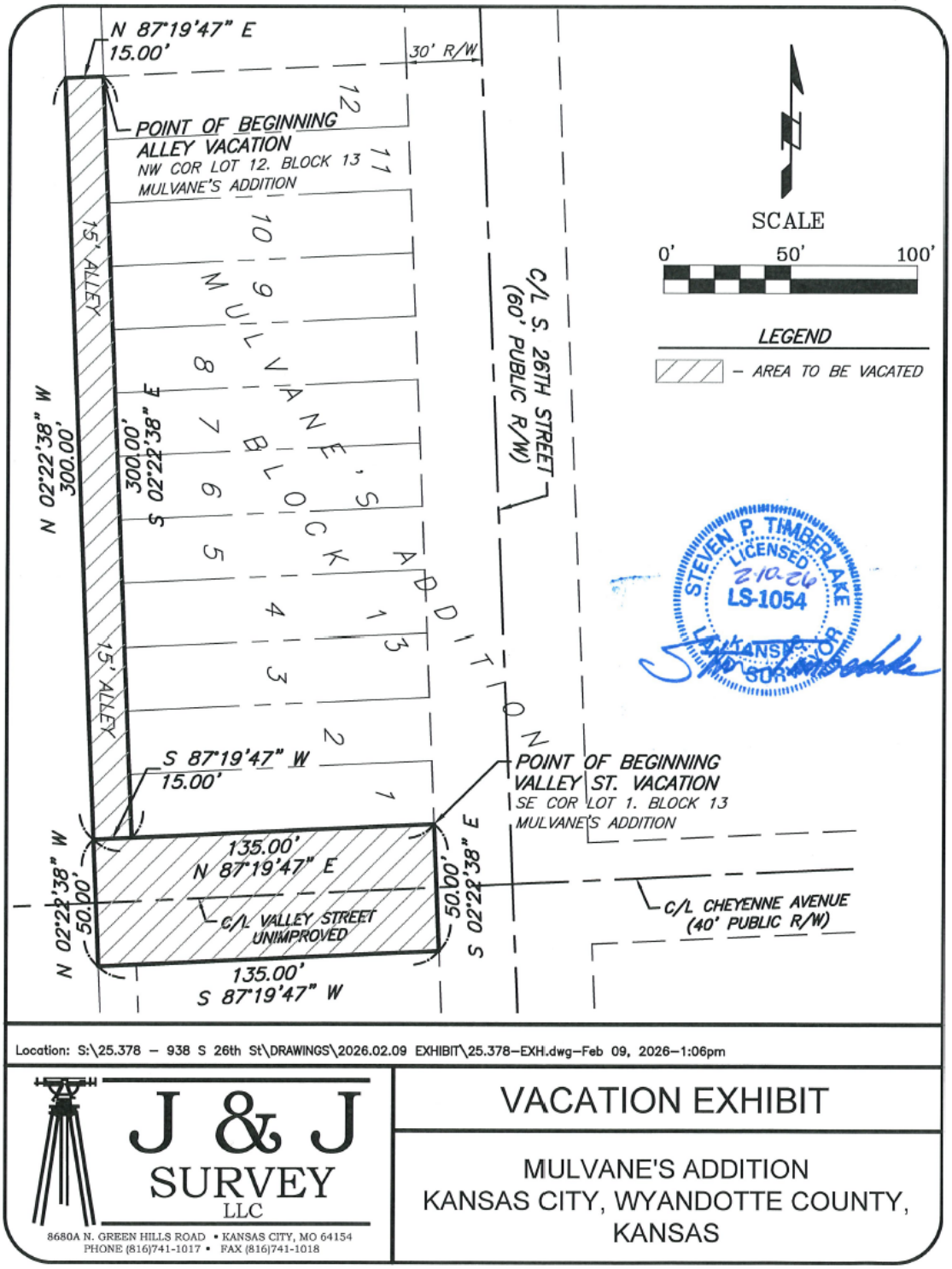
Survey Manager

J & J SURVEY, LLC

KC, MO

8680A N GREEN HILLS ROAD • KANSAS CITY, MO 64154

PHONE 816.741.1017 • JANDJSURVEY.COM


N 87°19'47" E
15.00'
30' R/W
POINT OF BEGINNING
ALLEY VACATION
NW COR LOT 12. BLOCK 13
MULVANE'S ADDITION
15' ALLEY
N 02°22'38" W
300.00'
300.00'
S 02°22'38" E
C/L S. 26TH STREET
(60' PUBLIC R/W)
MULVANE'S ADDITION
BLOCK 13
12
11
10
9
8
7
6
5
4
3
2
1
15' ALLEY
S 87°19'47" W
15.00'
POINT OF BEGINNING
VALLEY ST. VACATION
SE COR LOT 1. BLOCK 13
MULVANE'S ADDITION
N 02°22'38" W
50.00'
135.00'
N 87°19'47" E
C/L VALLEY STREET
UNIMPROVED
50.00'
S 02°22'38" E
135.00'
S 87°19'47" W
C/L CHEYENNE AVENUE
(40' PUBLIC R/W)
SCALE
0'
50'
100'
LEGEND
– AREA TO BE VACATED
STEVEN P. TIMBERLAKE
LICENSED
2-10-26
LS-1054
LAND SURVEYOR
Location: S:\25.378 – 938 S 26th St\DRAWINGS\2026.02.09 EXHIBIT\25.378–EXH.dwg–Feb 09, 2026–1:06pm
J & J
SURVEY
LLC
8680A N. GREEN HILLS ROAD • KANSAS CITY, MO 64154
PHONE (816)741-1017 • FAX (816)741-1018
VACATION EXHIBIT
MULVANE'S ADDITION
KANSAS CITY, WYANDOTTE COUNTY,
KANSAS

25.378 VACATION DESCRIPTIONS

VALLEY STREET VACATION

A tract, in MULVANE'S ADDITION, a subdivision in the City of Kansas City, Wyandotte County, Kansas, being more particularly described as follows, prepared on February 9, 2026, by Steven P. Timberlake, LS-1054:

Beginning at the Southeast Corner of Lot 1, Block 13 of said MULVANE'S ADDITION;
Thence South 02°22'38" East, 50.00 feet to the South Right-of-Way line of Valley Street, as now established;
Thence South 87°19'47" West, along said South Right-of-Way line, 135.00 feet;
Thence North 02°22'38" West, 50.00 feet;
Thence North 87°19'47" East along the North Right-of-Way line of said Valley Street, 135.00 feet to the Point of Beginning.
Contains 6,750 square feet or 0.155 acres more or less.

15' ALLEY VACATION

A tract, in MULVANE'S ADDITION, a subdivision in the City of Kansas City, Wyandotte County, Kansas, being more particularly described as follows, prepared on February 9, 2026, by Steven P. Timberlake, LS-1054:

Beginning at the Northwest Corner of Lot 12, Block 13 of said MULVANE'S ADDITION;
Thence South 02°22'38" East along the West line of Lots 1 through 12, Block 13, said MULVANE'S ADDITION, 300.00 feet to the North Right-of-Way line of Valley Street, as now established;
Thence South 87°19'47" West, along a prolongation of said South Right-of-Way line, 15.00 feet;
Thence North 02°22'38" West along the West line of a 15' Alley in said MULVANE'S ADDITION, 300.00 feet;
Thence North 87°19'47" East along a prolongation of the North line of said Lot 12, 15.00 feet to the Point of Beginning.
Contains 4,500 square feet or 0.103 acres more or less.



(Published_____)

VAC2026-002

ORDINANCE NO._____

AN ORDINANCE vacating all of the Beginning at the Southeast Corner of Lot 1, Block 13 of said MULVANE'S ADDITION; Thence South 02? 22'38" East, 50.00 feet to the South Right-of-Way line of Valley Street, as now established; Thence South 87°19'47" West, along said South Right-of-Way line, 135.00 feet; Thence North 02°22'38" West, 50.00 feet;Thence North 87°19'47" East along the North Right-of-Way line of said Valley Street, 135.00 feet to the Point of Beginning. Contains 6,750 square feet or 0.155 acres more or less. AND Beginning at the Northwest Corner of Lot 12, Block 13 of said MULVANE'S ADDITION; Thence South 02? 22'38" East along the West line of Lots 1 through 12, Block 13, said MULVANE'S ADDITION, 300.00 feet to the North Right-of-Way line of Valley Street, as now established; Thence South 87°19'47" West, along a prolongation of said South Right-of-Way line, 15.00 feet; Thence North 02°22'38" West along the West line of a 15' Alley in said MULVANE'S ADDITION, 300.00 feet; Thence North 87°19'47" East along a prolongation of the North line of said Lot 12, 15.00 feet to the Point of Beginning. Contains 4,500 square feet or 0.103 acres more or less, located at approximately 938 South 26th Street, Kansas City, Kansas.

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

Section 1. That the following described alleyway and right-of-way in Kansas City, Kansas be and the same is hereby vacated:

> Beginning at the Southeast Corner of Lot 1, Block 13 of said MULVANE'S ADDITION; Thence South 02? 22'38" East, 50.00 feet to the South Right-of-Way line of Valley Street, as now established; Thence South 87°19'47" West, along said South Right-of-Way line, 135.00 feet; Thence North 02°22'38" West, 50.00 feet;Thence North 87°19'47" East along the North Right-of-Way line of said Valley Street, 135.00 feet to the Point of Beginning. Contains 6,750 square feet or 0.155 acres more or less. AND Beginning at the Northwest Corner of Lot 12, Block 13 of said MULVANE'S ADDITION; Thence South 02? 22'38" East along the West line of Lots 1 through 12, Block 13, said MULVANE'S ADDITION, 300.00 feet to the North Right-of-Way line of Valley Street, as now established; Thence South 87°19'47" West, along a prolongation of said South Right-of-Way line, 15.00 feet; Thence North 02°22'38" West along the West line of a 15' Alley in said MULVANE'S ADDITION, 300.00 feet; Thence North

87°19’47” East along a prolongation of the North line of said Lot 12, 15.00 feet to the Point of Beginning. Contains 4,500 square feet or 0.103 acres more or less, located at approximately 938 South 26th Street, Kansas City, Kansas.

Section 2. The City of Kansas City, Kansas, reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing, installing, constructing or reconstructing any public utilities, such as sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication in the WYANDOTTE COUNTY ECHO.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Vacation Petition VAC2026-003**

GENERAL INFORMATION

Applicant Information:
Earl Freeman with River Park Properties
12919 Hubbard Road
Kansas City, Kansas 66109

Subject Property:
12907 and 12919 Hubbard Road
Kansas City, Kansas 66109

Request Action and Purpose:
To vacate a utility easement to combine two (2) lots to build a single-family home.

Commission Districts:
At-Large Commissioner, District #1: Melissa Bynum
District #5 Commissioner: Dr. Edward Pacheco III

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

Comprehensive Plan Area:
Prairie Delaware Piper Area Plan





	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Single-family homes
South	R-1 Single Family District	Single-family home
East	R-1 Single Family District	Undeveloped land
West	R-1 Single Family District	Single-family home

Total Tract Size: 0.686 Acre

Neighborhood Characteristics: The subject property is located within the Prairie-Piper Statistical Neighborhood Group, Census Block Group #0448031. The neighborhood consists of large lots, single family residences, and empty fields to the West. The neighborhood is suburban in nature and is accessed by Hollingsworth Road to the South or Polfer Road to the North.

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates the subject property as Planned Low-Density Residential, which allows for single family detached residential units and should appear to be less dense. Development in these areas should include significant areas for open space to maintain the rural character of the area. These areas may include lots ranging in size from three (3) acres to one-third (1/3) of an acre.

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

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

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

Advertisement: The Wyandotte Echo – March 19, 2026
Letters to Property Owners – March 20, 2026

Public Hearing:	April 13 and April 30, 2026
Public Support:	None to date
Public Opposition:	None to date

PROPOSAL

Detailed Outline of Requested Action: The representative, Krystal Voth with Atlas Land Consulting, on behalf of Earl Freeman and River Park Properties, is requesting a Vacation of a utility easement to combine two (2) single-family residential lots into one (1) lot at 12907 and 12919 Hubbard Road, Kansas City, Kansas 66109.

City Ordinance Requirements: K.S.A. 12-504, Article XXI Sections 27-502 – 27-709 to 12-506 and 12-512b. 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 additional related permits or cases on the subject property.

Previous Actions

1. 2007 – Freeman Farms North Phase One – Final Plat for 66 single-family lot subdivision.
2. 2006 – COZ 2841 – Change of Zone from A-G (WYCO) Agriculture District to R-1 Single Family District for a single-family subdivision.

FACTORS TO BE CONSIDERED

1. ***No private rights will be injured or endangered by such vacation or exclusion.***

   This vacation of a utility easement is required to combine two (2) privately-owned residential lots to create one (1) privately owned residential lot, therefore no private rights will be injured or endangered.

2. ***The public will suffer no loss or inconvenience thereby.***

The proposed vacation occurs on undeveloped privately owned property in which the proposed use of the properties is to combine them into one (1) property to later be developed as one (1) single-family residence. Utility easements for the combined parcel will be designed to meet code requirements.

3. ***In justice to the petitioner or petitioners, the request of the petitioner ought to be granted.***

   The subject properties are to be combined, as such, the need for a utility easement between the two (2) properties ceases. The request of the petitioner ought to be granted to allow for the future development of the subject properties.

4. ***Vacation will not create utility conflicts.***

   Public Works Department and Planning Engineering do not anticipate any utility conflicts.

KEY ISSUES

Building Permits
Covenants, Conditions, and Restrictions
Landscaping
Sidewalk Connectivity
Single-Family Design Guidelines
Utility Easements

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **VAC2026-003**, subject to:

1. **Per Earl Freeman, Vacation petition VAC2024-003, which was approved in 2024 for a single-family home at 5222 North 130th Terrace has not obtained a building permit for a new single-family home (spec home), as he has not finished the architectural and engineering plans and survey for the home. This was supposed to be designated as the 100th home the Freeman Farms subdivision.**

   Mr. Freeman has applied to vacate a utility easement at 12907 Hubbard Road. If a building permit is acquired for a new single-family home at the aforementioned address, ahead of 5222 North 130th Terrace or any other vacant lot, this will be the 100th home in the Freeman Farms subdivision. As a result, the amenities associated with Freeman Farms are required to be constructed;
2. **The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of**

repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,

3. **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 RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Vacation Exhibit
Site Photographs

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Vacation of Easement	April 13, 2026 Approval	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **VAC2026-003** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **VAC2026-003,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 1:51:48:

VAC2026-003 - EARL FREEMAN WITH RIVER PARK PROPERTIES
Synopsis: Vacation of a utility easement at 12907 and 12919 Hubbard Road. *Detailed Outline of Requested Action:* The representative, Krystal Voth with Atlas Land Consulting, on behalf of Earl Freeman and River Park Properties, is requesting a Vacation of a utility easement to combine two (2) single-family residential lots into one (1) lot at 12907 and 12919 Hubbard Road, Kansas City, Kansas 66109.

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, Applicant Representative, Atlas Land Consulting, 14500 Parallel, Basehor, Kansas, 66007

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:53:48: Lead Planner Byron Toy stated that in 2024 there was a similar vacation to this application within Freeman Farms. The developer, Earl Freeman, chose not to build that home and no permits were issued. This location is

in a different location in Freeman Farms, with a potential buyer to build a single-family home. Staff recommends approval with conditions.

Motion starts at 1:54:50:

On motion by Commissioner Beth, seconded by Commissioner Jones, the Planning Commission voted as follows to **recommend APPROVAL of VAC2026-003:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

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

1. **Per Earl Freeman, Vacation petition VAC2024-003, which was approved in 2024 for a single-family home at 5222 North 130th Terrace has not obtained a building permit for a new single-family home (spec home), as he has not finished the architectural and engineering plans and survey for the home. This was supposed to be designated as the 100th home the Freeman Farms subdivision.**

   Mr. Freeman has applied to vacate a utility easement at 12907 Hubbard Road. If a building permit is acquired for a new single-family home at the aforementioned address, ahead of 5222 North 130th Terrace or any other vacant lot, this will be the 100th home in the Freeman Farms subdivision. As a result, the amenities associated with Freeman Farms are required to be constructed;
2. **The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,**
3. **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


Hubbard Rd
Hubbard Rd
Hubbard Rd
Hubbard Rd
N 135th Ter
N 134th Ter
N 135th St
N 131st Dr
N 131st Dr
Meadow Ln
R-1
R
AG (Wyco)
RP-1(B)
N

LAND USE MAP


130TH
HUBBARD
Planned Low Density
Residential District
130TH
131ST
N

ALC Comment Response

March 25, 2026

VAC2026-003

Mr. Toy,

Thank you for the opportunity to review the draft staff report for VAC02026-003 behalf of Mr. Earl Freeman and Mike Fergus. Please review our responses. If you have any questions, please contact me. Thank you for your assistance in this process.

Planning and Urban Design Comments:

1. Previously approved Vacation application, VAC2024-003, which vacated a utility easement at 5222 and 5228 North 130th Terrace, Staff noted that if a building permit was pulled for that house, it would be the 100th building permit, which is the threshold at which point the amenities from Freeman Farms subdivision needs to be constructed. A building permit for this house, associated with VAC2026-003, cannot be obtained until the amenities are constructed, having received a Certificate of Occupancy. The current property owner who is the developer of the subdivision and was granted the above-mentioned vacation is not currently proceeding with obtaining permits for that lot and desires for the 100th building permit to be pulled for the lot that is the subject of this vacation request.

2. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated. Understood

3. 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 Understood

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 Understood.

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

Best,

Krystal Voth, MURP

Land Use Planner

ATLAS LAND CONSULTING

ENGINEERING • SURVEYING • DRONE • INSPECTION

14500 Parallel Road, Unit R

Basehor, KS 66007

O: (913) 662-5050 **M: (417)622-2907**

Proudly WBE Certified in Kansas and Missouri

ATLAS LAND CONSULTING
VACATION EXHIBIT
PREPARED FOR:
MIKE FERGUS
12919 HUBBARD RD.
KANSAS CITY, KS
66109
PROJECT #: 26-089
ISSUE DATE: 02/24/2026
DESCRIPTION:
A PORTION OF LOTS 44 & 43, FREEMAN FARMS NORTH PHASE ONE, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS, PREPARED BY ANDREA N WEISHAUPT, PLS 1730, DATED FEBRUARY 24TH, 2026, AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 44; THENCE SOUTH 47°12'32" EAST, ALONG THE NORTH LINE OF SAID LOT 44, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE NORTH 42°47'28" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 47°12'32" EAST, A DISTANCE OF 154.79 FEET; THENCE SOUTH 46°32'00" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 47°12'32" WEST, A DISTANCE OF 154.14 FEET; THENCE NORTH 42°47'28" EAST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 1544.67 SQUARE FEET MORE OR LESS
LOT 42
LOT 43
LOT 44
LOT 45
FREEMAN FARMS
NORTH PHASE ONE
HUBBARD RD.
(50'R/W)
S47°12'32"E 180.06'
S46°32'00"W 10.00'
S47°12'32"E 154.79'
N47°12'32"W 154.14'
N42°47'28"E 5.00'
N47°12'32"W 10.00'
N42°47'28"E 5.00'
POINT OF COMMENCEMENT NE CORNER LOT 44 FREEMAN FARMS NORTH PHASE ONE
POINT OF BEGINNING
5' U/E
10' U/E
N
SCALE IN FEET
40
0
20
40

SITE PHOTOGRAPHS





(Published_____)

VAC2026-003

ORDINANCE NO._____

AN ORDINANCE vacating all of the COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 44; THENCE SOUTH 47°12'32" EAST, ALONG THE NORTH LINE OF SAID LOT 44, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE NORTH 42°47'28" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 47°12'32" EAST, A DISTANCE OF 154.79 FEET; THENCE SOUTH 46°32'00" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 47°12'32" WEST, A DISTANCE OF 154.14 FEET; THENCE NORTH 42°47'25" EAST, A DISTANCE OF 5.00 FEET TO THE POINT, located at approximately 12907 and 12919 Hubbard Road, Kansas City, Kansas.

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

Section 1. That the following described utility easement in Kansas City, Kansas be and the same is hereby vacated:

> COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 44; THENCE SOUTH 47°12'32" EAST, ALONG THE NORTH LINE OF SAID LOT 44, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE NORTH 42°47'28" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 47°12'32" EAST, A DISTANCE OF 154.79 FEET; THENCE SOUTH 46°32'00" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 47°12'32" WEST, A DISTANCE OF 154.14 FEET; THENCE NORTH 42°47'25" EAST, A DISTANCE OF 5.00 FEET TO THE POINT, located at approximately 12907 and 12919 Hubbard Road, Kansas City, Kansas.

Section 2. The City of Kansas City, Kansas, reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing, installing, constructing or reconstructing any public utilities, such as sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication in the WYANDOTTE COUNTY ECHO.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Change of Zone Petition COZ2026-004 and Master Plan Amendment MPL2026-002**

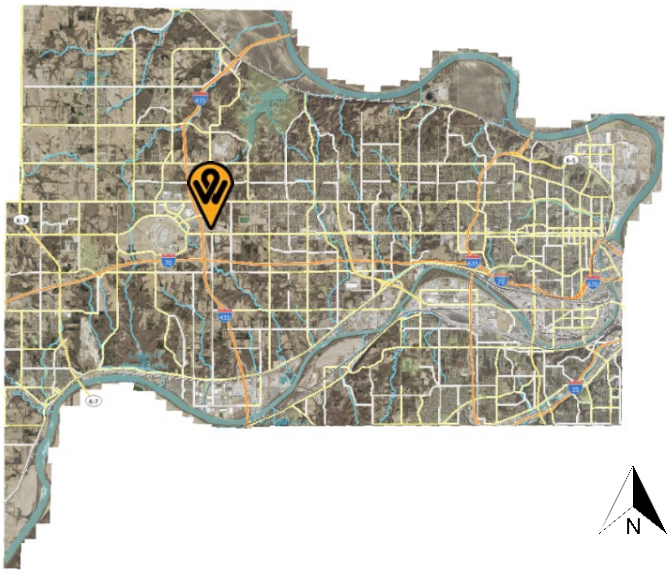
GENERAL INFORMATION

Applicant Information:
Matthew Danner with AMD Partners LLC
1440 Erie Street, Suite A
North Kansas City, Missouri 64116

Subject Property:
9400 State Avenue
Kansas City, Kansas 66111

Requested Action and Purpose:
Approval of a Change of Zone from A-G Agriculture District to RP-5 Planned Apartment District and a Master Plan Amendment from Planned Mixed Entertainment / Commercial District (Prairie Delaware Piper Master Plan) to High-Density Residential (PlanKCK Comprehensive Plan)

Commission Districts:
At-Large Commissioner, District #2: Andrew Kump
District Commissioner #7: Chuck Stites





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

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

	Adjacent Zoning	Adjacent Uses
North	CP-3 Planned Commercial District	Top Golf (has not been constructed yet)
South	A-G Agriculture District	St. Patrick's Catholic Church
East	RP-5 Planned Apartment District	Apartments (The Switch)
West	CP-3 Planned Commercial District	Camping World

Total Tract Size: 2.60 Acres

Comprehensive Plan Area: Prairie Delaware Piper Area Plan

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates this property as Planned Commercial, which allows commercial retail and limited commercial services at major arterials near low-density residential areas of the community. These locations are not intended to provide a complete range of goods and services. A Master Plan Amendment is being sought to High-Density Residential (PlanKCK Comprehensive Plan), which allows attached owner or renter occupied mid-rise and high-rise residential developments.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates State Avenue as a Major Arterial and North 98th Street as a Minor Arterial.

Parking Requirement: Section 27-460(d) states that 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.

Landscaping Requirement:	Section 27-460(f) states that 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 trees are required to be planted.
Advertisement:	The Wyandotte Echo – March 19, 2026 Letters to Property Owners – March 20, 2026
Public Hearing(s):	April 13 and April 30, 2026
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Matthew Danner, is requesting a Change of Zone from A-G Agriculture District to RP-5 Planned Apartment District and a Master Plan Amendment from Planned Mixed Entertainment/Commercial District (Prairie Delaware Piper Master Plan) to High-Density Residential (PlanKCK Comprehensive Plan) at property 9400 State Avenue, Kansas City, Kansas 66111.

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. STR25-0272 – Structural – March 5, 2026 – Closed – Structural issues
2. ABT24-2031 – Abatement – September 4, 2024 – No Payment – Special Assessment – Overgown grass.

Outstanding or Related Permit and Cases:

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

Previous Planning Actions:

1. PR2024-027 – Plan Review – October 29, 2024 – Approved – Final Plan Review for Top Golf
2. PLAT2024-031 – Final Plat – October 29, 2024 – Approved – Final Plat for Top Golf.
3. COZ2024-024 – Change of Zone – November 12, 2024 – Approved – Change of Zone from A-G Agriculture to CP-3 Planned Commercial District.
4. SP2024-050 – Special Use Permit – August 9, 2024 – Withdrawn – Special Use Permit for an Event Space.
5. PLAT2024-022 – Final Plat – September 7, 2024 – Approved – Top Golf.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the I-435 West Statistical Neighborhood, Leavenworth Road Association Neighborhood Business Group, and Census Block Group #0447042. The neighborhood consists of commercial lots to the north, west, and south of the property. To the east, apartments are located.

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 Commercial Districts as well as A-G Agriculture lots to the north, east, south and west. To the west, a large undeveloped A-G Agriculture lot is located. The surrounding area is primarily composed of commercial and entertainment uses, consistent with the adopted future land use designation for this district. The proposed use, which is residential in nature, is compatible with nearby uses if properly managed, but it is not compatible with the Prairie Delaware Piper Area Plan which is why the applicant is requesting a Master Plan Amendment.

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 due to the size of the lot. A Master Plan Amendment is necessary since the proposed use does not go with the land use, however, there is an RP-5 Planned Apartment District lot to the east of the property. The removal of restrictions will not detrimentally affect nearby property.

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

The property has been vacant since the mid-2010's since Schlitterbahn Vacation Village was demolished.

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 since this project does not align with the Prairie Delaware Piper Area Plan and there are other senior living properties nearby. The proposed use will not affect the use, quality, or marketability of nearby property.

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

   The proposed use does not have the potential to increase vehicular traffic, and should not exceed the capacity of State Avenue, a Major Arterial to accommodate it if managed properly.

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

   The Prairie Delaware Piper Area Plan designates this property as Planned Commercial, which allows commercial retail and limited commercial services at major arterials near low-density residential areas of the community. These locations are not intended to provide a complete range of goods and services. The proposed use does not conform to the Prairie Delaware Piper Area Plan designation. This is the reason why the applicants are requesting a Master Plan Amendment.

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 the use will be within the correct designation.

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

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

      BPU provides electric and water service.

   b. ***Sanitary Sewer Service***

      The UG provides sanitary sewer service.

   c. ***Storm Water Control***

      The UG provides storm water control to the property.

d. Police

Police service is provided by West Patrol, District #226.

e. Fire

Fire service is provided by Station #6, which is 0.20 of a mile away from the subject property.

f. Transit

Public Transit is provided by route 101 – State Ave to Village West.

g. Schools

Public Education is provided Claude A Huyck Elementary School, Arrowhead Middle School, and Washington High School, under Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

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

The proposed use will have a 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.

The proposed use meets all applicable ordinance requirements, for the proposed RP-5 Planned Apartment District, as it is for Planned Apartment District, contains multiple units, and contains adequate landscaping, parking, and road access. The Change of Zone allows the applicant to have an apartment complex on the property. The plan does not meet ordinance requirements for the he Prairie Delaware Piper Area Plan land use designation; however, the applicant is seeking a Master Plan Amendment to better align the proposed use with the land use designation.

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 large since the proposed use is not only benefiting the property owner but the community as well, more specifically, elderly individuals. If denied, the property owner may not use the property for RP-5 Planned Apartment District, however, they can still use the

property as A-G Agriculture District zoning along with all the uses under that zoning.

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

    The Comprehensive Plan is a long-range plan that predicts the growth and development of the area and sets the tone for future development patterns. The PlanKCK Comprehensive plan is relatively new in terms of its implementation and is regional in nature, thus the prediction is for long-term growth and development and is not designed to take in account a single parcel.

    The Prairie Delaware Piper Area Plan designates this property as Planned Commercial, which allows commercial retail and limited commercial services at major arterials near low-density residential areas of the community. These locations are not intended to provide a complete range of goods and services. The designated area plan does not fit the proposed use therefore, a Master Plan Amendment is required. The property would be going from Prairie Delaware Piper Area Plan with the designation as Planned Commercial to PlanKCK Comprehensive plan High-Density Residential

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

    The preliminary plat is in compliance with the standards and requirements of the zoning ordinance and subdivision regulations.

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

    The proposed amendment would be similar to two (2) projects in the former Schlitterbahn Vacation Village, specifically two (2) multi-family apartment projects, which are west of North 98th Terrace, Homefield Apartments and east of the internal unnamed road, The Switch.

    While those amendments were approved, this redevelopment area is supposed to be a commercial and entertainment area, so senior housing would be contrary to these existing designations.

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

    The proposed amendment will allow a change in development from Planned Commercial to Residential, which could create adverse impacts on the existing or

planned surrounding uses or create inconsistencies with applicable future land use map patterns.

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

    The proposed change could create both costs and benefits for the surrounding area, and these impacts should be carefully evaluated. Although the property is currently designated for commercial use, the requested rezoning and master plan amendment would shift its future land-use classification. It is also important to note that several senior-assisted living facilities already exist nearby. Because of this, the proposed use may be better suited to a different location where the zoning and land-use designation are more compatible with the intended development.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at KCK Community College on March 23, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of application **COZ2026-004 and MPL2026-002**, subject to:

1. **Subject to approval, a Final Development Plan and Final Plat must be submitted following these entitlements;**
2. **Adhere to the Conservation District comments;**
3. **Per Section 27-213(g)(5), the City Planning Commission shall recommend, and the Board of Commissioners shall grant, approve or deny the comprehensive plan amendment upon consideration of the following factors:**
    a. **Whether events subsequent to the comprehensive plan adoption have changed the character and/or condition of the area so as to make the application acceptable;**
    b. **Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan;**
    c. **Whether public and community facilities, such as utilities, sanitary and storm sewers, water, police and fire protection, parks and recreational facilities, roads, and others are adequate to serve development for the type and scope suggested by the proposed land use, and, if utilities are not available, whether they can be reasonably**

extended;

d. Whether the proposed amendment would result in comprehensive plan or regulatory conflicts;

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

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

4. **Section 27-608(3) Accessory buildings such as barns, silos, other exclusively agricultural structures, roadside stands, etc., provided that such structures are set back at least 50 feet from any street line;**
5. **Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;**
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. **Section 27-700(b)(1) states that buffer plantings, which shall include the equivalent of a minimum of one evergreen tree or one shade tree and three 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;**
8. **Section 27-577(c)(4) states that landscape areas located between commercial districts and residential districts must provide 100 percent sight-obscuring year-round buffer using plant material or a combination of fence, berm and plant material;**
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. **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. **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;

12. **A Temporary Certificate of Occupancy (TCO) shall not be issued unless all life/safety items have been addressed;**
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 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,**
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.**

STAFF RECOMMENDATION AND CONDITIONS

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

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Affidavit
Neighborhood Meeting Notes
Neighborhood Meeting Sign-In Sheet
Conservation District Comments
Preliminary Development Plan
Preliminary Traffic Management
Preliminary Grading Plan

Erosion Control Phase I
Erosion Control Phase II
Utility Plan
Storm Sewer Plan and Profile
Sanitary Sewer Plan and Profile
Preliminary Sanitary Sewer Analysis
Floor Plan
Landscape Plan
Images of the Property Submitted by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	April 13, 2026 Approval	April 30, 2026
Master Plan Amendment	April 13, 2026 Approval	April 30, 2026

STAFF CONTACT: **Osiris Nuñez Espinoza, Planner**
Oespinoza@wycokck.org

MOTIONS

MASTER PLAN AMENDMENT

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2025-004/COZ2026-004** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2025-004/COZ2026-004,** 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.

April 13, 2026, City Planning Commission Minutes:

Hearing starts at 32:16:

COZ2026-004 - MATTHEW DANNER WITH AMD PARTNERS LLC
Synopsis: Change of Zone from A-G Agriculture District to RP-5 Apartment Planned District for a senior multi-family development at 9400 State Avenue (in conjunction with MPL2026-002).

MPL2026-002 - MATTHEW DANNER WITH AMD PARTNERS LLC
Synopsis: Master Plan Amendment from Commercial (Prairie Delaware Piper Area Plan) to High Density Residential (PlanKCK Comprehensive Plan) for a senior multifamily development at 9400 State Avenue (in conjunction with COZ2026-004).
Detailed Outline of Requested Action: The applicant, Matthew Danner, is requesting a Change of Zone from A-G Agriculture District to RP-5 Planned Apartment District and a Master Plan Amendment from Planned Mixed Entertainment/Commercial District (Prairie Delaware Piper Master Plan) to High-Density Residential (PlanKCK Comprehensive Plan) at property 9400 State Avenue, Kansas City, Kansas 66111.

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

Present in Support:

- Matthew Danner, Applicant, 1440 Erie Street, Kansas City, Missouri 64116

Present in Opposition:

- No one appeared

Staff Recommendation starts at 34:39: Lead Planner Byron Toy stated that staff recommends approval with conditions.

Motion starts at 34:58:

On motion by Commissioner Straws, seconded by Commissioner Jones, the Planning Commission voted as follows to **recommend APPROVAL of MPL2026-002:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

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

1. **Subject to approval, a Final Development Plan and Final Plat must be submitted following these entitlements;**
2. **Adhere to the Conservation District comments;**
3. **Per Section 27-213(g)(5), the City Planning Commission shall recommend, and the Board of Commissioners shall grant, approve or deny the comprehensive plan amendment upon consideration of the following factors:**
    g. **Whether events subsequent to the comprehensive plan adoption have changed the character and/or condition of the area so as to make the application acceptable;**
    h. **Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan;**
    i. **Whether public and community facilities, such as utilities, sanitary and storm sewers, water, police and fire protection, parks and recreational facilities, roads, and others are adequate to serve development for the type and scope suggested by the proposed land use, and, if utilities are not available, whether they can be reasonably extended;**
    j. **Whether the proposed amendment would result in comprehensive plan or regulatory conflicts;**
    k. **Whether the proposed amendment would allow a change in development on the subject site without creating adverse impacts on existing or planned surrounding uses, or creating inconsistencies with applicable future land use map patterns; and**
    l. **The impacts of the potential costs and benefits derived by the community or area by the proposed change;**
4. **Section 27-608(3) Accessory buildings such as barns, silos, other exclusively agricultural structures, roadside stands, etc., provided that such structures are set back at least 50 feet from any street line;**
5. **Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;**
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. **Section 27-700(b)(1) states that buffer plantings, which shall include the equivalent of a minimum of one evergreen tree or one shade tree and three 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;**
8. **Section 27-577(c)(4) states that landscape areas located between commercial districts and residential districts must provide 100 percent sight-obscuring year-round buffer using plant material or a combination of fence, berm and plant material;**
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. **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. **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;**
12. **A Temporary Certificate of Occupancy (TCO) shall not be issued unless all life/safety items have been addressed;**
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 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,**
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.**

Motion starts at 36:18:

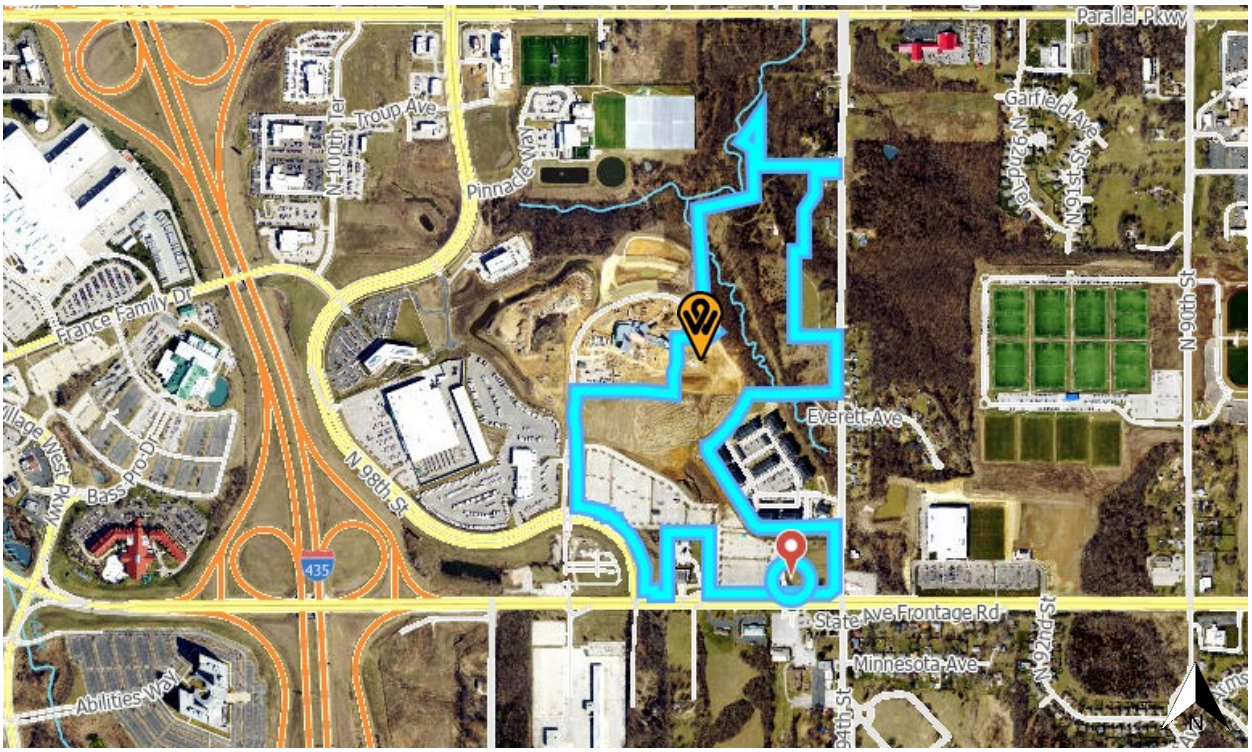
On motion by Commissioner Straws, seconded by Commissioner Jones, the Planning Commission voted as follows to **recommend APPROVAL of COZ2026-004:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**Aye**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

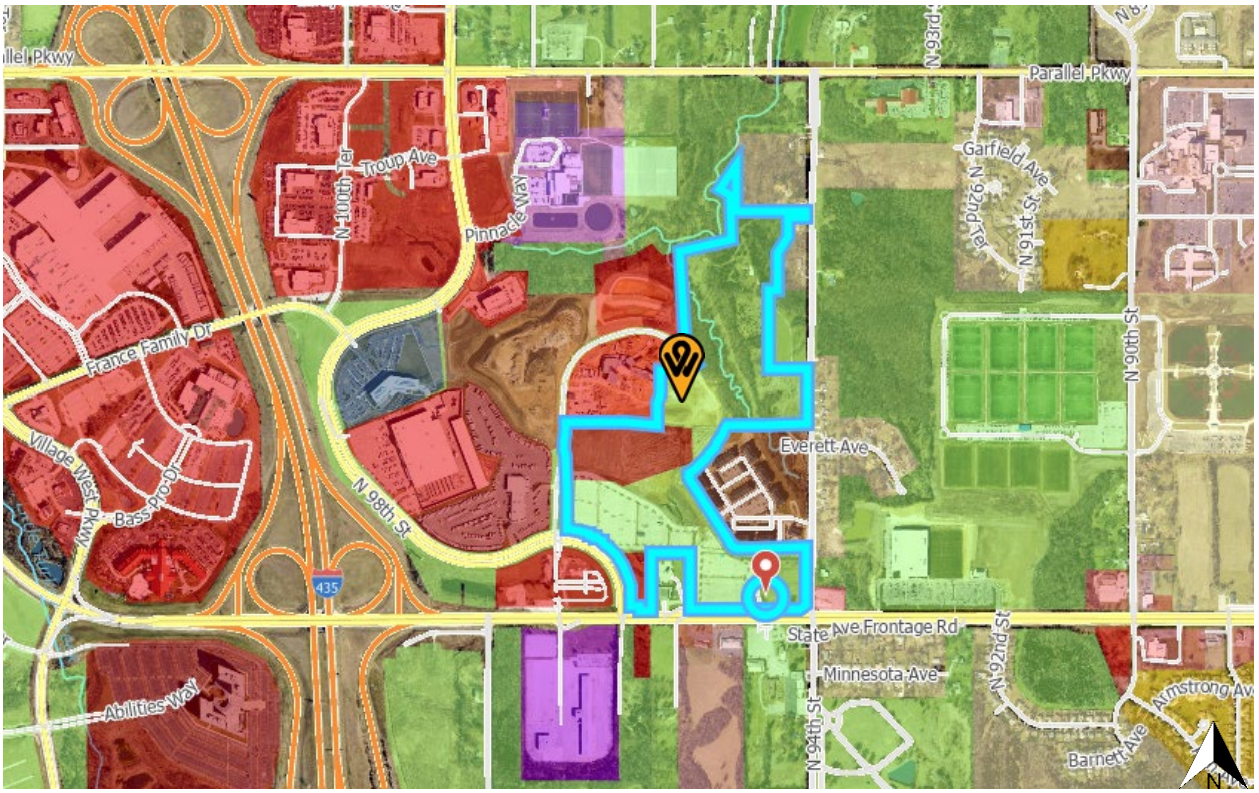
Motion to recommend APPROVAL passed: 7 to 0
Subject to the above conditions.

ATTACHMENTS

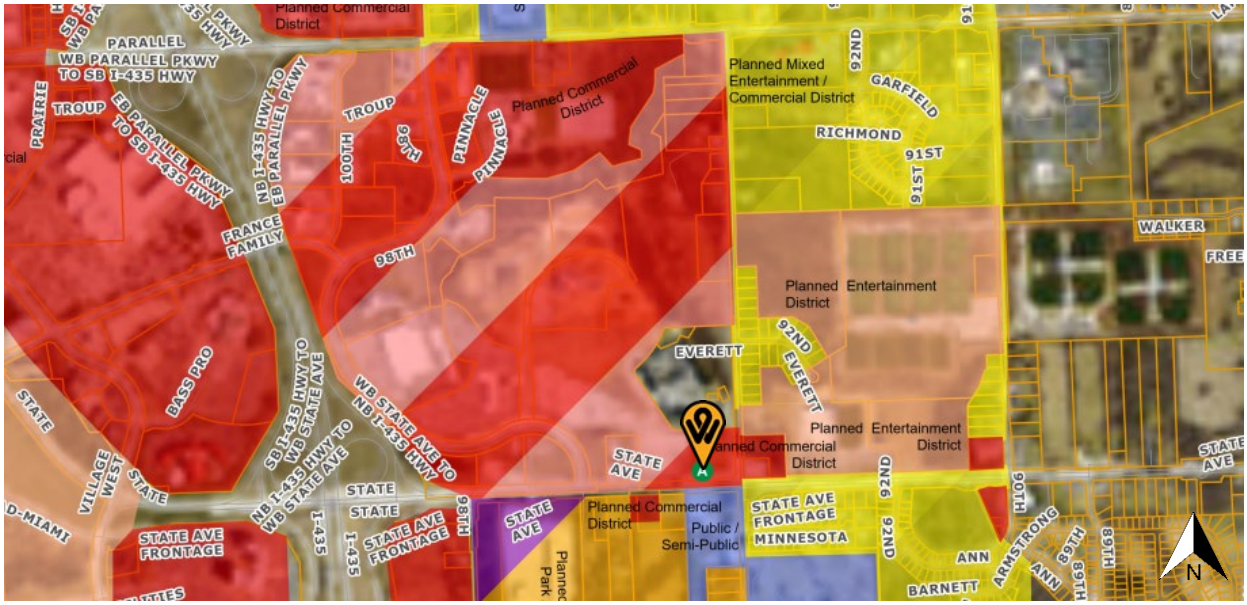
AERIAL IMAGERY



ZONING MAP



LAND USE MAP


Planned Commercial District
PARALLEL
WB PARALLEL PKWY TO SB I-435 HWY
TROUP
EB PARALLEL PKWY TO SB I-435 HWY
PRAIRIE
NB I-435 HWY TO EB PARALLEL PKWY
TROUP
100TH
PINNACLE
PINNACLE
Planned Commercial District
Planned Mixed Entertainment / Commercial District
92ND
GARFIELD
RICHMOND
91ST
91ST
WALKER
FRANCE FAMILY
98TH
Planned Entertainment District
92ND
EVERETT
EVERETT
BASS PRO
STATE
SB I-435 HWY TO WB STATE AVE
WB STATE AVE TO NB I-435 HWY
VILLAGE WEST
STATE
NB I-435 HWY TO WB STATE AVE
STATE
STATE
STATE AVE
Planned Commercial District
Planned Entertainment District
STATE AVE
STATE AVE FRONTAGE
STATE AVE FRONTAGE
I-435
98TH
STATE AVE
Planned Commercial District
Public / Semi-Public
STATE AVE FRONTAGE MINNESOTA
92ND
90TH
ANN
ARMSTRONG
ANN
89TH
89TH
BARNETT
N

ADDITIONAL ATTACHMENTS

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Missouri)
) SS:
COUNTY OF Clay)

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

1. That I am the petitioner for Petition # COZ2026-004 & MPL2026-002.
2. That I conducted a neighborhood meeting on March 23, 2026.
3. The notice to nearby property owners was sent on March 6, 2026.
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.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24th day of March, 2026.

My commission expires 8th of November, 2027.

AARON TRUAX
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES NOVEMBER 8, 2027
PLATTE COUNTY
COMMISSION #15627411

Notary Public

MEETING MINUTES:

AMD Partners LLC
1440 Erie Street, Suite A
North Kansas City, MO 64116

Application Number:_COZ2026-004 & MPL2026-002_
Date and Location: 3/23/26, KCK Community College - Mary Ann Flunder Lodge by the Lake

Meeting called to order at: 5:00pm

Project Team:
Matthew Danner – AMD Partners LLC
Jim Anderson – Kaw Valley Engineering
Tom Solon – AMD Partners LLC

Names of people in attendance: *None in attendance.*

Introductions: *0*

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

Applicant had all of the items / plans, in hard copy, that was submitted with the rezoning / master plan amendment to answer questions from attendees at the Neighborhood Information Meeting.

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

No questions / comments were received because there were 0 attendees.

Meeting adjourned at: 6:10pm

Minutes taken by: Tom Solon, AMD Partners LLC

Neighborhood Information Meeting : COZ2026-004 & MPL2026-002
Sign-In Sheet

	Full Name	Address
1	None	None
2		
3		
4		
5		
6		
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27		
28		

Wyandotte County Conservation District
1204 N. 79th Street - Kansas City, KS 66112 - Phone (913)-340-4362 - wyco.conservation@gmail.com

Rodney Lucas
Director of Planning
701 North 7th Street Rm. 423
Kansas City, KS 66101
913-573-5750

March 13, 2026

RE: COZ2026-004

Dear Mr. Lucas:

The Wyandotte County Conservation District has completed an environmental review of COZ2026-004 for change of zone from agriculture district to RP-5 apartment planned district at 9400 State Ave in conjunction with MPL2026-002.

In addition to the site review the following reports were generated from the Wyandotte County Soil Survey to assess the limitations for development and/or natural resources concerns for this site.

MAPS AND REPORTS

Soils Map
Soils Inventory Report
Map Unit Description (Brief)

In summary, the following limitations and resource concerns were noted for this plat:

- There are six major soil types identified: Basehor complex, 5 to 30 percent slopes, Sharpsburg silty clay loam, 4 to 9 percent slopes, Lagoda silt loam, 3 to 8 percent slopes, Knox silt loam, 7 to 12 percents slopes, Kennebec silt loam, frequently flooded and Marshall silt loam, 2 to 5 percent slopes. These soil types are considered erodible when the surface is denuded of a protective cover.
- It will be necessary to include a buffer strip of no less than 50 feet along each side of the blue line creek that runs through the property as well as the roadways to prevent pollution, further stormwater runoff and stormwater contamination.
- There is vegetation overgrowth that will need to be taken care of to keep the property in compliance.
- Trash and debris throughout the property will need to be properly disposed of before development can occur

The following Best Management Practices are recommended for this plat:

* **Critical Area Planting** - After final grade has been completed permanent vegetation will be established.

* **Filter Strips** – During development, strategic non disturbance of existing perennial grass vegetation can function as filter strips.

***Silt Fences**- Temporary sediment barrier consisting of a geotextile fabric which is attached to supporting posts and trenched into the ground may be substituted for vegetative strips. Install on the contour, where fence can intercept runoff as a sheet flow; not located in crossing channels, waterways, or other concentrated flow paths.

* **Mulching** – Mulch can be applied to seeded areas to help establish plant cover. It can also be used in unseeded areas to protect against erosion over the winter or until final grading and shaping can be accomplished.

* **Precision Land Forming** – Keep disturbed areas small; open only the land that is minimally necessary to perform the intended construction activities; and only for the minimum duration of time necessary to complete construction. Permanent or temporary soil stabilization should be applied to denuded areas that will remain undisturbed for longer than 60 days.

Technical assistance is available from our office. Limitation maps, detailed soil reports and a conservation plan can also be requested for this site from our office.

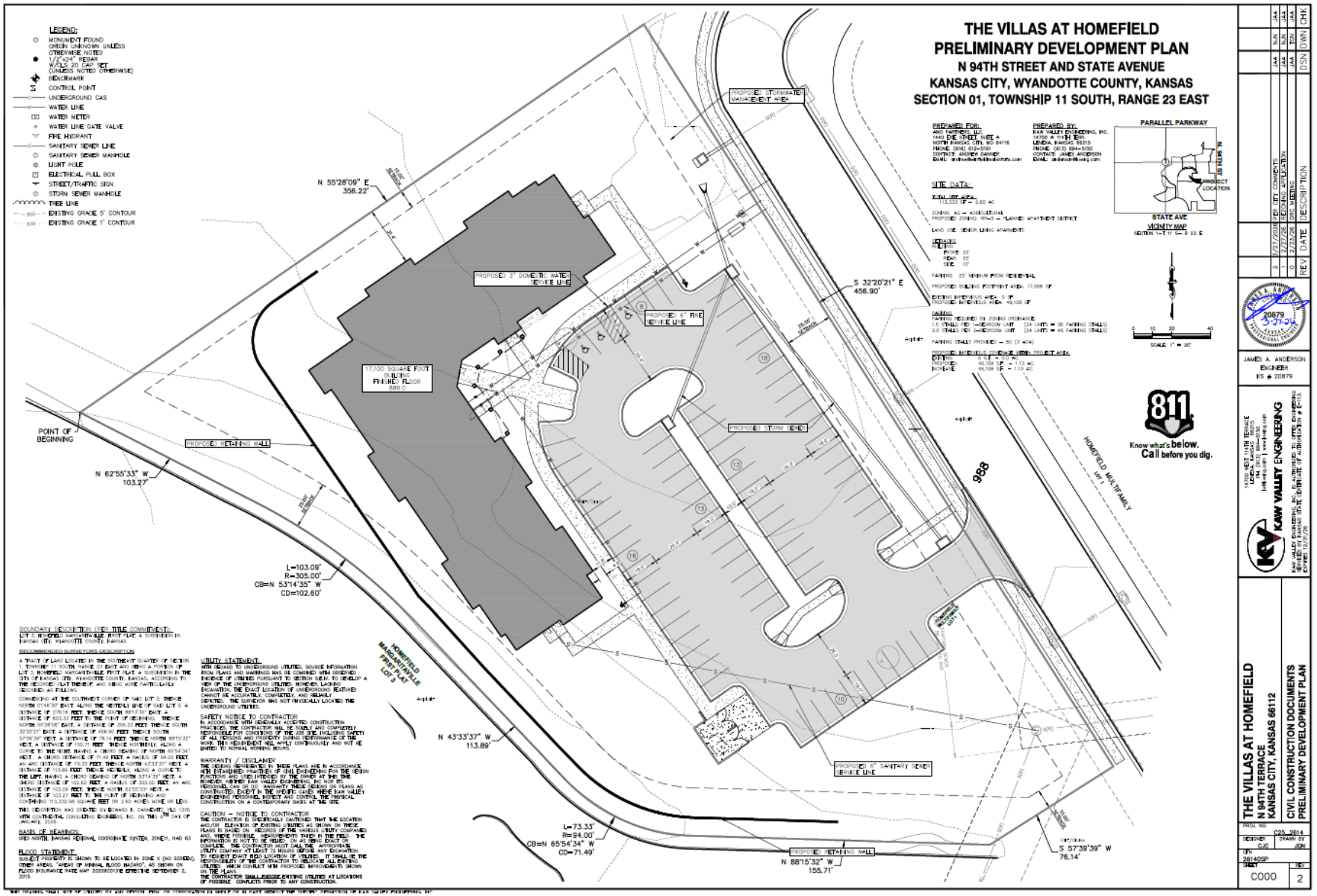
The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological investigation may be needed. The natural soils and drainage pattern may have been changed in this area due to previous urban development. Therefore, the physical composition influencing the structure of the natural soil has already been altered; however, some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineation on the maps includes soils that differ from the named soil. Soil lines may not be exact; therefore, on site investigation is needed for site specific planning.

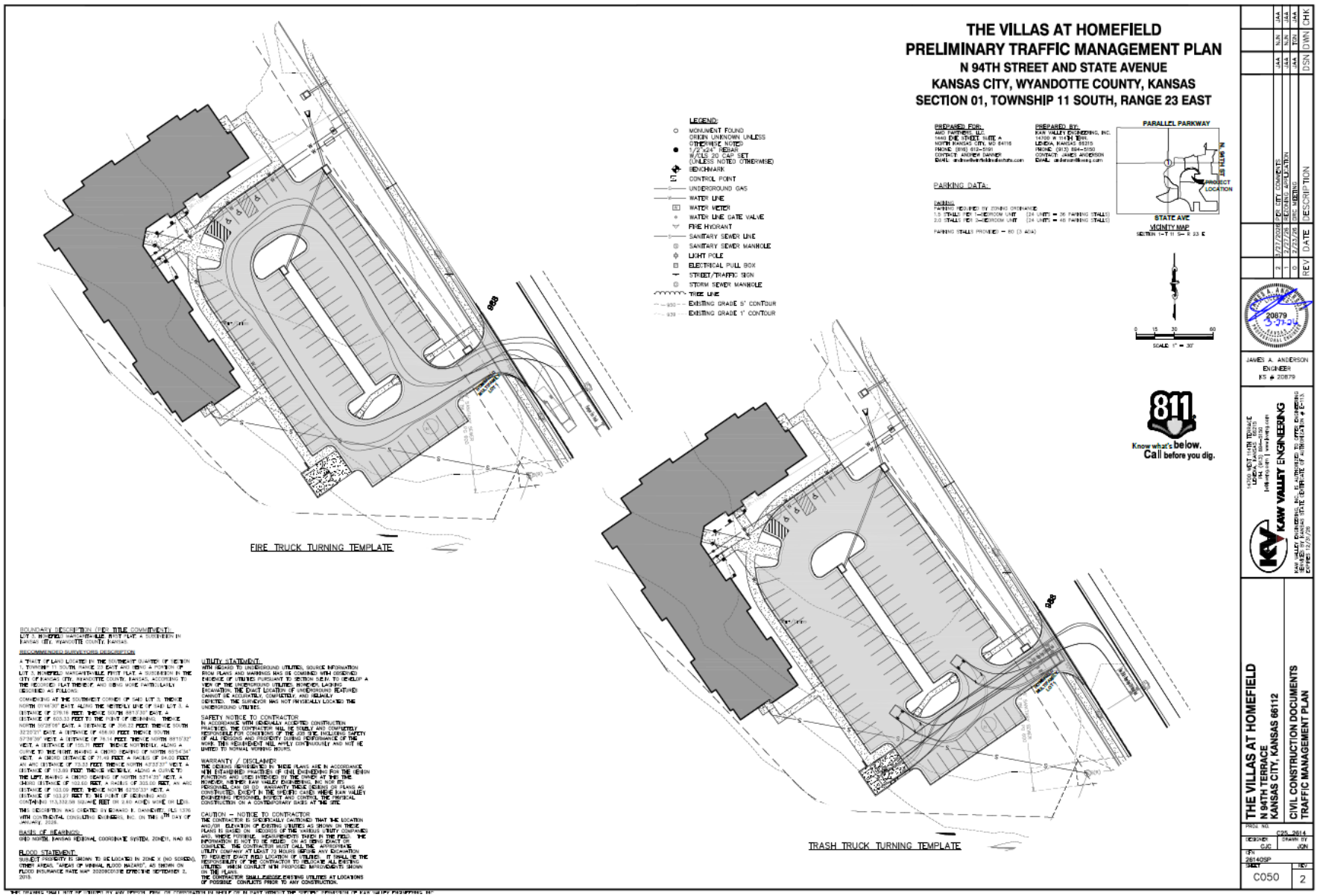
If you have any comments or questions, please email our office at wyco.conservation@gmail.com

Sincerely,

Cheri Miller
District Manager

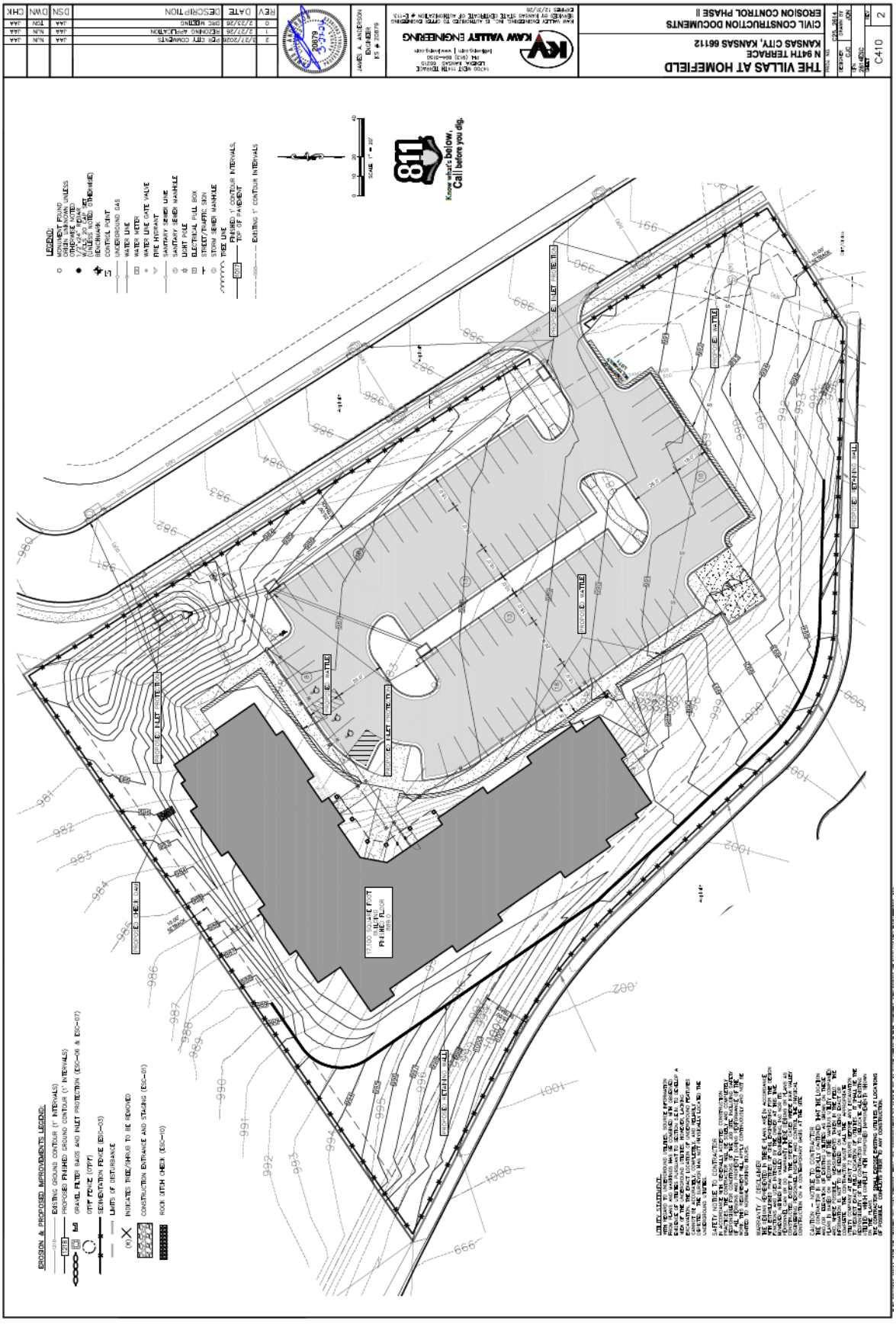
enclosures


THE VILLAS AT HOMEFIELD
PRELIMINARY DEVELOPMENT PLAN
N 94TH STREET AND STATE AVENUE
KANSAS CITY, WYANDOTTE COUNTY, KANSAS
SECTION 01, TOWNSHIP 11 SOUTH, RANGE 23 EAST
LEGEND:
PROPOSED STORMWATER MANAGEMENT AREA
PROPOSED 3" DOMESTIC WATER SERVICE LINE
PROPOSED 4" FIRE SERVICE LINE
PROPOSED STORM SEWER
PROPOSED 8" SANITARY SEWER SERVICE LINE
PROPOSED RETAINING WALL
17,100 SQUARE FOOT BUILDING FINISHED FLOOR 889.0
POINT OF BEGINNING
N 62°55'33" W 103.27'
N 55°28'09" E 356.22'
S 32°20'21" E 456.90'
S 57°39'39" W 76.14'
N 88°15'32" W 155.71'
N 43°33'37" W 113.89'
L=103.09' R=305.00' CB=N 53°14'35" W CD=102.60'
L=73.33' R=94.00' CB=N 65°54'34" W CD=71.49'
HOMEFIELD MULTIFAMILY LOT 1
HOMEFIELD MEADOWVALE FIRST PLAT LOT 3
988
PARALLEL PARKWAY
STATE AVE
PROJECT LOCATION
VICINITY MAP
SITE DATA:
PREPARED FOR:
PREPARED BY:
BOUNDARY DESCRIPTION PER TITLE COMMITMENT:
RECOMMENDED SURVEYORS DESCRIPTION:
UTILITY STATEMENT:
SAFETY NOTICE TO CONTRACTOR:
WARRANTY / DISCLAIMER:
CAUTION – NOTICE TO CONTRACTOR:
BASIS OF BEARINGS:
FLOOD STATEMENT:
Know what's below. Call before you dig.
811
KAW VALLEY ENGINEERING
JAMES A. ANDERSON ENGINEER KS # 20879
THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
PRELIMINARY DEVELOPMENT PLAN
C000
2

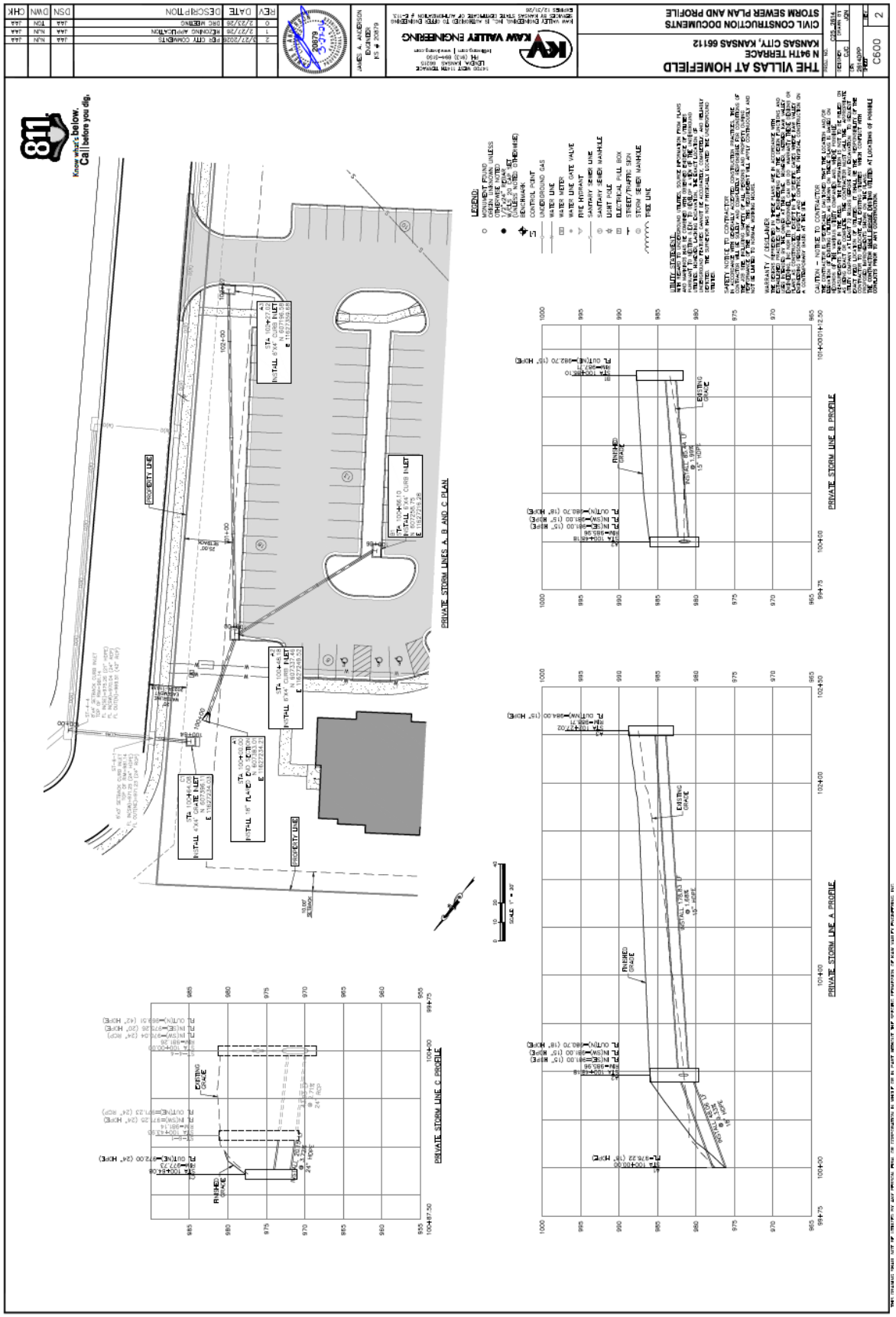

THE VILLAS AT HOMEFIELD
PRELIMINARY TRAFFIC MANAGEMENT PLAN
N 94TH STREET AND STATE AVENUE
KANSAS CITY, WYANDOTTE COUNTY, KANSAS
SECTION 01, TOWNSHIP 11 SOUTH, RANGE 23 EAST
LEGEND:
MONUMENT FOUND
ORIGIN UNKNOWN UNLESS OTHERWISE NOTED
1/2"x24" REBAR W/ILLS 20 CAP SET (UNLESS NOTED OTHERWISE)
BENCHMARK
CONTROL POINT
UNDERGROUND GAS
WATER LINE
WATER METER
WATER LINE GATE VALVE
FIRE HYDRANT
SANITARY SEWER LINE
SANITARY SEWER MANHOLE
LIGHT POLE
ELECTRICAL PULL BOX
STREET/TRAFFIC SIGN
STORM SEWER MANHOLE
TREE LINE
EXISTING GRADE 5' CONTOUR
EXISTING GRADE 1' CONTOUR
PREPARED FOR:
PREPARED BY:
PARKING DATA:
PARALLEL PARKWAY
STATE AVE
PROJECT LOCATION
VICINITY MAP
SCALE: 1" = 30'
Know what's below. Call before you dig.
FIRE TRUCK TURNING TEMPLATE
TRASH TRUCK TURNING TEMPLATE
BOUNDARY DESCRIPTION (PER TITLE COMMITMENT):
RECOMMENDED SURVEY ZONE DESCRIPTION:
UTILITY STATEMENT:
SAFETY NOTICE TO CONTRACTOR
WARRANTY / DISCLAIMER
CAUTION — NOTICE TO CONTRACTOR
BASIS OF BEARINGS:
FLOOD STATEMENT:
REV DATE DESCRIPTION DSN DWN CHK
2 9/27/2026 PC CITY COMMENTS JAA N.N. JAA
1 8/25/26 REC MEETING COMMENTS JAA BDS JAA
0 3/23/26 INITIAL SUBMITTAL JAA JAA
JAMES A. ANDERSON ENGINEER KS # 20879
KAW VALLEY ENGINEERING
THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
TRAFFIC MANAGEMENT PLAN
PROJ. NO. C25_2614
DESIGNED CJC
DRAWN BY JON
DATE 20140SP
SHEET C050
REV 2

THE VILLAS AT HOMEFIELD
PRELIMINARY GRADING PLAN
N 98TH TERRACE AND STATE AVENUE
KANSAS CITY, WYANDOTTE COUNTY, KANSAS
SECTION 01, TOWNSHIP 11 SOUTH, RANGE 23 EAST
LEGEND
BOUNDARY DESCRIPTION
BASIS OF BEARINGS
BASIS OF ELEVATIONS
UTILITY STATEMENT
SAFETY NOTICE TO CONTRACTOR
WARRANTY / DISCLAIMER
CAUTION – NOTICE TO CONTRACTOR
POINT OF BEGINNING
HOMEFIELD MULTIFAMILY
HOMEFIELD MANSARTAVILLE FIRST PLAT LOT 2
811
Know what's below. Call before you dig.
KAW VALLEY ENGINEERING
CIVIL CONSTRUCTION DOCUMENTS
GRADING PLAN
THE VILLAS AT HOMEFIELD
N 98TH TERRACE
KANSAS CITY, KANSAS 66112
C300
2

THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
EROSION CONTROL PHASE I
C400
KAW VALLEY ENGINEERING
JAMES A. ANDERSON
ENGINEER
LS # 20879
REV
DATE
DESCRIPTION
DSN
DWN
CHK
EROSION & PROPOSED IMPROVEMENTS LEGEND:
EXISTING GROUND CONTOUR (1' INTERVALS)
PROPOSED FINISHED GROUND CONTOUR (1' INTERVALS)
GRAVEL FILTER BASE AND INLET PROTECTION (ESC-06 & ESC-07)
SILT FENCE (SFF)
SEDIMENTATION FENCE (ESC-03)
LIMITS OF DISTURBANCE
INDICATES TREE/SHRUB TO BE REMOVED
CONSTRUCTION ENTRANCE AND STAGING (ESC-01)
ROCK DITCH CHECK (ESC-05)
LEGEND
MONUMENT FOUND
AS NOTED OTHERWISE UNLESS
SET
W/ 2" ALUM. CAP
(UNLESS NOTED OTHERWISE)
CONTROL POINT
UNDERGROUND GAS
WATER LINE
WATER METER
WATER LINE GATE VALVE
FIRE HYDRANT
SANITARY SEWER LINE
SANITARY SEWER MANHOLE
LIGHT POLE
ELECTRICAL PULL BOX
STREET/TRAFFIC SIGN
STORM SEWER MANHOLE
FIRE LINE
SCALE: 1" = 20'
Know what's below.
Call before you dig.
PROPOSED INLET PROTECTION
PROPOSED OUTLET PROTECTION
PROPOSED CONSTRUCTION ENTRANCE
UTILITY NOTIFICATION
SAFETY NOTICE TO CONTRACTOR
WARRANTY / DISCLAIMER
CAUTION - NOTICE TO CONTRACTOR


THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
EROSION CONTROL PHASE II
KAW VALLEY ENGINEERING
JAMES A. ANDERSON
EROSION & PROPOSED IMPROVEMENTS LEGEND:
EXISTING GROUND CONTOUR (1' INTERVALS)
PROPOSED FINISHED GROUND CONTOUR (1' INTERVALS)
GRAVEL FILTER RING AND INLET PROTECTION (ESC-06 & ESC-07)
SILT FENCE (SF)
RETENTION FENCE (ESC-03)
LIMITS OF DISTURBANCE
INDICATES TREE/SHRUB TO BE REMOVED
CONSTRUCTION ENTRANCE AND STAKING (ESC-01)
ROCK DITCH CHECK (ESC-10)
LEGEND
811
Know what's below, Call before you dig.
SCALE: 1" = 20'
PROPOSED INLET PROTECTION
PROPOSED WATER
PROPOSED STORM
C410
2

THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
UTILITY PLAN
C500
KAW VALLEY ENGINEERING
JAMES A. ANDERSON
LEGEND
Know what's below.
Call before you dig.
811
SCALE: 1" = 30'
PROPOSED 8" PVC
PROPOSED 8" DIP
PROPOSED 6" DOMESTIC WATER LINE
PROPOSED 15" RCP
PROPOSED 24" RCP
PROPOSED 30" RCP
PROPOSED 36" RCP
PROPOSED 4' DIA MANHOLE
PROPOSED 5' DIA MANHOLE
PROPOSED CURB INLET
PROPOSED AREA INLET
PROPOSED FLARE END SECTION
PROPOSED SANITARY SEWER
PROPOSED STORM SEWER
PROPOSED WATER LINE
PROPOSED GAS LINE
PROPOSED ELECTRIC LINE
PROPOSED TELEPHONE LINE
PROPOSED CABLE LINE
PROPOSED FIRE HYDRANT
PROPOSED VALVE
PROPOSED BUILDING
PROPOSED PAVEMENT
PROPOSED CONCRETE
PROPOSED GRASS
PROPOSED TREE
PROPOSED SHRUB
PROPOSED FENCE
PROPOSED RETAINING WALL
PROPOSED SIGN
PROPOSED LIGHT POLE
PROPOSED TRANSFORMER
PROPOSED METER
PROPOSED VAULT
PROPOSED CLEANOUT
PROPOSED GREASE TRAP
PROPOSED GAS METER
PROPOSED ELECTRIC METER
PROPOSED TELEPHONE PEDESTAL
PROPOSED CABLE PEDESTAL
PROPOSED MAILBOX
PROPOSED BENCH
PROPOSED TRASH CAN
PROPOSED BIKE RACK
PROPOSED PICNIC TABLE
PROPOSED GRILL
PROPOSED FIRE PIT
PROPOSED PLAYGROUND EQUIPMENT
PROPOSED SWIMMING POOL
PROPOSED HOT TUB
PROPOSED SAUNA
PROPOSED TENNIS COURT
PROPOSED BASKETBALL COURT
PROPOSED VOLLEYBALL COURT
PROPOSED SOCCER FIELD
PROPOSED BASEBALL FIELD
PROPOSED FOOTBALL FIELD
PROPOSED GOLF COURSE
PROPOSED GOLF GREEN
PROPOSED GOLF TEE
PROPOSED GOLF BUNKER
PROPOSED GOLF CART PATH
PROPOSED GOLF CART BARN
PROPOSED GOLF CART
PROPOSED GOLF BAG
PROPOSED GOLF CLUB
PROPOSED GOLF BALL
PROPOSED GOLF HOLE
PROPOSED GOLF FLAG
PROPOSED GOLF PIN
PROPOSED GOLF CUP
PROPOSED GOLF TEE MARKER
PROPOSED GOLF BALL MARKER
PROPOSED GOLF CLUB MARKER
PROPOSED GOLF BAG MARKER
PROPOSED GOLF CART MARKER
PROPOSED GOLF BARN MARKER
PROPOSED GOLF COURSE MARKER
PROPOSED GOLF HOLE MARKER
PROPOSED GOLF FLAG MARKER
PROPOSED GOLF PIN MARKER
PROPOSED GOLF CUP MARKER
PROPOSED GOLF TEE MARKER
PROPOSED GOLF BALL MARKER
PROPOSED GOLF CLUB MARKER
PROPOSED GOLF BAG MARKER
PROPOSED GOLF CART MARKER
PROPOSED GOLF BARN MARKER
PROPOSED GOLF COURSE MARKER


THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
STORM SEWER PLAN AND PROFILE
KAW VALLEY ENGINEERING
C600
PRIVATE STORM LINES A, B AND C PLAN
PRIVATE STORM LINE A PROFILE
PRIVATE STORM LINE B PROFILE
PRIVATE STORM LINE C PROFILE
PROPERTY LINE
EXISTING GRADE
FINISHED GRADE
LEGEND
Know what's below. Call before you dig.
811

THE VILLAS AT HOMEFIELD
N 94TH TERRACE
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
SANITARY SEWER PLAN AND PROFILE
KAW VALLEY ENGINEERING
C700
PRIVATE SANITARY SERVICE LINE PLAN
PRIVATE SANITARY SERVICE LINE PROFILE
PROPERTY LINE
EXISTING GRADE
FINISHED GRADE
LEGEND:
Know what's below. Call before you dig.
811

KAW VALLEY ENGINEERING, INC.

Office: 913.894.5150
Fax: 913.894.5977
Web: www.kveng.com
Address: 14700 West 114th Terrace
Lenexa, KS 66215

March 27, 2026 **C26D2614**

Unified Government of Wyandotte County/Kansas City, KS
Department of Planning + Urban Design
701 North 7th Street – Suite 423
Kansas City, KS 66101

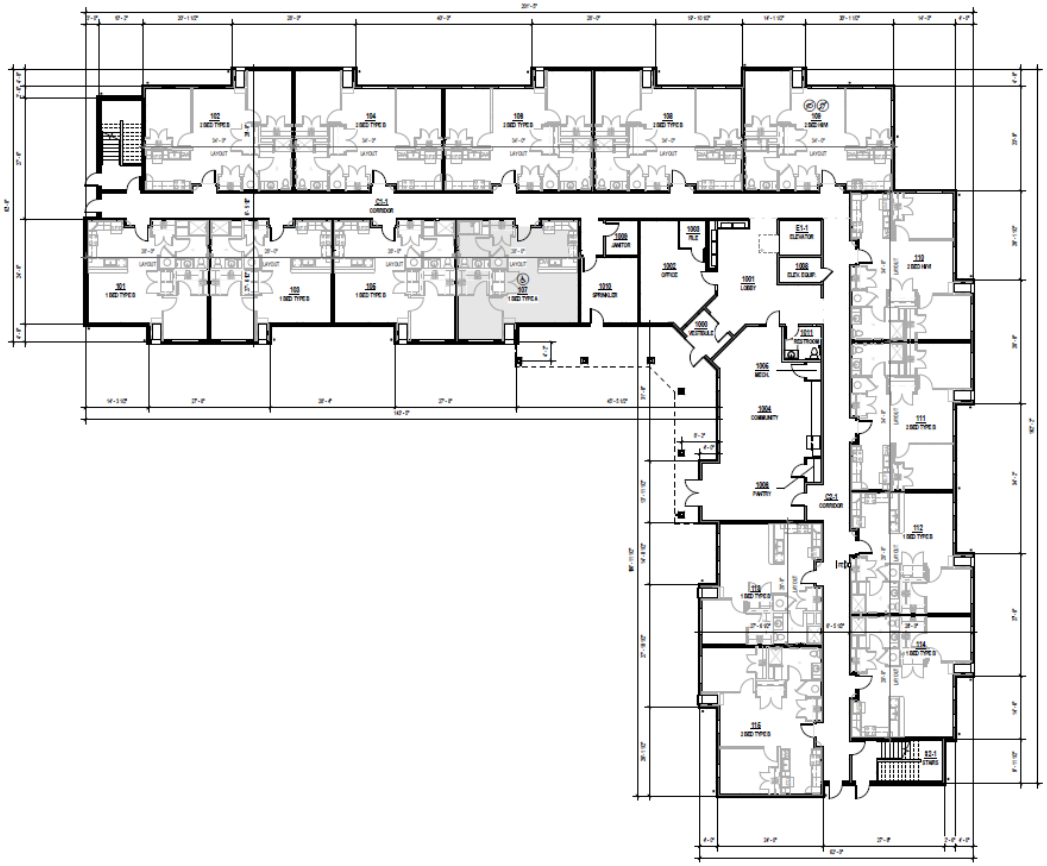
RE: PRELIMINARY SANITARY SEWER ANALYSIS
CHANGE OF ZONE – COZ2026-004
MASTER PLAN AMENDMENT – MPL2026-002
THE VILLAS AT HOMEFIELD
KANSAS CITY, KS

This letter is to provide a preliminary analysis for the anticipated changes in the public sanitary sewer system associated with the construction of the proposed senior apartments project. The project site is located off N. 98th Terrace west of the recently constructed Homefield Apartment Complex in Kansas City, KS. The project area is approximately 2.60 acres and was previously developed as part of the Schlitterbahn Water Park. There is an an existing 8" sanitary sewer main that runs southwest to northeast with the upstream manhole located on the subject property. Based on available records there is a single upstream connection to the public manhole coming from the KCK fire station to the southwest. The 8" main runs to the northeast from the subject property through the recently constructed Homefield Apartment Complex. Based on available records it appears that approximately ½ of the Homefield Apartment Complex contributes to said 8" main. Based on the existing slope of the 8" main the capacity of the 8" main downstream of the subject property is 1.20 cfs (0.88 cfs at 2/3 full). Utilizing the minimum design peak hourly flows as described in the *Unified Government of Wyandotte County Kansas City, Kansas Minimum Design Standards for Sanitary Sewers*, the existing contributing flow rate in the 8" main from the fire station and apartment complex is 0.22 cfs. The peak hourly flow for the proposed development is 0.05 cfs which results in a combined peak hourly flow rate of 0.27 cfs following construction of the proposed project. The existing 8" main will adequately convey this peak flow and with velocities ranging from 2.7 to 3.4 ft/s.

If you have any further questions on this matter, please call Jim Anderson at (913) 894-5150.

Respectfully Submitted,
Kaw Valley Engineering

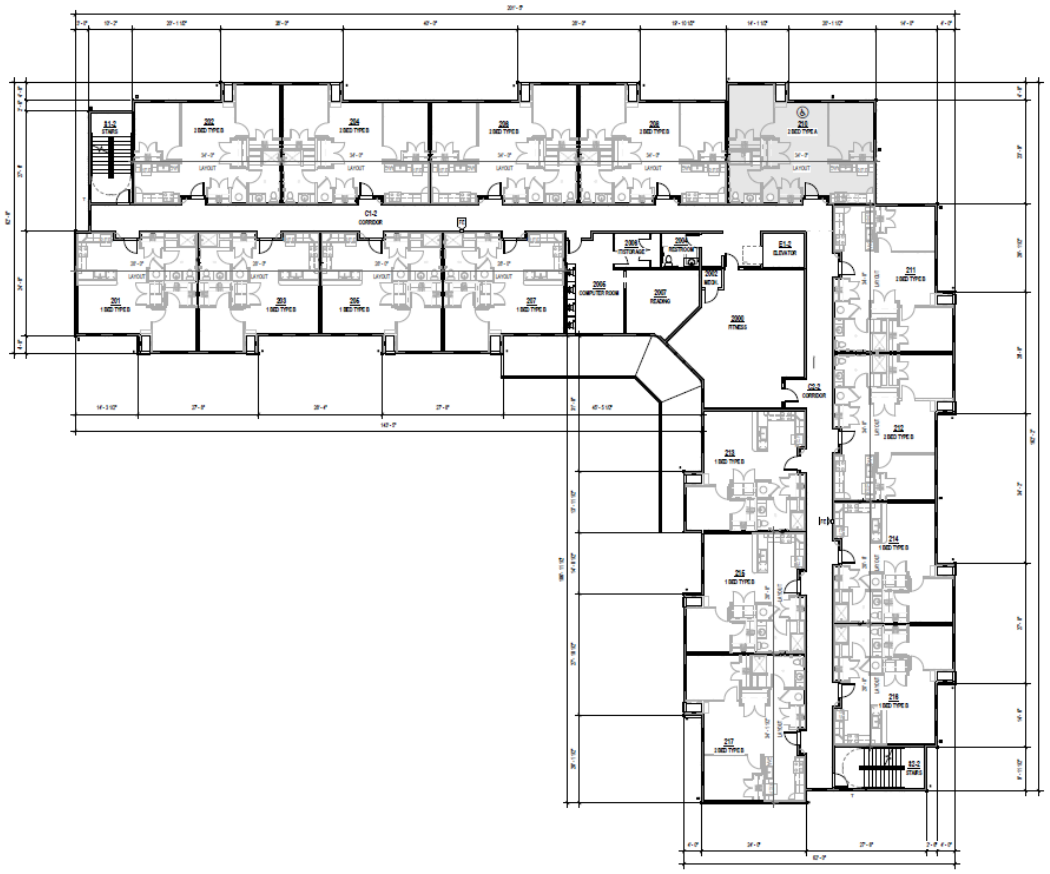
James A. Anderson, P.E.
Project Manager



A1 1ST FLOOR PLAN
3/32" = 1'-0"

PRELIMINARY FLOOR PLANS	The Villas at Homefield NWC 94th St. & State Ave. Kansas City, Kansas	A1

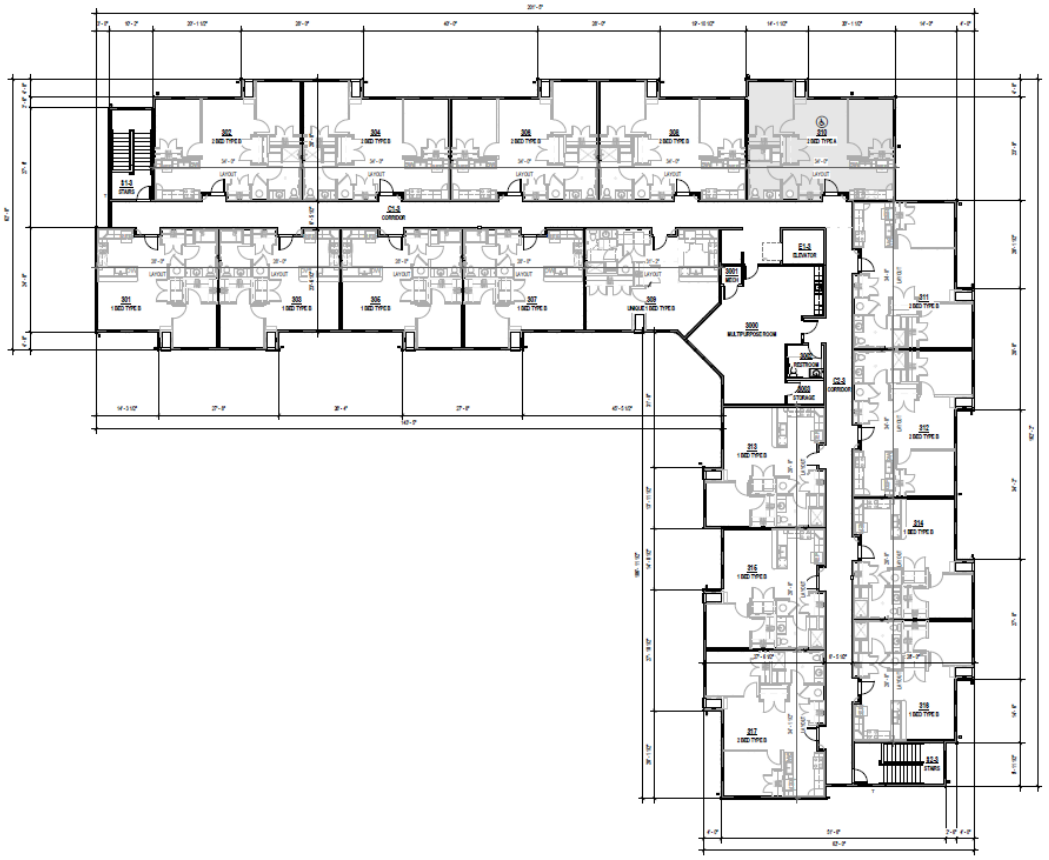
rosemann & ASSOCIATES P.C.



A1 SECOND FLOOR PLAN
3/32" = 1'-0"

PRELIMINARY FLOOR PLANS	The Villas at Homefield NWC 94th St. & State Ave. Kansas City, Kansas	A2

rosemann & ASSOCIATES P.C.



A1 THIRD FLOOR PLAN
3/32" = 1'-0"

PRELIMINARY FLOOR PLANS	The Villas at Homefield NWC 94th St. & State Ave. Kansas City, Kansas	A3

rosemann & ASSOCIATES P.C.

B1
EAST ELEVATION - COLORED
B2
SOUTH ELEVATION - COLORED
PRELIMINARY COLOR ELEVATIONS
The Villas at Homefield
NWC 94th St. & State Ave. Kansas City, Kansas
A4
rosemann
& ASSOCIATES P.C.



B4 NORTH ELEVATION - COLORED
3/32" = 1'-0"



B3 WEST ELEVATION - COLORED
3/32" = 1'-0"



A3 ENTRY ELEVATION - COLORED
3/32" = 1'-0"

PRELIMINARY COLOR ELEVATIONS 03/26/2026	The Villas at Homefield NWC 94th St. & State Ave. Kansas City, Kansas	A5

rosemann & ASSOCIATES P.C.

April 30, 2026

COZ2026-004 and MPL2026-002

PRELIMINARY RENDERINGS
02/20/2026
The Villas at Homefield
NWC 94th St. & State Ave. Kansas City, Kansas
A6
rosemann & ASSOCIATES P.C.
rosemann & ASSOCIATES P.C.

PRELIMINARY RENDERINGS
The Villas at Homefield
NWC 94th St. & State Ave. Kansas City, Kansas
A7
rosemann & ASSOCIATES P.C.
rosemann & ASSOCIATES P.C.

811
Know what's below.
Call before you dig.
PLANT SCHEDULE
THE VILLAS AT HOMEFIELD
N 94TH STREET
KANSAS CITY, KANSAS 66112
CIVIL CONSTRUCTION DOCUMENTS
KAW VALLEY ENGINEERING
REV
DATE
DESCRIPTION
DSN
DWN
CHK













CONSENT AGENDA ITEM NO. _____

Unified Government of Wyandotte County and Kansas City, Kansas

BOARD OF COMMISSIONERS

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

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

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MINUTES

Thursday, November 7, 2024
7:01 PM-11:15 PM

Attendance:

Commissioners Present:

- Commissioner Burroughs
- Commissioner Bynum
- Commissioner Davis
- Commissioner Stites
- Commissioner Lopez
- Commissioner Kane
- Commissioner Townsend
- Commissioner Ramirez
- Commissioner Burns

Commissioners Absent:

- Mayor Tyrone Garner
- Commissioner Hill

Staff Present:

- Monica L. Sparks (Unified Government Clerk)
- David Johnston (County Administrator)
- Angela Lawson (Acting Chief Counsel)

- Gunnar Hand (Urban Planning & Design)
- Troy Shaw (Public Works Director)
- Sarah Shafer (Public Works)
- Dr. Shelley Kneuvean (Chief Financial Officer)
- Chelsee Chism (Economic Development Director)

Call to Order

Mayor Pro Tem Burroughs called the meeting to order at 7:01 p.m. Chaplain Annie Erickson, from Grandview Park Presbyterian Church, led the invocation, followed by the Pledge of Allegiance.

Revisions to Agenda (Discussion Begins 3:22)

The Clerk reported there was an agenda update issued, adding Item No. 14.1 to the Commissioners' Agenda.

Clerk's Statement (Statement Read 4:10)

Planning and Zoning Consent Agenda (Discussion Begins 11:02)

A. CHANGE OF ZONE APPLICATIONS

1.COZ2024-014 – SCOTT RAY WITH BUC-EES

2. COZ2024-027 – JASON DANDOY
3. COZ2024-028 – JIM SULLIVAN WITH SULLIVAN PALMER ARCHITECTS

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2024-040 – CODY FOLTZ
2. SP2024-054 – BRIEN DARBY WITH CULTIVATE KANSAS CITY INC.
3. SP2024-055 - BRIEN DARBY WITH CULTIVATE KANSAS CITY INC.
4. SP2024-059 - PETE DAVIS JR. WITH AUTO PLUG LLC
5. SP2024-062 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTING
7. SP2024-067 - DANIEL RIOS
8. SP2024-068 - DARCY SWAN WITH YMCA
9. SP2024-069 - DARCY SWAN WITH YMCA OF GREATER KC
10. SP2024-070 - MEGAN DUMA WITH MD HOMES, LLC

11. SP2024-071 - MEGAN DUMA WITH MD HOMES LLC
12. SP2024-072 - AARON LILLY
13. SP2024-073 - ALISON SCHWARTZ
14. SP2024-075 - BETSY AND RYAN MAXFIELD
15. SP2024-076 - ELIZABETH HARDING
17. SP2024-079 - LANCE PIERCE
18. SP2024-080 - LANCE PIERCE
19. SP2024-081 - LANCE PIERCE
20. SP2024-086 - RACHEL MILLS

C. VACATION APPLICATION

1. VAC2024-008 - JOE MCLAUGHLIN.

D. MASTER PLAN AMENDMENTS

1. MPL2024-008 - SCOTT RAY WITH BUC-EE'S

F. MISCELLANEOUS - ORDINANCES (The following ordinances formalize previous Commission approval.)

1. AN ORDINANCE authorizing a Special Use Permit (SP2024-052) for continuation of a Short-Term Rental at 3716 Springfield Street
2. AN ORDINANCE authorizing a Special Use Permit (SP2024-053) for continuation of a Short-Term Rental at 4016 Springfield Street
3. AN ORDINANCE authorizing a Special Use Permit (SP2024-007) for a Short-Term Rental at 2023 North 85th Street
4. AN ORDINANCE rezoning property at 713 Osage Avenue and 813 South Pyle Street (COZ204-019) from R-2(B) Two Family District to CP-2 Planned General Business District
5. AN ORDINANCE authorizing a Special Use Permit (SP2024-056) for live entertainment in conjunction with an existing restaurant at 4929 State Avenue
6. AN ORDINANCE authorizing a Special Use Permit (SP2024-058) for continuation of the Temporary Use of Land for a commercial farmstead at 4141 Joyce Drive
7. AN ORDINANCE authorizing a Special Use Permit (SP2024-060) for continuation of a Short-Term Rental at 527 Tenny Avenue

Commissioner Kane made a motion to approve all items on the Planning and Zoning Consent Agenda as submitted, except Item 7.6, SP 2024-063, and 7.16, SP2024-078. The motion was seconded by Commissioner Davis.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Burroughs
- Nays: None
- Absent: Garner, Hill
- Not Voting: Burroughs

Set Aside Items

A request was made by Commissioner Burns to set aside Item 7.6 (Discussion Begins 22:33)

7.6 SP2024-063 – BLAKE LOSTAL WITH COLONIAL CLUB LLC

Staff and the Applicant presented opening comments.

The Mayor Pro Tem opened the public hearing. Comments were received as follows:

- **Nick and Carolyn Tomasic (Comments Begin 26:00)**

The public hearing was closed.

Commissioner Ramirez made a motion to approve the item for a term of five years. The motion was seconded by Commissioner Kane.

Vote: Motion carries 7/1

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Burroughs
- Nays: Lopez
- Absent: Garner, Hill
- Not Voting: Burroughs

A request was made by the applicant to set aside Item 7.16 (Discussion Begins 33:45)

7.16 SP2024-078 - MADISON BERCIUNAS

Staff and the Applicant presented opening comments.

The Mayor Pro Tem opened the public hearing. No comments were received. The public hearing was closed.

Commissioner Ramirez made a motion to approve the item for a term of two years. The motion was seconded by Commissioner Davis.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Planning and Zoning Non-Consent Agenda

A. CHANGE OF ZONE APPLICATIONS

Item 8.1 COZ2024-022 – ROGER BARRETT (Discussion Begins 39:34)

Applicant requested that the matter be held over to the next meeting.

Staff and the Applicant presented opening comments.

The Mayor Pro Tem opened the public hearing. The following comments were received in favor of :

- **Erin Stryka (Kansas City, Kansas) (Comments Begin: 46:25)**
- **Gail Bergman, Kansas City, Kansas (Comments Begin: 56:45)**

The following comments were received in opposition of :

- **Fred Postlewait (Kansas City, Kansas) (Comments Begin: 50:25)**
- **Becky Boucher (Kansas City, Kansas) (Comments Begin: 53:43)**

The public hearing was closed.

Commissioner Ramirez made a motion to set the matter over to the December 5 Board of Commissioners meeting. The motion was seconded by Commissioner Davis.

Vote: Motion failed 5/4

- Ayes: Davis, Bynum, Ramirez, Townsend, Kane
- Nays: Burns, Lopez, Stites, Burroughs
- Absent: Garner, Hill

Commissioner Kane made a motion to deny the application. The motion was seconded by Commissioner Lopez.

Vote: Motion failed 4/4

- Ayes: Burns, Kane, Lopez, Stites
- Nays: Townsend, Ramirez, Davis, Bynum
- Absent: Garner, Hill
- Not Voting: Burroughs

The Legal Department will review the matter to determine the next steps.

Item 8.2 COZ2024-023 – BRIAN HOCHSTEIN (Discussion Begins 1:13:48)

Staff and the Applicant presented opening comments.

The Mayor Pro Tem opened the public hearing. The following comments were received in opposition of:

- **Sheila Bonilla (Kansas City, Kansas) (Comments Begin: 1:23:31)**
- **Karen Schibi (Kansas City, Kansas) (Comments Begin: 1:24:25)**
- **Almond Richard (Kansas City, Kansas) (Comments Begin: 1:26:14)**

The public hearing was closed.

Commissioner Lopez made a motion to deny the application. The motion was seconded by Commissioner Davis.

Vote: Motion carried 8/1

- Ayes: Davis, Bynum, Burns, Ramirez, Kane, Lopez, Stites, Burroughs
- Nays: Townsend
- Absent: Garner, Hill

A. SPECIAL USE PERMIT APPLICATIONS

Item No. 8.1 SP2024-047 – SELENA UMANA WITH THE RED CIRCLE LLC (Discussion Begins 1:33:19)

Staff and the Applicant presented opening comments.

The Mayor Pro Tem opened the public hearing. The following comments were received in favor of:

- **Beto Lugo Martinez (Kansas City, Kansas) (Comments Begin: 1:40:46)**

The public hearing was closed.

Commissioner Davis made a motion to approve item 8.1 for a period of one year. The motion was seconded by Commissioner Bynum.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 8.2 SP2024-067 – WENDY GONZALEZ (Discussion Begins 2:00:20)

Staff and the Applicant presented opening comments.

The Mayor Pro Tem opened the public hearing. The following comments were received:

- **Jerry Haas (Kansas City, Kansas) (Comments Begin: 2:04:54)**

The public hearing was closed.

Commissioner Burns made a motion to deny Item 8.2. The motion was seconded by Commissioner Lopez.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 8.3 SP2024-065 – LAJOYCE CALLOWAY WITH BEAUTIFUL BEGINNINGS EARLY CHILDHOOD (Discussion Begins 2:11:40)

Staff and the Applicant presented opening comments

The Mayor Pro Tem opened the public hearing. No comments were received. The public hearing was closed.

Commissioner Kane made a motion to approve Item 8.3. The motion was seconded by Commissioner Davis.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 8.4 SP2024-077 – JOHN SILL (Discussion Begins 2:15:55)

Staff and the Applicant presented opening comments

The Mayor Pro Tem opened the public hearing. No comments were received. The public hearing was closed.

Commissioner Ramirez made a motion to approve Item 8.4. The motion was seconded by Commissioner Davis.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

<u>Mayor's Agenda (Discussion Begins 2:21:25)</u>

Item No. 1 – Proclamation proclaiming the month of November 2024 as Lung Cancer Awareness Month. (Discussion Begins 2:21:25)

This item was read into the record of the meeting, and no commission action was required.

Item No.2 – Proclamation proclaiming November 1, 2024, as Extra Mile Day (Discussion Begins 2:21:57)

This item was read into the record of the meeting, and no commission action was required.

Item No. 3 – Proclamation proclaiming November 11, 2024, as Veterans Day (Discussion Begins 2:22:12)

This item was read into the record of the meeting, and no commission action was required.

<u>Regular Consent Agenda (Discussion Begins 2:22:30</u>)

Item No. 1 – RESOLUTION: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM – KANSAS CITY, KANSAS POLICE DEPARTMENT

Item No. 2 - RESOLUTION: KANSAS FIGHTS ADDICTION GRANT FISCAL YEAR 2025

Item No. 3 - RESOLUTION: APPROVING EPA CHANGE GRANT AND APPROVING MEMORANDUM OF UNDERSTANDING WITH CENTRAL AVENUE BETTERMENT ASSOCIATION

Item No. 4 – RESOLUTION: APPROVAL OF AMERICORPS KANSAS FUNDING OPPORTUNITY GRANT RELATED TO AMERICORPS

Item No. 5 – RESOLUTION: AMENDING THE TWO-YEAR MEETING CALENDAR

Item No. 6 – RESOLUTION: AMENDING MASTER LEASE AGREEMENT

Item No. 7 – PLAT: CREAL ESTATES

Item No. 8 – PLAT: ANN'S NEW ADDITION

Item No. 9 – APPOINTMENT: BOARDS AND COMMISSIONS

Item No. 10 – MINUTES

Item No. 11 – WEEKLY BUSINESS

Commissioner Kane made a motion to approve all items on the Consent Agenda. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Standing Committees' Agenda (Discussion Begins 2:23:12)

Item No. 1 – RESOLUTION: APPROVING EPA CHANGE GRANT CS019

The resolution approving the EPA Change Grant (CS019) was presented by Commissioner Tom Burroughs (as chair of the Public Works & Safety Standing Committee), with additional explanation and details provided by Sarah Shafer from Public Works.

Commissioner Bynum made a motion to adopt the resolution.

Commissioner Bynum amended her motion to clarify to approve the EPA Change Grant CS019. The motion was seconded by Commissioner Davis.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 2 – RESOLUTION: BUC-EE'S FAMILY TRAVEL CENTER DEVELOPMENT AGREEMENT (Discussion Begins 2:28:45)

Commissioner Tom Burroughs, as chair of the Economic Development & Finance Standing Committee introduced the resolution, and the substantive presentation was given by Chelsee Chism, Economic Development Director, with additional details and clarification provided by Todd LaSala, bond counsel.

Project Details:

- 74,000 square foot travel center
- 120 gas pumps, 12 Electric Vehicle (EV) charging stations
- Expected 4,000 visitors daily, 150-200 full time jobs
- $95 million total project cost
- $13.3 million infrastructure reimbursement
- $3.3 million TIF cap over 15 years

Commissioner Sites stated, "So I just wanted to get all that on the record that these folks aren't just coming in here and just not contributing. They're contributing more probably than, quite

frankly, some of our previous or some other developments that are coming in. And so I've been a BUC-EE'S. It's awesome, and I'm super excited to have this in our community."

Commissioner Stites made a motion to adopt the resolution. The motion was seconded by Commissioner Lopez.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 3 – RESOLUTION: KANSAS FOREST SERVICE GRANT PROGRAM (Discussion Begins 2:40:05)

Commissioner Davis presented the resolution as chair of the Neighborhood and Community Development Standing Committee.

Commissioner Davis made a motion to adopt the resolution. The motion was seconded by Commissioner Bynum.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Administrator's Agenda (Discussion Begins 2:41:33)

Item No. 1 – PRESENTATION: MIDTOWN STATION - INDIAN SPRINGS (Discussion Begins 2:55:00) *

***Mayor Pro Tem moved this item to be presented as the 5th item.**

David Johnston, Administrator, explained RFQ/RFP process beginning in 2022, with this being the only complete submission that met revised requirements after initial proposal was insufficient.

Eric Murray of East Side Innovation and Jonathan Arnold of Arnold Development presented the proposal:

Project Overview:

- **Name:** Midtown Station (former Indian Springs Mall site)
- **Size:** 90 acres total (45 acres main mall core)
- **Location:** Intersection of I-635 and I-70

Housing Component:

- 1,475 apartment units
- 63 single-family homes
- 150 townhomes

Commercial/Retail:

- 280,000 square feet retail space
- Grocery store recruitment needed
- Service retail, food & beverage

Special Features:

- 168-room convention center hotel (31,000 sq ft meeting space)
- Community greenhouse (15,000 sq ft)
- Central green space for community gathering

Parking:

- 2,900 structured parking spaces
- 250 street parking spaces
- Majority of parking subterranean to promote walkability

This item was for information only, and no action was required.

Item No. 2 – ORDINANCE: AUTHORIZING THE ISSUANCE OF INDUSTRIAL REVENUE BONDS FOR THE VILLAGE WEST III (NORTHPOINT) DEVELOPMENT (Discussion Begins 2:41:55)

David Johnston, County Administrator, made opening remarks and introduced Kevin Wempe to go over the item. Kevin Wempe, Gilmore and Bell, explained these are "buy your own bond" deals with no Unified Government liability, providing property tax and sales tax incentives for completed or near-completed projects.

- **Principal Amount:** $46 million
- **Purpose:** Property tax abatement and sales tax exemption

Commissioner Bynum made a motion to approve the ordinance. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 3 – ORDINANCE: AUTHORIZING THE ISSUANCE OF INDUSTRIAL REVENUE BONDS FOR THE CARNATION PARTNERS LLC DEVELOPMENT (Discussion Begins 2:46:41)

David Johnston, County Administrator, made opening remarks and introduced Kevin Wempe to go over the item. Kevin Wempe explained these are "buy your own bond" deals with no Unified Government liability, providing property tax and sales tax incentives for completed or near-completed projects.

- **Location:** 4500 Dover Street
- **Principal Amount:** $11.5 million
- **Purpose:** 56,000 sq ft manufacturing facility

Commissioner Bynum made a motion to approve the ordinance. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 4 – ORDINANCE: AUTHORIZING THE ISSUANCE OF INDUSTRIAL REVENUE BONDS FOR THE KC YARDS 2, LLC PROJECT (Discussion Begins 2:48:03)

David Johnston, County Administrator, made opening remarks and introduced Kevin Wempe to go over the item. Kevin Wempe, Gilmore and Bell, explained that these are "buy your own bond" deals with no Unified Government liability, providing property tax and sales tax incentives for completed or near-completed projects.

- **Location:** 200 James Street (West Bottoms)
- **Principal Amount:** $52 million
- **Purpose:** 224-unit multifamily project (sales tax exemption only, TIF for property tax)

Commissioner Bynum made a motion to approve the ordinance. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 5 – ORDINANCE: AUTHORIZING THE ISSUANCE OF INDUSTRIAL REVENUE BONDS FOR THE MARGARITAVILLE AND HOMEFIELD OUTDOOR PROJECT (Discussion Begins 2:50:52)

Kevin Wempe, Gilmore and Bell, explained these are "buy your own bond" deals with no Unified Government liability, providing property tax and sales tax incentives for completed or near-completed projects.

- **Details:** 229-room hotel and outdoor recreational venue
- **Status:** 64.5% completion per developer representative

Commissioner Burns made a motion to approve the ordinance. The motion was seconded by Commissioner Davis.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 6 – ORDINANCE: AUTHORIZING THE ISSUANCE OF INDUSTRIAL REVENUE BONDS FOR THE LEGENDS 267 PROJECT (Discussion Begins 2:53:23)

Kevin Wempe, Gilmore and Bell, explained these are "buy your own bond" deals with no Unified Government liability, providing property tax and sales tax incentives for completed or near-completed projects.

- **Location:** Village West Parkway and Parallel Parkway
- **Status:** Currently up and leasing

Commissioner Stites made a motion to approve the ordinance. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Commissioners' Agenda (Discussion Begins 3:57:00)

Item No. 1 – RESOLUTION/TRAVEL REQUEST: BYNUM AND BURROUGHS (ADDED PER AGENDA UPDATE)

Mayor Pro Tem Tom Burroughs introduced and presented the item . He summarized the purpose was to travel to Washington, D.C. to meet with the Kansas congressional delegation about bridge issues. Commissioner Melissa Bynum added brief remarks that she will attend as well.

Commissioner Burns made a motion to adopt the resolution. The motion was seconded by Commissioner Davis.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Commissioner Ramirez made a motion to adjourn and reconvene as the Land Bank Board of Trustees. The motion was seconded by Commissioner Davis. (Discussion Begins 3:58:00)

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Land Bank Board of Trustee's Consent Agenda (Discussion Begins 4:01:08)

Item No. 1 - LAND BANK OPTIONS

Commissioner Townsend made a statement for the record regarding the Nehemiah project, clarifying that the 27 lots under discussion would be used for single-family homes and senior housing as part of the broader Nehemiah project. Commissioner Townsend noted meeting with Mr. Winchell, Mr. Hooks, Miss Williams, Mr. Smiley, and Mr. Breckenridge on October 14 to discuss project details.

- **Clerk Monica L. Sparks read the letter of support from Commissioner Hill (Comment Begins 4:01:08)**
- **Kathy Wooks (Kansas City, MO)**
- **Greg Darnell (Kansas City, KS) (4:05:15)**

Commissioner Bynum made a motion to approve all items on the Consent Agenda. The motion was seconded by Commissioner Davis.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Item No. 2 - LAND BANK PROPERTY TRANSFERS (Discussion Begins 4:12:10)

Commissioner Bynum made a motion to approve all items on the Consent Agenda. The motion was seconded by Commissioner Burns.

Vote: Motion carries 8/0

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez, Stites
- Nays: None
- Absent: Garner, Hil
- Not Voting: Burroughs

Adjournment: (Discussion Begins 4:12:40)

Commissioner Kane moved to adjourn the meeting. The motion was seconded by Commissioner Davis.

Vote: Motion carries 7/1

- Ayes: Davis, Bynum, Burns, Ramirez, Townsend, Kane, Lopez
- Nays: Stites
- Absent: Garner, Hil
- Not Voting: Burroughs

MAYOR PRO TEM BURROUGHS

ADJOURNED THE MEETING AT 11:15 P.M.

NOVEMBER 7, 2024

_____

Monica L. Sparks, CMC

Unified Government Clerk

MLS

CONSENT AGENDA ITEM NO. _____

Unified Government of Wyandotte County and Kansas City, Kansas

BOARD OF COMMISSIONERS

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

Mayor Christal E. Watson
Commissioner At-Large Dist. 1 Melissa Bynum – Commissioner At-Large Dist. 2 Andrew Kump –
Commissioner Dist. 1 Jermaine Howard – Commissioner Dist. 2 Bill Burns –
Commissioner Dist. 3 Christian Ramirez – Commissioner Dist. 4 Evelyn Hill –
Commissioner Dist. 5 Carlos Pacheco – Commissioner Dist. 6 Phil Lopez –
Commissioner Dist. 7 Chuck Stites – Commissioner Dist. 8 Andrew Davis

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MINUTES

Thursday, March 26, 2026
5:39 PM – 7:10 PM

Attendance:

Commissioners Present:

- Mayor CEO Crystal E. Watson
- Commissioner Andrew Kump
- Commissioner Jermaine Howard
- Commissioner Bill Burns
- Commissioner Christian Ramirez
- Commissioner Evelyn Hill
- Commissioner Carlos Pacheco
- Commissioner Andrew Davis
- Commissioner Phil Lopez
- Commissioner Chuck Stites

Commissioners Absent:

- Commissioner Melissa Bynum

Staff Present:

- David Johnston (County Administrator)
- Monica L. Sparks (Unified Government Clerk)
- Angela Lawson (Acting Chief Counsel)
- Rodney Lucas (Interim Planning Director)

Call to Order

Mayor Watson called the meeting to order at 5:39 PM. Commissioner Hill led the invocation, followed by the Pledge of Allegiance.

Revisions to Agenda

No revisions to the agenda were reported.

Clerk's Statement (Statement Read 11:07)

Planning and Zoning Consent Agenda (Discussion Begins 15:05)

Clerk, Monica L. Sparks, read all items on the Planning and Zoning consent agenda, including:

7.1. CHANGE OF ZONE APPLICATION

7.1.A: COZ2025-032 - SCOTT SPERRY WITH KANSAS AFFORDABLE 1 LLC

7.2. SPECIAL USE PERMIT APPLICATIONS

7.2.A: SP2025-063 - ALBERT HERMANS WITH SDC ENGINEERING

7.2.B: SP2025-087 - MICHAEL MORSE WITH QUICK'S AUTO SALVAGE STORAGE & TOW LLC

7.2.C: SP2025-097 - MATTHEW OSTERMANN AND MARY WOELK WITH EASTERN WOLF LLC

7.2.D: SP2026-002 - EMILY THORNTON

7.2.E: SP2026-003 - DENNIS MENDOZA

7.2.F: SP2026-004 - ANDREA NELSON

7.3. MINUTES

7.3.A: MINUTES

Commissioner Ramirez made a motion to approve all remaining items, except the set aside item, on the Planning and Zoning Consent Agenda as submitted. The motion was seconded by Commissioner Davis.

Vote: Motion carries 9/0

- Ayes: Lopez, Pacheco, Stites, Davis, Kump, Howard, Burns, Ramirez, Hill
- Nays: None
- Absent: Bynum

Set Aside

7.1. CHANGE OF ZONE APPLICATION (Discussion Begins 21:44)

7.1.B: COZ2025-032 - COZ2025-033 - TYLER COEY WITH PEARL PROPERTIES LLC

Staff and the Applicant presented opening comments.

Commissioner Ramirez made a motion to remand the application back to the Planning Commission to discuss and review the stipulation raised by the applicant. The motion was seconded by Commissioner Burns.

Vote: Motion carries 9/0

- Ayes: Lopez, Pacheco, Stites, Davis, Kump, Howard, Burns, Ramirez, Hill
- Nays: None
- Absent: Bynum

Executive Session:

Motion made by Commissioner Kump that the Commission convene into Executive Session until 6:48 p.m. in the 5th floor conference room to consult with our attorneys on matters relating to employer-employee negotiations whether or not in consultation with the representative or representatives of the public body to agency, as permitted under the Kansas Open Meetings Act; and that David Johnston, Angela Lawson, Casey Meyer, Ryan Denk, Dennis Rubin, and Renee Ramirez remain as needed to participate in the discussion.

The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 9/0

- Ayes: Lopez, Pacheco, Stites, Davis, Kump, Howard, Burns, Ramirez, Hill
- Nays: None
- Absent: Bynum

Present for the Executive Session: Kump, Howard, Burns, Ramirez, Hill, Pacheco, Lopez, Stites, Davis, and Watson, Mayor/CEO; presiding. Staff Present: David Johnston, County Administrator, Angela Lawson, Interim Chief Counsel, Casey Meyer, Senior Counsel, Ryan Denk, Fire Department, Dennis Rubin, Fire Chief from Fire Department, and Renee Ramirez, Human Resources Director.

Mayor Watson reconvened back into session at 6:48 p.m.

Mayor Watson asked for a motion to go back into Executive Session.

Commissioner Kump made a motion to extend the Executive Session until 7:10 p.m.

The motion was seconded by Commissioner Stites.

Vote: Motion carries 9/0

- Ayes: Lopez, Pacheco, Stites, Davis, Kump, Howard, Burns, Ramirez, Hill
- Nays: None
- Absent: Bynum

Mayor Watson reconvened back into session at 7:10 p.m.

Adjournment:

Commissioner Kump made a motion to adjourn. The motion was seconded by Commissioner Burns.

Vote: Motion carries 9/0

- Ayes: Lopez, Pacheco, Stites, Davis, Kump, Howard, Burns, Ramirez, Hill
- Nays: None
- Absent: Bynum

MAYOR WATSON

ADJOURNED THE MEETING AT 7:10 P.M.

March 26, 2026

_____

Monica L. Sparks, CMC

Unified Government Clerk

ML

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2025-094 and Preliminary Plan Petition PR2025-039**

GENERAL INFORMATION

Applicant Information:
East Side Storage LLC
Applicant/Representative
Josh Skogen with Accelergen Energy LLC
3736 Bee Caves Road, Suite 1, Unit 124
Austin, Texas 78746

Subject Property:
8900 Metropolitan Avenue
Kansas City, Kansas 66111

Requested Action and Purpose:
Approval of a Special Use Permit and Preliminary Development Plan for a battery storage facility.

Commission Districts:
At-Large Commissioner, District #2: Andrew Kump
District #6 Commissioner: Philip Lopez

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

Plan Area:
PlanKCK Comprehensive Plan





	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture District	Large lot single-family homes
South	A-G Agriculture District	Large lot single-family homes and wooded, undeveloped land
East	A-G Agriculture and R-1 Single Family Districts	Single-family homes
West	A-G Agriculture District	Undeveloped, wooded lot

Total Tract Size: 37.00 Acres

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates this property as Rural Residential, which allows single-family detached, residential, but without agricultural uses.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan classifies South 89th Street and Metropolitan Avenue as Local Streets.

Parking Requirement: Section 27-452(e) Two (2) off street parking spaces shall be provided on the premises for each single-family dwelling.

Section 27-668(b) Any use not included in the parking requirements found in this article shall be assigned a parking requirement by the Planning Commission.

Landscaping Requirement: Section 27-700(a) In the R-1, R, A-G, R-1(B), R-2, and R-2(B) districts, 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. 230 trees are required to be planted.

Advertisement: The Wyandotte Echo – December 18, 2025
Letters to Property Owners – December 19, 2025, January 5, 2026, February 11, 2026, and March 10, 2026

Public Hearings: February 9, March 9, April 13, and April 30, 2026

Public Support:	Staff received a phone call from Jim Surber, property owner at 1434 South 88th Street who is not opposed to the battery energy storage facility after the Applicant acquired the additional acreage east of Timmons Creek to remain as open space. Staff also received letters of support from organizations and property owners, which are included in the Attachments. There was support expressed by the public at the February 9, 2026 City Planning Commission. There were 43 people in support at the April 13, 2026 City Planning Commission meeting
Public Opposition:	Planning Staff has received multiple letters opposing the battery storage facility because of industrial creep into a rural residential neighborhood. There was opposition expressed by the public at the February 9, 2026 City Planning Commission. There were 14 people in opposition at the April 13, 2026 City Planning Commission meeting

PROPOSAL

Detailed Outline of Requested Action: The applicant, East Side Storage LLC, a subsidiary, and representative, Josh Skogen, with Accelergen Energy LLC, is requesting a Special Use Permit and Preliminary Development Plan for a battery storage facility on 37.00 acres at 8900 Metropolitan Avenue.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VIII Sections 27-592 – 27-606, 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. Between 1999 – 2025, there have been six (6) notice of violations ranging from junk vehicles, trash and debris, weeds, tall grass, and tires.

Outstanding or Related Permit and Cases:

1. There are no outstanding or related permits or cases.

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

Special Use Permit:

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

   The subject property is located within the Morris Statistical Group and Census Block Group #0438022. The character of the neighborhood is comprised of single-family homes on larger acreages. The area is relatively rural in nature along Metropolitan Avenue to the south and South 89th Street to the east. The site is within the vicinity of a BPU substation.

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, a large battery storage facility is not compatible with the adjacent uses as there are single-family homes along the South 89th Street and Metropolitan Avenue and the rural southwestern edge of the I-435 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?***

   The property is suitable for uses to which it has been restricted as A-G Agriculture District, which allows large agricultural, farming activities and single-family homes. Removal of these restrictions for a Special Use Permit may detrimentally affect nearby property as the life cycle of battery storage facility will be more intense than agricultural related uses.

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

The property has been vacant farmland since at least 1991, which is based on aerial photography.

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 this property as Rural Residential, which allows single-family detached, residential, but without agricultural uses.

   The battery storage facility, which is more of a "utility" use does not conform to the PlanKCK Comprehensive Plan. At the end of the project's lifecycle and the facility is decommissioned, the land use designation should remain Rural Residential rather than designated as Utilities, which would require an amendment to the PlanKCK Comprehensive Plan.

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

   The proposed use is not a highly trafficked use, so while there will be an increase in traffic due to the undeveloped nature of the site, the daily vehicle trips will not be substantial compared to a large lot single-family subdivision as planned within the Rural Residential land use category. A Traffic Impact Study is currently being reviewed by the Public Works Department and the County's Traffic Engineer. Additional analysis and comments may be generated separately from this report.

7. ***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 considering these benefits are solely for the applicant. While only one-half of the parcel is to be developed, having such a facility around single-family homes could affect the visual quality and 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, and illumination normally associated with a battery storage facility should not be of such duration and intensity as not to create problems for near-by property.

The subject property is surrounded by large lots – a mixture of single-family residential and wooded, undeveloped lots.

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

   The proposed use will not pollute the air, land or water, initially, but Staff has concerns about the long-term effects the use will impact the land. When the site is decommissioned, this site could be a classified as a brownfield.

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

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

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

    The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, the owners will still have property that is able to be developed, however, not in the form they originally intended.

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

    The applicant will be required to adhere to the conditions of approval, subject to approval by the Unified Government Board of Commissioners.

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 37-acre site.

Preliminary Development Plan:

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

   The site is 37.00 acres, which affords enough space for the proposed development to provide adequate space for buildings and open space. Parking will be available on-site, so employees will be able to circulate the site, and perform routine maintenance without affecting Metropolitan Avenue.

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

   The plan provides adequate site access, directly to Metropolitan Avenue.

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 employees and public safety to navigate the site safely.

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 sitting the storage facility in a bowl which will be screened from public view from Metropolitan Avenue and abutting properties.

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.***

   Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The PlanKCK Comprehensive Plan designates this property as Rural Residential, which allows single-family detached, residential, but without agricultural uses.

   The battery storage facility, which is more of a “utility” use does not conform to the PlanKCK Comprehensive Plan. At the end of the project’s lifecycle and the facility is decommissioned, the land use designation should remain Rural Residential rather than designated as Utilities, which would require an amendment to the PlanKCK Comprehensive Plan.

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

   The proposed use accesses the existing Metropolitan Avenue right-of-way with this development. No additional right-of-way is required for dedication.

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.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 1000 North 82nd Street (Legacy Events) in October 2025, on January 13, 2026, and March 10, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Unified Government Infrastructure Maintenance Costs
Landscaping, Screening and Buffering
Noise
Open Space Easements and Wetland Preservation
On-site security

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 1 to recommend **DENIAL** of Special Use Permit Application **SP2025-094 and PR2025-039** as the property is not in compliance with the code and does not fit the character of the neighborhood.

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

Update – April 13, 2026:

The Applicant held a neighborhood meeting as requested by the City Planning Commission on March 10, 2026. The sign-in sheet and meeting minutes are within the Attachments, which provides a summary of the meeting.

Additionally, the Applicant is requesting a longer initial term, between 20 – 25 years. While there are safeguards written into the conditions of approval, the City Planning Commission and Unified Government Board of Commissioners should have the ability to re-review the Special Use Permit to ensure strict adherence to the stipulations within a reasonable timeframe. Staff recommended 10 years, which is more appropriate.

Update – March 9, 2026:

This application was held over by the City Planning Commission at the February 9, 2026 meeting for the Applicant to conduct an additional neighborhood meeting. That neighborhood meeting is scheduled to occur on March 10, 2026; therefore the Applicant is asking for a 30-day holdover until April 13, 2026.

General Planning:

1. Hazardous material storage is not permitted in the A-G Agriculture District, even with a Special Use Permit. Hazardous waste storage, albeit temporarily requires M-3/MP-3 Planned Heavy Industrial District zoning.

   Applicant Response: The project will not store hazardous waste. Hazardous waste storage has been removed from the plan.

2. After the decommissioning of this site, this property will become a brownfield site, which will make redeveloping/repurposing this site difficult and possibly cost prohibitive.

   Applicant Response: As stated in the Decommissioning Plan provided as part of the Applicant's initial application submittal, the Applicant will restore and reclaim the property to the pre-BESS condition. The property will not become a brownfield site after the decommissioning is complete. To better clarify this point, the reclamation section of the Decommissioning Plan has been updated to provide additional details on the environmental assessments to be completed as part of the decommissioning process. Please refer to Section 3.2 of the updated Decommissioning Plan submitted as part of this response for additional details.

3. Provide proof of funds/bonds as part of the Decommissioning Plan.

   Applicant Response: The Applicant will provide proof of funds and a draft of the bond to the satisfaction of the Unified Government of Wyandotte County as part of the Final Development Plan submittal. In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to the decommissioning bond including updating the bond amount on a recurring basis during operations to provide additional assurances. As part of the recurring updates to the bond amount during operations, the Applicant will provide recurring proof of funds to carry out the activities detailed in the Decommissioning Plan. For the avoidance of doubt, the bond is meant provide a safeguard for the community and the UG of Wyandotte County against the abandonment of facilities without proper land reclamation and IS NOT the planned source of funds to complete activities detailed in the Decommissioning Plan. The Applicant will complete the activities detailed in the Decommissioning Plan at its expense.

4. The initial Special Use Permit request is for 20 years, but what is the lifecycle of the battery storage facility operation?

   Applicant Response: The lifecycle of the battery storage equipment is 20 years. As the 20-yr term approaches, the Applicant will evaluate its options including a re-powering of the equipment or decommissioning the site.

5. How are you mitigating noise for the abutting property owners?

   Applicant Response: In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to noise mitigation. As stated in the proposed condition of approval, the Applicant is committed to ensuring the Facility shall not be operated as to emit noise at a neighboring residential structures existing as of the effective date of the Special Use Permit that is of higher sound pressure level (dB(A)) than the ambient day-night average (Ldn) existing prior to commencement of Facility operations. As part of the Final Development Plan submittal, the Applicant will submit acoustics modeling reports using prudent industry standards completed by a 3rd party with expertise in the field of acoustics to determine day-night average sound level conditions before and after Facility operations.

   Noise mitigation is managed with technology selection, throttling of the system fans and acoustic sound barriers as deemed necessary to ensure compliance with the thresholds detailed above. As proposed in the Applicant's condition of approval to the Special Use Permit, any acoustic sound barriers would be colored an earthen tone.

6. How are you mitigating the existing wetlands on the property?

   Applicant Response: The primary site access and BESS facility have been sited outside a 50' setback from the existing wetlands on the property, minimizing impacts to the maximum extent possible. The secondary access road includes 0.73 AC of disturbance within the 50' wetland setback around existing streams and wetlands - actual wetland and stream disturbance will be lower. Any disturbance within the 50' setback will implement best management practices in accordance with all local, state and federal standards and requirements.

7. What is your emergency plan if there is a battery leak or spill on site? How will you manage site contamination given its proximity to the creek?

   Applicant Response: An effective control plan requires an integrated system where each component has its place and functions to provide layered protection. With any type of incident where mitigation is possible, it is always best to intervene at the earliest possible stage. The Applicant has designed the system with the following multi-layered protections:

   - *Secondary Containment. The facility equipment and ancillary equipment will have secondary containment for any internal liquids in case of leak or spill.*
   - *Emergency Response Plan. In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to emergency response and hazard mitigation. As stated in the proposed conditions of approval, the Applicant will coordinate with local emergency responders to develop and provide an Emergency Response Guide and Hazard Mitigation Analysis as*

part of the Final Development Plan application. The Applicant has already provided a draft of the Emergency Response Guide to the Kansas City Kansas Fire Department to initiate the coordination. In the unlikely event of an emergency that includes a leak or spill, the Emergency Response Guide sets forth the response protocols including notifying applicable agencies, implementing response protocols, completing post-incident monitoring/testing and incident close-out.

- *Runoff Detention. In the unlikely event of an emergency that includes a leak or spill and the secondary containment fails, spilled fluids will remain on site. The grading plan has been designed to prevent offsite runoff without first being captured within a detention basin with a volume totaling 10.2 acre-feet (3.3 million gallons). However, the BESS equipment does not have large amounts of liquid and it's unlikely that a leak or spill will reach the detention basin unless conveyed there with firefighting water or rainwater. If firefighting is applied, then the detention basin outlets will be blocked prior to using water to prevent contaminated runoff from leaving the Project site.*

  If the use of firefighting water is not employed, or if the quantity used is minimal, such that no runoff reached the drainage facilities, soil testing shall be conducted in the area of the spill or leak immediately following the incident. Testing of any impounded firefighting water runoff will be conducted before unblocking the detention basis outlets and releasing it to the environment.

  If post-incident testing reveals the presence of contaminants, then the contaminated soils or impounded water within the detention basin would be removed and handled offsite in accordance with local, state and federal regulations. These protocols and procedures will be detailed in the final Emergency Response Guide submitted as part of the Applicant's Final Development Plan application.

  It's important to note that the risk of groundwater contamination is extremely low. Preliminary onsite geotechnical investigations revealed that the existing soils comprising a majority of the site infiltrate at 0.03 feet per hour. Based on publicly available water well logs near the site, it would take approximately 52 days for impounded water or leaks to reach the groundwater, presenting a low risk for groundwater contamination with implementation of the emergency response and post-incident remediation protocols detailed above.

Landscaping and Screening:

1. Tree preservation is of the upmost importance to assist in provide existing screening for the proposed development. Maintain existing tree stands.

   Applicant Response: The proposed facilities have been sited in locations to optimize the use of already cleared areas – minimizing the need to remove

existing tree stands. Existing trees are being preserved as much as possible for screening and to minimize site impacts.

2. Section 27-700(a) In the R-1, R, A-G, R-1(B), R-2, and R-2(B) districts, 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. 230 trees are required to be planted. The site is 37.00 acres, which requires 230 trees to be planted. Existing mature trees can count towards that total.

   Given the proposed location of the battery storage, and what is visible from Metropolitan, no adjacent property owner should see this facility or substation from their rear yards (to the north and east) or from Metropolitan Avenue to the south or South 89th Street.

   Revise the landscape plan to incorporate more berming, vegetation around the perimeter of the property to fully encircle the facility, so residents and passersby do not know if its existence.

   Applicant Response: As part of the Final Development Plan application, the Applicant will provide an official tree survey documenting the quantity of existing mature trees. The landscape plan submitted as part of the Applicant's Final Development Plan application will be updated as necessary to ensure a minimum of 230 trees are located within the 37 acres site. The Applicant is agreeable to making this a condition of approval to the Special Use Permit, as necessary.

   The Applicant retained a 3rd party expert to model the potential visual impacts resulting from the project. Based on the visual modeling, it was determined that the proposed facilities will be screened with a combination of existing vegetation and topography. To further ensure the site is visually screened, a proposed 25' landscaping buffer has been added to south berm of the proposed basin to increase the screening from the south.

   In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to screening. The Applicant is proposing that it shall be permitted to install a barrier around all or a portion of the Facility for noise mitigation, visual screening and/or security (e.g., wall, screened fencing, etc.). Any barrier shall be colored an earthen tone representative of the surrounding area. If no barrier is installed, then the exterior Facility enclosures shall be colored an earthen tone representative of the surrounding area.

3. Create an open space easement along the blue line streamways (Intermittent stream, forested wetland and ephemeral stream depicted on sheet C100) in the southwest corner of the site.

   Applicant Response: A 50' stream and wetland easement has been added to the plan. The site plan incorporates more than 11 acres of undisturbed open space

around the wetlands and streams on site.

4. The protected wetland throughout the property, preserving as an open space easement.

   Applicant Response: A 50' stream and wetland easement has been added to the plan to protect the wetlands and streams. The site plan incorporates more than 11 acres of undisturbed open space around the wetlands and streams on site.

5. Creek underneath the building in the southwest corner of the development – is the intent to channelize the creek? What is the plan to mitigate this issue?

   Applicant Response: The intent is to install a culvert under the proposed access road and grading per the callout in civil plan.

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

   Applicant Response: The landscaping plans submitted as part of the Applicant's Final Development Plan application will include an in-ground irrigation system. The Applicant is agreeable to making this a condition of approval to the Special Use Permit, as necessary.

Signage:

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: The plan has been updated with a callout stating that no signs shall be erected without obtaining the appropriate UG sign permit.

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 Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition **SP2025-094 and PR2025-039** subject to all comments and suggestions outlined in this staff report and the reasons listed by the City Planning Commission.

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Applicant Letter Requesting for Longer Approval Term
Neighborhood Meeting Documents – March 10, 2026
Neighborhood Meeting Documents
Site Survey
Site Plan
Grading Plan
Landscape Plan
Building Elevations
Decommissioning Plan
Kansas Department of Wildlife and Parks E-Mail
Kansas Department of Health and Environment E-Mail
Department of the Army E-mail
Letters of Support
Letters of Opposition
Notice of Second Neighborhood Meeting Scheduled for March 10, 2026

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	February 9, 2026 Held over March 9, 2026 Held over April 13, 2026 Denial	April 30, 2026
Preliminary Plan Review	February 9, 2026 Held over March 9, 2026 Held over April 13, 2026 Denial	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-094/PR2025-039** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-094/PR2025-039,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

April 13, 2026, City Planning Commission Minutes:
Hearing starts at 37:22:

SP2025-094 - EAST SIDE STORAGE LLC WITH ACCELERGEN ENERGY LLC
Synopsis: Special Use Permit for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with PR2025-039).

PR2025-039 - EASTSIDE STORAGE LLC
Synopsis: Preliminary Plan Review for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with SP2025-094). *Detailed Outline of Requested Action:* The applicant, East Side Storage LLC, a subsidiary, and representative, Josh Skogen, with Accelergen Energy LLC, is requesting a Special Use Permit and Preliminary Development Plan for a battery storage facility on 37.00 acres at 8900 Metropolitan Avenue.

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. Commissioner Fogleson stated that he received the presentation from the applicant beforehand.

Present in Support:

- Josh Skogen, Applicant Representative
- A count of 38 people were present in support, 5 online.

The Planning Commission directed questions to the Applicant Representative.

Present in Opposition:

- A count of 10 people were present in opposition, 4 online

Staff Recommendation starts at 1:18:16: Lead Planner Byron Toy stated that there was a indoor battery storage facility approved in late 2024 by the commission for 10 years. Staff is recommending approval of this project for 10 years, the commission can approve for longer or shorter if they choose.

The Planning Commission directed questions to Toy.

Motion starts at 1:31:45:

Commissioner Straws motioned to **recommend APPROVAL of SP2025-094 for ten years with check in after five (5) years,** the motion died for lack of second.

Motion starts at 1:33:27:

Commissioner Foglesong, motioned to **recommend APPROVAL of SP2025-094 for 10 years with three (3) additional five (5) year check ins,** the motion died for lack of second.

Motion starts at 1:34:26:

On motion by Commissioner Beth, seconded by Commissioner Ernst, the Planning Commission voted as follows to **recommend DENIAL SP2025-094:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**No**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

Motion to recommend DENIAL passed: 6 to 1

Motion starts at 1:36:47:

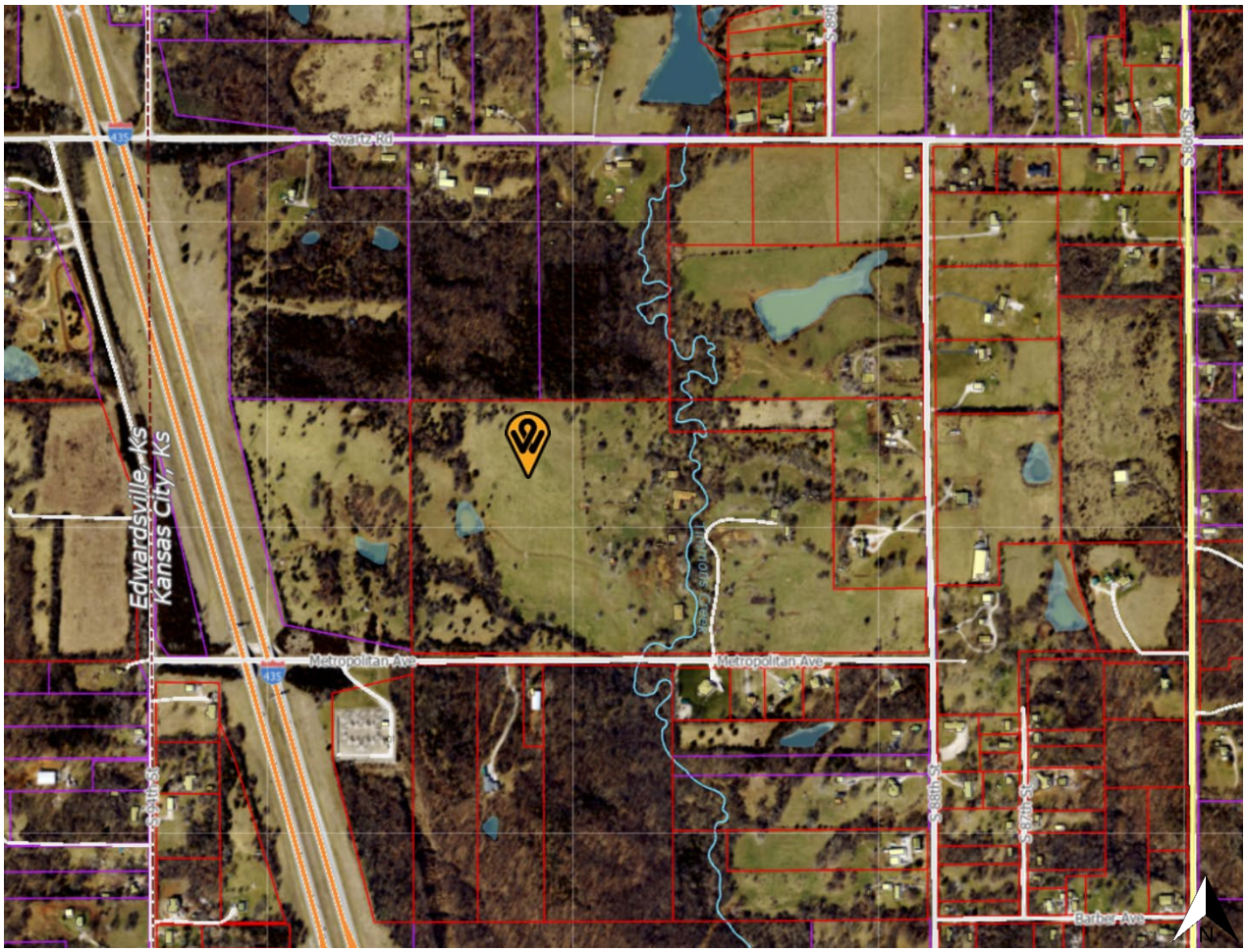
On motion by Commissioner Beth, seconded by Commissioner Ernst, the Planning Commission voted as follows to **recommend DENIAL of PR2025-039:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**No**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

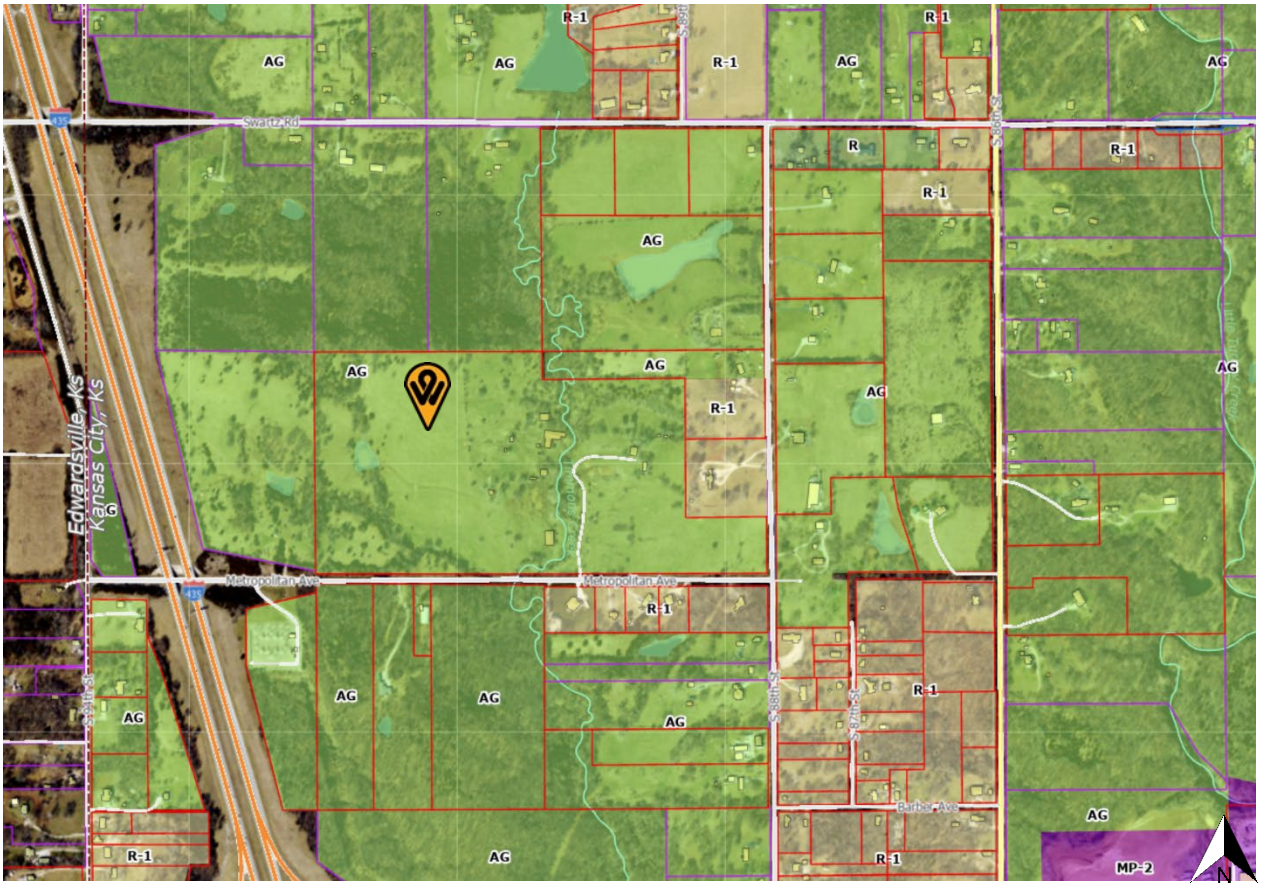
Motion to recommend DENIAL passed: 6 to 1

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP


AG
R-1
R
Swartz Rd
Edwardsville, Ks
Kansas City, Ks
Metropolitan Ave
Barber Ave
MP-2
N

LAND USE MAP


OSAGE
89TH
86TH
SWARTZ
94TH
Low-Density Residential
I-435
METROPOLITAN
87TH
BARBER
Business Park
RUBY
KAW DR TO NB I-435 HWY
Rural Residential
KAW
Public / Semi-Public Institutional
Right-of-Way
88TH
Industrial
GIBBS
N

Memorandum

To: Wyandotte County Kansas

From: Accelergen Energy

Planning and Urban Design Comments:

General Planning:

1. Hazardous material storage is not permitted in the A-G Agriculture District, even with a Special Use Permit. Hazardous waste storage, albeit temporarily requires M-3/MP-3 Planned Heavy Industrial District zoning.

Accelergen Response: The Project will not store hazardous waste. Hazardous material storage has been removed from plan.

2. After the decommissioning of this site, this property will become a brownfield site, which will make redeveloping/repurposing this site difficult and possibly cost prohibitive.

Accelergen Response: As stated in the Decommissioning Plan provided as part of t he Applicant's initial application submittal, the Applicant will restore and reclaim the property to the pre-BESS condition. The property will not become a brownfield site after the decommissioning is complete. To better clarify this point, the reclamation section of the Decommissioning Plan has been updated to provide additional details on the environmental assessments to be completed as part of the decommissioning process. Please refer to Section 3.2 of the updated Decommissioning Plan submitted as part of this response for additional details.

3. Provide proof of funds/bonds as part of the Decommissioning Plan.

Accelergen Response: The Applicant will provide proof of funds and a draft of the bond to the satisfaction of the Unified Government of Wyandotte County as part of the Final Development Plan submittal. In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to the decommissioning bond including updating the bond amount on a recurring basis during operations to provide additional assurances. As part of the recurring updates to the bond amount during operations, the Applicant will provide recurring proof of funds to carry out the activities detailed in the Decommissioning Plan. For the avoidance of doubt, the bond is meant provide a safeguard for the community and the UG of Wyandotte County against the abandonment of facilities without proper land reclamation and IS NOT

the planned source of funds to complete activities detailed in the Decommissioning Plan. The Applicant will complete the activities detailed in the Decommissioning Plan at its expense.

4. The initial Special Use Permit request is for 20 years, but what is the lifecycle of the battery storage facility operation?

Accelergen Response: The lifecycle of the battery storage equipment is 20 years. As the 20-yr term approaches, the Applicant will evaluate its options including a re-powering of the equipment or decommissioning the site.

5. How are you mitigating noise for the abutting property owners?

Accelergen Response: In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to noise mitigation. As stated in the proposed condition of approval, the Applicant is committed to ensuring the Facility shall not be operated as to emit noise at a neighboring residential structures existing as of the effective date of the special use permit that is of higher sound pressure level (dB(A)) than the ambient day-night average (L_{dn}) existing prior to commencement of Facility operations. As part of the Final Development Plan submittal, the Applicant will submit acoustics modeling reports using prudent industry standards completed by a 3rd party with expertise in the field of acoustics to determine day-night average sound level conditions before and after Facility operations.

Noise mitigation is managed with technology selection, throttling of the system fans and acoustic sound barriers as deemed necessary to ensure compliance with the thresholds detailed above. As proposed in the Applicants condition of approval to the Special Use Permit, any acoustic sound barriers would be colored an earthen tone.

6. How are you mitigating the existing wetlands on the property?

Accelergen Response: The primary site access and BESS facility have been sited outside a 50' setback from the existing wetlands on the property, minimizing impacts to the maximum extent possible. The secondary access road includes 0.73 AC of disturbance within the 50' wetland setback around existing streams and wetlands - actual wetland and stream disturbance will be lower. Any disturbance within the 50' setback will implement best management practices in accordance with all local, state and federal standards and requirements.

7. What is your emergency plan if there is a battery leak or spill on site? How will you manage site contamination given its proximity to the creek?

An effective control plan requires an integrated system where each component has its place and functions to provide layered protection. With any type of incident where mitigation is possible,

it always best to intervene at the earliest possible stage. The Applicant has designed the system with the following multi-layered protections:

- **Secondary Containment**. The facility equipment and ancillary equipment will have secondary containment for any internal liquids in case of leak or spill.
- **Emergency Response Plan**. In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to emergency response and hazard mitigation. As stated in the proposed conditions of approval, the Applicant will coordinate with local emergency responders to develop and provide an Emergency Response Guide and Hazard Mitigation Analysis as part of the Final Development Plan application. The Applicant has already provided a draft of the Emergency Response Guide to the Kansas City Kansas Fire Department to initiate the coordination. In the unlikely event of an emergency that includes a leak or spill, the Emergency Response Guide sets forth the response protocols including notifying applicable agencies, implementing response protocols, completing post-incident monitoring/testing and incident close-out.
- **Runoff Detention**. In the unlikely event of an emergency that includes a leak or spill and the secondary containment fails, spilled fluids will remain on site. The grading plan has been designed to prevent offsite runoff without first being captured within a detention basin with a volume totaling 10.2 acre-feet (3.3 million gallons). However, the BESS equipment does not have large amounts of liquid and it's unlikely that a leak or spill will reach the detention basin unless conveyed there with firefighting water or rainwater. If firefighting is applied, then the detention basin outlets will be blocked prior to using water to prevent contaminated runoff from leaving the Project site.

  If the use of firefighting water is not employed, or if the quantity used is minimal, such that no runoff reached the drainage facilities, soil testing shall be conducted in the area of the spill or leak immediately following the incident. Testing of any impounded firefighting water runoff will be conducted before unblocking the detention basis outlets and releasing it to the environment.

  If post-incident testing reveals the presence of contaminants, then the contaminated soils or impounded water within the detention basin would be removed and handled offsite in accordance with local, state and federal regulations. These protocols and procedures will be detailed in the final Emergency Response Guide submitted as part of the Applicant's Final Development Plan application.

  It's important to note that the risk of groundwater contamination is extremely low. Preliminary onsite geotechnical investigations revealed that the existing soils comprising a majority of the site infiltrate at 0.03 feet per hour. Based on publicly available water well logs near the site, it would take approximately 52 days for impounded water or leaks to reach the groundwater, presenting a low risk for groundwater contamination with implementation of the emergency response and post-incident remediation protocols detailed above.

Landscaping and Screening:

1. Tree preservation is of the upmost importance to assist in provide existing screening for the proposed development. Maintain existing tree stands.

Accelergen Response: The proposed facilities have been sited in locations to optimize the use of already cleared areas – minimizing the need to remove existing tree stands. Existing trees are being preserved as much as possible for screening and to minimize site impacts.

2. Section 27-700(a) In the R-1, R, A-G, R-1(B), R-2, and R-2(B) districts, 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. 230 trees are required to be planted. The site is 37.00 acres, which requires 230 trees to be planted. Existing mature trees can count towards that total. Given the proposed location of the battery storage, and what is visible from Metropolitan, no adjacent property owner should see this facility or substation from their rear yards (to the north and east) or from Metropolitan Avenue to the south or South 89th Street. Revise the landscape plan to incorporate more berming, vegetation around the perimeter of the property to fully encircle the facility, so residents and passersby do not know if its existence.

Accelergen Response: As part of the Final Development Plan application, the Applicant will provide an official tree survey documenting the quantity of existing mature trees. The landscape plan submitted as part of the Applicant's Final Development Plan application will be updated as necessary to ensure a minimum of 230 trees are located within the 37 acres site. The Applicant is agreeable to making this a condition of approval to the Special Use Permit, as necessary.

The Applicant retained a 3rd party expert to model the potential visual impacts resulting from the project. Based on the visual modeling, it was determined that the proposed facilities will be screened with a combination of existing vegetation and topography. To further ensure the site is visually screened, a proposed 25' landscaping buffer has been added to south berm of the proposed basin to increase the screening from the south.

In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to screening. **The** Applicant is proposing that is shall be permitted to install a barrier around all or a portion of the Facility for noise mitigation, visual screening and/or security (eg, wall, screened fencing, etc). Any barrier shall be colored an earthen tone representative of the surrounding area. If no barrier is installed, then the exterior Facility enclosures shall be colored an earthen tone representative of the surrounding area.

3. Create an open space easement along the blue line streamways (Intermittent stream, forested wetland and ephemeral stream depicted on sheet C100) in the southwest corner of the site.

Accelergen Response: A 50' stream and wetland easement has been added to the plan. The site plan incorporates more than 11 acres of undisturbed open space around the wetlands and streams on site.

4. The protected wetland throughout the property, preserving as an open space easement.

Accelergen Response: A 50' stream and wetland easement has been added to the plan to protect the wetlands and streams. The site plan incorporates more than 11 acres of undisturbed open space around the wetlands and streams on site.

5. Creek underneath the building in the southwest corner of the development – is the intent to channelize the creek? What is the plan to mitigate this issue?

Accelergen Response: The intent is to install a culvert under the proposed access road and grading per the callout in civil plan.

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

Accelergen Response: The landscaping plans submitted as part of the Applicant's Final Development Plan application will include and in-ground irrigation system. The Applicant is agreeable to making this a condition of approval to the Special Use Permit, as necessary.

Signage:

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.

Accelergen Response. The plan has been updated with a callout stating that no signs shall be erected without obtaining the appropriate UG sign permit.

Standard Comments:

1. 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.

Accelergen Response: Noted. The Applicant will obtain all applicable licenses or permits required for safe and proper operation. In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing conditions of approval to the Special Use Permit related to safe and proper operation including the following:

a. Development of an emergency response plan and hazard mitigation analysis in coordination with local emergency responders and the KCK Fire Department;
b. The Facility shall not be permitted or so operated within a fully enclosed building;
c. The Facility shall not involve the storage, handling or use of heavy metals in the batteries or otherwise;
d. The battery enclosures shall be integrated and UL certified offsite to ensure the highest level of quality related to assembly and installation;
e. The Facility shall not be permitted to stack individual enclosures;
f. The Facility shall maintain ongoing compliance with NFPA and IFC fire and electrical codes applicable to the Facility; and
g. The Facility shall be operated by the Applicant using a state-of-the-art battery management system capable of remote management of overall system health including temperature, state-of-charge and voltage;

2. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org.

Accelergen Response: Noted.

3. 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.

Accelergen Response: Noted.

4. 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.

Accelergen Response: Noted. Proposed parking spaces will conform with UG requirements.

5. 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.

Accelergen Response: Noted.

6. 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.

Accelergen Response: Noted.

7. 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.

Accelergen Response: Noted.

8. 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.

Accelergen Response: In an effort to address certain community concerns and provide certain safeguards, the Applicant is proposing additional conditions of approval that require final engineering to be complete. Final engineering and design is not currently scheduled to be complete until Q1 2028. In order to maintain compliance with the deadlines listed above, the Applicant will either require (i) an extension of the timeline required to fulfill all the conditions of approval, or (ii) revisions to the deadlines required to meet certain conditions of approval. The Applicant would like to discuss this with Urban Planning and Zoning to decide on the best path forward.

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.

Accelergen Response: Revised plans and response memorandums have been provided as part of a resubmittal on January 26, 2026

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

1) None

Factors to be Considered:

The Applicant noted the following comments within the section titled "Factors to be Considered" and offers responses for the Planning and Urban Design Staff to consider below.

2. The proposed use, a large battery storage facility is not compatible with the adjacent uses as there are single-family homes along the South 89th Street and Metropolitan Avenue and the rural southwestern edge of the I-435 corridor.

   Accelergen Response: The proposed use is located on previously cleared property and adjacent to an existing utility substation and Interstate 435. The proposed use is located in a low residential density area with abundance of natural screening to mitigate visual impacts to the surrounding uses. The proposed use will not increase noise, traffic, odors or visual impacts and is being designed to co-exist safely with nearby land uses. In alignment with PlanKCK, the proposed use supports new energy generation and sustainability strategies for rural land in Wyandotte County.

3. The property is suitable for uses to which it has been restricted as A-G Agriculture District, which allows large agricultural, farming activities and single-family homes. Removal of these

restrictions for a Special Use Permit may detrimentally affect nearby property as the life cycle of battery storage facility will be more intense than agricultural related uses

Accelergen Response: In alignment with PlanKCK, the proposed use supports new energy generation and sustainability strategies for rural land in Wyandotte County. The proposed use will not increase noise, traffic, odors or visual impacts and is being designed to co-exist safely with nearby land uses. The Applicant is also coordinating to continue grazing the site during operations, which is intended to maintain the rural landscape of the site.

5. Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The battery storage facility, which is more of an industrial use does not conform to the PlanKCK Comprehensive Plan.

Accelergen Response: The proposed use **is not** a traditional industrial use, but rather a technological and sustainability-focused businesses. Unlike traditional industrial uses, the proposed use will not increase noise, traffic, odors or visual impacts on surrounding properties. In addition, the Applicant disagrees that the proposed use does not conform to the PlanKCK Comprehensive Plan. The proposes use is in **direct alignment with many of the goals and strategies detailed within PlanKCK** including the following:

- PlanKCK "*prioritizes infill development that incentives growth in established, infrastructure-ready parcels where services and utility connections already exist.*" The proposed Project is located on previously cleared land in a low residential density area with abundance of natural screening and adjacent to existing substation and interstate highway corridor.
- PlanKCK "*supports new energy generation and sustainability strategies for our rural land.*" The proposed Project is in direct alignment with this goal.
- PlanKCK aims to "*attract future industries that can co-exist safely with other land uses.*" The proposed project is not a traditional industrial use and will not increase noise, air pollution, or visual impacts on neighboring properties. The proposed Project is utilizing a multi-layered protection system to co-exist safety with nearby land uses including: (i) **24/7 monitoring** - System health, temperature and charge levels will be managed automatically and the system will be monitored by trained personnel for any signs of abnormal conditions, (ii) **Automate fire mitigation -** Isolation, shutdown and ventilation systems activate quickly to prevent fire spread and protect the site, (iii) **Environmental management plan** - Predictive Analysis, testing and controls will be implemented to prevent any potential impacts resulting from an unlikely event, (iv) **Emergency Response Plans** - Coordinating with local emergency responders to develop proactive plans to manage emergency events, including ongoing training, (v) **Assembly & Construction** - Using the most highly trained and skilled electrical workforce available (e.g. IBEW) to ensure the safest and highest quality system integration, and (vi) **Safe Technology** – the Project will not utilize batteries that contain toxic heavy metals.
- PlanKCK "*leverages federal Justice40 initiatives to attract and grow clean energy generation.*" The proposed Project is in direct alignment with this goal.
- PlanKCK aims to "*invest in renewable energy and decrease fossil fuel use.*" The proposed Project is in direct alignment with this goal.

- PlanKCK aims to "*establish a green bank that accelerates the deployment of clean energy to attract private capital investment in clean energy projects.*" The proposed Project is in direct alignment with this goal.
- PlanKCK aims to "*...encourage non-nuisance industrial uses in non-traditional industrial areas...*" The proposed use is a modern technology-focused business that, unlike traditional industrial uses, will not increase noise, traffic, odors or visual impacts on surrounding properties.

7. The proposed use is not reasonably necessary for the convenience and welfare of the public considering these benefits are solely for applicant. While only one-half of the parcel is to be developed, having such a facility around single-family homes could affect the visual quality and marketability of adjoining property.

Accelergen Response: The Applicant strongly disagrees that the proposed use is not reasonably necessary for the convenience and welfare of the public. Local and regional utilities are forecasting significant new load growth while also considering the retirement of older thermal generation assets in their fleets - creating a need to both optimize the use of its existing assets and add new affordable capacity. Local families and business are facing rising energy prices and need affordable solutions that can be implemented in the near term. The proposed use provides an affordable solution to these problems by optimizing the use of otherwise unused energy generation during periods of low demand (e.g., wind energy). This otherwise unuse energy is stored for use when residents and business need it most. The proposed use is responsibly sited adjacent to a substation that has been determined to be one of the most transmission constrained in the entire region. The proposed use will alleviate the congestion and mitigate the need for costly investments in new transmission.

The Applicant also strongly disagrees that the benefits of the proposed use are solely for the applicant. Below are some of the benefits to the public resulting from the proposed use:

- **Taxes**. The proposed Project will make meaningful contributions to local tax revenues and help fund public services that benefit vulnerable populations.
- **Community Benefits**. In addition to annual property taxes, the Applicant is currently coordinating with Wyandotte Economic Development Council on a Community Benefit program to help support local schools, infrastructure, and community services. This new source of revenue will have a far-reaching impact to improve the quality of life for all community members within Wyandotte County.
- **Jobs**. The proposed Project will create 65 local jobs in Wyandotte County during construction and 7 during operations, supporting an estimated $8 million in local earnings
- **Affordability**. During periods of peak demand, the Eastside BESS reduces reliance on high-cost generation resources, alleviates system congestion, and mitigates price volatility, resulting in more than an estimated $5.1 million in annual demand charge savings for KCBPU customers.
- **Supporting Critical Infrastructure**. The proposed Project will increase the ability for critical infrastructure, such as hospitals, emergency response centers, and community shelter to remains operational during power outages.

- **Workforce Development**. The proposed Project is working to establish a scholarship program to provide $30,000 in annual scholarships throughout the life of the project, preparing students for the jobs of tomorrow
- **Improved Air Quality**. By enabling greater use of clean energy and displacing higher-emission resources, Eastside reduces system-wide emissions by over +114,000 tons of NOx annually, creating meaningful environmental impact within KCBPU's system

11. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, the owners will still have property that is able to be developed, however, not in the form they originally intended

Accelergen Response: The proposed use has significant improvements to the public health, safety and welfare **without placing undue burdens** on the surrounding community. Examples of how the proposed use has been responsibly sited to avoid impacts to the neighboring properties include:

- The Project is proposing multiple conditions of approval to ensure it safely co-exists with the surrounding community with minimal impacts.
- The proposed use is located on previously cleared property adjacent to an existing utility substation and Interstate 435, minimizing the need for tree clearing and infrastructure improvements.
- The proposed use is located in a low residential density area with abundance of natural screening to mitigate visual impacts to the surrounding uses.
- The proposed use **will not** increase noise, traffic, odors or visual impacts on surrounding properties.
- The proposed use will allow cattle grazing to continue on the property and neighboring properties, minimizing disruption to the existing use.

Regarding the gains to the public health, safety, and welfare, the proposed use provides improved community outcomes across multiple fronts including those listed below.

- **Improved Air Quality.** By enabling greater use of clean energy and displacing higher-emission resources, Eastside reduces system-wide emissions by over +114,000 tons of NOx annually, creating meaningful environmental impact within KCBPU's system.
- **Supporting Critical Infrastructure:** The Project will increase the ability for critical infrastructure, such as hospitals, emergency response centers, and community shelter to remains operational during power outages.
- **Taxes**. The proposed Project will make meaningful contributions to local tax revenues and help fund public services that benefit vulnerable populations.
- **Community Benefits**. In addition to annual property taxes, the Applicant is currently coordinating with Wyandotte Economic Development Council on a Community Benefit program to help support local schools, infrastructure, and community services. This new source of revenue will have a far-reaching impact to improve the quality of life for all community members within Wyandotte County.
- **Jobs**. The proposed Project will create 65 local jobs in Wyandotte County during construction and 7 during operations, supporting an estimated $8 million in local earnings
- **Affordability**. During periods of peak demand, the Eastside BESS reduces reliance on high-cost generation resources, alleviates system congestion, and mitigates price volatility,

resulting in more than an estimated $5.1 million in annual demand charge savings for KCBPU customers.

- **Supporting Critical Infrastructure**. The proposed Project will increase the ability for critical infrastructure, such as hospitals, emergency response centers, and community shelter to remains operational during power outages.
- **Workforce Development**. The proposed Project is working to establish a scholarship program to provide $30,000 in annual scholarships throughout the life of the project, preparing students for the jobs of tomorrow

March 24, 2026

Chairman Jeff Carson
City Planning Commission
701 N. 7th Street
Kansas City, KS 66101

RE: Requested update to the period of validity for **Special Use Permit Petition SP2025-094**

Dear Chairman Carson,

Based on recent conversations with the UG Department of Planning + Urban Design, it has come to the Applicant's attention that Special Use Permit Petition SP2025-094 (the "SUP") would expire upon the end of the recommended five (5) year period of validity, **regardless** of whether the proposed East Side Energy Storage Project (the "Project") is constructed and operating or not. The potential for the SUP to be terminated for reasons outside the Applicant's control and prior to the end of the useful life of the Project (ie, denied SUP renewal) is not an acceptable risk to financial institutions.

The staff report for the SUP dated February 9, 2026 recommends the SUP to remain valid for a period of five (5) years from the publication date of the associated Ordinance. To maintain financial viability of the Project and in accordance with Sec. 27-214(f)(8) of the KCK Zoning Code, the Applicant will be requesting the SUP to remain valid for a period of twenty-five (25) years. The 25-year period provides the minimum time necessary to complete construction and operate the Project through the useful life of the equipment, a requirement for financial underwriting.

The request made in this letter has been discussed and guided by the Legal Department within the UG of Wyandotte County. Based on those discussions, it's the Applicant's understanding that Sec. 27-214(f)(8) of the KCK Zoning Code has been used to approve longer approval periods on previous Special Use Permit petitions.

Please consider this letter an informal request for Special Use Permit Petition SP2025-094 to remain valid for a period of twenty-five (25) years from the publication date of the associated Ordinance. The Applicant will formally request the longer approval period during the Planning Commission meeting scheduled for April 13, 2026.

Respectfully,

Josh Skogen

Josh Skogen on behalf of the Applicant
East Side Storage LLC

East Side
ENERGY STORAGE

Accelergen Energy
3736 Bee Caves Road, Suite 1, Unit 124
Austin, TX 78746

February 26th, 2026

SUBJECT: Neighbor Meeting for East Side Energy Storage

Dear Neighbor,

Accelergen Energy has filed two applications with the Planning + Urban Design Department #SP2025-094 and #PR2025-039. The purpose of this **Special Use Permit and Preliminary Development Plan** is for a **300MW Battery Energy Storage System (BESS)** project at **8900 Metropolitan Ave, Kansas City, KS 66111.**

We are having a neighborhood meeting on Tuesday, March 10th, 2026, from 6:00-7:30PM at Legacy Events at 1000 N 82nd St., Kansas City, KS 66112.

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

To help ensure receipt, this letter is being sent via both standard U.S. Mail and certified mail. We look forward to seeing you at the neighborhood meeting. Please RSVP for the meeting by using the QR code or at **https://eastside-mar2026.eventbrite.com.**

Sincerely,

Josh Skogen
SVP Development
Accelergen Energy
josh.skogen@accelergen.com



NAME	EMAIL	PHONE	INTEREST
Bob Howard			
Teressa & Kevin Fogarty			
Sandra Drown			
Miles Colunga			
David Fromm			
Jim White			
Vicki Hyatte			
Greg Kindle			
Nicole Crosson			
Austin Crossan			NO
Allison Thomas	thomas@climateandenergy.org		
Stephanie BARTON			
Jim Sunbon			
Phil Lopez			

www.eastsideBESS.com

SP2025-094 and PR2025-039

Neighborhood and Community Meetings
March 11, 2026

Accelergen Energy held a third community meeting on its Battery Energy Storage System proposed at 8900 Metropolitan. This additional meeting was mandated by the Planning Commission at the February meeting and was held March 11. The official required community meeting was held January 13. A voluntary community meeting was also held in October 2025.

14 people attended the March 11 meeting. Almost all of the attendees were nearby neighbors to the proposed project. Four attendees support the project. 10 had concerns or were opposed.

The meeting was set-up in "science fair" format with posters explaining details of the project. An updated handout describing the project in detail was distributed.

Accelergen Energy owner Josh Skogen engaged in lengthy conversations with property owners living across the street. They have been the loudest voices against the project. Their opposition boiled down to one particular item. They are concerned the project will lower the property values of their homes.

Other previous concerns about fires, noise, air pollution and general safety of the project seemed to be resolved, or at least not a major topic of discussion. Again, the biggest concern expressed was regarding a fear that having the project across the street could lower property values.

It should be noted that the neighbors to the immediate east and west are large land owners who do not oppose the project and have expressed satisfaction with the commitments Accelergen Energy has made regarding deed restrictions, facility location on the acreage and leaving most of the site available for continued agricultural/grazing use.

It should also be noted that Beto Martinez of Rise4EJ, who asked for a delay of the project in February, is now satisfied with the community outreach and is supportive of the project.

A copy of the sign-in sheet of attendees is attached.

Mike Taylor on behalf of Accelergen Energy



NAME	EMAIL	PHONE	INTEREST
Nick Priviteri	nick.priviteri@mariane.us	913-948-0236	Contracting
David Fromm	davidjfromm@gmail	913-961-0628	neighbor - Darby Farm LLC
Jerry & Sandy Cigich	scigich1950@att.net	913-302-5578	Neighbor
Hellie Abet Hogan			
Charles Stephens		913-441-0363	Neighbor
Gordon Criswell	Airwolfe1@kc.rr.com	(913)573-5040	MAYOR'S OFFICE
Gina Gschnauer	bloodingutersus@yahoo.com	(417) 388-5888	neighbor
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Jim Surber	jsurber@everydaymail.net	913 972 0214	Neighbor
Duane/Beth	dnbeth@icloud.com	913 484 4	
James + Jeanie Tillison	jeanie9216@gmail.com	9139826419	
Ben Gorack	screamingohms@gmail.com	505-681-5802	Neighbor
Karen Schibi			



NAME	EMAIL	PHONE	INTEREST
Denis Bailes		9135309928	
Elsa T.		913-963-2317	
Elias R T.		913-998-4741	
Janeth B		913-293-4883	
Dan Ross		913-226-0145	
Nicole Crosson		913-526-8541	
Kellan Widner		816-315-6658	
Paige Kincaid		913 210 1024	
Elijah Hubbell		816-602-8035	
Greg Kindle		913-748-2272	
Greg Masier	KCKCC President		

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NAME	EMAIL	PHONE	INTEREST
Shirley Carter Ford		—	—
Carlos/Dena Williams		816 560-4193	
Jim/Terri White		913 302 5761	
Steve Buchel		913-951-9181	
Eva Garcia Meza		913.980.8328	
Jason Widner		816-550-8615	
Sabriya Sami		(816)305-4933	
Silas Samo		316-214-1936	
Stephanie Burch		913-575-5282	
Bo Moreno		816 492-9332	
Steve Sessions		913-220-5546	
Wade Kieker		816-585-7906	
Tracy Ramsey			
Tracey Bailey		9135304946	



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Paul Boettcher	Tallsuy KC@Gmail.com	913 6054912	Neighborhood
Todd C Taylor	Taylormadeproj Equipment	816-820-4003	Neighborhood
Marlin Burt	MBurt99@gmail	913 940 2867	Neighborhood

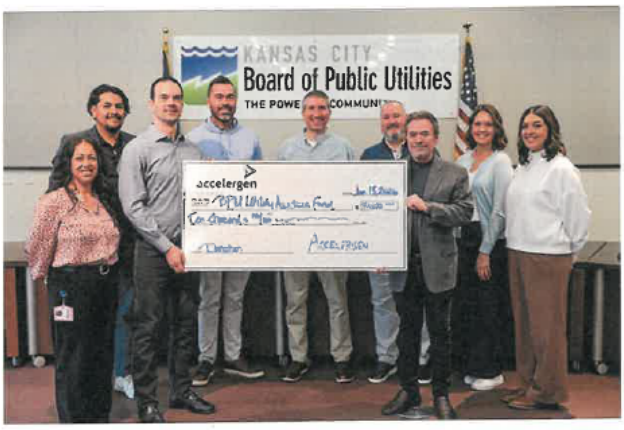
accelergen
ENERGY

SP2025-094

Neighborhood and Community Meetings
January 13, 2026

Accelergen Energy is proposing a Battery Energy Storage System at 8900 Metropolitan. The company has held two neighborhood meetings, one in October and the required meeting on January 13.

While company officials were in Wyandotte County, they demonstrated their commitment to providing community benefits by donating $10,000 to the Board of Public Utilities Utility Assistance Fund which will be used to help at least 25 Wyandotte County customers who are having difficulty paying their electric bill.



Accelergen Energy also donated $10,000 to Edwardsville Elementary school after working with the Bonner Springs Edwardsville Area Chamber of Commerce to decide where the contribution could meet the biggest need.



Bonner Springs Edwardsville Area Chamber of Commerce
🧡🖤BETTER TOGETHER🖤🧡
Thank you to Accelergen for giving the Chamber an opportunity to nominate Edwardsville Elementary for a grant! Businesses often reach out, asking where assistance is needed in our community. They awarded a grant of $10,000 to Edwardsville Elementary! It's impactful when new businesses give back upon joining our cities or county. A special thank you to Chamber Board Members, Jena Woodbury and Councilman Garrett Mellott for being passionate Edwardsville residents and advocates. Jena had the honor of filling out the check!
Without a doubt, Accelergen Energy hit a bull's-eye with its recipient choice.

Accelergen Energy has a corporate policy of making quarterly donations in the communities they serve as well as creating a workforce scholarship program. Conversations are already underway with Kansas City Kansas Community College.

Community/Neighborhood Meeting

Accelergen Energy invited the required members from the neighborhood around 8900 Metropolitan as provided by the KCK Planning Department. We also invited a number of other community members including the Mayor's Office, UG Commissioners, Wyandotte Economic Development Council, Unified Government Economic Development, KCK Chamber of Commerce, Kansas City Kansas Community College, Sierra Club, social media influencers with We The People and other community advocates.

The meeting was held from 5:30pm-7:30pm so we provided dinner catered by Wyandot BBQ.

The meeting was recorded and posted to YouTube by a citizen and can be viewed at https://youtu.be/bWiy-GJnevY?si=_ceMsB0l6IRqgoHj.

We also recorded the entire meeting. A complete written transcript of the meeting follows along with the required sign-in sheets and letter inviting neighborhood residents. A handout explaining details of the proposed project was provided which meeting participants could take with them. That hand-out has been provided to Byron Toy of the Planning Department.



Transcript of Neighborhood Meeting
January 13, 2026
5:30pm-7:30pm
Legacy Events Center 1000 N 82nd KCK

Josh Skogen
... Um, we are an independent power producer. Uh, here in our country, anybody, uh, can put power onto the grid and sell it out on the wholesale market. Um, one of the great things about it, and so what we do is sell power to utilities and other, other industrial customers, um, at levelized rates and make our return for our investors, and then the utility has a guaranteed rate, uh, as a hedge against volatility associated with other sources of fuel.

I also want to do the battery energy storage. It's relatively new in this part of the country. It's... A lot of installations have been going, uh, in the Southwest, primarily Texas, Arizona, Nevada, California, up in New York, but they're moving-- and, and in Virginia, but they're moving, uh, into this part of the country due to the tremendous amount of energy growth that we're seeing. Um, so these projects take energy from the grid at, at, when it's at a low cost, during low demand hours, store that energy and discharge it during hours when it's needed most at an affordable price. That's the intent. These systems are really optimizing the use of the energy that's already being created.

Uh, over seventy percent of the nameplate capacity of your energy sources come from wind in this part of the country. It's staggering. Uh, and all that wind, a lot of it is generated at night, and it's not being used. These projects allow, uh, us to capture that energy at a low cost and deliver it later in the evenings and afternoons when it's needed most at an affordable price. Uh, they also... These projects help avoid costly transmission upgrades when sited, um, in the right locations. Uh, they help avoid all the congestion. Think of transmission lines like roadways. During peak demand, you get a lot of traffic jams on those transmission lines, and these projects, when they're sited near the load, are able to deliver right at that location without having to rely on the transmission lines during peak hours. Why do we need energy storage? I've gone a little bit about this, but what we're experiencing for the first time really since post-War II is demand growth. Uh, local energy providers are projecting to double their energy load over the next five years. It's unbelievable. It's... We've never seen anything like this, uh, in my lifetime, and like I said, since post-World War II. Uh, but at the same time, we have a lot of old infrastructure. We have old transmission lines, we have old oil and gas plants that are very inefficient and costly to run. Those are being shut down. So in one direction, we have more demand for power, in the other, we're trying to take older power plants offline. So there's this increasing gap of a need, and these projects, like I said, are part of a solution. They're not the only solution, but they're part of a solution to capture the energy we're already generating and deliver it later in the day. Why this location? We start siting our projects by looking at all the transmission models that are developed by your local energy providers and evaluate where on their system are they experiencing the highest price variances or the highest price differentials. Meaning, where... That's a sign of where there's the most traffic on those lines and very hard to get power to. This location is one of the most volatile price locations in all of the twelve-state area. Kansas City has a very congested transmission system. I was at your local energy provider's office today. We easily agreed on that fact. This area, while having a, a need for affordable power when it's needed most, is also infrastructure-ready. There's a substation already at this location. We also saw that there was already cleared land adjacent to that substation, so no need to deforest a lot of areas. There was also interstate highway, uh, providing access near the site, so easy to get to. And then we looked at the priorities of the local government. Your local government recently published Plan KCK, which had a comprehensive plan of what their priorities are moving forward, and this project had a lot of alignment with those values and strategies laid out in Plan KCK. This is a snapshot of the proposed site plan. What you're seeing on the screen in green is thirty-seven acres of property that we're buying from a landowner who currently owns about sixty acres. We've split this

thirty-seven acres off from that. So this, uh, project participant is just a tenant farmer, really, but they'll continue to own about twenty-three acres to the east of the site that will not be developed. Um-...The layout on the screen is for a three hundred megawatt project. Our first phase will be two hundred megawatts. So what you're seeing on the screen is larger than what we're planning to build over the next few years. Um, this project is not planned to be constructed for a few more, few more years. Probably twenty twenty-nine is when it will go operational, twenty twenty-eight or twenty twenty-nine. So we're still a ways off from that phase here. When we developed this layout as part of our permit application to the county, um, the county had a, has a very good process, a very rigorous process, to help us develop a site layout that, um, complies with all their requirements. Um, the site layout, the fence of the layout will be more than a thousand feet from any existing neighboring residents, creating a large buffer area around. We also see a lot of natural vegetative screening that's existing. And we said, "Well, what is this project gonna look like from nearby roads?" So we did... Had a consultant who does three D modeling for all sorts of industries in the United States, develop three D models for us based upon on-site topography and the layout of the project. And here's what we're seeing. The only location from roadways that we potentially could see the site is from the entrance along Metropolitan Avenue. So what you're seeing on the left side of the screen is an existing condition from the entrance, looking to the northwest. What you're seeing on the right is what the project will look like when it's done. So as you can see from Metropolitan Avenue, the project will not be visible. If it was, what you would see is probably some landscaping with an aesthetic wall. Um, there's gonna be likely an aesthetic wall, uh, to abate sound. We don't want to increase sound levels on any nearby residences, and we'll work, um, on a baseline to establish that. I'll go into that a little bit further on in the presentation. [coughs] A lot of benefits that this project brings, uh, in terms of boosting local workforce, just locally, uh, not even statewide, but just locally, we're estimating sixty-five local construction jobs. Um, we're talking with local contractors and the IBEW Local one twenty-four. We want to hire the most skilled local labor that has the highest safety record possible. That's paramount to us. Increasing tax revenue, uh, over the life of the project for twenty years, this project will generate about nineteen million in tax revenue. Uh, we are modeling it to reduce annual production costs, nine million dollars annually. So taking that cheap power at night and shifting it to later in the day is estimated to save about nine million dollars annually just for this one project. Uh, it will deliver clean energy. These projects do not em-emit, uh, greenhouse gases. Um, community-based partnerships, we're looking at doing scholarships with the local community college, uh, providing at least one, you know, full-ride scholarship annually to an applicant. We're doing other programs for workforce development. Uh, we're also doing, uh, currently community-based partnerships. We're doing a five thousand dollar quarterly donation or more to local community-based partnerships, um, like Energy Relief and Human Services. For design best practices, I went into a little bit about noise. Uh, we want to establish what the baseline is. What is your current noise level at nearby residences? And our commitment is to not increase that with this project, and that can be done with, uh, acoustics modeling. There... Acoustics modeling is a well-known technique. There's, there's software based upon specification of the equipment in order to do that, and that's our commitment. Uh, lighting is minimal. It really isn't needed at the substation. Um, at the site, there will be minimal lighting that will be turned on with a switch as necessary, uh, but this system is largely unmanned, so that light will likely very little ever be on. If it is on, it will be shielded and faced downward to avoid light pollution. Uh, we've done all sorts of environmental studies, um, species, habitat, waterways, hazardous materials, you name it. We've done all the studies. We've submitted those studies to the local applicable agencies, including US Fish and Wildlife Service, US Army Corps of Engineers, Kansas Department of Fish and Game, and they've all provided written correspondence back that this project is not having negative impacts to species, habitat, or waterways. Off-site drainage, all the water, uh, on-site will be captured prior to being released off-site, so there will be no increase in off-site water flows. Uh, groundwater, the-- we estimate with, uh, our early geotechnical studies, not the aquifer, but just to hit groundwater, it's about thirty feet plus down at this site. Uh, and with the infiltration rates of this soil type, it will take about three and a half years for water droplets to get down that far. Um, public services, the project is an unmanned project. It, it does not require, uh, sewer, um, it does not require a continuous amount of water flow. Uh, it will not increase traffic during operations. This project will actually have-... than an average

residential home throughout its life. It will not generate solid waste through its operations, um, so low demand on public services. I want to go a little bit into project safety. Uh, I do have a consultant here, an energy expert from Gensym, the largest [coughs] fire protection engineering company globally. Um, I brought my Stanley here off to my right, and he'll come in here in just a moment, but I'll kick this off. And I want to talk about safety because this, um, there's a lot of misinformation out there about safety with battery energy storage systems. [coughs] Excuse me, one second. Uh, battery energy storage systems, um, have made a lot of improvements over the years. Just like any first version of a technology, you learn a lot. And with this technology, because [coughs] it's connected to the grid, you had to learn a lot fast. In the beginning, the industry basically was taking cars from electric-- batteries from electric vehicles, putting them in containers, assembling them on-site, and putting energy on the grid. Well, that didn't work. As you can see with the red bar, the red bars, uh, uh, on the bottom here, we have a time frame from twenty sixteen to basically today. So the last ten years, we've seen improvement here. The red bar is the number of incidents reported globally on utility scale energy systems. The blue bar is the amount of systems installed. [coughs] So you see in the beginning, [coughs] there was a very high incident rate per installation. Since that time, the evolution of codes, standards, installation techniques, technology, operation, [coughs] battery management systems, that has all changed the game. As you can see off to the right here, [coughs] the number of installations has grown exponentially, and the number of reported incidents has come to the point where it is extremely rare for a safety incident to occur with one of these units. Um, one of the main reasons for that is that not all lithium-ion batteries are created equal. They're not the same. In BESS systems, they're not the same. Lithium ion describes a group of battery types. There are many variants of lithium ion within that group. Two have really proven themselves for certain applications. One is an application that has done very well for the electric vehicle industry. However, it contains heavy metals like nickel, cobalt, and manganese. It is good for the use in electric vehicle because it has high density. So a lot of energy can be put in a small space, but it's very heavy. It has a low tolerance for temperature before it, uh, goes into what we call thermal runaway. And when it goes into thermal runaway, it has a self-propagation, [coughs] because the components within the battery start to break down under heat and release oxygen, creating a fire triangle. That is what creates the self-propagating thermal runaway in that technology. That's what the energy storage industry was using early on, and why we were seeing those really high incident rates per installation, because it wasn't the right technology for the use. We were putting a round peg in a square hole. Engineers have come a long way. They developed a brand new... Well, not brand new, but they've helped commercialize and improve a technology called lithium iron phosphate, LFP. That is the technology that this project will use. This project will not use technologies with heavy metals like nickel, cobalt, or manganese. That does a lot of wonderful things. First and foremost, what it does is it prevents these, the decomposition of the battery under extreme heat. So you're not introducing oxygen or the fire triangle into a thermal runaway event. You're also, in the very rare, extremely rare event of a fire with a lithium iron phosphate battery into these systems, you don't have those heavy metals, which those heavy metals in those older technologies is what was creating very high heat conditions, causing those fires to last for a long time. Those are the improvements that this industry has made, and I'm going to go at the end and show you some of the commitments we want to make for projects like this, and commitments that we want to have the project make to you, and not just by what I say, but by what's on paper. And we can do that through the conditional use permit that we're applying for. A conditional use permit, in our view, is a contract to the community. That conditional use permit can put restrictions and requirements on us that we have to meet or comply with before we can get a building permit, and those are things that we want to do. Um, the other main complaint about... Two main things that have changed-... a lot of incidents that have happened, have happened within the first year or two of installation. And that's because the quality of the installation, and the s- the industry has addressed that in two ways. One, these systems are integrated in controlled environments in factories now. You have system integrators that not just make the battery, or not just make the, the racks, or not just make the enclosure, but create an engineered solution that is completely manufactured within their walls, tested before it is shipped out. So there's no... It is a plug-and-play in the field. Number two, the labor industry has come a long way in understanding what works and what doesn't, and we're committed to using the highest

quality, most skilled, highest safety record labor force in Kansas. We believe that's IBEW Local one twenty-four and its general contract partners. We're committed to doing that. The other is the battery management. Why do we feel comfortable plugging our phone in, plugging in our laptop, plugging in our power tools, walking away and forgetting about it without fear of them overheating or overcharging? Because battery management has come a long way. Ten years ago, that wasn't the case. We had cell phones that were run-- going into thermal runaway because they were under battery monitoring, not battery management. They're two very different things. Battery management systems are what are creating very safe systems today and prevent that overcharging, that overheating condition from occurring. [coughs] Uh, there's other systems here. I want to give Mike a chance to maybe add anything. Mike Stanley, uh, with Jensen Hughes here off to my right, your left. Um, if you want to add anything to what I'm saying here, Mike, or introduce yourself.

Mike Stanley
I just want to introduce myself and touch on a couple of things. But [coughs] like Josh just said, my name is Mike Stanley, and I'm a senior fire and emergency service consultant for Jensen Hughes. As he mentioned, Jensen Hughes is the largest fire protection engineering company in the world. So we were engaged with the Overland Park Fire Department, and also to address some of these safety factors and help improve these safety factors that come along with BESS installations. Some of them are required by fire code, some of them are required by statutes. Some of them, but the majority of it is we want to protect the community and protect these BESS. So I spent thirty plus years working in communities evaluating risk. Retired working for the fire department, retired as a fire chief for Perry. I came to work for Jensen Hughes. [coughs] And now I get the opportunity to come talk to fine folks like you about different projects around the country and around the world. And so I do a lot of work in the, the BESS space, as does Jensen Hughes. And that's our folks are on all the committees. They're the ones driving the industry, doing a lot of that engineering work. So I'll be around, you know, throughout the evening, you know, be able to answer some of your questions. I'll be around. If you think of something later, grab me off to the side and we can talk. But I'm sure you have lots of questions, and we'll go back to that, that slide, and you see the graphic over here about the decrease in incidents. Now, when, uh, [coughs] we look at that, you think, [coughs] well, that's only been less than ten years. That's kind of a short span, right? But the reality of the way technology evolves in our modern world is on the left, that's the Flintstones. On the right, that's the Jetsons. Not to, to date myself with that analogy, but, I mean, that's what we're talking about, how technology has emerged. That's, you know, when you try to conceptualize that, think about that we had the f- first human flight where they survived the landing. It kicked off with the Wright brothers, [coughs] putting a man on the moon in less than seven years. You know, and we have done nothing but pick up the pace. But that's... [coughs] So the technology's evolved. You know, Josh mentioned the changes in code and regulations. Decades and decades ago, we used to have lots of tragic fires in schools. Well, codes were developed, standards were developed. We learned from those incidents, and now you don't see that in the news anymore. And that's what's happening in this industry as well. So the National Fire Protection Association, which develops all the different fire protection standards throughout the United States, it's referenced globally, just released their Standard eight fifty-five on lithium-ion batteries and battery energy supply system-- battery energy storage systems, excuse me. This is highly regulated. Highly regulated, but there are lots of standards involved, and there is lots of engineered systems that are developed to prevent those bad things from happening.... the owner doesn't want it to burn up, the community doesn't want it to burn up, the manufacturer doesn't want it to burn up, the fire department doesn't want it to burn up. So we over-engineer some of these things, and we've gotten the technology, much like in your cell phone, has gotten much smarter. So lots of, of standards and stuff to minimize that. So [clears throat] we work with the local fire departments and the area fire departments, who might respond, in developing an emergency response plan. That way, they already have a plan for how to respond, what to do if needed. Very unlikely event, but coming from the fire service, my job was always to hope for the best and plan for the worst. And so we'll develop those plans. We'll do a thing called a hazard mitigation analysis. We'll do some plume modeling. I can get into more explanation about that, you know, as, as we go along. You know, I won't bore you to tears with all that

information right now, but we'll look at all those factors of how does this impact the community in regards to [coughs] safety, and how does it impact the fire department? And so, so that's the perspective we come from. You want this one? Go ahead.

Josh Skogen
Yeah. I think I'll just kind of open it up to questions here as I wrap just a couple more slides. Um, thank you, Mike, and Mike's going to be a resource for questions after here. I just want to get through the deck. Um, this is just a list in the packet that if you didn't get one, they're at the entrance there. Please grab one. It just describes all the, [coughs] the layered protection systems and the technology that we're committed to using. Um, like I said, this project isn't gonna go into construction for the next few years, so technology is going to continue to evolve, um, and get better. This project, we were talking to the, uh, your deputy marshal today, and he was saying he would like to see this project be subject [coughs] to new codes as they're adopted ongoing. So I'm not stuck in twenty twenty-six or twenty twenty-seven code forever, but I'll be required-- we'll be required to continuously update the project to make sure it complies with the new codes. And I think that's a fair request. Uh, decommissioning. We don't want to leave you with a mess. [coughs] That's not, that's not our objective. To guarantee that, we are going to be issuing a bond to the benefit of the county that it can draw on in the event, unlikely, that we just disappeared and walked away from a two hundred million dollar investment. Unlikely, but if for some reason it happened, we went bankrupt and fell off the earth, I don't know, you, as a community, would have the ability to pull that bond and have the money available to hire a contractor locally to do the work. And the way that we're guaranteeing the right amount is in place is we're going to hire a third-party professional engineer, we've already done to prepare one, to draft an estimate of the cost to decommission and properly handle, [coughs] dispose, and recycle and restore the site to its existing condition when done, and return to the ag zoning it is. That's the nature of the conditional use permit. This is not a permanent forever thing. This will be fully restored, and you'll have that guarantee. Uh, final neighbor commitments. This is just a few that I came up with as I was thinking about the commitments we want to make to you and things that we would be, um, happy to see in the conditional use permit list is no toxic metals in our technology. That's not the way we're going, so happy to make that commitment. Highest quality installations, making commitments like working with your local laborers, your IBEW 124, your local contractors. I'm sure we are utilizing the highest skilled workforce available. Improving local services. We've talked with your road department, a very nice gentleman. Um, both Ricky and Chris were great. Um, they agreed that the width and the shape of eighty-eight, the Metropolitan, is not in the state it needs to be, but we'll get it there at our expense. We'll improve that to a rural cross-section with nice ditches through those culverts, and solve the problems that those roads are currently in. [coughs] We also understand that some of you folks don't have internet. We'll put in a backbone line. We need a backbone fiber line to the project. I'm happy to make that line large enough to, to have taps for others in the community to have a life-changing event and have internet at your home. Top-tier battery management system. Um, we're gonna be using the highest quality, likely a fully integrated battery management system made by the manufacturer of the entire unit itself. So it's not some third-party communication device trying to talk to another piece of equipment that was generated by a separate group. We want to maintain that rural agricultural setting, so we're not looking to site this in an area where we're gonna have to do many more tree clearing. It's already done. We don't want to increase noise on existing homes, and we've that commitment. We can do that through baseline sound studies and then acoustics modeling of the technology we finally select. I want to continue grazing this property if that makes sense for everyone. I know there's interest from the existing-... uh, family that is grazing to want to continue that. We're just gonna put a fence, uh, or a visual, uh, sound wall around the project. The remaining, uh, about fifteen acres of the land, the thirty-seven that I showed you, we're not gonna develop that. It'll remain as seen in that, uh, visual. I'm happy to have that rural setting be maintained, [cough] a mixed use of the land. And the visual screening, you know, we chose this site because of all the vegetation that is around it to the north. Um, it's hard to see from metropolitan. We thought that was a great thing, but if there is any areas that aren't visually screened, the county is already wanting us to make sure we have at least, I think, two hundred and thirty mature trees on the

site. Uh, if we don't already have that, we'll continue to plant more mature trees and, and make a, a nice visual screen if anybody, um, has a problem with, um, what they're seeing. And partnering with local resources, [cough] including your emergency responders, to set up the appropriate plans. The testing requires during an unlikely incident, the resources that they have available, we'll make sure they have them, [cough] and the training. So we're not-- This isn't a one and done, develop a response plan, put it on a shelf, and let it collect dust for twenty years. [cough] This is a working document that we continuously improve in collaboration with your local emergency responders, including annual training on the updated codes, and that work gets implemented into a revised version, probably at least annually into that emergency response plan. [cough] Uh, with that, I think that wraps up what I had to present. I would like to open it up to Q&A. Yes, please.

Neighbor #1
Um, from the original meeting, I thought you said that you had already purchased the land and that a farmer was leasing it.

Josh Skogen
We do have a purchase agreement for the land, but the way our agreement works is that we have a right to execute on the option for the next number of years. So the, the purchase, we have an exclusive right to purchase the property that is signed.

Neighbor #2
And then you'll own the property then when you remediate the land, you'll still own that property?

Josh Skogen
We would, but we-- we're not long-term property owners. [coughing] That's not our business. So what would likely happen is the land would be put up for sale at the end of the project life.

Neighbor #2
Okay. I have one other question, because I know a lot of people have questions. Um, what, what is your valuation of, um, building this? What is your, what is your cost of this?

Josh Skogen
Um, somewhere around two hundred and fifty million.

Neighbor #2
Okay. So, so to remediate the land and remove those batteries, from my understanding, um, from what I've researched-

Josh Skogen
Mm-hmm.

Neighbor #2
-um, it can range anywhere from twelve to fifty plus million to remediate and have that happen. What is your anticipated fund that you so call it, to the county-

Josh Skogen
Yep.

Neighbor #2
-to, to do this?

Josh Skogen
Yep. We will issue a bond for the estimated amount, and that bond will sit for the benefit of the county. In the event it needs to be called upon because we just walk away, [cough] we will be able to call on that bond and have the funds available to do that work.

Neighbor #2
Okay. So if it's fifty million, you're putting fifty million into that bond.

Josh Skogen
That's right.

Neighbor #3
Does that, does that bond grow as the years go by? Because what costs us a million dollars today doesn't cost that in ten years.

Josh Skogen
I know. I wish that was true, though, but, um, it's not. You're right. So what we'll do is have an assessment probably every five years to reevaluate the estimated cost and update the bond amount.

Neighbor #3
Who decides the estimated cost then?

Josh Skogen
A third-party engineer will do the estimate to be approved by the county. [cough] That's the way we've seen it done in other models. Uh, please.

Citizen #1 Steve Sessions
I have several questions.

Josh Skgoen
Yes.

Citizen #1 Steve Sessions
So you're pur-- you're purchasing the property from...?

Speaker 1
The current owner is, um, an EV charging business. Uh, that was their plan for the property. They, they have the property, the name of the holding company called Olin Holdings, LLC.

Citizen #1 Steve Sessions
And so when you purchase the property, you're gonna change that from agriculture to industrial?

Speaker 1
No, we are not.

Citizen #1 Steve Sessions
Why?

Speaker 1
We didn't feel that was the right thing to leave behind.

Citizen #1 Steve Sessions
So you're gonna have a two hundred and fifty million dollar project on agriculture land, paying twenty-eight hundred dollars a year in taxes?

Speaker 1
No, that is not, that's not what we're doing. No. We'll have a conditional use permit-

Citizen #1 Steve Sessions
Yeah.

Speaker 1
-and the evaluated tax is estimated at about nineteen million, uh, for the life of the project.

Neighbor #4
Um, how many best [cough] does your company currently have completed and in operation?

Speaker 1
Accelerated Energy does not have any projects in operation. Myself and my business partners, we've been doing this for twenty plus years.

Neighbor #4
Okay, so my question was, this company right now-

Speaker 1
Yes.

Neighbor #4
-you guys don't have any facilities that are completed?

Speaker 1
That's correct.

Neighbor #4
And a proven track record with your company, there's none?

Speaker 1
Not under Accelerated Energy.

Neighbor #4
[clapping] Okay. So one thing-

Speaker 1

But as a company, [cough] as a team, we've project-... sixty plus projects into operation together from beginning to end, and we've operated and built out platforms, operating the largest solar private, privately held solar energy company in the world. In twenty sixteen, we sold three utilities.

Neighbor #5
And did you put all of these in a residential area?

Speaker 1
Um, we-- it was mixed. There were about twenty different states.

Neighbor #5
Okay.

Speaker 1
Spanning from Virginia to, um, Michigan to California.

Neighbor #5
So currently, what states do you have projects in? I know you have Kansas, and I know you have Colorado. That's all. But you supposedly have six. So what are the other four states?

Speaker 1
We have projects in Kansas, Oklahoma, Colorado, Utah, New Mexico. Lauren, am I missing anything?

Neighbor #5
That's only five. You're, everything's just six. [laughing]

Speaker 1
Uh, six. Well, we have about ten projects across those states. We have three in Kansas, two in Utah, two in Colorado, one in New Mexico, and two in Oklahoma.

Neighbor #6
I just, I just have a simple question. Um, I went directly to the property, probably my sales probably don't see this.

Neighbor #5
What is the benefit of your company doing this to me living here? I know all the downside of things, but what do you say the benefit to me personally, living across the street from your battery systems?

Speaker 6
And internet and phone, so I'll cut it. [laughing]

Speaker 1
Well, I'd like to talk to you about that. Um-

Speaker 6
Go ahead. [crosstalking]

Speaker 8

The road is a little spoiled. I mean, I, I know that-
Speaker 6
I mean, I've lived thirty-five years with those roads. I mean, that coming out of it, man. [crosstalking]

Speaker 8
I know the downside. But what is the benefit to me for? I, I don't think it's going to lower my taxes. I mean, you told me you aren't going to get lower for this being in there. You, you're just going to get lower energy costs. But what is my benefit? Why do I want this across from me?

Josh Skogen
Ultimately, it does result in current annual energy prices for you. So BPU, so our business model, we will sell the energy to a company like BPU. There's no commitment from BPU or us to sell BPU.

Speaker 8
That's what we definitely hear.

Speaker 6
Yeah. But what if they don't want to sell to you?

Josh Skogen
You can-- This grid is operated through multi-state, so actually, you could, you can have customers, uh, beyond just BPU.

Speaker 8
But my energy comes from BPU.

Speaker 9
In the transmission line, I don't know about you. [crosstalking]

Speaker 8
But again, what-- I just want to know what the benefit to me is.

Josh Skogen
Yeah. So it's really that nine million dollars of production cost savings annually on the system providing benefit to you. So it's really being able to capture that wind energy and deliver it locally to the grid, um, relieve that strain at that substation.

Speaker 6
If they buy it.

Josh Skogen
That is the issue.

Speaker 6
If they buy it.

Josh Skogen
And so while you won't probably ever in your life, none of us will see lower energy bills, projects like this are meant to curb your annual costs.

Speaker 6
Well, so now they sell it to some, some city.

Speaker 7
And we just... Correct.

Speaker 6
Right. But I mean, [crosstalking] it's just going to go to the next city that needs to buy it.

Speaker 8
So how do you-

Speaker 6
At that time, it's not going to stay here.

Speaker 9
If you're going to sell it to a different city, how do you propose getting it there? You're gonna pay for the transmission lines from BPU and Energy to, to send it there, or you're going to have your own transmission line?

Speaker 8
The entire country is connected, so you could move-

Speaker 9
I know what the grid is.

Speaker 8
Right. So you could move, theoretically, an electron from here to New York. You can, but there again, you're going to have to cross these property lines, basically.

Speaker 6
Yeah.

Speaker 8
Because BPU ain't gonna let you use it for free, just like Evergy Ain't, New York's not.

Josh Skogen
Right.

Speaker 8
It's not an open door.

Josh Skogen
You can move power across Southwestern Power Pool. Uh, it is an open access system, so I, I can make a virtual trade for anybody independently, privately.

Speaker 8

But then you can trade-

Josh Skogen
From here to, uh, Texas, and then over up to Dallas.

Speaker 8
Right.

Speaker 7
But then we're back to, but then we're back to selling it to someone out of state. [crosstalking]

Josh Skogen
Right. That's, that's not what we're planning to do. We, we are talking-

Speaker 7
But you don't-

Josh Skogen
To energy providers and-

Speaker 7
But you don't have an agreement with BPU currently, that you would sell it to them?

Josh Skogen
We do not currently.

Speaker 6
Then-

Speaker 10
Have you proposed one?

Josh Skogen
Um, what I can probably say is they're aware of the project.

Speaker 10
But you haven't proposed one.

Speaker 6
They will have one.

Speaker 10
Oh, have you, have you pro-proposed something to our local supplier?

Josh Skogen
We, we've made them aware of the project. They, um, have a need that this project very clearly fits, and we are in discussion about the opportunity.

Speaker 10
Yeah. So, so second question, you, you say this project is two hundred and fifty million dollars. What is the valuation that you're going to set on your project for property valuation?

Josh Skogen
Um, the economic benefit-

Speaker 10
No, no, no, not-- no benefits, no savings.

Josh Skogen
I understand.

Speaker 10
If you're going to spend two hundred and fifty million dollars, what is going to be the asset, the assessment value of your property with the project?

Josh Skogen
Great question, and I was talking about the economic benefit.... site, I would have to refer to that. I'm sorry, I don't have it.

Speaker 10
The value of your property. Because the only, because right now, the only way that anybody in this room gains value from this project is not through sales tax, it's gonna be through property tax. So if you say you're gonna build a two hundred and fifty million dollar project-

Josh Skogen
Mm-hmm.

Speaker 10
-and come back, and you, but you have a conditional use permit for agricultural land, what? Five million dollar valuation.

Josh Skogen
Right.

Speaker 10
That is how your projects work.

Josh Skogen
That is not the point.

Speaker 10 Steve Sessions
I-- Then what, what, tell us what your proposed value is. This should, this should be a number you already know.

Josh Skogen
You're right, I should. I apologize, I don't have it off the top of my head, but it is something I can get tonight.

Speaker 10 Steve Sessions
You guys offer the community what they may save over nine, nine, twenty years is not-

Josh Skogen
No, I, I hear you. What-- We've, we've done an assessment of this, um, using our two hundred and fifty million dollar valuation, okay? Not just assuming ag land, just assuming it gets at the appropriately assessed valuation. Our estimate is nineteen million over the life cycle.

Speaker 10 Steve Sessions
Of what?

Josh Skogen
Based on-

Speaker 10 Steve Sessions
Of, of what, of what that will pay?

Josh Skogen
That's... I know that, I know the question you're answering. I apologize. I do not have that number.

Speaker 10
Here's a second, here's a second.

Speaker 1
Yeah.

Speaker 11
That is the property tax that's projected to be generated over the life of the project, is the nineteen million dollars.

Speaker 1
That's right. I think he's asking, what is the assessed value of the property you're assuming to arrive at that?

Speaker 10 Steve Sessions
Because, because I can tell you a million dollars a year from a two hundred and fifty million dollar project, you're not gonna get back. More importantly, this is not a white wall project, meaning that the valuation isn't like a white wall commercial building. It can only be used for one kind of, one kind of project as itself. So if you guys are gonna put two hundred and fifty million, what is the valuation of that project then? Because it can't be used for anything else.

Josh Skogen
We agree.

Speaker 10 Steve Sessions
So all I want-- I just want you to tell everybody in this room, if you agree that you should base the valuation of your project for two hundred and fifty million dollars.

Josh Skogen

Let me follow up with you on what the report says. I just-

Speaker 10 Steve Sessions
I don't want reports. I, this is you-

Josh Skogen
I'm not a tax- expert

Speaker 10 Steve Sessions
You as the owner.

Josh Skogen
I'm not a tax-

Speaker 10 Steve Sessions
You are the one selling this.

Josh Skogen
You're right.

Speaker 10 Steve Sessions
You should know this stuff.

Josh Skogen
You're right.

Speaker 10 Steve Sessions
This is, this is more than your... This is not your first meeting.

Josh Skogen
You're right, and I apologize. I should know that.

Speaker 10 Steve Sessions
This should be on a slide. All of the slides you showed are over generic.

Josh Skogen
Okay, thank you for that feedback.

Speaker 12
So, so even if you did it based, if we did it based on what my property is at, right? And you divide it by your two hundred and fifty million, you should be paying like... Hold on, let me do the math. You'd be paying five million a year in taxes.

Josh Skogen
Okay.

Speaker 12
Yeah.

Josh Skogen
And maybe that's what the county will tell us we owe.

Speaker 12
Yeah. I mean, I think that's-

Josh Skogen
We are willing, we are willing to accept whatever valuation the county puts on this project, okay? It will be up to us to decide whether or not it makes economic sense.
Speaker 13
I have a question. You've been talking about these incidents that have gone down over the years, but they're not zero. Tell us about these incidents. Are we talking about fires, explosions, leukemia in children, leaching into the water and the ground? What exactly are these incidents? Evacuations?

Josh Skogen
Yeah. All of them. Mike, I ask you, because I do have an initial response to that. The incidents are primarily, um, not large fire incidents. Uh, there are fires. It has happened. Uh, it can happen, absolutely.

Speaker 13 Nicole Corsson
Moss Landing was-

Speaker 14
I was gonna say Moss Landing-

Josh Skogen
Moss Landing is-

Speaker 14 Nicole Corsson
-not even on your fire sheet, and that was in January of twenty twenty-five.

Josh Skogen
What?

Speaker 14 Nicole Corsson
Moss Landing in California.

Josh Skogen
Yes.

Speaker 14 Nicole Corsson
That was just in January of twenty twenty-five, and yet it's not on your slide sheet.

Josh Skogen
Yeah, thanks for bringing that one up. So you may have heard of Moss Landing.

Speaker 14 Nicole Corsson
Yeah, we don't-

Josh Skogen
It was a fire in California.

Speaker 14 Nicole Corsson
And it was also a three hundred battery facility.

Josh Skogen
Yep, it was a large installation.

Speaker 14 Nicole Corsson
Just like the one you want to put in here.

Josh Skogen
And it is very unlike the one we want to put here. It was actually very globally unique, and the key differences are, one, it was using technology made with cobalt, nickel, and manganese. Okay? So it generated that very high heat. It had a battery that started to decompose, release oxygen, and create that self-propagating runaway. That was number one. Number two, it was on stacked containers. Okay? So not, uh, an enclosure, one, that they would put one on top of the other, it's because in California, in LA, it's very hard to find available land. So that developer thought they were really smart and decided to stack the containers. That created a lot of safety risks. And number three, it was put inside of a building built in the nineteen fifties that was not up to code. It did not have-

Speaker 13
So why isn't that being regulated? How are you going to regulate that and make sure that these safety precautions are in place?

Josh Skogen
That those codes are now in place, and Mike can speak to that, but that is not allowed.

Speaker 14
But you're putting it around trees. So in our area, it's a residential area with forest land. Should that catch on fire, it's going to catch all of the trees on fire in that area.

Josh Skogen
Yep, and that is some-

Speaker 14
And it will ruin it.

Josh Skogen
Mm-hmm, and that is something your fire department is well equipped to handle.

Speaker 14
That is- [crosstalk]

Speaker 13
Like, on the property.

Josh Skogen
But- [crosstalk]

Speaker 15
... Is there a fire station out there?

Speaker 14
I'm not favoring that.

Speaker 15
Fire station. I mean, the water supply is not good.

Josh Skogen
Thank you. Yeah, and we're taking this very seriously. We were just, um, at Deputy Chief John's- ... office today, talking with him and his assistant chief, uh, about these issues. Um-

Speaker 2
Did they tell you how easily our line breaks? [laughing] As soon as you get that fire hydrant, close the main.

Mike Stanley
So if you'll allow me, let me start to unpack some of the questions.

Speaker 2
Yeah.

Speaker 3
Because you're asking lots of good questions, and I want to provide answers to you to the best of my ability. But before we-

Speaker 2
[clears throat]

Speaker 3
-the machine gun pace, let me start to unpack this a little bit. All right? So, Mary, you asked a question about these incidents.

Speaker 2
Mm-hmm.

Speaker 3
And these are looking at emergency incidents, okay? Not long-term thing. This is, "Do we have to call nine one one" type, okay? This- [clears throat] So what happens is what happens. Initially, what we see-

Speaker 16
Is this what you need for the assessment? I was trying to see if it has-

Speaker 2
Let me see if it has that. It has total revenue and year-by-year breakdown. I don't see assessed value, though. Yeah, this is just a handout.

Speaker 3
Discussion on everybody's home. Moss Landing-

Speaker 2
So they want to know, like, what were the numbers to arrive at that?

Speaker 3
That Josh was just talking about.

Speaker 2
Files.

Speaker 3
A lot of mitigating circumstances.

Speaker 2
No, you want it? It's fine.

Mike Stanley
Talk about lithium-ion batteries, and we're talking about the two classic things. Right? Now, these are not the lithium-ion batteries they're asking about at the airport if you have them in your bag. The-- I can say categorically, there's a thing that's vehicles. Right? There's a classification, vehicle, and lithium-ion batteries is much like that. We say vehicle. A Ford Model T is a vehicle. A Ferrari is a vehicle. But I think we can all agree the engineering and the technology and, and the advancements are wildly different. And the same thing with a Ferrari is a vehicle, and so is a dump truck. [laughing] Okay, they're still vehicles, but there's so many different nuances, you know, and that's one of the main differences when we talk about Moss Landing, is it's a completely different vehicle. The fact that it was inside, and the fact that they were double-stacking the batteries and the technology they were using, horrible, shouldn't have happened. We said, "How do we preve-- Why did that happen?" Those things were allowed, and I'm not bad-mouthing the city of Los Angeles, but those things happened in Los Angeles. They were allowed. We can't be, be held accountable for that. And you said, "Now, how do we make sure it doesn't happen?" That's where your local ordinances and adopted fire codes come in. And we talked at great length with the fire marshal today about not only what Kansas City, Kansas, is doing, but throughout the region, all of the fire marshals that have a consortium that just adopted the most recent fire codes in the twenty twenty-four fire, just adopted that move across-- universally across the agencies. Inside that twenty twenty-four fire code, [clears throat] lithium-ion batteries and invest facilities is specifically addressed, as is in that NFPA ten five. Now, let me, let me keep unpacking. Right? So questions came up about the trees. [clears throat] The biggest concern from my perspective when I come in and work with these communities, work with these fire departments, is preventing vegetation fires. That in the unlikely event that a fire should happen, control the vegetation fires, put out those spot fires so they don't spread and burn up not only the wildlife, the wildfire vegetation, but also that urban interface of the buildings that are amongst those trees, like your houses. We want to protect that. You know, and there's lots of pieces and components inside that NFPA code that talks about vegetation management, distances of setbacks, what type of surfaces you can use around this facility to minimize that. [clears throat] And quite honestly, I love what Josh told me this morning about probably going to let on the, the bigger property, the cows continue to graze. That's an aspect of [clears throat] vegetation management that doesn't normally happen on the bigger property in these type of facilities. Okay? So yes, we want to pre-prevent and protect from the, the wildfire and burn down those, those trees. Absolutely. Then he talked about should there be a fire station there? But I want to back up to, I had another thought around the trees. That same issue holds true. That's basically vacant property right

now, right? And I read that people over the years, not, you know, every day, not that it's, you know, an epidemic, but people have been going out there and dumping their stuff out there, dumping their garbage out there, tires and pallets and stuff.

Speaker 2
Maybe not twenty-four seven, but probably [clears throat].

Speaker 3
You know, I'm betting all the, [clears throat] the local teenagers know about that property.... You know? So if I go out there with a discarded cigarette, I go out there and start a little bonfire to have my little social party, that same risk exists of you could burn down all the trees. Those aren't new risks.

Speaker 17
So there's the same danger, you're telling me, between a bonfire-

Speaker 2
Right.

Speaker 17
-and a battery flame?

Speaker 2
Yeah.

Speaker 17
That's what you're gonna say. [crosstalking]

Speaker 3
I'll tell you this, [crosstalking] the risk-

Speaker 2
That's why it's going into the soil.

Speaker 3
It's more concerning to me about somebody having a bonfire out there than putting that battery. Let me tell you why. That bonfire is an uncontrolled event. That is an open flame event. That is a known fire, right? It's burning. There is no engineering system behind it. There is no preventative maintenance behind that. There is no monitoring associated with that. There is no alarm notification associated with that.

Speaker 2
Except a responsible homeowner doing the burning.

Speaker 3
What's that?

Speaker 2
Except from the responsible homeowner that's doing the burning, unless you're gonna say we're ignorant about-

Speaker 3
No, no, no, no, no, no, no, no. I would never say that, ma'am, number one. Two, the example I gave is not a homeowner, and it's on this property where there, there is not a homeowner, and I talked about irresponsible teenagers.

Speaker 2
And you haven't crossed, why have you yet?

Speaker 17
We're gonna call someone off. I mean, that's what we live there.

Speaker 3
Right. Ab- absolutely. And like I said, just talking about the risk for, for wildland urban interface fires. The question came up about do we need a, a fire station? That is a grand discussion, okay? Do you need a fire station there because the best facility is normal?

Speaker 2
Yeah. We'll figure it out. I do.
Speaker 3
Let me explain.

Speaker 2
That's one of the requirements.

Speaker 3
This bigger question is: do you need a fire station there to protect your community?

Speaker 2
I took pictures of places to start.

Speaker 3
You live there. You might have a house fire, you might have an apartment, right? So that happens on the fire department side, and they look at the risk analysis. Services that Jensen Hughes has offered to, to Excelergen and was offered to the fire department today, is we could come in and do a capability analysis. [coughs] And we're gonna look at what's that response time? What resources come there, which is interchangeable with across the street to your house, right? You know, so identify some of those gaps. All right. Sir?

Speaker 10
So what, what is the fire protection cost for that? [coughing] Because right now, the current fire protection covers the whole-

Speaker 2
That's it. [crosstalking]

Speaker 10
What is the added cost for fire protection?

Speaker 1

Can I just interrupt for one second? I apologize. One of the requirements we have to have back to the county for this is when you have a question, can you please just state your name? 'Cause we have to, uh, list those questions and what our responses were. Greatly appreciated.

Speaker 10
On that, can I ask, is there any BPU, fire, county, city people that here, here tonight at all, and how are they gonna know what our response is to your, uh, proposal is?

Speaker 1
Yep. Um, I would ask, is anybody here representing any of those groups?

Speaker 17
No. So I, I'm Commissioner Chuck Stites, District Seven for Wyandotte County, so I am here taking notes.

Speaker 18
Uh, Gordon Criswell, mayor's office. I've got a few things to notice over here. [laughing]

Speaker 1
Thank you. Sorry to interrupt.

Speaker 2
Do you guys know where the closest fire station is?

Speaker 10
Hold on, let, let, let me answer the, the first question.

Speaker 1
Can you state your name, sir?

Speaker 10 Steve Sessions
My name is... And, and for the next one, it's easier if you just record these. I mean, it'll give you all the information. I mean, the two hundred and fifty million dollar project, that should be the least of your problems. [coughing] And the way we do the small things in life is how we do the big things, and we shouldn't be at the end of the meeting, after an hour in, saying, "Oh, we need to schedule a meeting."

Speaker 10 Steve Sessions
But, but then on the big things, if you come back and say, "Oh, I'm sorry, it's my fault." Like, that's the problem with all of this. It's so vague at the beginning, and nobody knows the information, and you're expecting the community to then have support behind you guys. If you come to these, you guys should be prepared for this stuff. You guys should have the answer. You guys should have-- know what you need to have. Not, I mean, if you're, if you're not winterized now, when you're building a two hundred and fifty million dollar project, you're not gonna winterize it. So back to me, what is the added cost for fire protection for a two hundred and fifty million dollar project?

Speaker 3
[clears throat] And I'm not gonna engage in debate about property valuation.

Speaker 10
No, I'm talking about fire.

Speaker 3
Yeah. [coughs]

Speaker 1
That's what I'm talking about.

Speaker 3
So can I unequivocally tell you today what Kansas City, Kansas Fire Department is going to feel is their impact? I cannot speak to that. What I can tell you is that in my experience in looking at similar projects like this around the country, Jensen Hughes, my office, we think it's a pretty negligible expense because the incident volume-

Speaker 3
-is not big. If we put a seven-story nursing home there, they're gonna call the fire department a lot, and there's gonna be impact.

Speaker 10
Fire, fire protection, fire protection will cover the worst-case scenario.

Speaker 3
Sure.

Speaker 10
... Yeah, worst case-

Speaker 2
It becomes toxic when there is a fire.

Speaker 10
Yeah, so there- you should, you are, you are the expert, so you should have this answer. You should know, like, how many mega watts or whatever you, whatever, how much it costs to protect it. That should be a, that's an industry something, right? You're, you're putting this in our rural, rural communities, and if you talked to our fire chief today, you'd also know that they are severely understaffed.

Speaker 3
Yeah, we had that discussion today.

Speaker 10
So then you should know it's going to cost us even more money.

Speaker 3
Yeah. Theoretically.

Speaker 10
That's not theoretical. [laughing] Go ahead.

Speaker 18

So can, can I just add real quick? Are you asking what it would cost for the fire department to have the necessary equipment-

Speaker 10
Correct.

Speaker 18
-to put out said fire?

Speaker 10
Yeah. He knows what...

Speaker 18
I don't know if everybody is following.

Speaker 10
He, he knows. That's why I asked the way, the language that he used in his, his, his work. He knows. I-

Speaker 3
Yeah, I appreciate the clarification.

Speaker 10
That's right.

Speaker 19
Let's try this another way.

Speaker 3
So when you talk about-

Speaker 19
Let's just try this another way.

Speaker 3
Sure.

Speaker 19
NFPA thirty-five describes how the services for suppression is supposed to happen inside the trailer. The fire is supposed to be suppressed in the trailer before it gets out anywhere else. And so the idea that there's... That's built into the technology, right? That's built into every trailer has its own alarm and stuff to do all that stuff. So we don't need to do that. What we do need to understand, what we do by the way here, is what is the capacity of the flow rate going down the road? I think there's five fire hydrants, [coughs] which is five hundred gallons a minute. How much do we want to calculate if one of these things catches on fire, what is involving, what we need to put that out? There's these kinds of things we want to do, and it takes a long time, but you would contain it within one box. Um, Jensen-

Speaker 10
So you're working fire engine?

Speaker 19
I am. It's right across the street.

Speaker 10
Okay, so well-

Speaker 20
Can I ask a question? Um, my name is Karen. So I heard you talk about cases, like the batteries are in cases, and stacked, and some mechanism. Are those cases protected by something like an alloy? Like, you talked about space or like a heat shield that would contain if there was a fire because it's a case, would contain it within a case.

Speaker 3
Great, great question. So let me kind of chip away at some of the previous question that this gentleman asked me and some of the others, right? [coughs] I heard somebody say, "This is a rural community." I, I will tell you from the projects that I work on, this is an urban community compared to resource response. The portfolio coming in is in working with fire departments that are one station, volunteer fire departments with no hy- fire hydrants in their municipality. That's honest. That's true. Now, do, do I say that they're completely prepared? Not always. That's where that assessment happens. So I'll respectfully disagree with you and say, I should know what the cost of that will be. We offered to engage that capability assessment, fire department, at no cost to the fire department to test it. Celergen was, was kind enough to do that. That's where that assessment comes. 'Cause we're talking about the people and the resources, what they get paid, and how many fire trucks do they have. That's an in-depth analysis. And I, I'll be very honest with all you folks, right? 'Cause I work for a separate company. I don't work for Celergen, I work for Jensen EMAS. And until Jensen Hughes is engaged to do that work, I'm not going to do all that work. I'm just being brutally honest with you. I don't get paid, my company doesn't get paid, and then they fire us. And I'm categorically opposed to that concept. So now, we've offered that to look at when that worst-case scenario happens, or the most mundane thing happens, what is the fire department's capability? Where is the gap, and what needs to happen to close that gap? But for me to do that now, and do all that work, is like me getting insurance support before I go on a first date. I can't do that. It doesn't make sense, okay? Your question's about it, valid, but I can't bring that to the table until I'm engaged to do that. Go ahead. And I'll come back to your question.

Speaker 2
Worst-case scenario, catches on fire. How do you put it out?

Speaker 3
Yeah, great question, and that's going to come back when we tie these two together. That's okay. So I talked about this is an engineered system. You will hear people just kind of glibly throw it out there, this is a shipping container. That helps you get a picture of size, shape, but it is far from a shipping container. It is an engineered vessel to contain... Well, there's a- I'll talk about the engineering that happens inside to make sure it doesn't catch on fire, but it is engineered to contain that fire, and also, we talked about the coatings and stuff. It is built to prevent auto exposure. What that means is, if one catches on fire, it burns up next, and the next, and the next. Some of that is accomplished through the code, through that spacing, but some of it is through the construction of the container itself.... And I'm, I'm coming. I'm coming your way, all right? [clears throat] So what, you know, like, so this is a smart container. It is monitored to the individual cell level. So again, this is not how the technology works. You know, I just want you to help con- conceive this in your minds. It's like a double A battery.

Speaker 2

Where is it monitored at, though? There's not going to be anybody on site. How does it monitor?

Speaker 3
Correct. Much like at the bank, the burglar alarm is monitored off-site. So it's done by a computer. There is a lively being that sits there and watches for that alarm. So what happens is, you know, if we start to see, if they start to see a disruption at that cell level, it starts shutting down the system. It shuts that cell down, and it can shut the rack down, where they've got the s- the, you know, picture mini double A batteries. It can shut the whole unit down. That is designed to keep it from catching fire in the first place. There is some engineering systems in there, and depending on which model you end up buying, whether you buy a Ford or a Chevrolet, [audience clearing throat] they look a little different. Some of them have a clean agent, you know, where they will suppress fire in it. Okay? That... Then when we say, how do we put it out? And I heard somebody talk about toxic gases, too. That let's say one of these catches on fire. I'll, I'll make it put it out. Catches on fire. Anything that catches on fire produces a toxic gas. You, you burn your garbage, it's going to produce a toxic gas.

Speaker 2
Oh, yeah.

Speaker 3
That is absolutely a fact. Okay? [clears throat] Now, the... On the other side of the, of the COG there, I was driving around this morning, saw the household chemical waste storage facility. I don't know what's in there. That changes day to day, probably hour to hour. We very much know what's the off-gassing of that product-

Speaker 21
Yeah, I've got to give it up.

Speaker 3
-specific to anger. That's been tested, that's been evaluated, and [clears throat] we know what toxic chemicals are gonna come off this. Any other fire, house, the fire department goes to, any other structure the fire department goes to, they have no idea. We can tell you within this. And what [clears throat] we will do, and we've done in other circumstances, is what's called a plume model. Well, first we'll do a hazard mitigation analysis, where we'll look at what are those hazards, hazard materials that could potentially come from this product. That has to be done. [audience member coughing] Somebody's happy to do it anyway, but we're gonna... This program is gonna get it. And when we look at plume modeling, that is unique. We will look at unique to that exact spot. Look at weather conditions, things like, like that. I'll, I'll get you.

Speaker 21
Did you say the weather conditions?

Speaker 3
Yeah, like normal, and you know, that normally the wind blows from the west, you know, in this area. So-

Speaker 21
I'm trying to ask, since this system, this, this company, this box will be monitored off-site-

Speaker 3
Mm-hmm.

Speaker 21 Gordon Criswell

-we have F four tornadoes that come through here, rarely, but we have them. [audience member coughing] So if a monitor sees a weather report, that there's a high potential of an F four coming in my direction, that's gonna trigger shutting down your system?

Speaker 3
Not that it... There could be-

Speaker 21
To prevent a fire?

Speaker 3
What's that?

Speaker 21
To prevent a fire, if an F four comes across and destroys this building, won't there be a potential fire or-

Speaker 3
Yes, but it, to qualify that there's a tornado warning for this area to proactively shut down, no. What it, it sees, detects as a disruption. How many times have you, you heard a tornado warning, and I'm not bringing you flip, but how many times have you had a tornado warning, you didn't tear your house down?

Speaker 21
Well, but, but the, the people said, "There's a tornado warning, you need to take shelter immediately." [audience member coughing] Whether a tornado comes or not, and you know, eighty-five percent of the time, the meteorology gets stuff wrong.

Speaker 3
Right.

Speaker 21
But you want to protect your family and your property, so you will take shelter. Same thing with this building. If, if, if there's a tornado warning and it's on the ground, there's gonna be a fire. That building is gonna be blown to smithereens. Are you gonna need to veneer for that? Or how do you prevent the fire that they were talking about when you've got an F four that's ripping everything in attendance?

Speaker 1
Yeah. I think what... If there's an F four, I think we all have, there's a lot of problems, uh, for the community. [audience member coughing] Um, this may be one of them. The way it's mitigated is these enclosures are fastened to concrete pads. They are not, um, easily movable, um, and they are designed for, for certain wind loads, snow loads, severe convection storms like you're talking about, per code, at a minimum.

Speaker 22
Can you answer what the metal is? What the metal casing is around the individual units within the trailer?

Josh Skogen
Yeah. So the way a enclosure is assembled, you have-... Start with a battery cell, which is a, it looks like a brick. It's basically the size of a couple of bricks stacked on top of each other. That's the battery cell, and that is an airtight enclosure that, that has the, the material in it. Um, from there, those cells are put on a rack and wired in series, just like a Christmas light, uh, on a rack. And then those racks are wired together to form the

best enclosure. The, uh, monitoring of the system is done at the cell level. So we will know the state of health of every single cell in the system, and we'll automatically get a notice if any cell is exhibiting behavior out with normal operating conditions. So we can proactively address it and prevent it from going into a state that we're talking about here, which is unlikely, but possible.

Speaker 23
So they're not necessarily separate. They're all in the tray or lined up, but they're not necessarily separated. Say, like-

Speaker 1
Oh, I see what you're saying.

Speaker 23
You have another grid.

Speaker 1
Yes, they are, they are separated.

Speaker 23
What you're talking about.

Speaker 1
Yes.

Speaker 23
What is the [background noise]?

Speaker 1
The cell separators are steel, and then they're separated between the modules. A physical separation.

Speaker 3
I forgot-

Speaker 1
To prevent that cell-to-cell heat transfer.

Mike Stanley
So what I'm going to tell you now, this is getting me on fire. It's coming from a twenty-year firefighter, and it's coming to in the public's perception, the public's expectation of what a fire department does, this is exactly what they do. When we look back here, you know, part of the problems around that is, what's the fire department supposed to do? See a fire, put water on it. [coughs] Strategies and tactics around these facilities is dramatically changing in the American fire service. Now, I'm going to say something here, and probably all going to go, "Oh, my gosh, I can't believe you said that. You can't have said that to him." In that uniform event, where the fire gets to the point that it breaches that container, I want it to continue. Because what happens is, we're going to put a million gallons of water on there, and now you've created this superfund site with products of combustion, potentially into the creek. Now we've got to bait that stuff. We're better off, let that unit run its course.

Speaker 24

For how long? How long will it burn?

Speaker 3
I'll give you a very technical answer: Depends.

Speaker 24
How is that?

Speaker 3
So, so it depends on-- It's unpredictable. It depends on the [coughs] the level of involvement of it. I mean, it's going to depend-

Speaker 1
The technology used.

Speaker 3
On the technology that's, that's used. Right.

Speaker 24
Right, but you guys told us what technology.

Speaker 3
Right.

Speaker 24
So therefore, worst-case scenario, that catches on fire, you should know how long that's going to burn.

Speaker 1
Yep. These technologies are very hard to actually get to ignite into a fire.

Speaker 24
Got it. You don't know.

Speaker 3
No.

Speaker 1
We, we don't know, absolutely. It, it, every case can be different. Um, it could be that day, it could be a few days, but it won't be a volatile fire type case.

Speaker 24
This could be volatile chemicals that the kids are breathing, and there are children, and they're all being breathed.

Speaker 1
What we know is that the chemicals are very similar. Most of the chemicals are very similar to that of a common residential house fire, including VOCs and carbon monoxide. The remaining materials are organic solvents.

Speaker 24
How's it going to burn for days? [coughs]

Speaker 1
Organic solvents that are typically used in your house paint, your vinyl flooring, vinyl siding, your insulation, everyday products we use. Uh, hydrogen cyanide, that's emitted in a house. [coughs] That is no different than what we're doing here.

Speaker 24
Except yours is going to burn for days, right?

Speaker 1
But won't be emitting toxic gases like that.

Mike Stanley
Those things burn for days. Part of that reason, historically, why they burn for days, is because we put water on it. It's, you know, I gave a... Told a story to the, the fire department today. Uh, as a young firefighter, my city had a huge warehouse fire. It was a warehouse that stocked everything for convenience stores, and we were there for ten days, and we put over a million gallons of water on that fire. And this was my observation as a pretty young, naive firefighter. I said, "Well, the fire gets a little bigger, and we put it out." Well, the roof then collapsed. What's the roof supposed to do? It's supposed to shed water. If we would have just let the thing burn and burn itself out, we wouldn't have been there for ten days. So that lack of spraying water on it is going to shorten the length of that, that fire duration.

Speaker 1
And the lack of the heavy metals would cause extreme heat, and will also shorten that duration.

Speaker 3
You made the comment about, you know, people are breathing this. So to talk a little more about plume models, what we want is specific to this location, to this facility. But what I see come out of this-

Speaker 23
Getting the point?

Speaker 3
... is maintain a distance of thirty-five feet, [coughs] which I hope all of you would do. You would stay thirty-five feet away from a fire. [clears throat] And you're talking about the whole atmosphere of air. You know, and we have a, a cute little term where we talk about in the fire service and emergency response, dilution is the solution to pollution. We see that absorbed into the atmosphere, and that plume, that toxic gas, is at a ceiling of three hundred and fifty feet. [coughs] So hopefully, none of you are, are up at three hundred and fifty feet in the air to breathe that, and then it gets dispersed in the atmosphere, and you've had a question forever.

Speaker 25
Yes. I just wanna-- Nicole Crosson. I just want to make a couple of things perfectly clear. You are moving into an agricultural, rural type area, as there's twenty-three acres and cows that's gonna be around this proposed facility. Number one, clarification. Number two, if the Moss Landing wasn't that big a deal, do you realize how deceiving it is for us to believe anything you're telling us because you left an off-the-cuff prepared slideshow to come and talk to us about?

Speaker 3
Okay, this is false. I never said Moss Landing was not a big deal. I said it's a horrible tragedy.

Speaker 25
But do you see how that looks when it's not listed on your twenty twenty-five chart for Project Safeties? That was an event that just happened.

Speaker 1
This, this goes up to the end of year twenty twenty-four.

Speaker 25
But you're here to us now, talking in twenty twenty-six.

Speaker 1
Right.

Speaker 25
So why was that not put on your slide?

Speaker 1
We're happy to talk about Moss Landing.

Speaker 25
But do you understand the perception of what that looks like to come to our community and say that safety and, and try to minimize the fears that the community has about this and say, "Oh, no, it's not going to be bad. Oh, no, we know what we're doing out of..."

Speaker 3
Yeah.

Speaker 25
Do you realize that?

Speaker 3
Yeah, let me offer clarification. Very clearly stated that this information comes from a database.

Speaker 25
Well, I can do a quick [coughs] search and find it if I search best unit fires nationwide.

Speaker 3
Right, but that was not the search engine, you know, the search parameters. [laughing] We said, this is the information that's coming from this reporting body.

Speaker 25
But the-

Speaker 3
That reporting body, I'm sorry to interrupt you, but that reporting body has not released numbers for twenty twenty-five.

Speaker 25
Okay. So you just conveniently left that part out.

Speaker 3
No, not, not conveniently. It's... If you ask, go down to the county and ask today, [background noise] I want data from twenty twenty-five. I want to know how much water was used. I want to know how much property tax was assessed. I want information from twenty twenty-five. [coughs] They're going to tell you, we are closing out that year in January, in the first two weeks of January, we're not gonna have data for you in twenty twenty-- for twenty twenty-five. That's just the way data management works. Okay, so it's not intending to be misleading. [coughs] Josh gave the... And I'm not trying to be confrontational, but Josh gave the information is available from this reporting body. This is a vetted, credible source. Now, I can get on Facebook and look at what's there, supposedly, a best fire in Outer Mongolia. I don't know that that's credible.

Speaker 25
The EPA is pretty credible.

Speaker 3
We're offering a credible source.

Speaker 25
The EPA is pretty credible.

Speaker 1
We agree, we agree, and I, I want to make clear [coughs] that we want-- we're trying, this is an effort-

Speaker 25
Trying to convince us to put it in a revenue show-

Speaker 1
Thank you for the feedback

Speaker 25
Agriculture area.

Speaker 1
Thank you for the feedback. I will make these commitments to you regarding Moss Landing. We will obligate ourselves to do everything Moss Landing didn't before we can be awarded a building permit, okay? And that's, we will not double-stack containers. We will not use NMC technology containing heavy metals. We will not operate this system without a battery management system at the cell level. We will not commence operations with [coughs] an emergency response plan that has buy-in from your fire department. We will not operate this system without being up to the codes and standards of the time in the future, okay? We're happy to make all those commitments. We're making a two hundred and fifty million dollar investment. We don't want it to set on fire either. If I do allow this to set on fire, it's probably the last one we do, okay? I won't have a social license to do another one anywhere else. [coughs] So I am extremely aligned with you to not have this extreme event happen.

Speaker 26

Would you be willing to have headcount security there twenty-four seven, within the development agreement, so that if someone is on fire, I mean, people do sabotage things as well. I'm just curious if you would be willing to put that in the development agreement, that someone would be on site twenty-four seven.

Speaker 1
That's something-

Speaker 27
My name is Teresa. [coughs] Um, first, who makes the battery? Where's the battery coming from?

Speaker 1
Yeah. Okay, so that manufacturing selection, because construction on the project won't start for another three years.

Speaker 3
Where are they mostly manufacturing?

Speaker 1
South Korea today. Okay, South Korea today. However, LG and Samsung, being the two primary in South Korea, they have manufacturing facilities, building cells in Indiana, Michigan, and integrating in Arizona. They've had partnerships with groups like Tesla, uh, and Ford, and those groups are expanding those facilities and making bigger investments to meet the demand.

Speaker 28
... who is the helping make the contingency list for this zoning?

Speaker 1
Uh, I would say any concerns of yours that you have, uh, voice those to your- to us, to your planning commission, to your commissioners. Um, and that can be decided to be put as a condition on the permit. Um, like I was talking earlier, these sorts of commitments and, and the suggestion to have security or monitoring, somebody, at least someone on site twenty-four/seven, those are conditions that can be put into a permit that acts as a contract for us to comply with before we're awarded the permit.

Speaker 28
Okay. So can we see that list before the, the commissioner votes? Because otherwise we're not- [coughs]

Speaker 1
I wouldn't see-

Speaker 29
Not yet.

Speaker 1
I think it would be unreasonable for you to not see that list before you vote on it.

Speaker 28
Okay. And then I was reading, um, so with the zoning, you never have to be rezoned. It can be a conditional for infinity until you're done. How long are the batteries really going to last? From what I'm reading, anywhere

from only thirteen to twenty years. So are you really only here, after you get set, three years for that amount of time, and then you're going to go off into the-

Speaker 1
Yes, twenty years is the intended lifespan. And so at the end of twenty years, we will decommission the project, restore it to its existing condition, including grading, and the conditioning permit will expire because the project will no longer be operating. The conditioning permit will expire, and the zoning will be returned to its previous state.

Speaker 28
So it's just a twenty-year project?

Speaker 1
Correct.

Speaker 28
And it's going to be at a conditional zoning. It really does have tax base. It, it will count to the city later.

Speaker 1
Right. I see what you're saying. This is what I was talking about earlier. Um, we have had a third party do an independent tax assessment. They do this nationally for all sorts of industries, serious tax advisors. Um, and they evaluated the estimated taxes based upon a two hundred and seventy million dollar capital investment, applied the necessary, um, you know, assessment values based upon, uh, this use, not the current use. And that's-

Speaker 28
Okay, because Pulam right now, well, what I know about Pulam, they have continued to get their ag, that property, devalued, while mining is going up thousands of compounds.

Speaker 1
And that's completely unfair. I wouldn't let that happen. And I'm happy to make that-

Speaker 28
You are, but that is-

Speaker 1
I'm, I'm happy.

Speaker 29
You're mining.

Speaker 1
What I mean by that is that can be a condition in the permit. [coughs]

Speaker 29
Another permit, so that will solve the problem.

Speaker 2
Yeah, we just got one. [laughing]

Speaker 10
What, what is the projected sale? [clapping] [laughing] What, what's your projected annual sales?

Speaker 1
Projected annual sales?

Speaker 10
Yeah.

Speaker 1
Um-

Speaker 10
And, and will these sales be based in Wyandotte County or out of state?

Speaker 1
We are estimating, I would say, fifteen to twenty million annually, [clears throat] gross revenue.

Speaker 10
And where will the revenue be based out of, Wyandotte County or out of state?

Speaker 1
Where will the energy be sold?

Speaker 10
Where will the sales be based out of? Will it be based out here?

Speaker 1
Wyandotte County.

Speaker 10
It'll be, so it'll be fifteen to twenty million, right?

Speaker 1
Correct.

Speaker 10
In Wyandotte County.

Speaker 1
Yes.

Speaker 10
And then you're willing, you're willing... So are you also willing to pay the sales tax that will not be collected when you sell to a data center in the state of Kansas?

Speaker 1
Yes.

Speaker 10
Because if you-- [coughs] Are you going to put that in your contract? Because if you sell, if you sell it to a, the data center in the state of Kansas, they don't pay sales tax. They have a sales tax exemption.

Speaker 1
We don't have a sales tax.

Speaker 10
No, no, you, you, you don't pay it. The user, the purchaser pays the sales-

Speaker 1
Oh, on the energy sales?

Speaker 10
So, correct.

Speaker 1
Yeah.

Speaker 10
So are you willing-- So, and, and what I'm getting with these questions is, you're asking our res- the residents to support your project, but so far, there is no benefit. Let's take the health and safety. We have to assume that the safety and fire is going to be taken care of. But the difference is, you're bringing a two hundred and fifty million dollar project, that you're going to be making money from our community, off of being in our community, and you're claiming to only pay a million dollars a year in property tax. But a simple basis is four point nine million on a two hundred and fifty million dollar project. So that number is already drastically wrong. And also, I don't think you guys are will-- I know you're not willing, you're not going to do it, but to pay the sales tax that's going to be what?

Speaker 1
I don't, I don't disagree with what you're saying. I think we're willing to pay whatever-

Speaker 10
I know.

Speaker 1
The jurisdiction.

Speaker 10
Yes, yes, yes, I understand. [coughs] The problem is, these projects very much don't pay anything. This, your project isn't any different.

Speaker 1
What are you basing this on?

Speaker 10
Because right now in the state of Kansas, when you sell that power to, to a data center, which is where this is going, the reason why you are in our community, is we are not a loss of power here. We don't have a power...

We don't, we don't, we don't have power problems. More importantly, we have excess power. We have, we have DUs that doesn't produce close to what they need to be. So you're-- we don't have windmills in our, in our area, so you're not saving the... You, you're doing that from out of state, and you're reselling out of state. But if you sell it to a data center, there is no sales tax collected.

Speaker 1
We will have sales tax on our revenue.

Speaker 10
Not if you sell to a data center. The state of Kansas has tax exemptions.

Speaker 1
Okay. [coughs]

Speaker 2
... partner with BTU?

Speaker 10
Yeah.

Speaker 2
We get a benefit.

Speaker 1
I would love to.

Speaker 10
The value of the money, why did you bring?-

Speaker 1
What's that?

Speaker 10
I mean, so the first is that the group that can speak for our entire community is somebody from BTU, which is a publicly owned utility.

Speaker 1
Correct.

Speaker 10
The value would have been to bring somebody in here from them, to be met with them.

Speaker 1
Yep.

Speaker 10
Because I don't know who you met with, but I asked, I asked nine people in the last two days, and not one of them met with you. So I don't know who you met.

Speaker 1
We've met with your general manager-

Speaker 10
Who?

Speaker 1
-your CFO, and your chief operating officer.

Speaker 10
What's his name?

Speaker 1
Andrew Ferris.

Speaker 10
Okay.

Speaker 1
Um, we met with Jarvis, your chief operating officer, is that his name?

Speaker 30
Jeremy Ash.

Speaker 1
And then Jeremy Ash, general manager.

Speaker 10
And what, and why, and why would they show up? If it was a benefit to us, then why wouldn't they show up?

Speaker 1
They are not a partner of the project currently.

Speaker 10
They are a partner of us.

Speaker 1
They were invited.

Speaker 10
And they chose not to show.

Speaker 1
Exactly.

Speaker 10
So, so, so you invited, you invited Jeremy Ash to show up. So I can call him tomorrow and say, "Did they, did they invite you to show up tonight?"

Speaker 30
You don't have to, I just texted him. [laughing]

Speaker 10
What is he, what is he going to say? What is he going to say?

Speaker 1
Do you recall who specifically we invited?

Speaker 10
No, you sent it. You're representing this, my friend.

Speaker 30
I have a team.

Speaker 10
Did you invite them?

Speaker 30
And I have a team, and I'm asking my team who we invited. I personally invited Jeremy, Amber Aubry, and Chris.

Speaker 10
What did he say? Down there.

Speaker 30
Yeah. We were with them this morning, in fact, and he said he would try to make it, but like everybody, other schedule. So they're well aware of this project.

Speaker 10
When was, when was this meeting presented?

Speaker 30
Oh, I'd say just about two weeks.

Speaker 10
Can we assume then, if we knew about this weeks ago, inviting somebody like Jeremy Ash as the head of BPU, probably a busy gentleman, inviting him to this meeting from this morning is probably not the way to do it.

Speaker 30
No, I invited him anyway.

Speaker 2
I would like to know on the first meeting when we received it the day of the meeting.

Speaker 17
Yeah, we received it in the mail for the first meeting, and that's why we weren't able to attend it. It came the day of the meeting.

Speaker 2
We didn't know about the first meeting, and we live across the street.

Speaker 10
You think that-

Speaker 2
I'm just saying that as a BPU resident.

Speaker 31
I'd like you to address the noise level. You did talk about acoustic modeling and how it was going to reduce the noise level. My research shows that these plants typically produce about ninety decibels of noise, which is more than double the residential limits of forty-five decibels. How many decibels of noise reduction does your predicted model show?

Speaker 1
You typically see fifty to fifty-five decibels at the fence line.

Speaker 31
Well, that's still going to be loud.

Speaker 1
Um-

Speaker 31
These things have the noise level of topography.

Speaker 32
Here is the noise survey that is done at the site. You'll see that it's not a drive, it oscillates entirely between morning traffic and evening. So nothing compared to ninety decibels. Um, so I offered to put a noise monitor on anybody's house if they want. We have three of them. We can collect data at your house. I am mostly concerned about noise more than anybody else.

Speaker 17
Forty-five.

Speaker 2
Forty-five is the maximum residential limit, so that's three houses.

Speaker 1
You can hear it at all.

Speaker 2
How can we know one period? [crowd murmuring]

Speaker 10
Hey, hold on. She's trying to talk.

Speaker 31

If it's such a big investment, um, why only a twenty-year lifespan? And if after twenty years, why not re, I guess, re-implement it? Because the level of investment, what makes it just in that twenty years?

Speaker 1
Twenty years is typically the performance of these batteries. Batteries degrade over time, so after twenty years, without adding additional batteries, which is called augmentation, the system is not providing the capacity, something like necessary to really justify the investment. They can be reused, salvaged, recycled, or disposed of safely.

Speaker 33
Can I piggyback on her? Um, so than the study of technology, there is a technology that could make the durability be there longer and with better battery pack, because that's the same battery technology, which is-

Speaker 1
Yeah, potentially, it is a technology that is up and coming. Sodium ion is the question. Um, vendors outside the country are already switching to sodium ion because it is proving to be a good use case for a lot of applications. Uh, it has commercial barriers to entry into the market still, cost being one of them. Um, but I think within three years, it could be a potentially viable technology for a project like this.

Speaker 33
Because I think it's-

Speaker 31
You never answered my question. How many decibels of noise reduction does your-

Speaker 1
We will abate it to existing levels at all nearby residences, or we will not be allowed a building permit, and we're happy with that condition.

Speaker 10
Are, are you able to share the, um, results from the canvas biologists and all those reports you got back?

Speaker 1
Absolutely. It is a public document right now. All those are public documents.

Speaker 10
Where can we find those at?

Speaker 1
... Um, you would have to call your county staff to, um, it's all been submitted, but they are public documents. But I'm happy to grab your email-

Speaker 34
Yeah.

Speaker 1
-and send them directly to you.

Speaker 35

Thanks. Um, a few years ago, I talked to Richard Petty, and his organization tried putting in a camp for disabled children, and that was eventually denied because of the environmental impact and of the, uh, rare wildlife. It was taken off the endangered species list in twenty fifteen, and my understanding is that the state does not want to disturb their habitat, which is part of that area over there. Um, so that would it'll be back on the, um, endangered species list. Uh, what is, what is going to be on the environmental impact of the native wildlife?

Speaker 1
Yeah, that's a great question. Environmental impacts, uh, are something we also take very seriously. Um, we have done [coughing] assessments. We've had, uh, licensed biologists in the state of Kansas do on-site, uh, pedestrian surveys to identify any potential species habitat of endangered or critical, um, or listed species. They submitted the findings of those reports, which did not find anything, um-

Speaker 35
There's no wildlife?

Speaker 1
No critical, endangered or listed species are on there, and those reports were submitted to both Kansas Department of Game and US Fish and Wildlife. Uh, we spoke with both those agencies, and they have provided written correspondence back to us stating that there are no potential negative impacts associated with this project.

Speaker 35
That wasn't my understanding, and we'll let it go for now.

Speaker 34
Um, I'm happy to provide it directly to you. Just grab your email and grab it for sure. [coughing] Happy to send those reports to you.

Speaker 35
What was the question? I'm sorry.

Speaker 1
Oh, I'm sorry. Yes, she was asking if I could send reports to her and the correspondence from Fish and Wildlife. So I will happily.

Speaker 34
What you're proposing is proprietary for somebody to just go plant five miles from here and do what you're doing?

Speaker 1
Um, any licensed business, um, can put power onto the system as a private independent [pause] What we're doing is not proprietary. You know, we have trade secrets in how we identify locations like this that are starving for power, affordable power, during peak hours. But what we do in terms of operating facilities, it's a very common business model, um, that goes back all the way to coal and gas plants. Utilities are capital [coughing] just like any other business, and so they can't own every single asset. They end up buying power from independent power producers, like Accelogen, through long-term contracts.

Speaker 35

And do you have a chart or data on that three million consumer analysis? Because I have time to apply it. It's not going to be because they're selling us. But, um, you know, I figured that's where the electricity is going or maybe [coughing] plants. But where, where are you getting that data from?

Speaker 1
Yep. So Kansas City Board of Public Utilities posts their energy fore-forecast, their integrated resource planning. That is a document on their website. Um, and through conversations with them and other, um, load-serving entities like Energy, um, the demand is forecasted to double through this decade.

Speaker 35
We agree.

Speaker 1
I understand.

Speaker 36
Do you have any... [coughing] Because I kinda breezed through that really quickly. Do you have any, uh, literature or documentation to kinda show what the inside looks like on the inside?

Speaker 1
Yes. Yes. The question was, do we have any [coughing] photos or documents that show what the enclosures look like on the inside? Yes.

Speaker 34
My name is David Romm, and, uh, my question is, what is the proposed timeline for this project, uh, everything that was going on?

Speaker 1
The earliest we would commence construction at this point, realistically, is January. It's possible we could start operations in twenty twenty-eight, but likely twenty twenty-nine.

Speaker 35
When does construction start?

Speaker 1
Twenty twenty-eight. I'd say as early as twenty twenty-eight.

Speaker 34
It's gonna take you over a years to get there out there. [laughing]

Speaker 1
Yeah, that's why... That's what makes it why I did bring a piece of coffee. Do you want to put this on? That's one last like [static noise]

Speaker 34
One thing that you said, this whole thing that piqued my interest is improving the road and the BP Metropolitan Avenue. Um, I've lived there. So I guess my question is, you can't really wide that road without the other people seeing it as a BP, as everybody else.

Speaker 1
Exactly.

Speaker 34
So, [coughing] I guess I want to see something that says how you're going to improve the road, what are you going to do to them, and that before you clean it. Is that going to happen before you get a building permit? Is that all talked about or discussed before the building permit is issued, or what's the best stuff?

Speaker 1
That's a great question. So the way that typically works is the condition to improve eighty-eight Street Metropolitan will be put on our permit, our condition use permit, as a requirement to get a building. So that would require proactive involvement with your road department to discuss how that will be done, and that won't be done overnight, to your point.

Speaker 34
Right.

Speaker 1
So if the permit is awarded in the near future, we would start that work-... um, to understand how that's done. There's, my understanding, there's some, uh, erosion problems. The culverts are undersized. All that we would love to see improved.

Speaker 18
I mean, the infrastructure needs we're doing, it's, it's a process.

Speaker 1
Yeah.

Speaker 18
I guess putting new blacktop on the road is not what I would say would be an improvement. You gotta widen, you gotta widen the road, and you're gonna widen all this before you start the project or after?

Speaker 1
We would widen it before. We would put, you know, do the rural, uh, Ricky, with your own department, was thinking a rural profile, you know, maybe a twelve-foot lane on each side with a ditch profile on either side.

Speaker 37
[crowd murmuring]

Speaker 38
The, the view from Metropolitan, I understand, is important to the people that are on that road, but there are views in the surrounding area that are such that they would be able to see this plant, uh, and not just a bunch of trees and, and all the structures you're showing right now. Because, um, the surrounding areas almost look down upon this, right at it, and what are those views going to look like?

Speaker 1
Yeah, so the question is, what it will look like from the homes up, up here?

Speaker 38

Yes.

Speaker 1
Um, my understanding is you wouldn't have a clear line of sight to this location due to tallest, due to the, the size of the trees and the topography.

Speaker 38
Well, I know the next-door neighbor is going to see it pretty easily. And the people on eighty-eight Street, what's it going to look like from four thirty-five? Um, you know, all the things familiar to you in the area. The picture from Port, from Metropolitan, I mean, that's a no-brainer.

Speaker 1
Yeah.

Speaker 38
Yeah.

Speaker 18
I'm Miles. I live in that populace right there across the street from it. So I can shoot the top of that hill clear as day. I can see almost down there clear as day.

Speaker 1
Yep. So we, uh, we had a consultant do the visual modeling based upon the topography and the layout. And this, this location near the entrance was the only location their models were telling me it was visible from, from either four thirty-five or Metropolitan. And then, when we did the modeling-

Speaker 37
[crowd murmuring]

Speaker 1
We have not done modeling from, um, you know, any residents here.

Speaker 38
That's what I mean.

Speaker 1
Due to the visual screening existing, we are not touching any of this. This will all be maintained. We want to maintain an aesthetic buffer all the way around.

Speaker 18
Are you going to own that piece of property that's to the east of where you're going to build?

Speaker 1
We do not have this property under control.

Speaker 18
Who owns that?

Speaker 1

That is a company that has it under the name Olim Moldings, LLC.

Speaker 18
That's the four seven across from my street.

Speaker 1
That's the company we would have to get.

Speaker 2
How tall is the building that you're going to be in, I guess?

Speaker 1
Yeah, the enclosures are typically seven to eight feet tall.

Speaker 2
And how wide are you talking?

Speaker 1
Yeah.

Speaker 2
I mean, you have that big box there, but how much?

Speaker 1
Yep. Uh, think, think of a thirty to forty-foot shipping container visually. That's what the enclosure size is.

Speaker 39
Can you go back to the picture of the entrance?

Speaker 37
[crowd murmuring]

Speaker 39
Okay, so you show the gate there, and then you show the road. So you're going to put the road where the gate is?

Speaker 1
Yes. That's the proposal in the current layout.

Speaker 39
And that is not within the green area, correct? It's not.

Speaker 1
It is not in the green area, yes. It is right here.

Speaker 39
Because the power, that is the power relay station, right?

Speaker 1

Yes, this is the power station, yeah.

Speaker 39
So the entrance is way down by your house.

Speaker 2
Right. Right.

Speaker 39
Because-

Speaker 2
It's right across the street from, uh, Elias's house.

Speaker 39
Yeah.

Speaker 2
Where it is now. [coughing] Between your house and Elias's house. Um, so you're using eighty-eight Street to, to bring all that stuff in, or are you using-

Speaker 1
We would exit off four thirty-five at the top and then improve eighty-eight and Metropolitan back to consistent.

Speaker 39
And that's before or after?

Speaker 1
Yes. Yes, it would be-

Speaker 18
No damn way you're going to get them trucks up that road.

Speaker 37
[crowd murmuring]

Speaker 18
So you're going to take part of my...

Speaker 37
[crowd murmuring]

Speaker 18
You're going to infringe on my easement to make a different road or something. I don't want that.

Speaker 2
Correct. Yes. You're going to take my venue out.

Speaker 18

Do you realize our gas line is a foot off the road? You going to move that shit, too?

Speaker 1
We would have to move all the stuff to meet the twelve-foot road width.

Speaker 18
Yeah, they gotta move-

Speaker 39
So in addition to everything else that's not been passed, you want to take part of our house, you want to make it so we cannot get in and out for a period of time because you're doing something with the road, and then you want to make it so nobody has utility access on their own stuff? No. Or water.

Speaker 1
So I think what we're going to do, we're not getting the twelve-foot lane-...suggestion was an initial suggestion that is not by any stretch an approved, uh, [coughing] cross-section of that road.

Speaker 35
But that's what you told us you wanted to do.

Speaker 1
This was a suggestion from the road department, that they're not-

Speaker 2
What was the cost on that?

Speaker 1
So it'd be about a mile of road improvement.

Speaker 2
A mile? [coughing] Um, what's the projected-

Speaker 1
Uh, you know, I would say per foot of road improvement, it'd be, you know, fifty bucks a foot, fifty to a hundred bucks a foot.

Speaker 2
No way. [laughing]

Speaker 35
Right. But, but you can't-

Speaker 2
Very fair boy.

Speaker 35
You can't, you can't [coughing] make the road wider on the other side of the street, unless you go through every single one of those high power poles.

Speaker 2
Because it's only gonna get down.

Speaker 41
But your information is ever-changing. First, there's gonna be a real, you know, nice big, wide road, [coughing] so we're gonna have to take our property. There's going to be this type of battery, but in three years, it could be a different type of battery. You see what I'm saying? You've got nothing set in stone, except you want to come in and put this right in the middle of our neighborhood.

Speaker 1
Subject to all the conditions and requirements that you put on us.

Speaker 41
Okay, I wish that...

Speaker 35
I want a requirement that my house value not go down, but you're not gonna give me that.

Speaker 41
Where else did you look to put that in?

Speaker 1
Locations?

Speaker 41
Yeah.

Speaker 1
We looked all in a twelve-state area.

Speaker 41
Okay, and why not here? Where else would you think about putting it?

Speaker 1
This was the location that had the highest price volatility, we call it, meaning the most suggestive-

Speaker 35
Volatility is?

Speaker 1
That particular substation. And with, with that technical aspect of it, it also offered a site [coughing] that was already cleared, and a site that had access from the interstate.

Speaker 35
So basically-

Speaker 1

It also had existing network screening surrounding it. [sighing] So we saw it as an area that was infrastructure-ready for a project.

Speaker 25
So you didn't look into Fairfax?

Speaker 1
We evaluated all the twelve states in the Southwest Power Pool and looked at over a hundred and fifty substation locations at the one hundred and fifty KV level, which this is at, and this particular substation was in the top five percent of the most price volatile locations. I shared that information today with your local energy provider, and they were not surprised.

Speaker 35
We suggest you put it someplace that's not near people's houses.

Speaker 41
Correct. In an industrial area.

Speaker 25
Take Fairfax.

Speaker 41
Fairfax.

Speaker 35
Milton. Someplace, we don't want it in that area.

Speaker 41
No.

Speaker 35
Not at all. I mean, is there anybody here that wants this? Anybody? Raise your hand if you want it here. Okay, what's that telling you? We don't want it. Not at all.

Speaker 41
He doesn't care.

Speaker 35
He doesn't. He wants to make millions of dollars, and he's willing to sacrifice every single person in here to any extent to make it, because he-- all he cares about is making his millions of dollars, and he's willing to sacrifice our homes, he's willing to sacrifice our values, he's willing to make sure that you can't get in and out of your home. [coughing]

Speaker 1
That's not true.

Speaker 35
Because he doesn't, because, because of the road.

Speaker 1
So-

Speaker 35
Which if you want to do, just take them out, we don't care. So you're gonna be on my side, [coughing] taking more of my property.

Speaker 1
So the solution might then be to not have the road widened, but have it improved, but not have it widened, and then just use traffic control during the short construction period to manage up and down eighty-eight.

Speaker 35
Oh, so once, you know, if you're lets people get to and from and an hour of that.

Speaker 1
Just during a construction period.

Speaker 35
No, it doesn't matter. So just during construction period, if I decide I want to go to the grocery store, I can't. If I need to go to work or come home from work, I can't. If I decide I want to go to the movie lot and have a freaking beer at five o'clock in the afternoon, I can't, because you don't want me to.

Speaker 1
You know what? That's not right.

Speaker 35
Yes, it is. It is.

Speaker 40
How many of these have been put in [coughing] residential areas? How many of these have been put in residential areas that have kept homeowners' property taxes neutral or low? You know.

Speaker 35
And what has it done to the property values?

Speaker 1
The property values. That I-

Speaker 35
And the marketability of that. [coughing]

Speaker 1
Half of your taxing authority. That would be a question of value.

Speaker 35
What about marketability?

Speaker 1

Marketability and value to homeowners, there's been an impact. So what we would see is a pretty quiet neighbor that is not increasing noise, creating odors, or increasing-

Speaker 35
From what you don't understand, from the second floor of our house, you can hear it. [coughing]

Speaker 40
And you just said-

Speaker 35
Absolutely

Speaker 40
... it go up to ninety decibels.

Speaker 1
No, I didn't.

Speaker 40
We researched that it could go up to ninety decibels possible.

Speaker 1
No, we don't see that with the technology we're using.

Speaker 35
Okay, but see here, here's the bottom line.

Speaker 25
Do you want to live next to it? Would you want to live next to one?

Speaker 35
He's gonna say he would.

Speaker 25
Yeah. I'm being, I'm being so serious because we're talking about people's homes. [coughing] Some of us have lived here... My daughter's the fifth generation to live in my home. These are lifelong families that have lived in this area, and you're talking about their home. So that's why I ask respectfully, would you want to live next to this?

Speaker 1
I would see it as a quiet neighbor that would prohibit other development, yes.

Speaker 35
Because he's making a few million dollars off of selling that to you.

Speaker 41
No, and here's the long and the short of that, [coughing] no disrespect whatsoever. So we're having this meeting tonight, which is like a meeting before it goes to the bank, correct? Because we're supposed to have all the information, right?

Speaker 25
Yeah, on that note, that's something-

Speaker 1
... to make, um, the project. We want to partner with you, there's-

Speaker 15
We don't want to partner with you, we want you to go elsewhere.

Speaker 42
But you don't have any facilities completed.

Speaker 1
To do.

Speaker 42
But this company-

Speaker 1
Correct.

Speaker 42
-can verify. You don't?

Speaker 1
What's different between doing this under the banner of-

Speaker 42
Well-

Speaker 1
-the banner?

Speaker 42
Because you work for a facility, and not the other company.

Speaker 1
Experience.

Speaker 42
I know, well, I know what this other company is, and I don't care.

Speaker 1
So we want to-- I don't have answers on the technology, [coughing] or the exact road spec. And I don't have the spec on what your baseline noise levels are at your existing residences. But I'm happy to be subject to making sure [coughing] that I have a road spec that we build, that you're all happy with in your county.

Speaker 15
We're not happy with it yet.

Speaker 1
Prior to getting a building permit.

Speaker 15
You're not listening. We don't want it.
Speaker 1
And I'm also happy to have a condition to use the technology [coughing] that is proven to be the safest in the industry.

Speaker 42
But you wouldn't-

Speaker 1
Heavy metals. [coughing]

Speaker 42
You have the voting to approve it, correct?

Speaker 1
But he's voting to approve it based on these conditions, so I cannot improve without showing you one.

Speaker 43
And I'm pretty sure if they deny them, they can come back in thirty days with permission, just like the data center.

Speaker 1
Correct.

Speaker 43
So it'd be an ongoing thing where everybody's having to call and email nonstop until they give up, or we give up.

Speaker 1
I still-

Speaker 43
That's basically, that's basically what I-- my understanding is. [coughing]

Speaker 44
I still say from my original question, and the third one that's here, what, how does this benefit any of us? I, I live by it. How does it benefit anyone who lives by there? You told us random, generic things-

Speaker 1
Mm-hmm.

Speaker 44
-but nothing... You said benefits from living by this battery. [coughing] I mean, there's no benefit to it.

Speaker 42
None whatsoever.

Speaker 44
Yeah, you don't-

Speaker 42
Nothing.

Speaker 44
You don't-

Speaker 42
Intelligent.

Speaker 44
You, you don't pay sales tax if it goes to a, uh, a data center. Uh, you know, will I ever see any of the nine million dollars of tax [coughing] that you're going to pay or nineteen go to us? No, I won't. Uh, there's no benefit to any of us for this going in. No, no benefit whatsoever.

Speaker 1
The land is good now. We can't make it better. The landowner has the right to do with their land. [crosstalk]

Speaker 44
That's what I want to hear, is what, what, how does this benefit? Where do they do know the wider replication of properties? I want to see something I don't see from you. [crosstalk]

Speaker 1
The county, I think, has an interest to do that.

Speaker 45
Okay. [crosstalk]

Speaker 1
All right. Well, thank you. I think this is like a wrap. I appreciate everyone's questions and attendance. [crosstalk]

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now MICHAEL G TAYLOR, of lawful age, sound mind and upon his/her oath states as follows: (ON behalf of Accelergen Energy

1. That I am the petitioner for Petition # SP 2025-094.
2. That I conducted a neighborhood meeting on JANUARY 13, 2026
3. The notice to nearby property owners was sent on December 30, 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.

Michael G Tay
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 20th day of January, 2026.

My commission expires 8th of December, 2027.

KASANDRA WRIGHT
Notary Public, State of Kansas
My Appointment Expires
12-8-2027

Kasandra Wright
Notary Public



Westwood

accelergen ENERGY
3736 Bee Caves Road, Suite 1
Austin, TX 78746

EAST SIDE BESS
Wyandotte County, Kansas

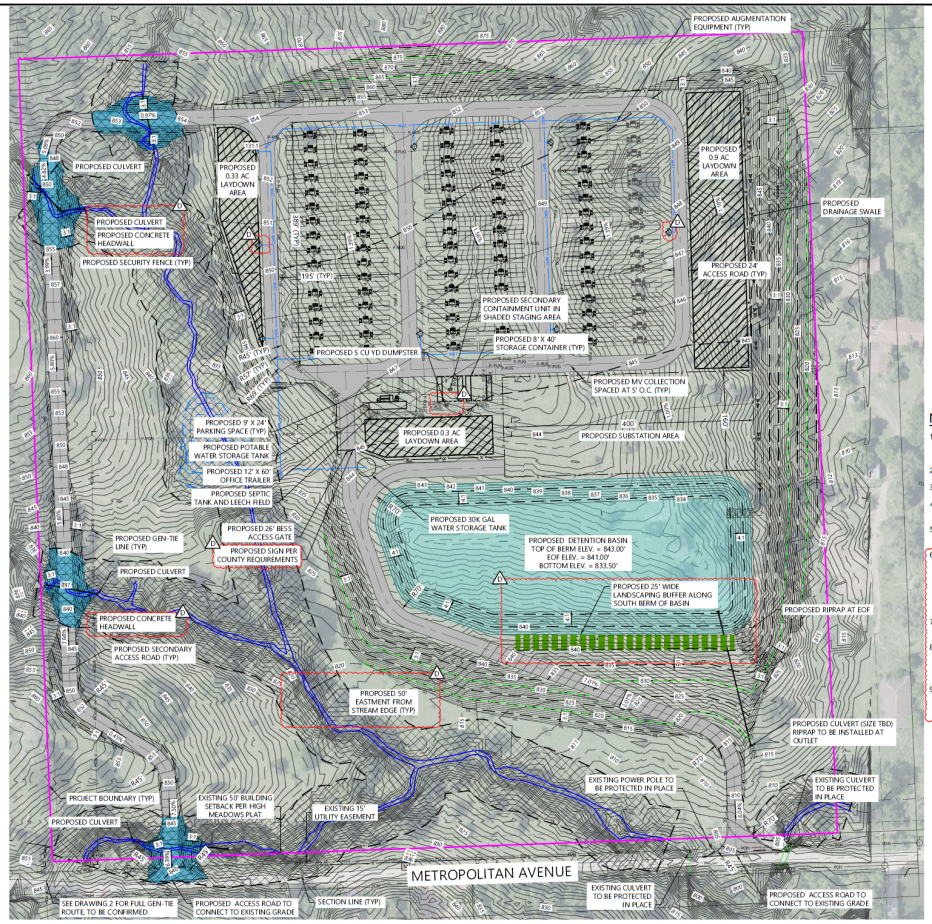
EXHIBIT SHEET

ALTA/NSPS
LAND TITLE SURVEY

PROJECT NUMBER: 0051002.00
DATE: 08/08/2025
SHEET: 2 of 2



2 OVERALL GEN-TIE ROUTE
1" = 80'



1 OVERALL SITE AND GRADING PLAN
1" = 80'

LEGEND:

- PROJECT BOUNDARY
- PARCEL LINES
- SECTION LINES
- RIGHT-OF-WAY LINES
- EASEMENT LINES
- SETBACK LINES
- EX. INDEX CONTOUR
- EX. INTERVAL CONTOUR
- EX. PAVED ROAD
- EX. GRAVEL ROAD
- EX. FENCE
- EX. CULVERT
- EX. OVERHEAD POWER
- EX. STREAM CHANNEL
- EX. WETLAND
- PROPOSED STREAM & WETLAND OPEN SPACE EASEMENT
- PROPOSED 24' ACCESS ROAD
- PROPOSED SECURITY FENCE
- PROPOSED DRAINAGE BASIN
- PROPOSED LAYDOWN YARD
- PROPOSED UNDERGROUND MV COLLECTION
- PROPOSED GEN-TIE LINE
- PROPOSED POWER POLE
- PROPOSED INDEX CONTOUR
- PROPOSED INTERVAL CONTOUR
- PROPOSED DRAINAGE SWALE
- PROPOSED GRADING LIMITS
- PROPOSED SLOPE PROTECTION TERRACE
- PROPOSED RIPRAP
- PROPOSED CULVERT
- PROPOSED CONCRETE HEADWALL
- PROPOSED 0.73 AC DISTURBANCE WITHIN STREAM & WETLAND EASEMENT
- PROPOSED WATER LINE
- PROPOSED FIRE HYDRANT

NOTES:

1. THIS PLAN IS PRELIMINARY AND SUBJECT TO CHANGE. ITEMS TO BE DETERMINED DURING DETAILED ENGINEERING (INCLUDING BUT NOT LIMITED TO): PARKING AREAS, O&M, SIGNAGE, GRADING, FIRE WATER CONTROLS, EROSION CONTROL MEASURES, AND STAGING AREA.
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3. FURTHER SITE DESIGN DETAILS ARE SUBJECT TO COUNTY OF WYANDOTTE AND KANSAS STATE REQUIREMENTS
4. PROPOSED BATTERIES, PCS, AND SUBSTATION EQUIPMENT SHOWN ARE FOR REFERENCE ONLY. CONFIRM WITH MANUFACTURER SPECIFICATIONS AND SUBSTATION EOR.
5. QUANTITIES ARE PRELIMINARY AND FOR ESTIMATING ONLY. QUANTITIES PROVIDED ARE SUBJECT TO CHANGE BASED ON REVISED LAYOUT, UPDATED CONSTRAINTS, AND FINALIZED DESIGN.
6. ALL WORK IN PUBLIC EASEMENTS AND RIGHT-OF-WAY AND ALL EROSION CONTROL WORK MUST COMPLY WITH THE LATEST EDITION OF THE TECHNICAL PROVISIONS & STANDARD DRAWINGS FOR ROADS AND SEWERS, OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS. IF ANY OF THE GENERAL NOTES CONFLICT WITH THE TECHNICAL PROVISIONS & STANDARD DRAWINGS FOR ROADS AND SEWERS, OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS (THE UG), THE UG'S STANDARDS SHALL OVERRIDE.
7. ALL CONSTRUCTION TRAFFIC, TEMPORARY TRAFFIC CONTROL DEVICES, AND PAVEMENT MARKINGS SHALL CONFORM TO THE REQUIREMENTS OF THE LATEST MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
8. THE DRIVEWAY ENTRANCES WITHIN RIGHT OF WAY SHALL CONFORM TO THE UNITED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KANSAS TECHNICAL PROVISIONS SPECIFICATIONS. SEE UG DETAILS I.E., UG 4100-G. IF A WIDER DRIVE ENTRANCE IS REQUIRED, PLEASE SUBMIT A WAIVER REQUEST AND INDICATE REASONS FOR THE WIDER DRIVE ENTRANCE.
9. PERMITS TO BE OBTAINED PRIOR TO STARTING CONSTRUCTION INCLUDE BUT ARE NOT LIMITED TO: UNIFIED GOVERNMENT OF WYANDOTTE COUNTY, PUBLIC WORKS DEPARTMENT, RIGHT-OF-WAY, HAULING, LAND DISTURBANCE, EROSION CONTROL, ETC..

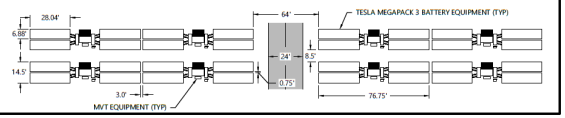
EARTHWORK QUANTITIES

LAND DISTURBANCE AREA	21.73 945,900	ACRES SF
IMPERVIOUS AREA (NET)	539,100	SF
RAW CUT	172,500	CY
RAW FILL	144,500	CY
RAW NET	28,000 (CUT)	CY

NOTE: NET IMPERVIOUS AREA CALCULATED ASSUMING ALL EXISTING GROUND IS PERVIOUS UNLESS THERE ARE EXISTING STRUCTURES OR IMPERVIOUS SURFACES WITHIN THE PROVIDED SURVEY. ALL PROPOSED GRAVEL SURFACING COUNTED AS IMPERVIOUS.

East Side BESS BESS Project Preliminary Layout:	300 MW X 4 h	
Nominal Power Required at POI	300.0	MW
Nominal Energy Capacity Required at POI	1200.0	MWh
Block Count (initial + augmentation) - 1 MVT/MVS per block	80 + 16	
Medium Voltage Transformer or Skid	MVT or MVS Manufacturer and Model	TBD 4.6MVA MVT
	Transformer Rated Power (standard conditions)	4.600 MVA
	Transformer Rated Power (site conditions)	4.600 MVA
	Assumed Real Power delivered to POI at BoL	3.750 MW
BATTERY CONTAINER INCLUDES BATTERY MODULES, BMS, & LV PCS	Battery Manufacturer and Model	Tesla Megapack 3
	Nameplate Initial Capacity at AC Bus	4.608 MWh
	LV PCS Rating at LV AC Terminals (Total per Bat.)	1.152 MW
	Battery Container Count per Block	4
	Initial Count at Beginning of Life (BoL)	320
	Augmentation Count	64
	Full Buildout Count at End of Life (EoL)	384
	Initial Nameplate Capacity Provided at AC Bus	1474.6 MWh
	Augmentation Nameplate Capacity Provided at AC Bus	294.9 MWh
	Total EoL Nameplate Capacity at AC Bus	1769.5 MWh

TYPICAL EQUIPMENT LAYOUT: (NOT TO SCALE)



Westwood
Phone (720) 531-8350
Toll Free (888) 937-5150
10170 Church Ranch Way, Suite #201
Westminster, CO 80021
westwoodps.com
Westwood Professional Services, Inc.

PREPARED FOR:
accelergen ENERGY
3736 Bee Cave Road, Suite 1, #124
Austin, TX 78746

REVISIONS:

#	DATE	COMMENT	BY	CHK	APR
A	08/15/2025	ISSUED FOR 10% REVIEW	MB	DW	MW
B	09/19/2025	ISSUED FOR 10% REVIEW	MB	DW	MW
C	11/26/2025	ISSUED FOR 10% REVIEW	MB	DW	MW
D	01/19/2026	ISSUED FOR 10% REVIEW	MB	DW	MW

0' 80' 160' 240'

East Side Energy Storage Project

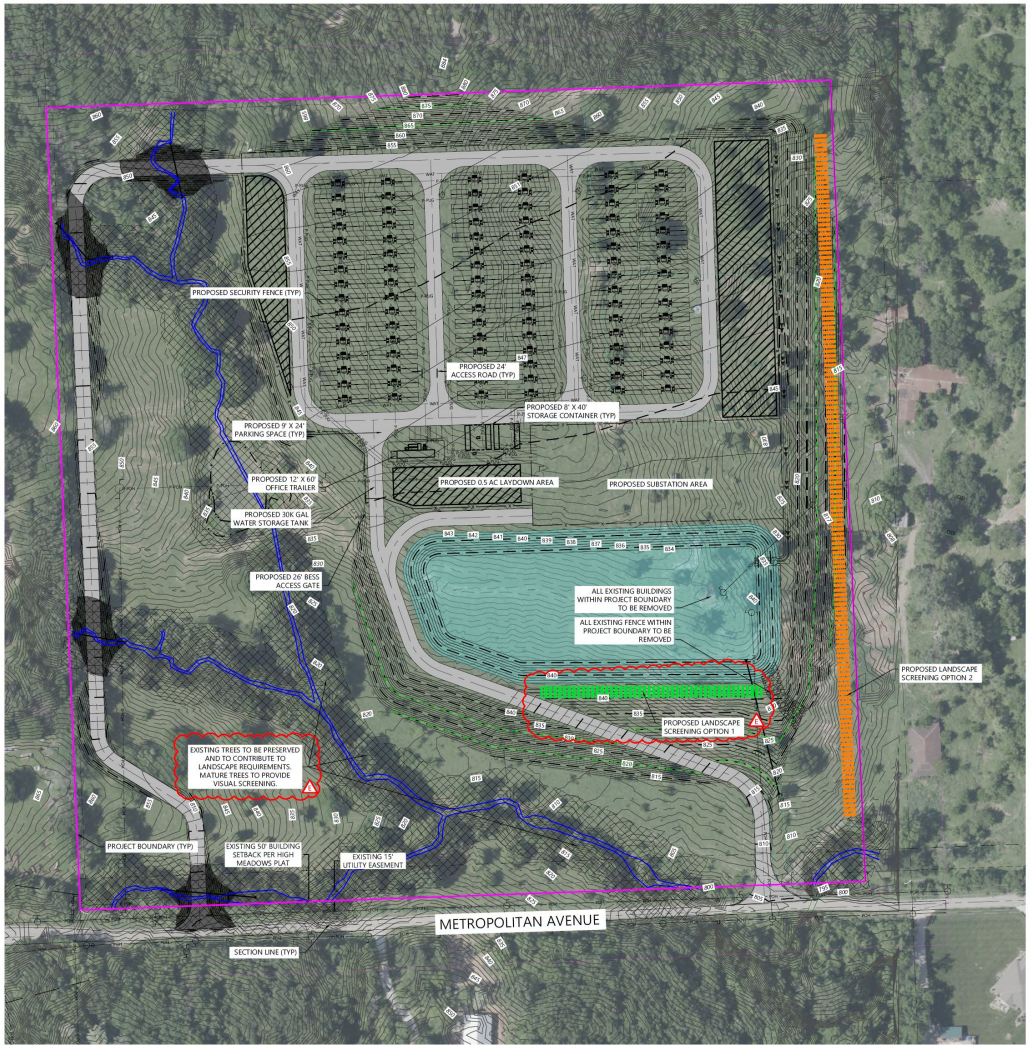
Wyandotte County, Kansas

Conceptual Site & Grading Plan

NOT FOR CONSTRUCTION

DATE: 01/19/2026

SHEET: C100 REV: D



LEGEND:

- PROJECT BOUNDARY
- SECTION LINES
- RIGHT-OF-WAY LINES
- EASEMENT LINES
- SETBACK LINES
- EX. INDEX CONTOUR
- EX. INTERVAL CONTOUR
- EX. PAVED ROAD
- EX. GRAVEL ROAD
- EX. FENCE
- EX. BUILDING
- EX. CULVERT
- EX. OVERHEAD POWER
- EX. STREAM CHANNEL
- EX. WETLAND
- EX. STREAM AND WETLAND SETBACK AREA
- PROPOSED 24' ACCESS ROAD
- PROPOSED SECURITY FENCE
- PROPOSED DRAINAGE BASIN
- PROPOSED LAYDOWN YARD
- UNDERGROUND COLLECTION
- PROPOSED INDEX CONTOUR
- PROPOSED INTERVAL CONTOUR
- PROPOSED GRADING LIMITS
- PROPOSED SLOPE PROTECTION TERRACE
- PROPOSED RIPRAP
- PROPOSED CULVERT
- PROPOSED LANDSCAPE SCREENING OPTION 1
- PROPOSED LANDSCAPE SCREENING OPTION 2

NOTES:

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5. A TEMPORARY IN-GROUND DRIP IRRIGATION SYSTEM TO BE DESIGNED WITH FINAL CONSTRUCTION PLANS TO IRRIGATE THE TREES UNITL ESTABLISHED. THE INSTALLED IRRIGATION SYSTEM WILL LOOK TO UTILIZE A WATER REUSE PUMP FROM THE BASIN ON SITE AND HAVE A BACK-UP DOMESTIC LINE FROM THE WATER STORAGE TANK ON SITE.

Westwood

Phone (720) 531-8350 10170 Church Ranch Way, Suite #201
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westwoodps.com

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0 80' 160' 240'

East Side Energy Storage Project

Wyandotte County, Kansas

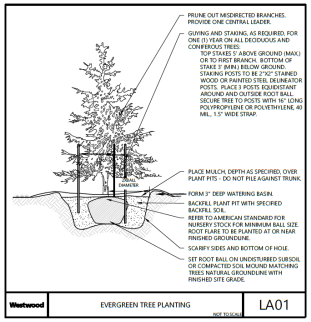
Overall Landscape Plan

NOT FOR CONSTRUCTION

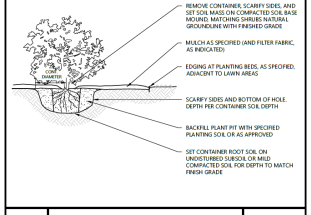
DATE: 01/19/2026

SHEET: L101 REV: E

PLANTING DETAILS



Westwood	EVERGREEN TREE PLANTING	LA01
	NOT TO SCALE	



Westwood	SHRUB & PERENNIAL CONTAINER PLANTING	LA03
	NOT TO SCALE	

WYANDOTTE COUNTY - LANDSCAPE SCREENING REQUIREMENTS

DIVISION 10. - LANDSCAPING AND SCREENING

SEC. 27-700 - DISTRICT REQUIREMENTS

(B) THE GENERAL LANDSCAPING AND SCREENING REQUIREMENTS FOR THE OTHER DISTRICTS ARE LISTED IN EACH PARTICULAR DISTRICT, IN ADDITION:

(3) DISTRICTS M-1, M-2, AND M-3. A BUFFER AREA SHALL BE PROVIDED ALONG SIDE AND REAR PROPERTY LINES COMMON TO OR ACROSS AN ALLEY FROM RESIDENTIALLY ZONED PROPERTY AND SHALL CONSIST OF AN AREA 15 FEET IN WIDTH IMPROVED WITH A SIX-FOOT ARCHITECTURAL SCREEN ADJACENT TO THE PROPERTY LINE AND ONE ROW OF SHADE TREES SPACED NOT MORE THAN 40 FEET ON CENTER AND ONE ROW OF LARGE SHRUBS SPACED NOT MORE THAN EIGHT FEET ON CENTER.

SEC. 27-702 - PLANTING REQUIREMENTS

(1) TREES.

A. SHADE TREES. TWO-INCH CALIPER AS MEASURED 12 INCHES ABOVE GROUND.

B. ORNAMENTAL DECIDUOUS TREES. SIX TO EIGHT FEET IN HEIGHT.

C. EVERGREEN TREES. FIVE TO SIX FEET IN HEIGHT.

TREES DOWN TO 75 PERCENT OF THE MINIMUM PLANTING SIZES MAY BE PERMITTED IF A PROPORTIONATELY GREATER NUMBER OF TREES ARE PLANTED.

(5) LANDSCAPE SCREENING. PLANT MATERIAL USED FOR SCREENING SHALL PROVIDE COVERAGE OF AT LEAST 50 PERCENT OF THE REQUIRED SCREENING AREA IN THE FIRST GROWING SEASON. TOTAL COVERAGE MUST BE ACCOMPLISHED BY THE THIRD GROWING SEASON. DECIDUOUS PLANT MATERIAL USED FOR SCREENING PURPOSES SHALL HAVE A TWIG OR BRANCH STRUCTURE DENSE ENOUGH TO PROVIDE A SOLID WINTER SCREEN.

VEGETATIVE SCREENING SELECTION & INTENT

THE PROPOSED PLANS INCLUDE INSTALLING VEGETATIVE LANDSCAPE BUFFERS WHICH UTILIZE, TO THE EXTENT COMMERCIALLY PRACTICABLE, NATIVE TREES AND SHRUBS THAT GROW WELL IN THIS CLIMATE AT STRATEGIC LOCATIONS ACROSS THE PROJECT SITE TO LIMIT DIRECT VIEWS OF THE ARRAY. ONE BENEFIT TO USING NATIVE PLANTS IS THAT THEY ARE ACCLIMATED TO THE PARTICULAR CLIMATE AND ENVIRONMENTAL CONDITIONS, THUS ALLOWING FOR A QUICKER ESTABLISHMENT AND INCREASED SURVIVAL RATES. THE PROPOSED VEGETATIVE LANDSCAPE BUFFERS ARE COMPOSED OF EVERGREEN TREES THAT CAN PROVIDE LUSH GREEN YEAR ROUND SCREENING AND DECIDUOUS SHRUBS THAT CAN HELP PROVIDE ADDITIONAL SCREENING AND BE VISUALLY APPEALING ACROSS MULTIPLE SEASONS. SOME OF THE CHARACTERISTICS THAT THESE NATIVE SHRUBS HAVE BEEN SELECTED FOR INCLUDE FOLIAGE AND STEM COLOR, FLOWERS AND FRUIT PRODUCTION. THE SHRUBS PROPOSED TO BE PLANTED IN SMALL MASSES SO THAT AT ANY ONE TIME IN THE YEAR ONE SPECIES MIGHT DISPLAY SOME OF THESE AESTHETIC CHARACTERISTICS. BEYOND THE AESTHETIC VALUE, THE PROPOSED PLANTS CAN PROVIDE ADDITIONAL WILDLIFE BENEFITS THAT INCLUDE A SOURCE FOR POLLINATORS, SHELTER, FORAGE AND WINTER HABITAT. AS THE PLANTS MATURE THEY WILL GROW CLOSER TOGETHER CREATING A TYPE OF NATURAL HEDGE.

PLANTING NOTES

1. CONTRACTOR SHALL CONTACT KANSAS DIG SAFE SYSTEM (811) or (316-687-2102) TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE OWNER PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. CONTRACTOR SHALL PROVIDE ONE YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, KANSAS-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:
   ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.
   ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.
   ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.
   ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING.
   CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER KALNA & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY, TEMPORARY ONLY.
10. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
11. REMOVE POT ON POTTED PLANTS, SPLIT AND BREAK APART PEAT POTS.
12. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
13. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY OWNER FOR THE NEED OF ANY SOIL AMENDMENTS.
14. BACKFILL SOIL AND TOPSOIL TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
15. PROVIDE MULCH FOR ALL TREE AND SHRUB PLANTINGS PER DETAIL. MULCH TO BE SHREDDED HARDWOOD AND FREE OF DELETERIOUS MATERIAL. MULCH 3' DIAMETER RING AROUND ALL TREES AND SHRUBS TO A DEPTH OF 4". KEEP MULCH OFF TRUNK.
16. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
17. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
18. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.

PRELIMINARY SCREENING PLANT MATERIAL



PRELIMINARY SCREENING PLANT SPECIES LIST

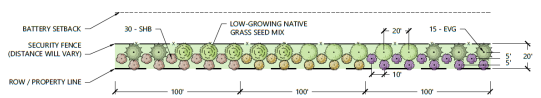
COMMON / BOTANICAL NAME	SIZE	MATURE SIZE
EVERGREEN TREES		
WHITE FIR / ABIES CONCOLOR	6' HT.	H 40'-65' W 15'-25'
EASTERN REDCEDAR / JUNIPERUS VIRGINIANA	6' HT.	H 25'-40' W 20'-25'
BLACK HILLS WHITE SPRUCE / PICEA GLAUCA 'DENSATA'	6' HT.	H 40'-65' W 15'-25'
COLORADO SPRUCE / PICEA PUNGENS	6' HT.	H 25'-40' W 20'-25'

COMMON / BOTANICAL NAME	SIZE	MATURE SIZE
SHRUBS		
NINEBARK / PHYSOCARPUS OPULIFOLIUS	#5 CONT.	H 6-10' W 3-6'
FRAGRANT SUMAC / RHUS AROMATICA	#5 CONT.	H 3-6' W 6-10'
PRAIRIE WILLOW / SALIX HUMILIS	#5 CONT.	H 10-15' W 6-10'
AMERICAN ELDERBERRY / SAMBUCUS CANADENSIS	#5 CONT.	H 10-15' W 10-15'
ARROWWOOD VIBURNUM / VIBURNUM DENTATUM 'ARROWWOOD'	#5 CONT.	H 6-10' W 6-10'

NOTES:
1. QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.
2. B.B. SPECIFIES ROOT TYPE AS BALLED AND BURLAPPED.
3. H.T. SPECIFIES MINIMUM SPECIMEN HEIGHT UPON INSTALLATION.
4. #5 CONT. TO MEET MINIMUM SIZE REQUIREMENT OF 24"H OR 30"W FOR DECIDUOUS SHRUBS UPON INSTALLATION. IF PLANT SIZE UNAVAILABLE AT #5 CONT. UPSIZE CONTAINER UNTIL MINIMUM PLANT SIZE REQUIREMENT IS MET.
5. PLANT SPECIES SUBJECT TO CHANGE BASED UPON AVAILABILITY AT TIME OF PLANTING

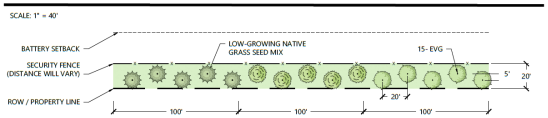
PROPOSED LANDSCAPE SCREENING OPTION 1 - ONE ROW OF EVERGREEN TREES & ONE OFFSET ROW OF SHRUBS

SCALE: 1" = 40'



PROPOSED LANDSCAPE SCREENING OPTION 2- ONE OFFSET ROW OF EVERGREEN TREES

SCALE: 1" = 40'



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E	01/19/2026	COUNTY COMMENTS	EAC	EAC	NTM

East Side Energy Storage Project

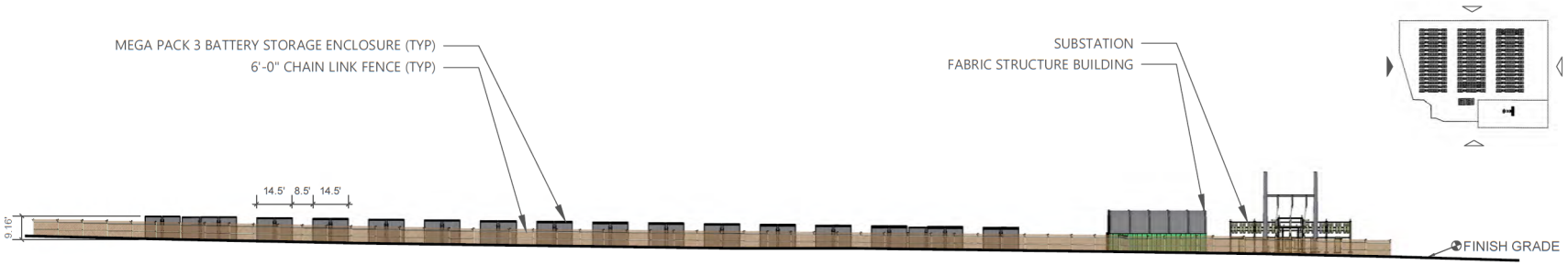
Wyandotte County, Kansas

Landscape Notes & Details

NOT FOR CONSTRUCTION

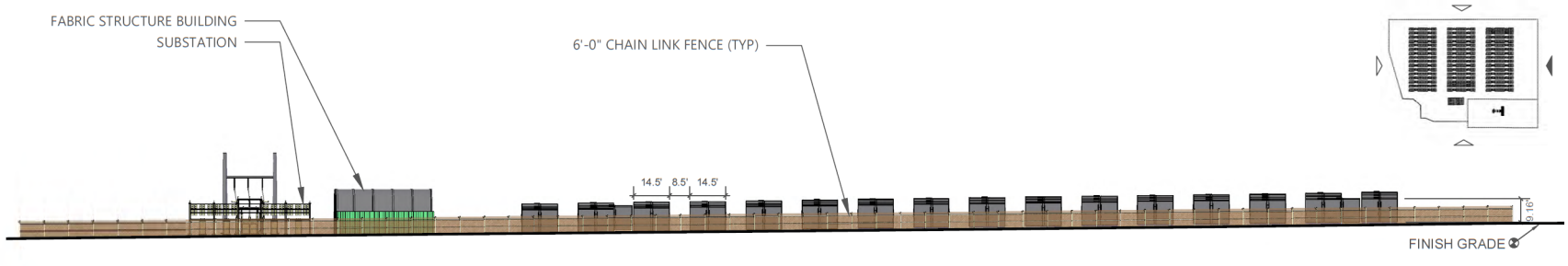
DATE: 01/19/2026

SHEET: L100 REV: E



1 ELEVATION: WEST VIEW

SCALE: 1"=40'



2 ELEVATION: EAST VIEW

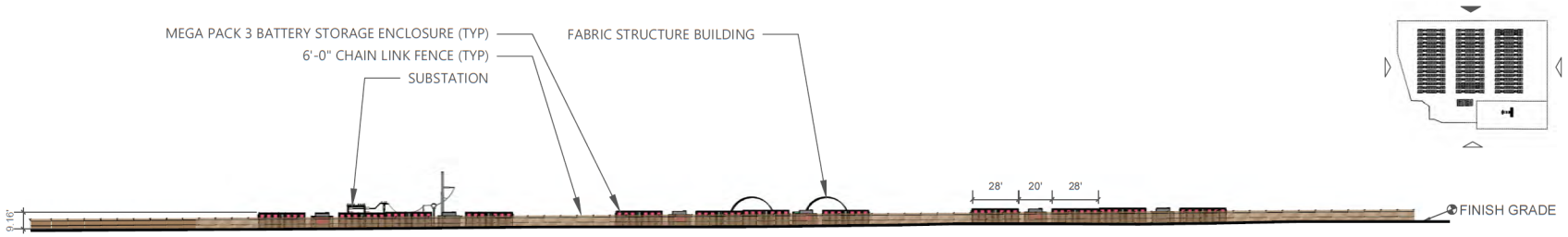
SCALE: 1"=40'

EAST SIDE ENERGY STORAGE

BATTERY ENERGY STORAGE SYSTEM (BESS)

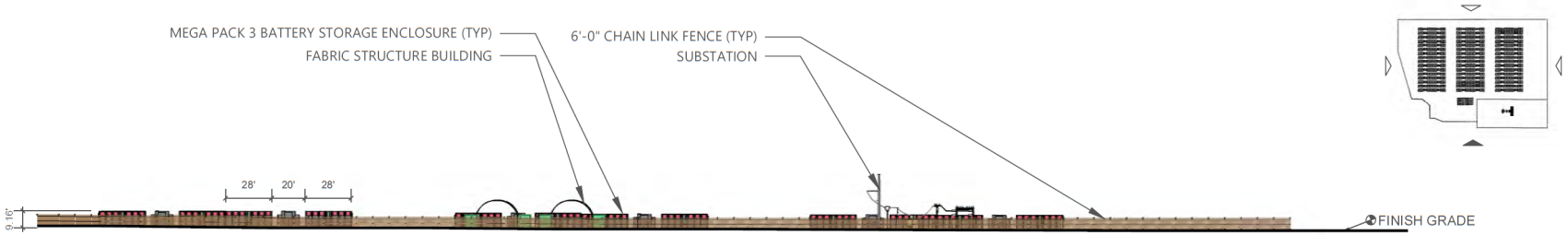
SEPTEMBER 2025

accelergen ENERGY SWCA



3 ELEVATION: NORTH VIEW

SCALE: 1"=60'



4 ELEVATION: SOUTH VIEW

SCALE: 1"=60'

EAST SIDE ENERGY STORAGE
BATTERY ENERGY STORAGE SYSTEM (BESS)

SEPTEMBER 2025

Sun and Weather

Partly Cloudy

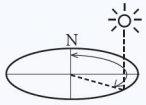
Date: **9-9-2025**

Photo Time: **12:42 pm**

Visibility: Good — Poor

Air Quality: Good

Sun Azimuth (degrees): **166.15**



Sun Angle (degrees): **55.35**

Lighting Angle on Project: **Side**

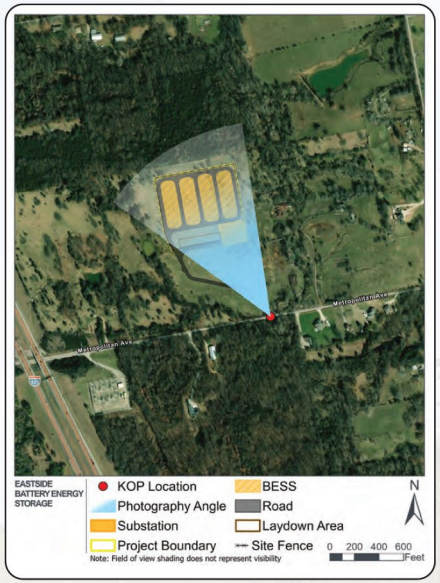
Wind: **9 mph**

Cloud Cover: **40 %**

Temperature (°F): **80° F**

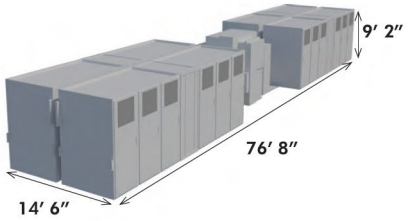
Simulation was prepared using information provided by client, "2025-9-22 East Side BESS-CAD" dated September 22, 2025. Locations, colors, and heights may vary based on final engineering and design.

East Side Energy Storage



KOP Location and Visible Elements

BESS Unit



Structure Diagram



KOP 1 - Metropolitan Ave

Base Photographic Documentation

Latitude, Longitude (degrees):
39.07277, -94.788929

Viewpoint Elevation (feet):
800

Camera Height (meters):
1.8

Camera Heading (degrees):
340

Camera Make & Model:
Canon EOS 5D Mark IV

Camera Sensor Size (mm):
36 x 24 Full Frame

Lens Make & Model:
AF-P Nikkor

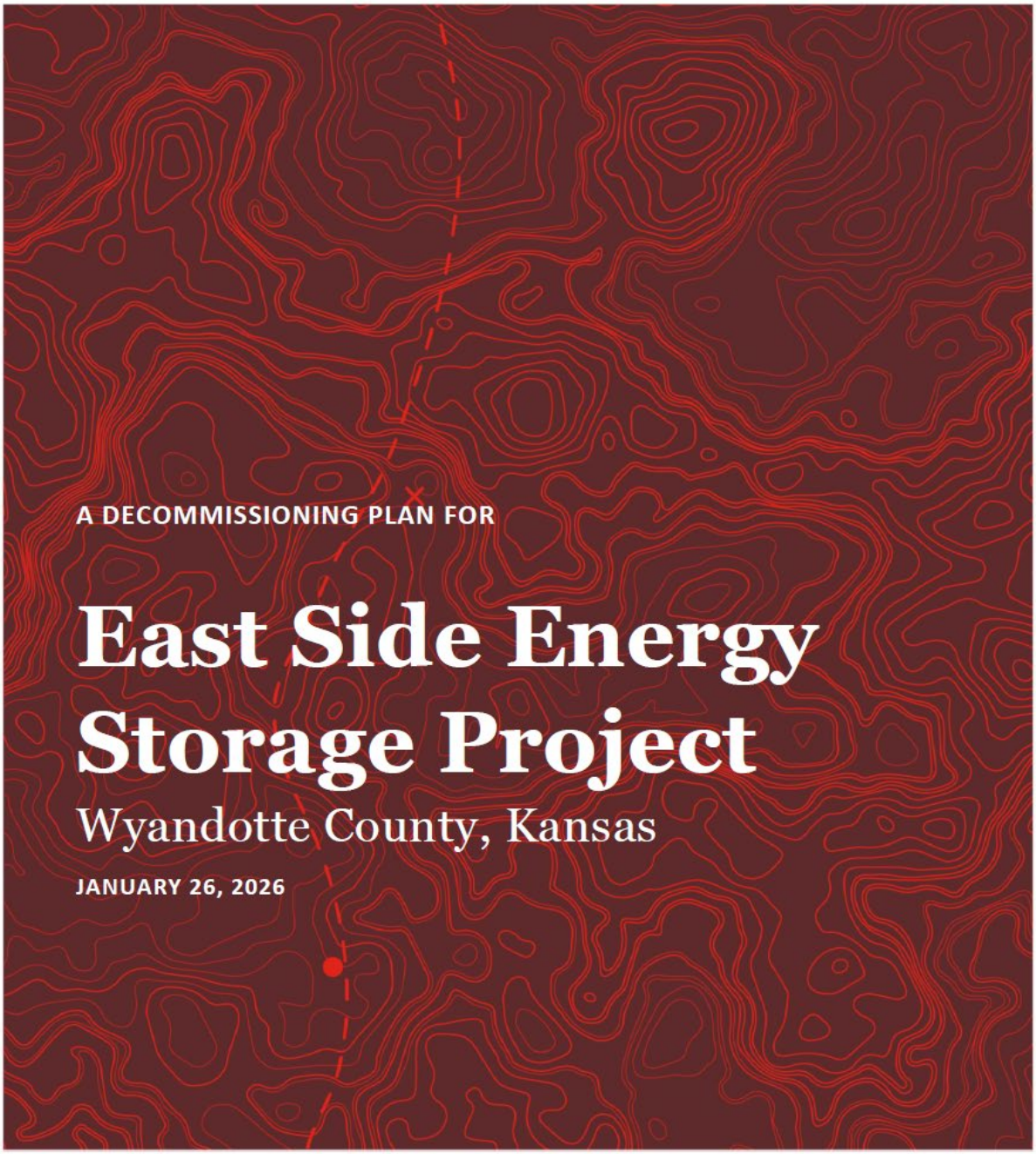
Lens Focal Length (mm):
50

Image Size (pixels):
6720 x 4480

Approximate Distance to Nearest Project Component:
700 feet

Viewing Instructions: Printed at 100% the resulting simulation is 16 inches wide by 10 inches high. At this size and focal length, the simulation should be viewed at arms length (24 inches). If viewed on a computer monitor, scale should be 100%.

SWCA® ENVIRONMENTAL CONSULTANTS



A DECOMMISSIONING PLAN FOR

East Side Energy Storage Project

Wyandotte County, Kansas

JANUARY 26, 2026

PREPARED FOR:

East Side Storage LLC

PREPARED BY:

Westwood

Westwood

Decommissioning Plan

East Side Energy Storage Project

Wyandotte County, Kansas

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Project Number: 0051002.00

Date: January 26, 2026

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Table of Contents

1.0 Introduction / Project Description 1
2.0 Proposed Future Land Use 1
3.0 Decommissioning Activities 1
3.1 Decommissioning of Project Components 2
3.1.1 Steel Foundation Posts 2
3.1.2 Underground Cables and Lines 2
3.1.3 Generation Tie Line System 2
3.1.4 Transformers and Ancillary Equipment 2
3.1.5 Equipment Foundations and Ancillary Foundations 2
3.1.6 Fence 2
3.1.7 Access Roads 3
3.1.8 Substation 3
3.1.9 Battery Energy Storage Systems (BESS) 3
3.2 Reclamation 4
4.0 Best Management Practices (BMPs) 5
4.1 Construction Stormwater Practices 5
4.1.1 Erosion Control 5
4.1.2 Sediment Control 5
4.1.3 Controlling Stormwater Flowing onto and Through the Project 5
4.2 Permitting 6
4.3 Health and Safety Standards 6
5.0 Timeline 6
6.0 Decommissioning Costs 6

Attachments

Attachment A: Decommissioning Cost Estimate

1.0 Introduction / Project Description

This Decommissioning Plan ("Plan") has been prepared for the East Side Energy Storage Project. The purpose of the Plan is to describe the means and methods that can be used to remove all structures, foundations, underground cables, and equipment and to reclaim and restore the land altered during the construction and operation of the battery energy storage system ("BESS") to its predevelopment condition to the extent feasible.

The East Side Energy Storage Project ("Project") is a battery energy storage system (BESS) proposed by East Side Storage LLC ("Applicant") in Wyandotte County, Kansas. The Project will have a capacity of 300-megawatt (MW)/1,200-megawatt hours (MWh) with a storage duration of four (4) hours. Upon completion, the Project will comprise of battery storage containers, medium voltage power stations containing transformers, underground collection lines, a generation tie (gen-tie) line, a substation, access roads, and fencing. The Project will be built within a general Project Area of approximately eleven (11) acres.

The useful life a BESS is generally considered to be 20 years. At that time, the Project will either be decommissioned or repowered with newer technology. The Plan identifies components which may be removed and areas that may be restored once the Project has surpassed the useful lifespan of the batteries and facilities.

2.0 Proposed Future Land Use

Prior to the development of the Project, the land use of the Project Area was primarily a mix of shrubland and grassland. After all equipment and infrastructure is removed during decommissioning, any holes or voids created by poles, concrete pads, and other equipment will be filled in with native soil to the surrounding grade, and the site will be restored to pre-construction conditions to the extent practicable. Access roads and other areas compacted by equipment may be de-compacted to a depth necessary to ensure drainage of the soil and root penetration prior to fine grading and revegetation to match preconstruction conditions.

Please refer to Section 3.2 for a detailed description of reclamation activities.

3.0 Decommissioning Activities

Decommissioning of the Project will include removing the battery containers, transformer power stations, underground cables and lines, the gen-tie line, equipment pads and foundations, equipment cabinets, and ancillary equipment. The civil facilities, access roads, security fencing, and drainage structures. Standard decommissioning practices will be utilized, including dismantling and repurposing, salvaging/recycling, or disposing of the battery energy storage improvements.

During decommissioning, the landowners will be consulted to identify the extent and type of work to be completed. Some Project infrastructure, such as the access roads, and fencing, may be removed at the discretion of the landowner(s).

All dismantling, removal, recycling, and disposal of materials generated during decommissioning will comply with rules, regulations, and prevailing Federal, State, and local laws at the time decommissioning is initiated. The project will use approved local or regional disposal or recycling sites as available. Recyclable materials will be recycled to the furthest extent practicable. Non-recyclable materials will be disposed of in accordance with State and Federal law.

3.1 Decommissioning of Project Components

3.1.1 Steel Foundation Posts

Structural foundation steel posts will be pulled out to full depth, removed, processed to appropriate size, and shipped to a recycling facility. The posts can be removed using back hoes or similar equipment. During decommissioning, the area around the foundation posts may be compacted by equipment and, if compacted, the area will be de-compacted in a manner to adequately restore the topsoil and sub-grade material to a density consistent for native vegetation.

3.1.2 Underground Cables and Lines

All underground cables and conduits will be fully removed. Topsoil will be segregated and stockpiled for later use prior to any excavation and the subsurface soils will be staged next to the excavation. The subgrade will be compacted per standards. Topsoil will be redistributed across the disturbed area.

3.1.3 Generation Tie Line System

The gen-tie will be de-strung in the opposite manner that the conductor was installed, using pull trucks, reel trucks, tensioners, and pullers, in addition to standard equipment. Insulators and insulator gangs will also be removed from each tower. It is anticipated that one crew will work on removing the conductors while another crew works on the ground conductor and SCADA. Once the wires are removed, the transmission towers will be brought to the ground for disassembly. All removed equipment will be disassembled to sizes suitable for hauling, then loaded onto standard hauling trucks for off-site recycling or disposal.

3.1.4 Transformers and Ancillary Equipment

All electrical equipment will be disconnected and disassembled. All parts will be removed from the site and reconditioned and reused, sold as scrap, recycled, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards.

3.1.5 Equipment Foundations and Ancillary Foundations

The ancillary foundations are pile foundations for the equipment pads. As with the other structural steel foundation posts, the foundation piles will be pulled out completely. All unexcavated areas compacted by equipment used in decommissioning will be de-compacted in a manner to adequately restore the topsoil and sub-grade material to a density similar to the surrounding soils. All materials will be removed from the site and reconditioned and reused, sold as scrap, recycled, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards.

3.1.6 Fence

Fence parts and foundations will be removed from the site and reconditioned and reused, sold as scrap,

recycled, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards. The surrounding areas will be restored to pre-BESS conditions to the extent feasible.

3.1.7 Access Roads

Project access roads will be used for decommissioning purposes, after which removal of roads will be discussed with the landowner(s) and one of the following options will be pursued:

1. After final clean-up, roads may be left intact through mutual agreement of the landowner and the Applicant unless otherwise restricted by federal, state, or local regulations.
2. If a road is to be removed, aggregate will be removed and shipped from the site to be reused, sold, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards. Clean aggregate can often be used as "daily cover" at landfills for no disposal cost. Internal service roads are assumed to be constructed with geotextile fabric and eight inches of aggregate over compacted subgrade. Any ditch crossing connecting access roads to public roads will be removed unless the landowner requests it remains. The subgrade will be de-compacted in a manner to adequately restore the topsoil and sub-grade material to a density consistent for vegetation. Topsoil that was stockpiled during the original construction will be distributed across the open area. Finally, the access road corridors will be revegetated with an approved seed mix.

3.1.8 Substation

Decommissioning of the collector substation will be performed with the rest of the Project. All steel, conductors, switches, transformers, and other components of the substation will be disassembled and taken off-site to be recycled or reused. Foundations and underground components will be fully removed. The rock base will be removed using bulldozers and backhoes or front loaders. The material will be hauled from the site using dump trucks to be recycled or disposed of at an off-site facility. Additionally, any permanent stormwater treatment facilities (e.g., infiltration ponds and engineered drainage swales) will be removed. Topsoil will be reapplied to match surrounding grade to preserve existing drainage patterns. Topsoil and subsoil will be de-compacted in a manner to adequately restore the topsoil and sub-grade material to a density consistent for native vegetation.

3.1.9 Battery Energy Storage Systems (BESS)

Prior to commencing decommissioning of the BESS, all personnel on-site during the decommissioning process will receive a site-specific safety briefing and will be made aware of all electrical shock and arc flash risks when working within the battery containers. Hazmat training will also be conducted for all personnel handling lithium-ion batteries during the process.

The battery facility will be fully discharged to the minimum state of charge required for removal and safe transportation as per battery manufacturer specifications. The battery modules will be removed from their racks, repackaged on-site, and shipped intact to a regional recycling hub within 500 miles of the Project site. No disassembly of battery modules will be required on-site, and the battery terminals will be taped off to avoid any potential for a short to occur. In the event of any breakage or damage to individual battery modules, such modules will be placed in individual, non-metallic inner packaging that completely encloses the cell.

The United States Environmental Protection Agency ("U.S. EPA") has guidelines for responsible disposal and recycling of lithium-ion batteries that have reached end of life (Title 40 Code of Federal Regulations Part 273: Standards for Universal Waste Management). All applicable requirements related to the packaging, labeling, transportation, and disposal or recycling of the lithium-ion batteries will be followed during the decommissioning process, contained in the Code of Federal Regulations, Title 49, Subchapter C, Parts 171-180, or the applicable regulation.

The refrigerant/coolant from HVAC units will be collected into separate containers on-site as per the code and industry standard practice. The coolant can be reused after processing. The HVAC units will be sent to the metal recyclers along with other recycling material. Similarly, all fire suppression units will be cleared of the suppression fluids and sent to the suppliers for reuse following the industry standard practice. All electrical equipment will be disconnected and disassembled. All parts will be removed from the site and reconditioned and reused, sold as scrap, recycled, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards.

Finally, aggregate ground cover will be removed and shipped from the Project site to be reused, sold, or disposed of appropriately, at the Applicant sole discretion, consistent with applicable regulations and industry standards. Clean aggregate can often be used as "daily cover" at landfills for no disposal cost. All internal service roads are assumed to be constructed with geotextile fabric and eight inches of aggregate over compacted subgrade. All pile foundations will be pulled out completely. Underground cables and duct banks will be fully removed. Topsoil will be reapplied to the disturbed area. Soil and topsoil will be de-compacted, and the site will be restored to the pre-construction condition and re-vegetated in accordance with the Stormwater Pollution Prevention Plan (SWPPP) and/or construction stormwater permits.

In all cases, the Applicant, or their subcontractor as applicable, shall ensure all applicable OSHA, security, safety and health requirements are complied with during the removal and decommissioning of the BESS and its related equipment.

3.2 Reclamation

The Applicant will restore and reclaim the site to the pre-BESS condition consistent with the site lease agreement. The Applicant assumes that most of the site will be returned to shrubland/grassland after decommissioning through implementation of appropriate measures. If no specific use is otherwise identified, the Applicant will vegetate the site with a seed mix approved by the local soil and water conservation district or similar agency. The goal of restoration will be to restore natural hydrology and plant communities to the greatest extent practicable while minimizing new disturbance and removal of native vegetation. In addition to the reclamation activities described above for each decommissioning activity, all unexcavated areas compacted by equipment and activity during the decommissioning will be de-compacted as needed to ensure proper density of topsoil consistent and compatible with the surrounding area and associated land use. All materials and debris associated with Project decommissioning will be removed and properly recycled or disposed of at off-site facilities.

As part of the decommissioning process, the Applicant will complete site assessments including a Phase I Environmental Site Assessment and Phase II Environmental Site Assessment as necessary at its expense (the "Environmental Assessments"). The Environmental Assessments will be completed by a 3rd party environmental professional with expertise in the field of Environmental Assessments and in accordance

with the American Society for Testing and Materials (ASTM) International Standard Practice for Environmental Site Assessments. If evidence of known or potential contamination is found at the property, a sampling plan will be completed to evaluate the potential presence of potential contamination including soil and groundwater testing. If testing results exceed regulatory thresholds, then a cleanup plan will be developed and executed as part of completing the decommissioning process. In no event shall the decommissioning process be complete until the Environmental Assessments determine the site does have presence of any conditions that render it a brownfield site, as confirmed by a 3rd party environmental professional.

4.0 Best Management Practices (BMPs)

4.1 Construction Stormwater Practices

During decommissioning, erosion and sediment control BMPs will be implemented to minimize potential for erosion of site soils and sedimentation of surface waters and waters of the state. Because decommissioning will entail disturbance of more than one acre of soil, the Applicant will prepare a SWPPP and obtain coverage with the Kansas Department of Health and Environment (KDHE) under the KDHE NPDES Construction Stormwater General Permit prior to initiating soil disturbing activities. Potential BMPs to be implemented during decommissioning activities are described below and will be subject to refinement in the SWPPP. The decommissioning team will review the permitting requirements at the time of decommissioning and obtain any other necessary permits, which may include but are not limited to those listed below.

4.1.1 Erosion Control

Erosion control measures will be refined based on the standard of practice current at the time the SWPPP is developed for decommissioning. All disturbed areas without permanent impermeable or gravel surfaces, or planned for use as crop land, will be vegetated for final stabilization. All slopes steeper than 4:1 should be protected with erosion control blankets. Restoration should include seed application prior to application of the blanket. All slopes 4:1 or flatter should be restored with seed and mulch, which will be disc anchored.

4.1.2 Sediment Control

Sediment controls, such as silt fences, fiber logs, dewatering practices, construction entrances, and sedimentation traps and/or basins will be implemented during construction to prevent the transport of sediment off-site during decommissioning activities. Street sweeping/scraping will also be implemented to mitigate potential tracking of sediment onto public roadways.

4.1.3 Controlling Stormwater Flowing onto and Through the Project

Given the low gradient of the slopes in the Project Area, controlling stormwater flow that enters the Project Area will likely require minimal effort during decommissioning activities. Only newly disturbed areas may require new, temporary stormwater control. If necessary, water may be diverted around the Project site using diversion berms.

4.2 Permitting

Prior to decommissioning of the Project, applicable plans will be prepared as required by local, state, and federal regulations at the time of decommissioning. All decommissioning and reclamation activities will comply with Federal and State permit requirements. Decommissioning activities that will disturb more than one acre of soil will require coverage under the KDHE NPDES Construction Stormwater General Permit for construction stormwater. The permits will be applied for and received prior to decommissioning construction activities commencing. At a minimum, a SWPPP will be developed prior to filing for construction stormwater permit coverage.

If necessary for decommissioning activities, wetlands and waters permits will be obtained from the USACE or KDHE. A Spill Prevention, Control, and Countermeasure (SPCC) Plan for decommissioning will likely also be required for decommissioning work.

4.3 Health and Safety Standards

Work will be conducted in strict accordance with the Applicant's health and safety plan. The construction contractor hired to perform the decommissioning will also be required to prepare a site-specific health and safety plan. All site workers, including subcontractors, will be required to read, understand, and abide by the plans. A site safety officer will be designated by the construction contractor to ensure compliance. This official will have stop-work authority over all activities on the site should unsafe conditions or lapses in the safety plan be observed.

5.0 Timeline

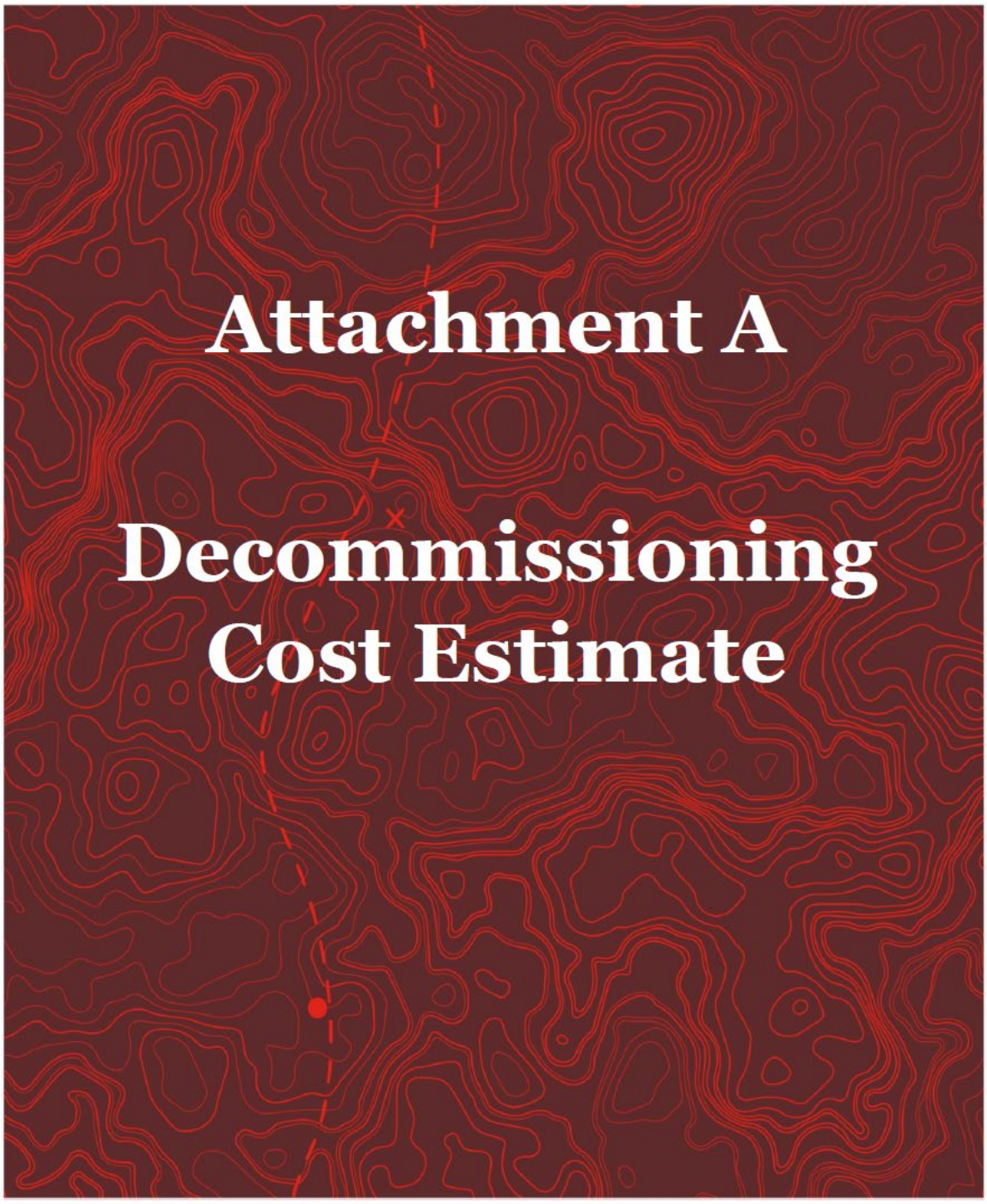
Decommissioning of the entire Project will be initiated if the Project has surpassed the useful lifespan of the batteries and facilities. It is anticipated that the decommissioning activities for the Project can be completed in a thirty (30)-week period. The estimated costs for decommissioning are tied to assumptions about the amount of equipment mobilized, the crew sizes, weather and climate conditions, and the productivity of the equipment and crews.

6.0 Decommissioning Costs

The decommissioning costs are calculated using current pricing. Westwood recommends that the estimate of net costs should be updated regularly throughout the Project's life to recognize price trends for decommissioning costs.

There are currently active markets for scrap steel, aluminum, and copper, and used transformers and electrical equipment. Scrap metal prices have been discounted from posted spot prices found on www.scrapmonster.com.

The total estimated cost of decommissioning the East Side Energy Storage Project is approximately $5,362,549 ($17,875 per MW). Estimated salvage/scrap value of the battery storage containers, inverter transformer power stations, and other materials is approximately $313,360. The net decommissioning costs after accounting for resale and salvage values is approximately $5,049,200 or $16,831 per MW.


Attachment A
Decommissioning
Cost Estimate

East Side Energy Storage

	Quantity	Unit	Unit Cost	Total Cost
Mobilization/Demobilization	1	Lump Sum	$331,600.00	$331,600
Mobilization was estimated to be approximately 7% of total cost of other items.				
Permitting				
County Permits	1	Lump Sum	$10,000.00	$10,000
State Permits	1	Lump Sum	$20,000.00	$20,000
Subtotal Permitting				**$30,000**
Decommissioning will require SWPPP and SPCC Plans. Cost is an estimate of the permit preparation cost.				
Battery Energy Storage System (BESS)				
Train Crew in Safety and Hazmat	1	LS	$5,000.00	$5,000
Disconnect Battery Storage Containers	320	Each	$1,571.20	$502,784
Remove and Load Tesla MegaPacks	320	Each	$1,489.67	$476,693
Haul Battery Containers for Recycling (Sparks, NV)	320	Each	$4,344.20	$1,390,143
Remove Equipment Skids	80	Each	$1,210.20	$96,816
Haul Transformers to Transformer Disposal	80	Each	$93.95	$7,516
Remove Steel Foundation Posts (Storage Containers and Skids)	3,200	Each	$16.90	$54,080
Haul Steel Posts to metal Recycler (Kansas City, KS)	288	Tons	$12.19	$3,511
Removal of Underground AC Collector Cables (aluminum)	2,719	LF	$2.26	$6,144
Load and Haul Cables for Recycling	3	Tons	$14.02	$42
Decompact BESS Site	9.4	Acres	$249.40	$2,344
Grade BESS Site	494,511	SF	$0.07	$34,616
Subtotal BESS				**$2,579,690**
Civil Infrastructure				
Remove Gravel Surfacing from Road	2,128	Cubic Yards (BV)	$2.84	$6,044
Haul Gravel Removed from Road to Landfill (Lansing, KS)	2,660	Cubic Yards (LV)	$17.46	$46,444
Dispose of Gravel Removed from Road (Landfill uses as Daily Cover)	3,447	Tons	$66.00	$227,502
Remove Geotextile Fabric from Beneath Access Roads	11,492	Square Yards	$1.40	$16,089
Haul Geotech Fabric to Landfill (Lansing, KS)	3.2	Tons	$9.75	$31
Dispose of Geotech Fabric	3.2	Tons	$66.00	$211
Grade Road Corridor (Re-spread Topsoil)	4,310	Linear Feet	$1.87	$8,060
Decompact Road Area	2.4	Acres	$249.40	$599
Remove and Load Gravel Surfacing from BESS Site (Excluding Roads)	10,082	Cubic Yard (BV)	$2.84	$28,633
Haul Gravel Removed from BESS Site	12,602	Cubic Yard (LV)	$17.46	$220,031
Dispose of Gravel from BESS Site (Use as Daily Cover)	18,903	Tons	$66.00	$1,247,598
Remove Chainlink Fence	3,374	Linear Feet	$7.08	$23,888
Haul Chainlink Fence to Metal Recycling (Kansas City, KS)	18.0	Tons	$12.19	$219
Remove/Haul/Dispose Structures from Stormwater Basins	1	Each	$5,000.00	$5,000
Grade Basin Areas	1	LS	$802.62	$803
Subtotal Civil Infrastructure				**$1,831,150**
Civil removal costs are a combination of MNDOT unit costs where applicable, RSMeans cost for Kansas City, Kansas, and industry standards provided to Westwood.				
Gen-tie System				
Remove Overhead Cables	2,517	Feet	$4.23	$10,647
Loadout Overhead Cables	50.3	Tons	$5.13	$258
Haul Overhead Cables to Metals Recycling (Kansas City, KS)	50.3	Tons	$12.19	$613
Remove Insulators and Gangs	24	Each	$577.48	$13,860
Remove and Load Timber Poles	8	Each	$946.11	$7,569
Haul Timber Poles to Landfill (Lansing, KS)	8	Each	$267.53	$2,140
Backfill Pole Locations	74.5	Cubic Yards	$42.70	$3,180
Subtotal Gen-tie System				**$38,267**

	Quantity	Unit	Unit Cost	Total Cost
Substation				
Disassemble and Remove Main Power Transformer(s)	1	Each	$4,500.00	$4,500
Haul Transformer(s) Offsite	1	Each	$375.82	$376
Haul Transformer Oil Offsite	12,830	Gallons	$0.08	$964
Dispose of Transformer (Including Oil) (Salvage Value)	1	Each	$0.00	$0
Excavate Around Transformer Foundation(s)	1	Each	$1,769.17	$1,769
Remove Complete Transformer Foundation(s)	83	Cubic Yards	$136.46	$11,326
Backfill Excavation Area from Transformer Foundation Removal	168	Cubic Yards	$42.70	$7,174
Haul Concrete (Foundations Transformer, Switch Gear, etc.)	168	Tons	$11.95	$2,008
Dispose of Concrete from Transformer Foundation	168	Tons	$66.00	$11,088
Demolish Substation Site Improvements (fences, etc)	1	LS	$3,500.00	$3,500
Demolish Control Building and Foundation	1	LS	$12,000.00	$12,000
Remove Medium/High Voltage Equipment	1	LS	$3,500.00	$3,500
Remove Structural Steel Substation Frame	1	LS	$3,500.00	$3,500
Remove Copper Ground Grid	1	LS	$4,876.88	$4,877
Load Copper Wire	20,000	Feet	$0.76	$15,200
Haul Copper Wire to Recycling	6.5	Tons	$12.19	$79
Haul - Demolition Materials, Removed Equipment & Structural Steel	10	Tons	$12.19	$122
Dispose of Demolition Materials & Removed Equipment	10	Tons	$66.00	$660
Remove and Load Gravel Surfacing from Substation Site	1,576	Cubic Yards (BV)	$2.84	$4,476
Haul Gravel Removed from Substation Site	1,970	Cubic Yards (LV)	$17.46	$34,396
Dispose of Gravel from Substation Site (Use as Daily Cover)	2,553	Tons	$66.00	$168,498
Grade Substation Site	1	LS	$4,876.88	$4,877
Erosion and Sediment Control at Substation Site	560	LF	$3.84	$2,150
Decompact Substation Site (Subsoiling)	1.5	Acres	$249.40	$374
Permanent Seeding at Substation Site	1.5	Acres	$1,581.07	$2,372
Subtotal Substation				**$299,786**
Site Restoration				
Stabilized Construction Entrance	1	Each	$2,000.00	$2,000
Perimeter Controls (Erosion and Sediment Control)	1,687	Linear Feet	$3.84	$6,478
Permanent Seeding on Roadway Areas	2.4	Acres	$1,581.07	$3,795
Revegetate BESS to Permanent Condition	9.0	Acres	$1,581.07	$14,154
Subtotal Site Restoration				**$26,427**
Project Management				
Project Manager	30	Weeks	$3,749.00	$112,470
Superintendent (half-time)	30	Weeks	$1,762.50	$52,875
Field Engineer (half-time)	30	Weeks	$1,634.50	$49,035
Clerk (half-time)	30	Weeks	$375.00	$11,250
Subtotal Project Management				**$225,630**
Standard industry weekly rates from RSMeans.				
Subtotal Demolition/Removals				**$5,362,549**
Salvage				
Fencing (Chain Link)	18	Tons	$251.74	$4,531
Steel Posts	288	Tons	$251.74	$72,501
Transformers and Inverters	5,500	Pounds	$0.38	$2,090
Substation Transformers (Core and Coils)	327,162	Pounds	$0.38	$124,322
Substation Transformers (Tanks and Fittings)	110	Tons	$251.74	$27,691
Transformers (Oil)	78,430	Gallons	$0.70	$54,901
Substation Ground Grid (Copper)	13,000	Pounds	$1.44	$18,720
AC Collection Lines (Aluminum)	6,797	Pounds	$0.90	$6,117
Ground Conductor Lines (Copper)	1,726	Pounds	$1.44	$2,486
Subtotal Salvage				**$313,360**
Salvage values are a combination of the following factors; current market metal salvage prices, current secondary market for solar panel				
Total Demolition Minus Salvage				**$5,049,200**

Notes:

1. Prices used in analysis are estimated based on research of current average costs and salvage values. See Cost Estimate Assumptions below
2. Prices provided are estimates and may fluctuate over the life of the project.
3. Contractor means and methods may vary and price will be affected by these.

Cost Estimate Assumptions

To develop a cost estimate for the decommissioning of East Side Energy Storage, Westwood engineers made the following assumptions and used the following pricing references. Costs were estimated based on current pricing, technology, and regulatory requirements. The assumptions are listed in order from top to bottom of the estimate spreadsheet. When publicly available bid prices or bid summaries were not available for particular work items, we developed time- and material-based estimates considering composition of work crews and equipment and material required. While materials may have a salvage value at the end of the Project life, the construction activity costs and the hauling/freight costs, are separated from the disposal costs or salvage value to make revisions to salvage values more transparent.

1. Project quantities are based on East Side Energy Storage Project Conceptual Site & Grading Plan, dated September 19, 2025.
2. A project of this size and complexity requires a full-time project manager with half-time support staff.
3. RS Means pricing was used for the Kansas City, Kansas region for timeframe Year 2025 Quarter 2.
4. Common labor will be used for the majority of tasks, supplemented by electricians, steel workers, and equipment operators where labor rules may require.
5. Permit applications will require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) and a Spill Prevention, Control, and Countermeasure (SPCC) Plan.
6. Road gravel removal was estimated on a time and material basis. Since the material will not remain on-site, a hauling cost is added to the removal cost. Clean aggregate can typically be used as "daily cover" at landfills without incurring a disposal cost. The road gravel may also be used to fortify local driveways and roads, lowering hauling costs but incurring placing and compaction costs. The hauling costs to a landfill represents an upper limit to costs for disposal of the road gravel.
7. The selected disposal facility (Leavenworth County Solid Waste) is located in Lansing, Kansas, approximately 17.6 miles from the Project site. Hauling costs to the landfill are estimated to be $9.75 per ton.
8. The selected metal recycling facility (Advantage Metals Recycling) is located in Kansas City, KS approximately 11.6 miles from the Project site. Hauling costs to the recycling facility are approximately $0.69 per ton mile, or $12.19 per ton.
9. Erosion and sediment control along roads reflects the cost of silt fence on the downgradient side of the proposed roads. As such, the length of controls has been estimated to be approximately 50% of the road length.
10. Topsoil is required to be stockpiled on-site during construction, so no topsoil replacement is expected to replace the road aggregate. Subsoiling cost to de-compact roadway areas is estimated as $249.40 per acre, and permanent seeding is estimated as $1,581.07 per acre.
11. The intact Tesla Megapack 3 battery containers will be hauled to Tesla's Gigafactory for recycling.
12. The transformers contain copper windings that have significant salvage value. They are typically oil filled, but most transformer recyclers will accept the transformers with oil. The estimated costs include removal of metal frame and conduits feeding the equipment.
13. Medium voltage (MV) equipment and SCADA equipment are mounted on the same equipment skids as the inverters and transformers, and they are enclosed in weatherproof cabinets. Their size

requires light equipment to remove them. The costs for the removal of the pile foundations are included in the "Remove Steel Foundation Posts" estimate.

14. The underground collector system cables are placed in trenches with a minimum of 18 inches of cover. Several cables/circuits are placed side by side in each trench. The conduits and cables can be removed by trenching.
15. Perimeter control pricing is based on silt fence installation around downgradient sides of the project perimeter.
16. It is assumed that the batteries will be recycled at the end of project life. Pricing for battery recycling was obtained from Battery Recyclers of America in September 2023.
17. Metal salvage prices (steel, aluminum, copper) are based on June, 2025 quotes from www.scrapmonster.com for the Midwest Region. Posted prices are three months old. These prices are based on delivery to the recycling facility with the material prepared to meet size, thickness, cleanliness, and other specifications.
18. A reduction of 25% has been taken from all pricing obtained from www.scrapmonster.com to reflect the processing by the contractor to meet the specifications.
19. The salvage value for steel uses pricing from the Midwest Region United States at $370 per metric ton, or $335.66 for U.S. ton.
20. There is an active market for reselling and recycling electrical transformers and inverters with several national companies specializing in recycling. However, we have assumed that the electrical equipment will be obsolete at the time of decommissioning, so we have developed pricing assuming 25% of the weight of the equipment will be comprised of the copper windings that can be salvaged. Pricing was used for Copper Transformer Scrap for the Midwest Region United States, at $0.50 per pound. Accounting for the 25% reduction, the estimate value is $251.74 per pound.
21. The collection lines are priced assuming copper conductor wire for the direct current circuits and aluminum wire for the alternating current circuits. The prices reflect a reduced yield of copper or aluminum resulting from the stripping of insulation and other materials from the wire prior to recycling. The estimate uses the Midwest Region prices of #2 insulated copper wire with a 50% recovery rate ($1.92 /pound) and E.C. Aluminum Wire ($1.20 /pound). Accounting for the 25% reduction, the estimated values are $1.44 and $0.90 per pound, respectively.
22. Care to prevent damage and breakage of equipment, PV modules, inverters, capacitors, and SCADA must be exercised.

Outlook

Fw: KDWP Updated Review (ERT20260180) - East Side Storage battery energy storage system construction

From Zac Eddy [KDWP] <Zac.Eddy@KS.GOV>
Date Fri 2026-02-20 11:04 AM
To Sean Martin <smartin@energyrenewalpartners.com>

See below.

--
Zac Eddy | *Terrestrial Ecologist*
Kansas Department of Wildlife and Parks
512 SE 25th Ave. | Pratt, KS 67124
O: (620) 672-0788 | M: (620) 388-0043
ksoutdoors.gov

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From: Zac Eddy [KDWP] <Zac.Eddy@KS.GOV>
Sent: Thursday, February 19, 2026 9:21 AM
To: lwyles@energyrenewalpartners.com <lwyles@energyrenewalpartners.com>
Subject: KDWP Updated Review (ERT20260180) - East Side Storage battery energy storage system construction

Lauren Wyles,

Thank you for submitting updated information to the KDWP Ecological Review Tool website regarding the proposed East Side Storage Project to build a utility-scale energy storage system in Wyandotte County, Kansas (S19-T11S-R24E). The site's Automated Determination for the project indicates secondary review by KDWP staff is necessary. We have reviewed the project for potential impacts to critical wildlife habitats, current state-listed threatened or endangered species and species in need of conservation, as well as Kansas Department of Wildlife and Parks managed areas for which this agency has administrative authority.

We note the project will occur near documented records of Smooth Earth Snake (*Virgina valeriae*). The species is listed as a Species in Need of Conservation by the State of Kansas. As such, we discourage the removal of oak-hickory dominated forest areas on rocky slopes or hills in the area. We recommend construction alternatives that will target non-native grassland areas, previously developed areas and Eastern-red cedar dominated woodland areas while avoiding clearing of oak-hickory stands. We also provide the following comments and general recommendations. When applicable:

- **Avoid or minimize the removal of native upland or riparian hardwood timber and vegetation when moving or constructing new power lines.**
- **Consult the Avian Power Line Interaction Committee Marking Guidelines for mitigating avian collisions by marking power lines appropriately.**
- **Install perch guards on infrastructure with repeat avian mortality.**
- **Avoid impacts to existing streams, wetlands, and riparian corridors.**
- **Avoid instream and stream bank disturbances including stabilizing the banks with foreign materials (e.g. riprap).**
- **Avoid encroachment or development in floodplains.**
- **Implement operational strategies and technologies to minimize potential wildlife aversion resulting from additional noise from cooling systems.**
- **Minimize light pollution by using low-intensity, shielded lighting. Consider using warmer color temperatures (below 3000K) to reduce skyglow.**
- **Consider ways to improve water use efficiency if liquid-cooled battery arrays are used.**
- **Develop contingency plans for fire, battery malfunction, and inadvertent chemical releases from storage components. Abide by all relevant environmental contamination and contaminant removal guidance.**
- **Implement and maintain standard erosion control Best Management Practices during all aspects of construction by installing sediment barriers (wattles, filter logs, rock check ditches, mulching, or any combination of these) across the entire construction area to prevent sediment and spoil from entering aquatic systems. Barriers should be maintained at high functioning capacity until construction is completed and vegetation is established. For more information on erosion BMPs go to: http://www.kdheks.gov/stormwater/#construct.**
- **Replant grassland disturbances with native grasses and forbs, we recommend using the local seed mix for USDA-NRCS conservation practice 643 - Rare and Declining Habitat.**

Results of our review indicate there will be no significant impacts to designated critical wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently-listed threatened or endangered species. No Department of Wildlife and Parks permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Permits may be required from other agencies. We encourage consultation with all applicable regulatory authorities—including, but not limited to Kansas Department of Health and Environment, Kansas Department of Agriculture-Division of Water Resources, and the U.S. Army Corps of Engineers.

Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Please consider this email our official review for this project. Thank you for the opportunity to provide these comments and recommendations. Please let me know if you have any questions or concerns about the preceding information.

Further coordination on this project can be completed by updating or editing the original project submission on the KDWP Ecological Review Tool website. If you have any questions, please direct them electronically to kdwp.ess@ks.gov to streamline the process for all parties.

Thank you.



--

Zac Eddy | *Terrestrial Ecologist*
Kansas Department of Wildlife and Parks
512 SE 25th Ave. | Pratt, KS 67124
O: (620) 672-0788 | M: (620) 388-0043
ksoutdoors.gov

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Outlook

RE: Permitting Guidance for East Side Storage Project

From Wendi Kessler [KDHE] <Wendi.Kessler@ks.gov>
Date Mon 2026-03-02 10:26 AM
To Jayleen Ramirez <Jramirez@energyrenewalpartners.com>; NEDO_Administrators <kdhe.NEDO.Admin@ks.gov>
Cc Sean Martin <smartin@energyrenewalpartners.com>

Good morning,
Thank you for contacting the Kansas Department of Health and Environment (KDHE).

Please note that the Northeast (NE) District Office does not process permit applications or provide detailed permitting determinations. For program-specific permitting information, KDHE is organized into the following bureaus:

- **Bureau of Air (BOA)** – Air construction permits, Title V permits, and asbestos notifications
- **Bureau of Water (BOW)** – NPDES permits, wastewater, stormwater, lagoons, and drinking water systems
- **Bureau of Waste Management (BWM)** – Solid waste, hazardous waste, underground storage tanks (USTs), and remediation
- **Bureau of Environmental Remediation (BER)** – Site cleanup programs, including spills, brownfields, and voluntary cleanup

Each bureau provides permit guidance, application forms, and contact information on the KDHE website:
https://www.kdhe.ks.gov/
The primary permitting page, which outlines available permits and how to begin the application process, is available at:
https://www.kdhe.ks.gov/313/Permitting
This page also includes access to the Kansas Environmental Information Management System (KEIMS), the online portal used for submitting many permit applications:
https://ks-kdhe2.civicplus.com/249/Kansas-Environmental-Information-Managem

If you have questions regarding a specific project or permit type, it is recommended to contact the appropriate bureau directly using the contact information provided on the website.

Best regards,

Wendi Kessler [KDHE]
District Environmental Administrator
Office 785-330-8605
Wendi.kessler@ks.gov

From: Jayleen Ramirez <Jramirez@energyrenewalpartners.com>
Sent: Friday, February 27, 2026 3:42 PM
To: NEDO_Administrators <kdhe.NEDO.Admin@ks.gov>
Cc: Sean Martin <smartin@energyrenewalpartners.com>
Subject: Permitting Guidance for East Side Storage Project

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon,

On behalf of our client, East Side Storage LLC, Energy Renewal Partners, LLC is requesting further coordination if any permits for the Project will be required by the Kansas Department of Health and Environment, including the following items below. Additionally, I've attached a site plan for your review.

- NPDES Construction Stormwater General Permit (≥1 acre disturbance)
- Section 401 Water Quality Certification associated with USACE Section 404 permits
- Air quality for generators
- Solid and hazardous wastes

Project: East Side Storage Project
Site Location: Wyandotte County, Kansas
Project Description: Approximately 37 acres as a proposed battery energy storage facility and ancillary infrastructure. Results of our field assessments indicate habitats within the project area consist of undeveloped pastureland, mixed woodlands, an emergent wetland, and stream corridors of various flow regimes.

Please confirm receipt of this submission and let us know if any additional information is required to complete your review.

Thank you for your time and assistance.

Jayleen Ramirez
Environmental Scientist
Energy Renewal Partners, LLC
Office: (512) 222-1125
Mobile: (832) 784-2252

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT
601 E. 12TH STREET, 635 FEDERAL BUILDING
KANSAS CITY, MO 64106-2824

December 3, 3024

Regulatory Branch
NWK-2024-00156

Ms. Monica Downer
Energy Renewal Partners, LLC
4330 Gaines Ranch Loop, Suite 110
Austin, TX 78735

Dear Ms. Downer:

This letter is in response to your request submitted on behalf of East Side Storage, LLC for a Jurisdictional Determination. The site is located in Section 19, Township 11 South, Range 24 East, Wyandotte County, Kansas. Your request has been assigned Regulatory File No. NWK-2024-00156. Please reference this file number on any correspondence to us or to other interested parties concerning this matter.

This letter contains an approved jurisdictional determination for your project site. This jurisdictional determination is valid for a 5-year period from the date of this letter unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Administrative Appeal Options and Process and Request for Appeal (NAO-RFA) form. If you request to appeal this determination, you must submit a completed NAO-RFA form to the Northwestern Division Office at the following address:

Division Engineer
U.S. Army Corps of Engineers, Northwestern Division
ATTN: Melinda M. Larsen
Regulatory Appeals Review Officer
1201 NE Lloyd Blvd., Suite 400
Portland, OR 97232
Telephone: 503-808-3888

In order for an NAO-RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAO-RFA. Should you decide to submit an NAO-RFA form, it must be received at the above address by February 1, 2025. It is not necessary to submit an NAO-RFA form to the Division Office if you do not object to the determination in this letter.

In the event that you disagree with an approved jurisdictional determination, and you have **new information** not considered in the original determination, you may request reconsideration of that determination by the Corps District prior to initiating an appeal. To request this reconsideration based upon new information, you must submit the completed NAO-RFA form and the new information to the District Office so that it is received within 60 days of the date of the NAO-RFA. Send approved jurisdictional determination reconsideration requests to:

District Commander
ATTN: David R. Hibbs
Chief, Regulatory Branch
U.S. Army Engineer District, Kansas City
601 East 12th Street, Suite 402
Kansas City, MO 64106-2824
Voice: 816-389-3990 – FAX: 816-389-2032

The Corps of Engineers has jurisdiction over all waters of the United States. Discharges of dredged or fill material in waters of the United States, including wetlands, require prior authorization from the Corps under Section 404 of the Clean Water Act (33 USC 1344). The implementing regulation for this Act is found at 33 CFR 320-332.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. Please feel free to complete our Customer Service Survey form on our website at: https://regulatory.ops.usace.army.mil/customer-service-survey/. You may also call and request a paper copy of the survey which you may complete and return to us by mail.

If you have any questions concerning this matter, please feel free to write or contact me at 816-389-3739 or by email at jesse.s.cochran@usace.army.mil. Please reference Regulatory File No. NWK-2024-00156 in all comments and/or inquiries relating to this project. This letter is only being provided to you electronically at: mdowner@energyrenewalpartners.com.

Sincerely,

Mr. Jesse Cochran
Project Manager

Enclosures

cc (electronically w/o enclosures):

Environmental Protection Agency,
Watershed and Grants Branch
U.S. Fish and Wildlife Service, Manhattan, Kansas
Kansas Department of Wildlife and Parks
Kansas Department of Health and Environment
Kansas Department of Agriculture

LETTERS OF SUPPORT

INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL NO. 101
AFFILIATED WITH THE AFL-CIO

AARON BROWN, Business Manager
MARK JONES, JR. President
TOM MILLSAP, Vice President
MIKE TIEHEN, Recording Secretary
JOSH DAVIS, Financial Secretary
CONTRELL MASON, Treasurer

Unified Government of Wyandotte County
Planning Commission
701 N. 7th Street
Kansas City, Kansas

Letter of Support- East Side Energy Storage

Dear Members of the Planning Commission:

On behalf of the 5,400 members of the Operating Engineers, Local 101, we write to you today to voice our strong endorsement of Accelergen Energy's proposed East Side Energy Storage in Wyandotte County.

This initiative reflects the type of forward-looking investment our region needs—one that advances clean energy while creating high-quality jobs for local workers. Accelergen has pledged to utilize union labor and partner with local businesses throughout the construction process, supporting an estimated 300 construction jobs statewide and approximately 65 positions within Wyandotte County.

In addition to its construction benefits, the project will play a key role in strengthening the reliability of the regional power grid as energy demand in the Kansas City area continues to grow. By storing excess renewable energy and deploying it during peak usage periods, the facility will help improve energy efficiency and provide greater cost stability for both residents and businesses. Furthermore, the project is expected to generate meaningful tax revenue for local services and contribute to the community through initiatives such as scholarships and support for local organizations.

For these reasons, we respectfully encourage the Planning Commission to approve and support this important project.

Respectfully,

Annette Noll
Business Representative
Operating Engineers, Local 101

6601 WINCHESTER, SUITE 280 · KANSAS CITY, MO 64133 · Office: 816.737.8600

Kansas AFL-CIO

- ksaflcio.org
- 2131 S.W. 36th St
Topeka, KS 66611
- 785.267.0100

April 7, 2026

Unified Government of Wyandotte County/Kansas City, Kansas
Planning Commission
701 N. 7th Street
Kansas City, Kansas 66101

RE: Letter of Support — East Side Energy Storage (Accelergen Energy), Wyandotte County

Dear Members of the Planning Commission:

On behalf of the Kansas AFL-CIO and the more than 100,000 members and their families we represent across the state, I am writing to express our strong support for Accelergen Energy's East Side Energy Storage battery energy storage project in Wyandotte County.

This project represents exactly the kind of investment our communities need: clean energy infrastructure that creates good jobs for local workers. Accelergen has committed to using union labor and local companies to build this facility, supporting approximately 300 construction jobs across Kansas and roughly 65 jobs right here in Wyandotte County. The company has worked collaboratively with affiliated unions of the AFL-CIO on involving skilled local labor in every phase of the project.

Beyond the construction phase, this project will strengthen the regional power grid at a time when energy demand in the Kansas City area is projected to more than double. Battery storage captures surplus renewable energy and releases it during peak demand, helping stabilize costs for families and businesses. The project also generates significant new tax revenue for local services and includes community benefit contributions such as scholarships and support for local community organizations.

President **Brian Alexander** ▪ Executive Secretary Treasurer **Jake Lowen** ▪ Executive Vice President **John Nave**

Executive Board: Luke Bizzell ▪ Brian Burnett ▪ Tony Cahill ▪ Robert Cammarn ▪ Tony Delich ▪ Joey Flicker ▪ Tom Gebken ▪ Russell Hardy ▪ Shaun Junkins ▪ Mike Kane ▪ Jeff Kurtz ▪ Donna Lehane ▪ Tatum Keister ▪ Andy Martin ▪ Julie Perry ▪ Dennis Phillips ▪ Emil Ramirez ▪ Carol Russell ▪ Jeff Townsend ▪ Scott Tummons ▪ Chris Ubel ▪ Katie Warren

Printed In House with Union Labor

Clean energy and good union jobs are not an either-or proposition. This project delivers both. We urge the Planning Commission to approve the East Side Energy Storage project.

Thank you for your consideration.

Respectfully,

Jake Lowen
Executive Secretary-Treasurer
Kansas AFL-CIO

KCK Chamber

Subject: Letter of Support for the Eastside Energy Storage Project

April 3, 2026

Dear Wyandotte County,

On behalf of the Kansas City Kansas Chamber of Commerce, I am writing to express our support for the proposed Eastside Energy Storage Project in Wyandotte County.
As Wyandotte County continues to grow, it is essential that our energy infrastructure keeps pace with increasing demand. Businesses, schools, hospitals, and families all rely on dependable power.

Energy storage allows electricity that is already being produced to be saved and used later, rather than wasted. This helps meet higher energy needs without overloading the system or rushing to build new large power sources, all while helping to keep energy costs more affordable through better use of existing resources.

The Eastside Energy Storage Project would also create well-paid jobs and put existing land to productive use in a responsible manner. Just as important, the project includes a clear plan to return the site to agricultural use at the end of its operating life, ensuring this is a temporary land use that delivers economic and energy benefits today while preserving long-term options for Wyandotte County's future.

The Eastside Energy Storage Project aligns with Wyandotte County's priorities and advances the Kansas City, Kansas Chamber of Commerce's economic development efforts to ensure the county remains competitive, infrastructure-ready, and well positioned to support business growth and job creation. For these reasons, we respectfully urge the County to support this project.

Sincerely,

Renee Hadley
President & CEO
KCK Area Chamber of Commerce

2026.03.31

Dear Wyandotte County Officials,

I am the owner and resident of a five-acre property on S. 88th Street, directly east of the site proposed for the East Side Energy Storage project. I have lived at this location for 34 years.

I recognize that future development of the properties to the west of my home is likely. In considering potential outcomes, I believe no alternative proposal would result in fewer impacts related to noise, traffic, visual character, or air quality—especially with respect to noise. In this context, Accelergen's proposal represents a lower-risk option for such development.

In my view, Accelergen's proposal represents a thoughtful and reasonable use of the site, particularly given that a substantial portion of the 64 acres will remain undisturbed and that the project will be governed by the terms of the conditional use permit.

For these reasons, I support approval of Accelergen's Special Use Permit for the East Side Energy Storage Project. I believe it is an appropriate and beneficial choice for our neighborhood.

Sincerely,



James Surber

WYANDOTTE ECONOMIC DEVELOPMENT COUNCIL

To: Unified Government Planning Commission Members

From: Greg Kindle, President

Date: March 26, 2026

Re: Support for East Side Energy Storage Project

Please accept this letter in support of the East Side Energy Storage project proposed for the 60+-acre site at 8900 Metropolitan Avenue in Kansas City, Kansas. As Wyandotte County continues to grow, it is essential that our energy infrastructure keeps pace, so dependable power is available when needed. Energy storage allows electricity that is already being produced to be saved and used later, instead of being wasted or sent to another region, helping the county meet higher energy needs without overloading the system or rushing to build new, large power sources.

Strengthening grid reliability and resilience: Battery energy storage systems (BESS) provide critical support to modernizing the electric grid. This project will help balance peak demand, reduce strain on substations and transmission lines, and improve system stability during extreme weather events. Storage also enables faster recovery after outages and enhances emergency preparedness by providing rapid response capacity when the grid is under stress. These benefits make the project not only an energy initiative but a foundational infrastructure investment.

Protecting rural character and minimizing land impacts: The project team has demonstrated a clear commitment to preserving the agricultural nature of the area. The company has been open to expanding the amount of acreage to be undeveloped to preserve the agricultural nature of the area, and that commitment remains central to the design. Landscaping, visual buffers, and low-profile equipment help maintain the rural landscape. The facility produces no emissions, minimal noise, and requires far less long-term land disturbance than any other residential or industrial uses. Opportunities for native vegetation or pollinator-friendly plantings can further enhance ecological value.

Safety and advanced fire-suppression technology: The company is utilizing the newest fire-suppression and thermal-management technologies. Modern BESS facilities incorporate early detection systems, automated shutdown capabilities, and 24/7 remote monitoring. Coordination with local fire departments ensures that emergency response plans are well understood and that first responders are trained on the specific systems in use. These measures exceed industry standards and demonstrate a proactive approach to safety.

Economic and workforce benefits: East Side Energy Storage has committed to utilizing local electric contractors to maintain the facility, creating ongoing economic activity in the county. In addition, the $250 million investment will generate construction jobs for a limited amount of time, support local procurement where possible, and create a defined revenue stream for the community through a 20-year development agreement consistent with the projected lifespan of the investment. Reliable energy infrastructure also strengthens Wyandotte County's competitiveness for future commercial and industrial development, supporting long-term economic growth.

Alignment with county and regional goals: The project is consistent with PlanKCK and supports broader regional efforts to expand sustainable energy resources without impacting local ratepayers. It also positions the county to take advantage of federal grid-modernization and resilience funding opportunities, reinforcing Wyandotte County's leadership in forward-looking infrastructure planning.

Community engagement and responsiveness: The project team has engaged neighbors early and often, with a willingness to collaborate with both residents and the Unified Government on road and infrastructure improvements. Continued transparency, responsiveness to community feedback, and a commitment to long-term communication help ensure that the project remains a good neighbor while delivering countywide benefits.

For these reasons, including grid reliability, safety, environmental stewardship, economic benefit, and alignment with long-term planning goals, WYEDC respectfully urges the Planning Commission to support the East Side Energy Storage project.

Wyandotte Economic Development Council, Inc.
P.O. Box 171337 • 727 Minnesota Avenue, Kansas City, KS 66117
Ph 913.371.3198 • Fx 913.371.3732 • www.wyedc.org

March 9 2026

Josh Skogen
Accelergan
(604) 203-1883
josh.skogen@accelergen.com

RE: SP2025-094 and PR2025-039 – East Side Battery Energy Storage System (BESS)

RiSE4EJ supports true clean energy projects and is committed to helping ensure it addresses the cumulative burdens on public health and move forward in ways that prioritize community health and safety.

We have been in communication with the developer and acknowledge that East Side Battery has shown a commitment to engaging with the community and considering the recommendations of local residents. We commend these efforts and appreciate their responsiveness to our expertise.

RiSE4EJ is helping plan a community meeting ahead of the April 13th Planning Commission hearing, which puts the above referenced item on schedule for the Board of Commissioners hearing on April 30th.

In collaboration with other community organizations will be selecting panelists to ensure community members have the opportunity to learn more and be part of the discussions. We are also developing an action plan letter and recommendations to hold the East Side Battery Energy accountable to its commitments and to ensure that the health and safety of surrounding community members remain a priority throughout the lifetime of the facility and beyond.

Sincerely

Beto Lugo Martinez
Atenas Mena
cc: Jennifer Ahumada

rise4ej.org

Dear Wyandotte County Officials,

I'm writing today to share my strong support for the East Side Energy Storage project. Our public schools shape the future of Wyandotte County by keeping families here, attracting new ones, and preparing students for tomorrow. But delivering on that requires reliable, sustainable school funding and strong programs to support students. East Side Energy Storage can help us in that mission.

This project is a long-term investment for our community. It will store energy to provide us with more reliable, affordable power, but also will generate millions in new tax revenue for our county and schools. That means more resources in classrooms, better support for teachers, and stronger outcomes for students.

Approving this project is more than supporting new energy infrastructure. It's choosing to invest in our kids, our schools, and Wyandotte County's future. I urge you to approve it and help secure the resources our students and teachers need to thrive for generations to come.

Sincerely,

Lexi McDaniel
yanyakc@yahoo.com
913-481-2044
Kansas City, Kansas 66112

jnoonen@everyactioncustom.com
To rmorris@wycokck.org

Reply | Reply All | Forward

Tue 3/17/2026 2:13 PM

[You don't often get email from jnoonen@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services.

By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security.

Unlike other forms of heavy industry, energy storage systems are safe and built with public health in mind. They don't create their own pollution and they make fewer permanent changes to the land. They help us use clean energy resources like solar and wind more effectively. When paired with these resources, they can also reduce the need for polluting peaker plants, reducing air pollution and making our community and the environment healthier and safer.

I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
mrs janet noonen
Overland Park, KS 66204
jnoonen@gmail.com

March 10, 2026

Dear Wyandotte County Officials,

I am writing to share my support for the East Side Energy Storage project.

We appreciate that Accelergen is designing the project to ensure there are no adverse impacts resulting from noise, traffic, odor, visual or air quality issues. We also like that Accelergen is committed to keeping most of the land undeveloped for the duration of the project. We welcome this project as our neighbor.

The commission should approve this clean energy project to bring needed investment into the community without adverse impacts.

Sincerely,

Julie E. Fromm

Julie E. Fromm, Manager
Darby Farm LLC
Owner of Parcel 939117 – 9400 Metropolitan

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

IBEW Local Union 124

December 31, 2025

Dear Wyandotte County Officials,

We are writing to share our strong support for the East Side Energy Storage project. The project team has been collaborating with IBEW Local 124 on ways to involve skilled local labor in the project. We understand the project has the potential to create nearly 300 new construction jobs in the State of Kansas – 65 new local jobs in Wyandotte County. This project provides a great opportunity for our labor force to gain valuable experience in constructing new energy projects needed for area.

We are experiencing the industry growth in our region and understand the need for new affordable energy to meet the demand. This project offers safe, reliable and affordable solutions. We urge you to approve it and help secure the jobs and resources our labor force, local families and businesses need to thrive for generations to come.

Sincerely,



Joseph "Bo" Moreno
Business Manager

301 EAST 103RD TERRACE – KANSAS CITY MO 64114-4760 -816.942.7500 – FAX 816.942.8805 – www.ibew124.org

Kansas City Kansas Community College

Office of the President
7250 State Avenue : Kansas City, KS 66112
Phone 913.288.7123 : Fax 913.288.7680

January 28, 2026

Dear Wyandotte County Officials,

I'm writing to share my support for the East Side Energy Storage project. Kansas City Kansas Community College continues to serve as a major engine for workforce development in Wyandotte County and the surrounding region. The College continues to focus on creating programmatic certificates, degrees, and customized training opportunities for our students and community so they are ready and able to meet the needs of new industry entering the County, especially in high-wage, high-demand industries.

KCKCC's educational programs continue to shape and improve the socioeconomic status of individuals and families living in Wyandotte County and maintains a goal of helping to end the generational poverty of many of our residents. Having new high-tech companies and industries locating in Wyandotte County is a significant part of helping KCKCC achieve this goal. East Side Energy Storage can help us in that mission.

Accelergen has expressed a commitment to partner on a $30,000 annual contribution to Kansas City Kansas Community College Foundation through the life of the project. The donation would support students, faculty and programs that connect with priorities of the planned partnership.

Approving this project is more than supporting new energy infrastructure. It's choosing to help secure the resources for our students and programs the College needs to thrive for generations to come.

Sincerely,

Greg Mosier

Dr. Greg Mosier
President, KCKCC

"We Create Our Future"

Dear Wyandotte County Officials,

I'm writing to share my strong support for the East Side Energy Storage project. I am the owner of the property immediately east of the proposed project. This project is a forward-thinking investment for the community. We welcome this project as our neighbor. We appreciate the approach Accelergen is taking by requesting a special use permit. This ensures the land will be restored to agricultural zoning once its decommissioned. We also like that it's being designed to ensure there are no adverse impacts resulting from noise, odor, visual or air quality issues.

We see the growth in our area and understand the need for low-cost energy when it's needed most. This project offer solutions and uses infrastructure already in place – not to mention it will generate significant new tax revenue. That means more resources in classrooms, better support for teachers, and stronger outcomes for students.

I urge you to approve it and help secure the affordable energy and resources our students, local families and businesses need to thrive for generations to come.

Sincerely,

[insert signature block]

Signed by:
Mike Englhard
AC1169BACFBA4C3...

Mike Englhard

Chief Development Officer
Mikee@terawattinfrastructure.com

Outlook

Public comment in support of East Side Energy Storage

From Gustine Green <greengustine90@everyactioncustom.com>
Date Wed 1/28/2026 11:04 PM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from greengustine90@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services.

By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security.

Unlike other forms of heavy industry, energy storage systems are safe and built with public health in mind. They don't create their own pollution and they make fewer permanent changes to the land. They help us use clean energy resources like solar and wind more effectively. When paired with these resources, they can also reduce the need for polluting peaker plants, reducing air pollution and making our community and the environment healthier and safer.

I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Miss Gustine Green
Kansas City, KS 66104
greengustine90@gmail.com

Public comment in support of East Side Energy Storage

From Judy Ancel <jancel@everyactioncustom.com>
Date Wed 1/28/2026 11:15 PM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from jancel@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Ms. Judy Ancel
Kansas City, KS 66106
jancel@igc.org

Outlook

Public comment in support of East Side Energy Storage

From Lisa Walker-Yeager <lisawalkeryeager@everyactioncustom.com>
Date Thu 1/29/2026 4:54 AM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from lisawalkeryeager@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Mrs. Lisa Walker-Yeager
Kansas City, KS 66104
lisawalkeryeager@gmail.com

Public comment in support of East Side Energy Storage

From Teri Quinn <tquinnchc@everyactioncustom.com>
Date Thu 1/29/2026 9:28 AM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from tquinnchc@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Mx. Teri Quinn
Kansas City, KS 66101
tquinnchc@gmail.com

Outlook

Public comment in support of East Side Energy Storage

From Carol Carley <cac744@everyactioncustom.com>
Date Thu 1/29/2026 3:20 PM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from cac744@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Ms. Carol Carley
Kansas City, KS 66104
cac744@aol.com

Outlook

Public comment in support of East Side Energy Storage

From Hillary Myles <hillary.myles1@everyactioncustom.com>
Date Thu 1/29/2026 12:13 PM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from hillary.myles1@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services.

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Mrs. Hillary Myles
Kansas City, KS 66103
hillary.myles1@gmail.com

Outlook

Public comment in support of East Side Energy Storage

From Vicki Arnett <vickiarnett@everyactioncustom.com>
Date Mon 2/9/2026 10:25 AM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from vickiarnett@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services.

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Ms. Vicki Arnett
Topeka, KS 66604
vickiarnett@sbcglobal.net

Public comment in support of East Side Energy Storage

From Asher Caulfield <tote_talkers9w@everyactioncustom.com>
Date Mon 2/9/2026 4:32 PM
To rmorris@wycokck.org <rmorris@wycokck.org>

[You don't often get email from tote_talkers9w@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] Dear Wyandotte County Planning Commission, I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable. As a resident of Kansas, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services. By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security. Unlike other forms of heavy industry, energy storage systems are safe and built with public health in mind. They don't create their own pollution and they make fewer permanent changes to the land. They help us use clean energy resources like solar and wind more effectively. When paired with these resources, they can also reduce the need for polluting peaker plants, reducing air pollution and making our community and the environment healthier and safer. I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you. Sincerely, Mr. Asher Caulfield Lenexa, KS 66219 tote_talkers9w@icloud.com

Letter from Sierra Club to support East Side BESS

From Ty Gorman <ty.gorman@sierraclub.org>
Date Sat 2/7/2026 4:10 PM
To Morris, Rose <rmorris@wycokck.org>; Toy, Byron <btoy@wycokck.org>; aferris <aferris@kckbpu.onmicrosoft.com>

You don't often get email from ty.gorman@sierraclub.org. Learn why this is important

Hi Rose and Byron,

The Kansas Sierra Club is sending this letter to support the proposed Battery Energy Storage System (East Side BESS) at 8900 Metropolitan in KCK. BESS technology provides flexibility, rapid response capabilities, and grid stabilization, ensuring that energy remains available during peak demand periods. While battery storage is still evolving, its role in enhancing grid resilience and integrating renewable energy sources will become increasingly important in the years ahead.

The Sierra Club supports this battery energy storage project because it can reduce costs and bring more energy capacity without pollution to the local electric distribution system. It should also provide approximately $20 million in county revenue over its lifespan, 65 local construction jobs, 7 operational positions, and an estimated $9 million in annual energy savings by providing dispatchable local capacity.

This investment has the potential to help replace local polluting energy sources like the Nearman Coal plant, and ensure a better supply of local reliable energy in case of extreme weather events and high transmission congestion. In addition, the community should expect benefits like quarterly contributions of $5,000 to local organizations during permitting and construction, as well as scholarships for students pursuing STEM and energy careers once operational.

Wyandotte County has a long history of industrial land use and historically under-invested neighborhoods. Areas such as Armourdale, Argentine, and Quindaro are adjacent to rail yards, scrap yards, manufacturing plants, and other heavy infrastructure. The commission should approve this clean energy project to bring needed investment into the community and eliminate projects that create significant amounts of pollution in our neighborhoods.

Thank you!

Ty Gorman (he/him)
Sierra Club Sr. Campaign Organizing Strategist
Beyond Coal Campaign
Southwest Power Pool, Kansas
E-Mail: ty.gorman@sierraclub.org
Cell: 913.227.9310

Outlook

Public comment in support of East Side Energy Storage

From Leonard Braton <maxgalaxy@everyactioncustom.com>
Date Mon 4/13/2026 11:37 AM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from maxgalaxy@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

As a resident and a IBEW 124 member, I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services.

By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security.

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Mr. Leonard Braton
Kansas City, KS 66109
maxgalaxy@live.com

Public comment in support of East Side Energy Storage

From janet noonen <jnoonen@everyactioncustom.com>
Date Tue 3/17/2026 2:12 PM
To rmorris@wycokck.org <rmorris@wycokck.org>

[You don't often get email from jnoonen@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] Dear Wyandotte County Planning Commission, I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable. As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services. By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security. Unlike other forms of heavy industry, energy storage systems are safe and built with public health in mind. They don't create their own pollution and they make fewer permanent changes to the land. They help us use clean energy resources like solar and wind more effectively. When paired with these resources, they can also reduce the need for polluting peaker plants, reducing air pollution and making our community and the environment healthier and safer. I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you. Sincerely, mrs janet noonen Overland Park, KS 66204 jnoonen@gmail.com

Kansas AFL-CIO

- ksaflcio.org
- 2131 S.W. 36th St
Topeka, KS 66611
- 785.267.0100

April 7, 2026

Unified Government of Wyandotte County/Kansas City, Kansas
Planning Commission
701 N. 7th Street
Kansas City, Kansas 66101

RE: Letter of Support — East Side Energy Storage (Accelergen Energy), Wyandotte County

Dear Members of the Planning Commission:

On behalf of the Kansas AFL-CIO and the more than 100,000 members and their families we represent across the state, I am writing to express our strong support for Accelergen Energy's East Side Energy Storage battery energy storage project in Wyandotte County.

This project represents exactly the kind of investment our communities need: clean energy infrastructure that creates good jobs for local workers. Accelergen has committed to using union labor and local companies to build this facility, supporting approximately 300 construction jobs across Kansas and roughly 65 jobs right here in Wyandotte County. The company has worked collaboratively with affiliated unions of the AFL-CIO on involving skilled local labor in every phase of the project.

Beyond the construction phase, this project will strengthen the regional power grid at a time when energy demand in the Kansas City area is projected to more than double. Battery storage captures surplus renewable energy and releases it during peak demand, helping stabilize costs for families and businesses. The project also generates significant new tax revenue for local services and includes community benefit contributions such as scholarships and support for local community organizations.

President **Brian Alexander** • Executive Secretary Treasurer **Jake Lowen** • Executive Vice President **John Nave**

Executive Board: Luke Bizzell • Brian Burnett • Tony Cahill • Robert Cammarn • Tony Delich • Joey Flicker • Tom Gebken • Russell Hardy • Shaun Junkins • Mike Kane • Jeff Kurtz • Donna Lehane • Tatum Keister • Andy Martin • Julie Perry • Dennis Phillips • Emil Ramirez • Carol Russell • Jeff Townsend • Scott Tummons • Chris Ubel • Katie Warren
Printed In House with Union Labor

Clean energy and good union jobs are not an either-or proposition. This project delivers both. We urge the Planning Commission to approve the East Side Energy Storage project.

Thank you for your consideration.

Respectfully,

Jake Lowen
Executive Secretary-Treasurer
Kansas AFL-CIO

LETTERS OF OPPOSITION

Outlook

Battery storage facility

From Janet <spufee@yahoo.com>
Date Tue 12/16/2025 9:29 PM
To PlanningInfo <Planninginfo@wycokck.org>

[You don't often get email from spufee@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I would like to protest a battery storage facility at 8900 Metropolitan. I don't understand why every neighborhood in the city has to be turned into an industrial area. Let me know if this email is sufficient to register my disapproval of this facility in this neighborhood. Thank you, Janet Ruby.

Battery Energy Storage at 89th & Metropolitan

From Jamie Burns <jamierburns@hotmail.com>
Date Mon 2/2/2026 11:11 AM
To Planninginfo@wycokck.org <Planninginfo@wycokck.org>

[You don't often get email from jamierburns@hotmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] Hello, My name is Jamie Burns, resident of Wyandotte County in zip code 66111. I am writing to oppose the approval of special use permit to install a Battery Energy Storage System in the neighborhood of 89th & Metropolitan in Kansas City, KS. This area is too close to residents of the community that could be negatively impacted by this installation- not only by the negative environmental effects, but also the risk of fire, as well as the negative impact to property values of neighboring homes. Thank you for listening. Jamie Burns 48 N 102nd St, Edwardsville, KS 66111

Battery Energy Storage System

From Donna OHare <khromegal@yahoo.com>
Date Mon 2/9/2026 3:12 PM
To Morris, Rose <rmorris@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>

You don't often get email from khromegal@yahoo.com. Learn why this is important

I wish I could attend the meeting but walking is difficult for me. I live 3 blocks east of the proposed site and have lived here for 60 of my 70 years. This is a rural area and not a business area. I do not want this storage system anywhere near me. Since I live east of it any accident or error in their handling of the batteries would be blown my direction. I'm concerned for the safety of having it there especially since this is the company's first attempt at this. I also object to the company walking away from the site after their 20 year planned use of the land. There should be some assurance that the land will be usable when they are done with it. I already have to listen to the heavy equipment running in the business park off K32 which I'm sure will benefit from this more than I. I have no cable but an ATT high speed line runs down my street but not for me, but for the business park. There's a quality of life issue here. All this is ruining the neighborhood and once this is approved they'll be more infringement into the neighborhood and we'll lose our neighborhood. I grew up here and bought grandparents house. On this street there are several children who have purchased their parents house. This speaks to how we prefer the neighborhood to stay the same. Please do not vote for this. Thank you.

Donna oh are
1325 S86th St
Kansas City, KS 66111

From: Jodi Maxey <jodi.maxey13@gmail.com>
Sent: Monday, February 9, 2026 4:01 PM
To: Morris, Rose <rmorris@wycokck.org>
Cc: pjlipoz@wycokck.org <pjlipoz@wycokck.org>
Subject: Battery Energy Storage Systems

You don't often get email from jodi.maxey13@gmail.com. Learn why this is important

Hello,
I live at 2029 Orchard St, Edwardsville, KS 66111, about two miles away from the proposed BESS site. I am strongly opposed to this going in at this location. There are many homes around the area that will be affected by this being put in. I'm guessing property values will decline for those homes. This area should be built up for people to get into homes. We rely strongly on property taxes. We are tired of businesses coming in, taking up land, and getting tax deals. Please do not approve the special permit for the BESS. I have not read about one positive thing for the communities these things go into.

I appreciate the hard work you do for Wyandotte County.

Thank you, Jodi Maxey

Battery Storage Facility

From Sandy Zugelder <sazugelder@gmail.com>
Date Mon 2/9/2026 9:03 PM
To rmorris@wycokck.org <rmorris@wycokck.org>
Cc pjlopez@wycokck.org <pjlopez@wycokck.org>

You don't often get email from sazugelder@gmail.com. Learn why this is important

I am a resident of Wyandotte County. I am sending this email to say I am OPPOSED to the Battery Storage Facility that has been proposed at 8900 Metropolitan Avenue. This is in conjunction with PR2025-039.

Sandy Zugelder

(No subject)

From Jerry Cigich <woodsmancig@att.net>
Date Mon 2/9/2026 5:31 PM
To pjlopez@wycokck.org <pjlopez@wycokck.org>
Cc rmorris@wycokck.org <rmorris@wycokck.org>

You don't often get email from woodsmancig@att.net. Learn why this is important

opposition for Battery energy storage system

Opposition to Battery Storage

From Sandra Cigich <scigich1957@att.net>
Date Mon 2/9/2026 2:03 PM
To rmorris@wycokck.org <rmorris@wycokck.org>
Cc pjlopez@wycokck.org <pjlopez@wycokck.org>

You don't often get email from scigich1957@att.net. Learn why this is important

Opposition of Battery Storage System can not attend tonight's meeting
Thank you
Sandra Cigich
9201 Swartz Rd
KCK 66111

Proposed battery energy storage system

From melissaknight509@gmail.com <melissaknight509@gmail.com>
Date Mon 2/2/2026 10:49 AM
To Planninginfo@wycokck.org <Planninginfo@wycokck.org>

[You don't often get email from melissaknight509@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] I am OPPOSED to the approval of the special use permit for the proposed battery energy storage system located at 8900 Metropolitan Ave, Kansas City, Ks Thank you, Melissa Knight Sent from my iPhone

From: courtney slinkard <courtneyslinkard@gmail.com>
Sent: Sunday, February 8, 2026 5:38 PM
To: PlanningInfo <Planninginfo@wycokck.org>
Subject: Battery energy storage system

You don't often get email from courtneyslinkard@gmail.com. Learn why this is important

To whom it may concern,

I live in the area where they are trying to put in this battery energy storage system . I am 100% against them using a special permit for the system. Please don't allow the system to go in.

Thank you for your time Courtney Slinkard

RE: OFFICIAL OPPOSITION TO CASE PR2025-039 and PR2025-94(East Side Energy Storage LLC)

From Sandra Drown <sdrown15@gmail.com>
Date Sat 2/21/2026 4:29 PM
To Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; PlanningInfo <Planninginfo@wycokck.org>; Morris, Rose <rmorris@wycokck.org>; Hand, Gunnar <ghand@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Burroughs, Tom <tburroughs@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; bburns@wycokck.org <bburns@wycokck.org>

You don't often get email from sdrown15@gmail.com. Learn why this is important

To the Unified Government Planning Commission and Board of Commissioners:

I am a direct neighbor at **9111 Metropolitan Ave**, located directly across the street from the proposed 8900 Metropolitan Ave project. I formally object to this Special Use Permit based on the following critical technical and financial facts:

1. Corporate & Financial Opacity: The applicant, **East Side Energy Storage LLC**, is a Delaware shell company formed only 15 months ago (11/14/23), operating out of a **residential home in Overland Park**. This $250 million project is being led by **Accelergen Energy LLC** (founded late 2020), a startup with **zero completed utility-scale projects**. Their total funding of $50 million is "bridge" capital for deposits—not the $200M+ required for construction. Our neighborhood should not be a "test case" for a startup's first venture into high-voltage thermal energy storage. A company that has existed for barely five years and has never successfully energized any sites as of today, lacks the institutional experience to manage the complex safety and infrastructure risks inherent in a $250 million project.

1. **Incompatibility with the Golden Factors:** This project fails the "Character of the Neighborhood" test. A 24/7 industrial hum at **60dB** (100x more intense than our 30dB rural baseline) is a permanent nuisance that cannot be mitigated by a standard fence. Accelergen **representative Josh admits they intend to sell this project**. This creates a dangerous accountability gap: Who do we call at 3:00 AM when the noise is unbearable? A mail-drop service in Topeka? A Delaware LLC with no assets? A global corporation like Blackstone that has no local office?. Yet oh, Accelergen is also an out of state company. No one to contact locally before or after that sale.

2. **Zero Long-Term Local Economic Benefit:** This project provides **no permanent local jobs**. While there may be temporary construction work, once operational, these sites are monitored remotely. Wyandotte County is being asked to sacrifice its safety and property values for a facility that employs **zero** local residents.

3. **No Local Energy Commitment:** The developer has **no contract or commitment** to provide energy storage to our local Board of Public Utilities (BPU). This is a "merchant" facility designed to sell power to out-of-state markets. Wyandotte County is being asked to bear 100% of the industrial risk while receiving 0% of the energy benefit.

4. **Infrastructure Bottleneck:** Metropolitan Avenue is a 20-foot rural road with **no shoulders**. Fire hydrants are located on the project side, while overhead utility lines and mature residential trees line my side. Staging a single KCKFD Type 1 Pumper (10.5 ft wide) at a hydrant creates a **total blockade**, preventing all residential emergency egress. There is physically no room to widen this road without relocating city power lines and destroying the residential trees and more.

5. **Inadequate Fire Flow Infrastructure:** The existing fire hydrants on Metropolitan Avenue were designed for residential and agricultural protection. They do **not** accommodate the industrial-scale "Fire Flow" (gallons per minute) required to manage a 300 MW lithium-ion thermal runaway event. Cooling a battery fire requires thousands of gallons of continuous water for days; our current infrastructure cannot support this, posing a catastrophic risk to neighboring homes.

6. **Misleading Visual Impact Claims:** Accelergen representative Josh has stated on the record that this facility would be **"unseen."** This is factually incorrect. From my front yard, I will have a direct, unobstructed view of an industrial battery array. The developer's attempt to downplay the visual blight proves a lack of transparency and a disregard for the "Character of the Neighborhood" protected under the **Golden Factors**.

7. **Property Value Diminishment:** This industrialization of an agricultural zone creates a "market stigma." Independent data suggests a **5% to 7% decrease in property values** for adjacent homes. This project represents a direct, uncompensated taking of my home equity.

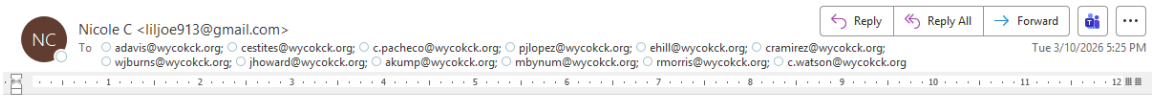
8. **Industrial Encroachment**: As seen in recent denials in Saline County and Sumner County, commissions are increasingly finding that large-scale Battery Energy Storage Systems (BESS) are inconsistent with rural-residential and agricultural zones.

We chose this location to purchase in 2021 to live in a quiet, rural area away from industrial blight. This $250 million project is in total violation of the agricultural character we invested in. A plant like this belongs in an industrial park, not across the street from homes and livestock.

I urge you to recommend **DENIAL**.

Respectfully,

Sandra Drown



You don't often get email from liljoe913@gmail.com. Learn why this is important

Good evening, Mayor Watson, Commissioners and Planning/Zoning Committee Members,

I'm reaching out to you once again to please vote 'No' on the proposed battery storage facility proposed at 88th and metropolitan in KCK.

My family doesn't live far from the facility, in a home where my child is the 5th generation to live in our home, in a neighborhood my great-grand parents helped build including the church down the road.

We continue to stay in this area because it is one of the few areas left that has agriculture-type areas nestled in the city, has strong family ties and hasn't been destroyed with commercial development. Putting this battery storage facility, a heavy commercial use development in a currently agriculturally zoned area, takes away from the neighborhood we live in, it will decrease home values, take away from the established ecosystem and beautification of our neighborhood.

I have attend both community meetings so far and it's clear this area was targeted because the land was already cleared and cheap to purchase, as a "first timer" site for this company. If BPU thought this was infrastructure we needed, it would have already been built or would be in the works. We do not have a power problem in this community. This company wants to buy electricity us constituents pay for, to sell to other places at a profit, at our expense in more ways than one. I fully believe this is to sell power tax-free to the incoming data center and others like it, rather than to our community's benefit.

Please do not destroy our neighborhood, our wildlife and ecosystems and where we call home for a project that is not needed in a residential area.

Thanks,
Nicole Crosson



You don't often get email from mattl635@outlook.com. Learn why this is important

WYCO Planning Commission,

I write this email to oppose placing this Battery Energy Storage System in the proposed location, because:

1. To close to residential housing
2. If this is so good why doesn't BPU put it in?

Thank you,

Matthew Birzer
913-208-4011

Sent from Outlook
Matthew L Birzer PE
913-208-4011



[You don't often get email from ward6696@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I am writing in opposition to the proposed battery storage plant that has been proposed across the street from residential homes in the 8900 block of Metropolitan.
Let it go on record that I am completely amazed that the powers that be would even consider such a plant anywhere near residential properties and homes in our city.
I seriously ask that this not be allowed.

Thank you,

Deborah Ward
7315 Lafayette Ave
Kansas City, KS. 66109
Sent from my iPhone

Battery and data centers

From Teach <teachb52@yahoo.com>
Date Mon 4/13/2026 6:13 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from teachb52@yahoo.com. Learn why this is important

Please do not allow these busineses in the county; especially in our residential and populated areas. Health hazards, noisy, unsustainable to our water supply and nature, in general. Thank you, Cheryl Lynn

Battery energy storage facility

From jayr1210@aol.com <jayr1210@aol.com>
Date Mon 4/13/2026 2:07 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from jayr1210@aol.com. Learn why this is important

I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration.

Battery Energy Storage

From Cathy Bruce <catbruce@live.com>
Date Mon 4/13/2026 4:46 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from catbruce@live.com. Learn why this is important

Hello - I am writing to respectfully urge you to deny approval of a proposed Battery Energy Storage System in the area near 8900 Metropolitan, and refrain from granting any special use permits for such facilities in this neighborhood. Placing this type of infrastructure in a residential setting raises serious concerns for those of us who live nearby. Issues such as potential fire hazards, increased noise, and the broader impact on the property values and overall quality of life cannot be overlooked. Families in this community rely on a safe, quiet, and stable environment, and this type development does not uphold those expectations. Please consider more appropriate locations for these facilities, such as an industrial area, where they can operate without negatively affecting the residential communities.

Thank you for your time and thoughtful consideration.

Sincerely,

C. Hilton

Battery Storage at 89th & Metropolitan

From Joe & Debi Ward <ward6696@gmail.com>
Date Mon 4/13/2026 7:50 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from ward6696@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] To whom it may concern: I am again writing to plead with the planning commission to turn down the request for the battery storage area near 89th and Metropolitan Ave. This area is surrounded by residential homes who deserve much better than this from their local government. Please DO NOT allow this to take place. Debi Ward 7315 Lafayette Ave. Kansas City. KS. 66109 Sent from my iPhone

Battery storage facility

From Shane Carpenter <scarp563@gmail.com>
Date Mon 4/13/2026 8:13 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from scarp563@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] I'm writing to express my displeasure with you and to let you know that this is a stupid idea. This doesn't belong in a residential area.. duh. Do the right thing and keep it out of the area of 8900 blocks of Metropolitan. Sent from my iPhone

Battery Storage Facility Vote

From Jodi Maxey <jodi.maxey13@gmail.com>
Date Mon 4/13/2026 11:44 AM
To PLANNINGINFO@wycokck.org <PLANNINGINFO@wycokck.org>

You don't often get email from jodi.maxey13@gmail.com. Learn why this is important

Hello,

I am opposed to the battery storage facility being built in KCK on Metropolitan. It seems these companies are in such a rush to build and to build wherever they want. The risks of gases being released in the neighborhood are not a risk our neighbors should have to take. This will negatively affect the neighborhood's property values.

I live 1.5 miles away from the proposed facility. This is not something that I want or should have in our residential community.

Please vote against the building of the battery storage facily.

Thank you, Jodi Maxey

From: Donna OHare <khromegal@yahoo.com>
Sent: Monday, April 13, 2026 8:15 AM
To: Morris, Rose <rmorris@wycokck.org>
Subject: Battery Storage Facility

You don't often get email from khromegal@yahoo.com. Learn why this is important

I live 3 blocks due east of the proposed site of the facility. I have lived here the majority of my 70 years. I live in my grandparents house but next to my childhood house where my brother lives now. My husband and I chose to live here after his 4 Navy years. We're retired and had planned to stay here as long as possible. It's a very good neighborhood to live in. Over the years we now have to listen to heavy equipment from business area off K32 and traffic from 435 but we're managing. I said all the above to make the point that this storage facility gains us nothing. The business is not local, initially some jobs will be gained but will end on completion of the site. The company is not committed to aid BPU in providing power nor are they interested in the area for anything but cheap land and access to substation. I am concerned about the safety of the site, being just east of it, since the wind blows west to east here.There will be noise both during construction and once it's on line. Once it's on line it doesn't have business hours... it runs. I know of the program the city has promoting liveable neighborhoods and fail to see how this facility can be paired with that. Please do not grant them a zoning change. They neither care about neighbors nor the area. This is an opportunity for them to put

a money making plan in and then leave. They bring no benefit to the neighborhood. My road won't be fixed, never had WiFi so don't miss it. Please let them go somewhere else to build this. Let the people win one for once.

Donna O'Hare
1325 S 86 St
KC, KS

Battery energy storage 8900 Metropolitan area

From Roxie Armstrong <roxiearm@gmail.com>
Date Mon 4/13/2026 6:03 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from roxiearm@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] To whomever this applies: planninginfo@wycokck.org I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration. Sincerely, Roxie Armstrong

BESS

From Tracy Ramey <tracy052265@gmail.com>
Date Mon 4/13/2026 7:34 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from tracy052265@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] This proposed battery energy storage facility does not meet the standards required for a Special Use Permit in this location. The project is not compatible with the surrounding residential area along Metropolitan Avenue and would introduce an industrial use into an established neighborhood. In addition, there are unresolved concerns regarding fire safety, emergency response readiness, and proximity to homes. These impacts have not been sufficiently addressed to ensure the protection of nearby residents. For these reasons, this project does not satisfy the required findings for approval and the Special Use Permit should be denied."

Concerns regarding a battery energy storage system

From Lydia Black <black.lydia319@gmail.com>
Date Mon 4/13/2026 6:15 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from black.lydia319@gmail.com. Learn why this is important

Hello,

It has come to my attention that the planning committee is considering adding a battery energy storage system to the area of 8900 Metropolitan Ave. While I see the potential benefits- as someone who lives close the area the plan is concerning. There are warnings linking such systems to the releases of toxic gases and increased fire hazard. This area already has radon levels exceeding EPA standards. Please don't add something else potentially harmful to our children. I come from North County St. Louis and there's been many lawsuits in the area related cancer resulting from pollutants contaminating the community (Cold water creek specifically). I do not want to raise my children near something like this. Please consider this as you guys are planning. I'm sure there's plenty of space South of Kaw Dr for such a development. Lifting the residency requirement did not motivate me to leave the area as an employee of the city- but putting the health of my children at risk for industrial development would.

Very Respectfully,
Lydia Black 8741 Barber Ave.

(No subject)

From Robin Reitmeyer <kscasinocop@gmail.com>
Date Mon 4/13/2026 8:11 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from kscasinocop@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration. Sent from my iPhone

No to the battery plant!

From David Thaxton <dthaxton1234@icloud.com>
Date Mon 4/13/2026 3:50 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from dthaxton1234@icloud.com. Learn why this is important

I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration.
Sent from my iPhone

Opposition

From Ramey Hunt <rameyhunt33@gmail.com>
Date Mon 4/13/2026 5:34 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from rameyhunt33@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] To whom it may concern, I am writing to express my opposition to the battery energy storage facility that is being planned to go into the neighborhood of 8900 Metropolitan Ave. while I do not live in that neighborhood my family and I spend a lot of time there. This is something that is not wanted in the area. Thank you for your consideration

Energy Storage System Request

From Noel <sporkcake26@gmail.com>
Date Mon 4/13/2026 4:40 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from sporkcake26@gmail.com. Learn why this is important

I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration.

Noel Burt, resident of Muncie, KS.

Please reconsider

From Roz Woody <roz.woody2@gmail.com>
Date Mon 4/13/2026 7:12 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from roz.woody2@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] Dear Planning Commission, It's my understanding that a battery storage facility is under consideration for approval in a residential neighborhood, specifically 8900 Metropolitan or grant special use permits. These facilities do not belong near homes or families who enjoy safety, peace and stability. There are real concerns about fire, noise and overall impact on property values and quality of life. Please place these types of facilities in appropriate industrial area, not our neighborhoods. Would you want one in YOUR neighborhood? Respectfully, Rosalind Woody Sent from my iPhone

Please Vote 'No' for Battery Facility

From Nicole C <liljoe913@gmail.com>
Date Mon 4/13/2026 5:39 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from liljoe913@gmail.com. Learn why this is important

Dear Members of the Planning Commission,

I'm writing again to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. We are a fifth generation family living in the area and we do not want this in our neighborhood.

These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life.

Please place these types of developments in appropriate industrial areas, not in our neighborhoods.

Thank you for your consideration.
Nicole Crosson

Please vote no on the BESS

From Tracy Ramey <tracy052265@yahoo.com>
Date Mon 4/13/2026 2:05 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from tracy052265@yahoo.com. Learn why this is important

I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods.

Thank you for your consideration.

Tracy Ramey
KCK
Directly across from the proposed site

Special Use Permit for 8900 Metropolitan Ave

From Kellie Hogan <kelliehogan1102@gmail.com>
Date Sun 4/12/2026 2:59 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from kelliehogan1102@gmail.com. Learn why this is important

To Whom it May Concern,

As a neighbor directly across the street from this location I am opposed to this project. It has no business in a residential area.

Kellie Hogan
8919 Metropolitan Ave, Kansas City, KS 66111

From: Michelle Payne <mpayne202@gmail.com>
Sent: Monday, April 13, 2026 1:58 PM
To: PlanningInfo <Planninginfo@wycokck.org>
Subject: Data Center at 86th and Metropolitan

You don't often get email from mpayne202@gmail.com. Learn why this is important

Dear Commissioners,
I am writing to express my concerns regarding the proposed data center and battery storage facility planned for our neighborhood. While I understand the importance of supporting energy infrastructure, I believe this particular project raises several serious issues that deserve closer consideration.
First, I am concerned that this facility will not provide meaningful benefits to our local community. Based on available information, it appears that the project will not significantly contribute to our tax base or provide tangible financial support to the surrounding area. Unlike other developments that bring jobs, services, or increased local revenue, this project seems to operate primarily as a private energy asset with limited direct return to residents.
Additionally, the potential environmental impacts are troubling. Large-scale battery storage facilities can pose risks related to soil and water contamination, especially in the event of leaks, fires, or improper disposal of materials. There are also concerns about air quality and the handling of hazardous substances associated with battery systems. Beyond that, the construction and operation of

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such a facility may disrupt local ecosystems, increase noise levels, and alter the character of our neighborhood.
I am also worried about long-term safety and sustainability. Battery storage sites require careful monitoring and emergency preparedness, and it is not clear whether sufficient safeguards and response plans will be in place to protect nearby residents.
Given these concerns, I respectfully urge you to carefully evaluate whether this project truly serves the best interests of our community. I ask that you consider the lack of direct economic benefit alongside the potential environmental and safety risks before moving forward with approval.
Thank you for your time and attention to this matter. I appreciate your commitment to representing and protecting the interests of our community.
Sincerely,
Michelle Payne
940 S 89th St
Kansas City, Ks
66111

From: William Michael <wem07hdeguc@gmail.com>
Sent: Monday, April 13, 2026 3:49 PM
To: PlanningInfo <Planninginfo@wycokck.org>
Subject: Data Center

You don't often get email from wem07hdeguc@gmail.com. Learn why this is important

Please consider an industrial area, such as Fairfax area in Wyandotte County, and NOT in the 8900 block of Metropolitan Ave., to install a data center. Thank you.

To The Unified Government of Wyandotte County and Kansas City, Kansas, Planning Commission and Board of Commissioners:

Re: SP2025-094 - EAST SIDE STORAGE LLC WITH ACCELERGEN ENERGY LLC, Special Use Permit for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with PR2025-039, Preliminary Plan Review)

I am writing as a residential real estate professional with more than three decades of experience specializing in upper-bracket new home sales. I am speaking for myself, and not as a representative of any particular client, company or agency. Over the course of my career, I have worked with hundreds of buyers and sellers, and I have seen firsthand how surrounding land uses, particularly those perceived as industrial or high-risk, can materially affect both the market value of nearby homes and the long-term enjoyment of those properties.

I am submitting this letter to express my professional concern regarding the proposed battery power storage facility near an established residential neighborhood. My comments are based on long-standing market patterns, buyer behavior, and valuation impacts that consistently arise when industrial uses are introduced adjacent to or near residential communities.

Impact on Property Values and Marketability
In my professional experience, the introduction of an industrial-scale facility near homes almost always results in a measurable diminution of nearby residential property values. Buyers routinely discount homes located near uses they perceive as incompatible with residential living, and battery storage facilities, because of their size, purpose, and perceived risks, fall squarely into that category.

Beyond direct value impacts, such facilities significantly reduce buyer interest. When prospective purchasers learn of a nearby industrial use, many simply eliminate the property from consideration. This reduced buyer pool leads to longer days on market, increased carrying costs for sellers, and a measurable decline in marketability.

In many cases, proximity to an industrial facility becomes what the real estate industry refers to as an *incurable defect*, a condition that cannot be remedied by the homeowner and that permanently affects value and desirability.

Stigma and Buyer Perception
Even when a facility is engineered to meet safety standards, the *perception* of risk is often just as influential as any actual risk. Buyers frequently express concerns about noise, light pollution, operational activity, and the loss of peace and tranquility that define residential neighborhoods. These concerns create what appraisers call *stigma discounts*, which can persist for years.

Additionally, sellers are legally obligated to disclose nearby industrial uses to prospective buyers. Such disclosures are widely viewed as “red flags” and often trigger immediate valuation concerns. Once disclosed, the presence of the facility becomes a permanent part of the property’s market profile.

Visibility and Misleading Assumptions
I understand the developer has stated that the facility will not be visible from outside the industrial property. However, this assertion does not align with the topography of the area. The surrounding residential properties sit at a higher elevation, meaning the facility, and any associated fencing,

lighting, or equipment, will in fact be visible to certain homeowners. This visibility further reinforces buyer concerns and contributes to long-term stigma.

It is also worth noting that similar facilities operated by this company include perimeter fencing with danger-warning signage. Such signage, while necessary for safety, is highly inconsistent with residential aesthetics and further contributes to negative buyer perception.

Noise Mitigation
Battery energy storage systems rely on continuous cooling and electrical equipment that can generate a persistent background hum. While this may be modest in absolute terms, constant low-frequency noise can be disruptive in quiet residential areas, especially at night. I encourage the following mitigation measures:

- Require a formal, independently verified noise study using conservative assumptions (including nighttime operation and worst-case conditions)
- Establish enforceable maximum noise limits at the residential property line
- Require design measures such as equipment orientation, sound barriers, and acoustic enclosures to ensure compliance

Fire Safety and Emergency Preparedness
Public concern regarding battery-related fire risks is significant and understandable. While such events are rare, they can be difficult to manage when they occur. The Commission should recommend the following:

- A detailed, publicly available emergency response plan developed in coordination with local fire departments
- On-site fire detection and suppression systems appropriate for lithium-ion battery installations
- Adequate spacing between battery units to prevent propagation of thermal events
- Clear access routes and staging areas for emergency responders
- Ongoing training and coordination with local emergency personnel

Visual Screening and Buffering
Given the site's visibility from nearby homes, particularly those south of Metropolitan Avenue, it is important that the project be designed to minimize visual impact. The Commission should recommend the following:

- A substantial landscaped buffer (ideally at the higher end of the 25–50 ft range)
- Inclusion of berming and dense evergreen plantings to provide year-round screening
- Strategic placement of equipment away from the southern property line where feasible

Lighting and Community Compatibility
To preserve neighborhood character, the Commission should recommend the following:

- Fully shielded, downward-directed lighting to minimize nighttime glare
- Operational practices that limit unnecessary nighttime disturbance

Conclusion
Based on my professional experience, the proposed battery storage facility poses a substantial risk to the property values, marketability, and overall enjoyment of nearby homes. These impacts are not speculative; they are consistent with buyer behavior patterns observed across many markets over many years.

For these reasons, I respectfully urge decision-makers to consider the long-term consequences for homeowners who have invested in their properties with the reasonable expectation of stability, safety, and residential compatibility.

Thank you for your consideration.

Sincerely,

Janet P. Agron
Realtor, licensed in Kansas and Missouri

ReeceNichols KCN

janetagron28@gmail.com

cell: 816-289-7778

Re:Battery Energy Storage System

From Mary Ann <maatumellc@gmail.com>
Date Fri 4/10/2026 1:15 PM
To PlanningInfo <Planninginfo@wycokck.org>

1 attachment (397 KB)
LetterPg2.pdf;

You don't often get email from maatumellc@gmail.com. Learn why this is important

Re: Opposition to Eastwood Energy Project – 8900 Metropolitan Avenue, Kansas City, KS 66111

To Whom It May Concern,

We are writing to formally express opposition to the proposed Eastwood Energy Project located at 8900 Metropolitan Avenue in Kansas City, Kansas. We are property owners and our homes are in close proximity to the proposed development.
After reviewing the available information and considering the potential impacts, we have serious concerns regarding this project and respectfully request that it not be approved in its current form.

Primary concerns include:
Residential Impact and Quality of Life
The proposed project is not consistent with the surrounding residential character of the area. Increased industrial activity, lighting, and operational presence may negatively affect the quiet enjoyment, safety, and livability of nearby homes.

Traffic and Safety
The development is expected to increase vehicle and potentially heavy truck traffic in the area. Swartz Road and nearby streets are not designed for significant increases in traffic volume, raising concerns about congestion, road wear, and safety for residents.

Noise and Environmental Effects
Energy-related facilities often generate continuous or intermittent noise, which may disrupt nearby households. Additionally, there are concerns about potential environmental impacts, including emissions, runoff, and long-term effects on local land and water.

Fire Risk and Documented Safety Incidents
There is a significant and well-documented risk of fire and explosion events associated with battery energy storage systems and similar energy infrastructure.

Real-world incidents highlight the seriousness of these risks:

Moss Landing, California (2025): One of the largest battery storage facilities in the world experienced a major fire involving tens of thousands of lithium-ion batteries. The fire burned for days, produced large plumes of smoke, and forced the evacuation of approximately 1,200–1,500 residents in the surrounding area. Fire officials were limited in their ability to extinguish the blaze and, in some cases, allowed portions of the facility to burn out due to the nature of lithium battery fires. (Energy-Storage.News)

Moss Landing, California (ongoing concerns): The same site has experienced multiple incidents over several years, including equipment failures and repeat fire-related events, raising broader concerns about the long-term reliability and safety of large-scale battery storage installations. (The Guardian)

Surprise, Arizona (APS McMicken Facility, 2019): A lithium-ion battery storage facility experienced a thermal runaway event that led to a catastrophic explosion, severely injuring four firefighters. Investigations found that flammable gases had accumulated inside the unit and ignited when accessed by first responders. (https://www.investigatetv.com/)

This Arizona incident has since been widely cited in safety research as a critical example of the risks associated with thermal runaway and confined battery storage environments, particularly for emergency responders and nearby communities. (UL Research Institutes)

These events demonstrate that while such systems are increasingly common, they carry non-negligible risks of fire, explosion, toxic gas release, and prolonged emergency response situations. These risks are especially concerning given the proximity of the proposed project to residential homes.

Local emergency services may not have the specialized equipment, training, or resources required to safely manage a large-scale battery fire or explosion, further increasing the potential risk to residents.

Property Values
The proximity of an energy facility to residential properties may adversely affect property values and marketability of homes in this area.

Lack of Community Alignment
This project appears to be incompatible with the existing use and expectations of the surrounding neighborhood. Development decisions should reflect the interests and well-being of current residents.

For these reasons, we respectfully urge the reviewing authority to deny approval of the Eastwood Energy Project or require substantial reconsideration, relocation, or modification to address these concerns.

This letter is supported by adjacent property owners, including our immediate neighbors, who share these concerns about the impact this project may have on our community.

Thank you for your time and consideration.

Sincerely,
Concerned members of the community.

Supporting Neighbor Signatures

I, the undersigned, support the concerns outlined in this letter and oppose the Eastwood Energy Project at 8900 Metropolitan Avenue:

Name: William Frey Signature:

Address: 9019 Swartz Rd KC KS 66111

Name: Sandra Cigich Signature:

Address: 9201 Swartz Rd KCK 66111

Name: Damian Emblen Signature:

Address: 9141 Swartz RD KC KS 66111

(Published _____)

SP2025-094

ORDINANCE NO._____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2025-094, commonly known as 8900 Metropolitan Avenue, Kansas City, Kansas, legally described as:

> Beginning at a found ½" square iron bar at the southwest corner of said Lot 13, thence north 02 degrees 26 minutes 10 seconds west along the west line of said Lot 13, a distance of 1284.75 feet to a ½" iron bar with cap stamped DFE KS 1575 at the northwest corner of said Lot 13; Thence North 87 degrees 58 minutes 43 seconds east along the north line of said Lot 13, a distance of 1254.61 feet to a set ½" iron car with cap stamped WPS CLS 172, thence departing the north line of said Lot 13, South 02 degrees 29 minutes 56 seconds east, a distance of 1283.16 feet to a set ½" iron bar with cap stamped WPS CLS 172 on the south line of said Lot 13; Thence south 87 degrees 54 minutes 20 seconds west along said south line, a distance of 1256.00 feet to the point of beginning, located at approximately 8900 Metropolitan Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for a battery storage facility.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Subject to approval of the Special Use Permit and Preliminary Development Plan, a Final Development Plan is required to be submitted to finalize landscaping and screening, site engineering and roadway improvements and approved by the City Planning Commission prior to the issuance of a building permit from the Development Review Committee (DRC);**
2. **Because the eastern half of the parcel has been acquired, east of Timmons Creek by the Applicant, this area shall remain as open space. A deed restriction designating this area as open space for the duration (lifecycle) of this Special Use Permit shall be recorded with the Register of Deeds;**
3. **Section 27-700(a) In the R-1, R, A-G, R-1(B), R-2, and R-2(B) districts, 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. 230 trees are required to be planted. The site is 37.00 acres, which requires 230 trees to be planted. Existing mature trees can count towards that total.**

   Given the proposed location of the battery storage, and what is visible from Metropolitan, no adjacent property owner should see this facility or substation from their rear yards (to the north and east) or from Metropolitan Avenue to the south or South 88th Street;
4. **Create an open space easement along the blue line streamways (Intermittent stream, forested wetland and ephemeral stream depicted on sheet C100) in the southwest corner of the site;**
5. **The protected wetland throughout the property, preserving as an open space easement;**
6. **All landscaping shall be irrigated with an in-ground irrigation system;**
7. **The Facility shall not be operated as to emit noise at a neighboring residential structure(s) existing as of the effective date of this Special Use Permit that is of higher sound pressure level (dB(A)) than the ambient day-night average (Ldn) existing prior to commencement of Facility operations. Applicant shall submit acoustics modeling reports using prudent industry standards completed by a 3rd party with expertise in the field of acoustics to determine day-night average sound level conditions before and after Facility operations;**
8. **Applicant shall be permitted to install a barrier around all or a portion of the Facility for noise mitigation, visual screening and/or security (e.g., wall, screened fencing, etc.). Any barrier shall be colored an earthen tone representative of the surrounding area. If no barrier is installed, then the exterior Facility enclosures shall be colored an earthen tone representative of the surrounding area;**
9. **The Facility shall not be permitted or so operated within a fully enclosed building. For the purposes of satisfying this requirement, the individual Facility enclosures shall not be considered fully enclosed buildings;**
10. **The battery enclosures shall be integrated and UL certified offsite to ensure the highest level of quality related to assembly and installation;**

11. **The Facility shall not involve the storage, handling or use of heavy metals in the batteries or otherwise;**
12. **The Facility shall not be permitted to stack individual enclosures;**
13. **The Facility shall maintain ongoing compliance with National Fire Protection Association (NFPA) and International Fire Code (IFC) fire and electrical codes applicable to the Facility. To verify compliance, Applicant shall submit a code analysis report to the Unified Government of Wyandotte County on an annual basis;**
14. **The Facility shall be operated by the Applicant using a state-of-the-art battery management system capable of remote management of overall system health including temperature, state-of-charge and voltage;**
15. **Prior to commencement of construction of the Facility, Applicant shall improve the following roadways: (i) South 88th Street from Kaw Drive up to Metropolitan Avenue, and (ii) Metropolitan Avenue from South 88th Street to the most western Facility entrance. Applicant shall not be responsible for any improvements beyond a rural residential cross section in accordance with the specifications of the Unified Government of Wyandotte County. Applicant shall restore any public roadways damaged solely due to Applicant or its subcontractor's negligence during its construction activities;**
16. **The Applicant, at its expense, shall demonstrate to the satisfaction of the Unified Government of Wyandotte County that commercially reasonable efforts have been made to extend existing internet service to all properties within 1,000 feet of the Facility Property;**
17. **The Applicant shall coordinate with local emergency responders including the KCK Fire Department on an emergency response guide (the "ERG"). At a minimum, the ERG will be developed per NFPA standards and guidance. The plan should include the following key elements: Roles and Responsibilities: Clearly define the roles and responsibilities of the key stakeholders including the Applicant, Facility operator, equipment supplier and local emergency response teams;**
18. **Establish well-defined emergency response protocols that are easily accessible, regularly reviewed, and communicated to all relevant personnel. These protocols should include (at a minimum) procedures for emergency identification and response, evaluating emergency situations, and notifying first responders;**
19. **Plans shall be in accordance with the NFPA and include necessary submittals to the applicable authorities having jurisdiction;**
20. **Ensure that personnel are properly trained and prepared for emergency situations. Applicant, at its expense, shall provide training to local emergency responders including the KCK Fire Department prior to commencement of operations and annually during operations;**
21. **The Applicant shall report on the potential emissions resulting from a Facility fire by providing a plume modeling and dispersion study report using prudent industry standards completed by a 3rd party with expertise in the field of plume modeling and dispersion. The modeling shall take into**

account the Facility design, equipment technology, meteorology, topography, nearby structures and suppression techniques;

22. **Prior to construction, Applicant shall provide a Hazard Mitigation Analysis (the "HMA") by evaluating potential energy storage system failure modes and the safety-related consequences contributed to the failure modes. At a minimum, the HMA will assess the implications of the failure modes required per NFPA and IFC. The Facility design will be evaluated against these failure modes to verify the appropriate mitigation has been incorporated to address the potential safety-related consequences;**
23. **The Facility will be decommissioned by Applicant at its expense if it ceases operations for up to two (2) years or reaches the end of its lifespan. All project components will be removed, and the land will be restored to its pre-existing condition. Applicant shall provide financial assurance in the form of a bond or letter of credit for the benefit of the Unified Government of Wyandotte County in an amount equal to 100% of the estimated cost of decommissioning the Facility, after deducting salvage or recycling value (the "Net Removal Cost"). The Net Removal Cost shall be estimated by a third-party engineer licensed in the state of Kansas with expertise in decommissioning plans (the "Decommissioning Plan"). The first posting date of the financial assurance shall be on the fifth (5th) anniversary of the commercial operations date of the Facility, with additional posting dates occurring not less frequently than every five (5) years following the first payment. Applicant shall update the Decommissioning Plan with the initial posting and each subsequent posting thereafter;**
24. **The Applicant will establish a 24-hour hotline for Unified Government of Wyandotte County staff and residents to call in the event of complaints during construction. Owner and Contractor will maintain a log to track all complaints and ensure adequate responses;**
25. **Applicant shall establish a cost recovery account with the Unified Government of Wyandotte County for recovery of direct and reasonable inspection and review fees associated with the development, construction, commissioning and operations of the Facility not to exceed $150,000;**
26. **While the Applicant indicated that no signage is proposed, 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. **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;**
28. **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;

29. **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;**
30. **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;**
31. **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;**
32. **Due to the capital and infrastructure needed to construct this facility and the length of the construction timeline, the Special Use Permit shall be valid for 10 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;**
33. **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;**

34. **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; and,**
35. **Conditions #7, #17, #18, #19, #21 and #24 shall be submitted with the Final Development Plan for review by the requisite departments and agencies.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2026.

_____
Christal E. Watson
Mayor/Ceo

Attest:

_____
Unified Government Clerk

Approved as to Form:

_____
Chief Counsel

Documents Received by UG Clerk's Office

KANSAS CITY BPU
THE POWER OF COMMUNITY

April 30, 2026

Unified Government of Wyandotte County
Mayor and Commission
Kansas City, Kansas

Re: Support of Accelergen Energy Storage Projects

Dear Mayor Watson, District and At-Large Commissioners of the Unified Government of Wyandotte County:

On behalf of the BPU, I am writing to express support for energy storage projects that help strengthen the reliability and resilience of the electric system serving Wyandotte County. As energy demand continues to grow in Wyandotte County, maintaining a resilient and flexible electric system becomes increasingly important. Battery energy storage is one of several tools that can help support reliability, fortify system responsiveness, and provide additional options as our community plans for future load needs.

While these projects are being developed independently and are not part of BPU-owned generation resources, the availability of additional energy solutions in the region is valuable. As a utility, we evaluate a wide range of potential resources based on timing, cost, reliability, and overall benefit to our customers. Projects like those proposed by Accelergen have the potential to contribute to a more affordable, balanced and reliable regional energy portfolio. By storing energy during periods of lower demand and making it available during periods of higher demand, battery storage can support system stability and help meet the needs of any community.

Accelergen has already demonstrated a commitment to Wyandotte County through its contributions to BPU's Customer Hardship Fund, which directly supports residents facing financial challenges and helps families remain connected to essential utility services.

As we continue planning for future growth, having a range of affordable energy solutions available strengthens our ability to make informed, responsible decisions on behalf of our customers and the community.

Respectfully submitted,

Jeremy Ash
General Manager
Kansas City Board of Public Utilities

April 21, 2026

Dear Wyandotte County Officials,

I am writing to share my support for the East Side Energy Storage project at 8900 Metropolitan, adjacent to our property at 9400 Metropolitan.

We appreciate that Accelergen is designing the project to ensure there are no adverse impacts resulting from noise, traffic, odor, visual or air quality issues. We also like the fact that Accelergen is committed to keeping most of the land undeveloped for the duration of the project. We welcome this project as our neighbor.

The Commission should approve this clean energy project to bring needed investment and additional tax revenue into the community without adverse impacts.

Sincerely,

Julie Fromm, Manager

Darby Farm LLC

(Owner of Parcel 939117 – 9400 Metropolitan)

INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL NO. 101
AFFILIATED WITH THE AFL-CIO

AARON BROWN, Business Manager
MARK JONES, JR. President
TOM MILLSAP, Vice President

MIKE TIEHEN, Recording Secretary
JOSH DAVIS, Financial Secretary
CONTRELL MASON, Treasurer

Unified Government of Wyandotte County
David Johnston
Commissioner
701 N. 7th Street
Kansas City, Kansas 66101

Dear Commissioner Johnston,

I am writing to express strong support for the East Side Energy Storage project. The project team has begun working with Operating Engineers Local 101 to incorporate skilled local workers, which is an important step toward ensuring community involvement and workforce development.

This project has the potential to generate nearly 300 construction jobs, including approximately 65 new career opportunities in Wyandotte County. It presents a meaningful opportunity for local workers to gain hands-on experience building critical energy infrastructure that will serve our region.

As our area continues to grow, so does the demand for dependable and affordable energy. This project would help meet that need by delivering safe, reliable energy solutions while also supporting local jobs, families, and businesses.

We respectfully encourage you to approve the project and help secure long-term economic and workforce benefits for our community.

Respectfully,

Annette Noll
Business Representative
Operating Engineers, Local 101

East Side
ENERGY STORAGE

Responsibly delivering significant investment to Wyandotte County

Josh Skogen
josh.skogen@accelergen.com
SVP Development, Co-Founder
Accelergen Energy

www.eastsidebess.com

East Side Energy Storage to Support Wyandotte County

$27 million (minimum) in local revenue over 20 years

$1-2 million in upfront community benefit payments

$9 million in annual production cost savings.

$8 million in new local earnings across 300 jobs



Current property for proposed East Side Energy Storage

10-acre project sited on 64 acres - preserving landscape with setbacks and deed restrictions

Will not increase traffic, noise, odors, visual blight, or demand on local resources

Improving over one mile of deteriorated roadways prior to commencing construction.

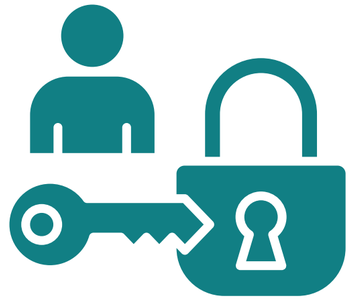
Shared vision with PlanKCK

Project goals and its location are aligned with PlanKCK vision and strategies



Equity

PlanKCK aims to “direct development agreements and other incentives to optimize community benefits”



Access

PlanKCK aims to “…encourage non-nuisance industrial uses in non-traditional industrial areas…”



Sustainability

PlanKCK “supports new energy generation and sustainability strategies for our rural land”



Health

PlanKCK aims to “invest in renewable energy and decrease fossil fuel use.”

Developed to be a compatible use

BPU Substation is constrained

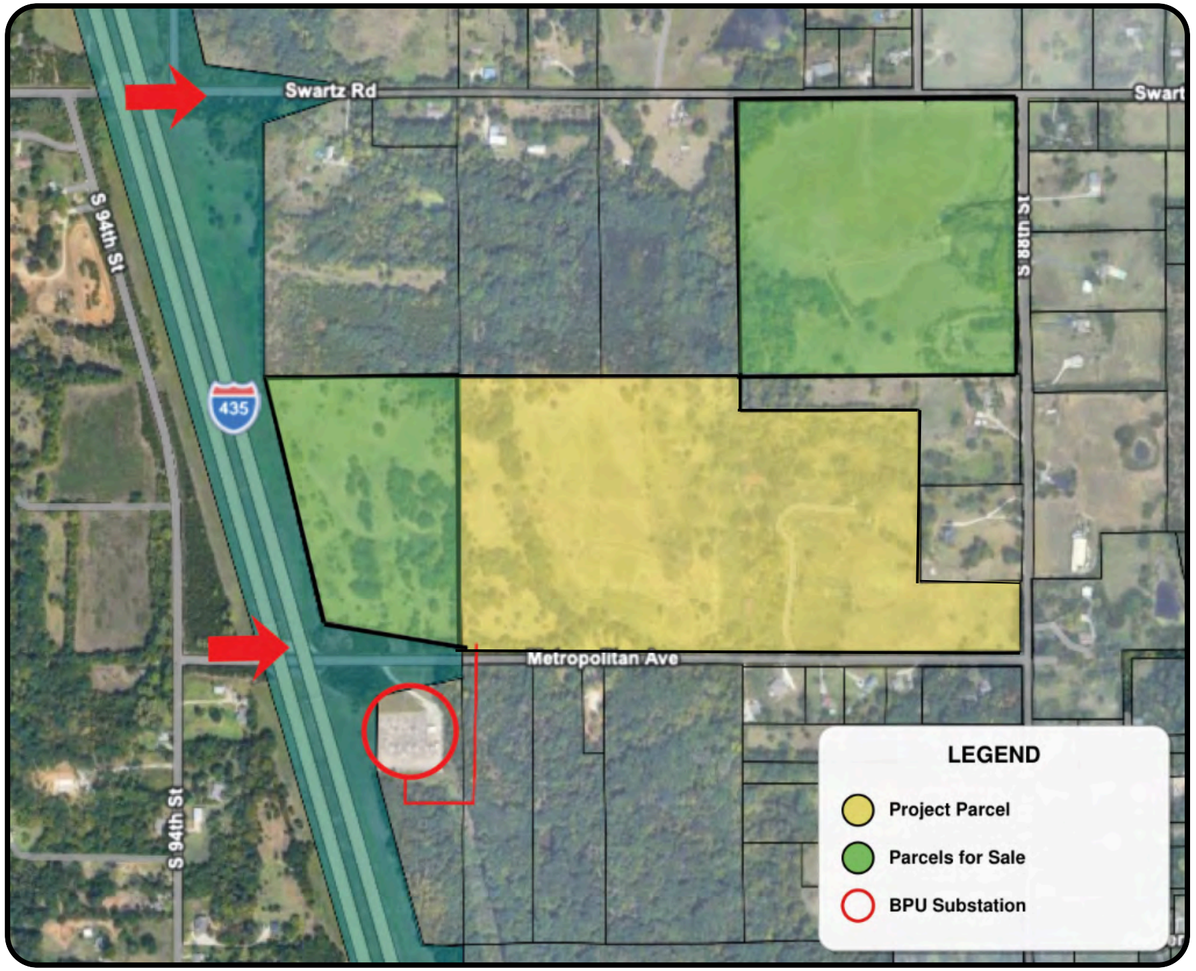
- Significant opportunity for savings to ratepayers

Area is ready for new development

- 120 acres of previously cleared land for sale
- I-435 recorded access for on/off ramps
- Existing BPU substation

Alignment with PlanKCK

- Non-nuisance use in non-traditional industrial areas
- Sustainability strategy for our rural land



Focused on uplifting local partners

Ensuring local stakeholder concerns and needs are addressed

KANSAS CITY BPU
THE POWER OF COMMUNITY

INTERNATIONAL UNION OF OPERATING ENGINEERS
ORGANIZED DEC. 7, 1896
101
LABOR OMNIA VINCIT

KANSAS CITY, MO
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
ORGANIZED NOV. 28, 1891
LOCAL 124

KANSAS
AFL – CIO
SOLIDARITY

LiUNA!
Feel the Power
LOCAL 1290

AD ASTRA PER ASPERA
Kansas
Department of Wildlife, Parks and Tourism

CITY KANSAS FIRE DEPT

SIERRA CLUB
KANSAS CHAPTER

WYANDOTTE
ECONOMIC DEVELOPMENT COUNCIL

RISE

KANSAS LATINO
COMMUNITY NETWORK

KCKChamber

Bonner Springs
Edwardsville
Area Chamber of Commerce

Being a collaborative neighbor

Focused on hearing concerns and answering questions

- **Certified & standard mailed invitations** to project neighbors from Wyandotte planning staff's mailing list (at a minimum)
- **Three neighbor meetings:** 18 attendees in October 2025, 44 in January 2026, 14 attendees in March 2026
- **Conversations between East Side and neighbors** focused on risk of fire, payment of taxes, noise, visual impacts, road improvements, and potential impacts to property values
- **Conversations and solutions with neighbors will continue** through the development period


Oct. 17 , 2025 neighbor meeting


Jan. 13, 2026 presentation to neighbors


March 10, 2026 Neighbor conversation

Addressing Neighbor Concerns

Conditions of the Special Use Permit provide mutliple safeguards for the community

Quiet Neighbor
The project will not increase sound at neighboring residences

Maintaining Rural Setting
Placing a deed restriction on 27 acres to guarantee neighbor viewsheds for 20+ years

Optimizing Visual Buffers
50 acres to remain open space with irrigated landscaping around project perimeter

Local Benefit
Minimum $27 million of local revenue and millions in annual energy cost savings

Insignificant Traffic
Project will have long-term traffic similar to a single residential home

Decommissioning
Posting a bond as a safeguard for the community

Addressing Neighbor Concerns

Conditions of the Special Use Permit provide mutliple safeguards for the community



Code Compliance

Submitting annual fire and electrical code compliance report



Non-Toxic Materials

Utilizing LFP battery technology, a non-toxic technology using bio-degradable materials

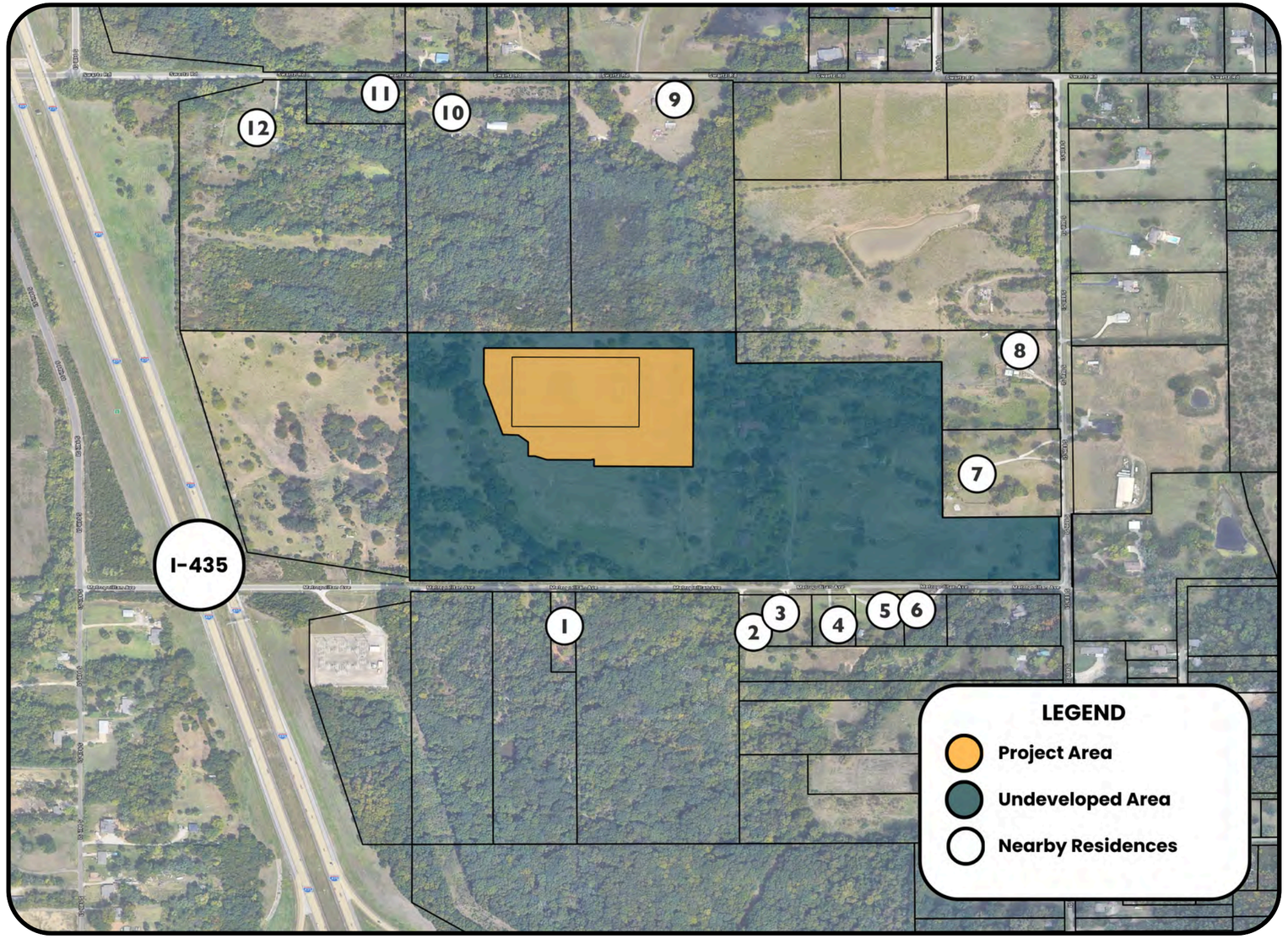


Ensuring Safety

Providing Annual Training for local emergency responders

Maximizing Setbacks / Minimizing Impact

- Maintaining **1,000+-foot setbacks** from the nearest residences, with landscaping and sound mitigation
- Purchasing 64 acres with **~50 acres to remain undistburbed and preserved**



Residence	Distance from BESS
1	1000 ft
2	1,150 ft
3	1,100 ft
4	1250 ft
5	1,375 ft
6	1,450 ft
7	1,350 ft
8	1,510 ft
9	1,325 ft
10	1,225 ft
11	1,450 ft
12	1,540 ft

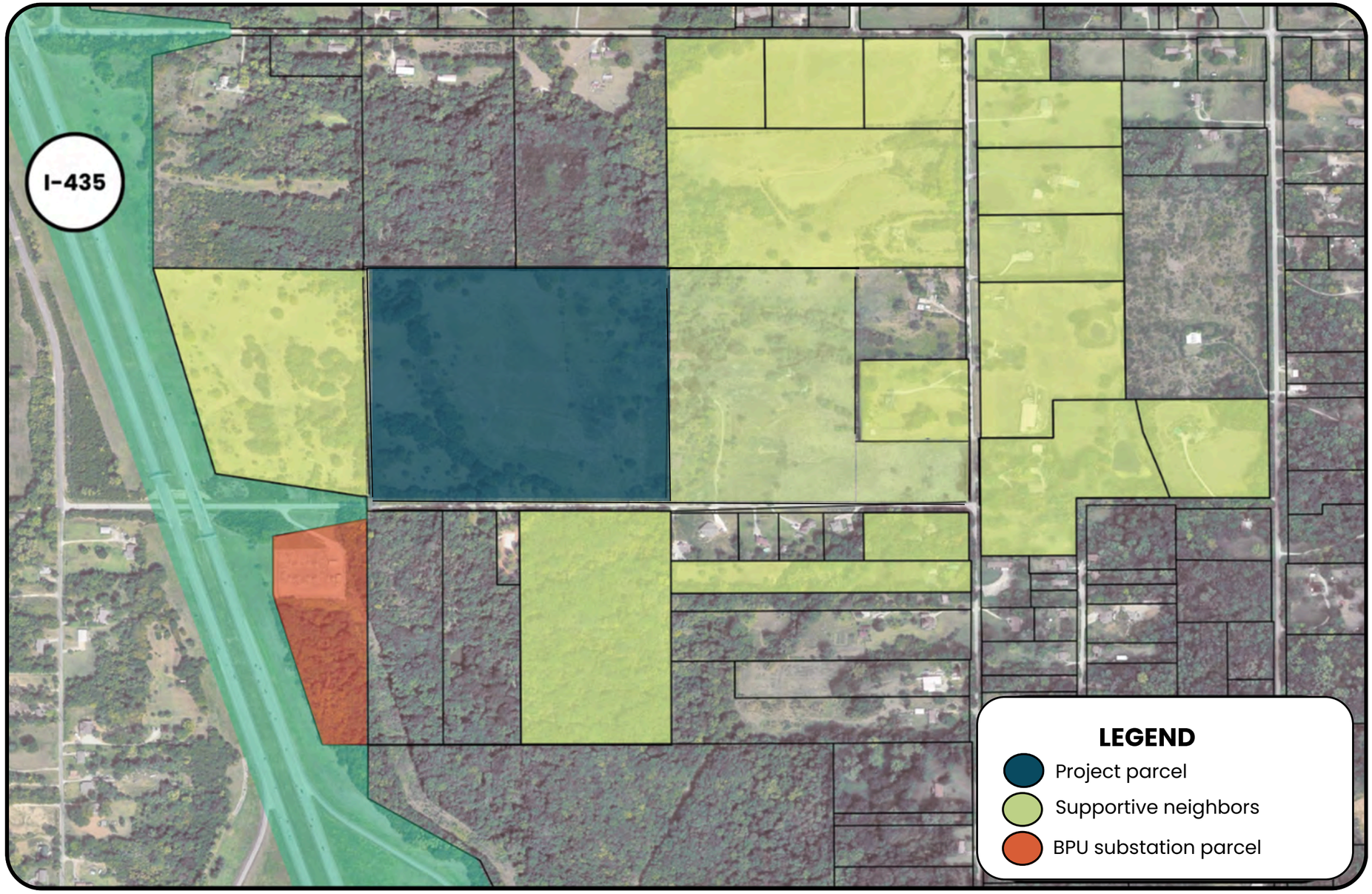
Significant Neighbor Support

13 total neighbors within 200 feet

- 5 in support
- 3 in opposition
- 3 have not responded (local)
- 2 have not responded (not local)

Area is ready for new development

- 120 acres for sale
- I-435 recorded access
- BPU substation

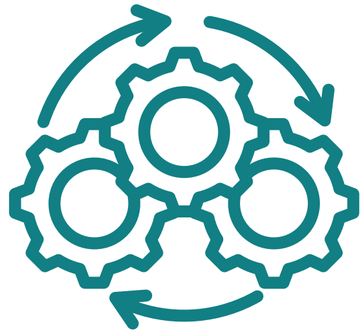


Special Use Permit Approval Period

Applicant is proposing SUP extensions subject to recurring public check-ins to verify compliance following the intial 10-year term



Operations scheduled to commence within the **next 5 years**

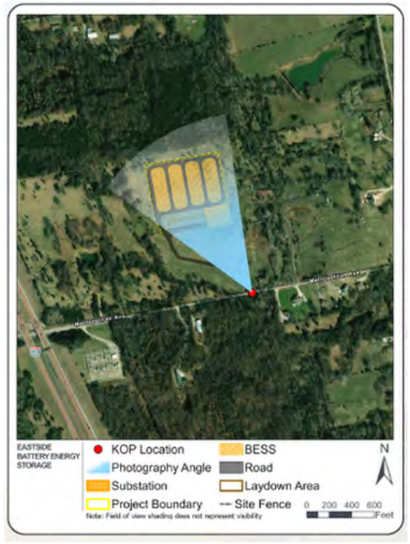


Investments and contracts are based on a **20-yr operating period**

Based on feedback from UG Legal Department, **Applicant is requesting built in SUP extensions in accordance with Sec. 27-214(f)(8) of the KCK Zoning Code**

Appendix

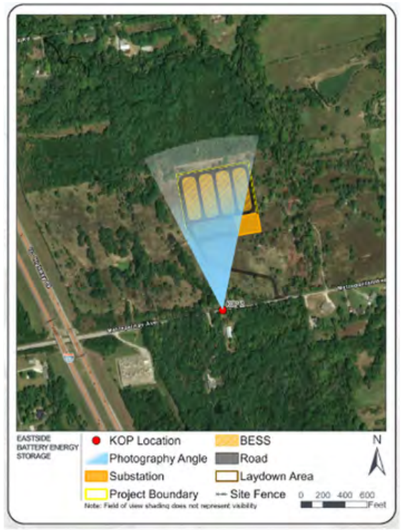
Looking North from Metropolitan Ave.



Terrain obstruction, landscaping and distance will mitigate any visibility of the Project at these locations



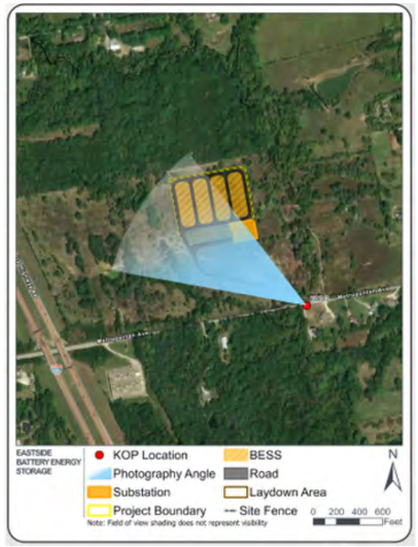








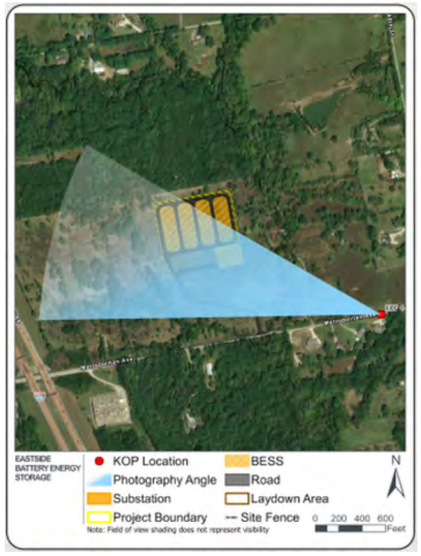
Looking Northwest from Metropolitan Ave.



Terrain obstruction, landscaping and distance will mitigate any visibility of the Project at these locations









Differences between Accelergen BESS projects & Gateway Energy Storage Moss Landing

	Accelergen BESS	Gateway Energy Storage's Moss Landing BESS
Battery Type	**Lithium-iron phosphate (LFP)** batteries	**Nickel manganese cobalt lithium-ion (NMC)** batteries
Storage Container	**Outdoors**, in separate containers that are **actively managed**	**Indoors** a 1950's decommissioned power plant; only **monitored**
Placement & Spacing	Spaced in compliance with **2026 NFPA 855** regulations to **prevent thermal runaway**	**Stacked** on multiple floors, creating many batteries in **close proximity**
Testing Requirements	Batteries and storage containers	Only batteries

Spector, J. 27 January 2025. "Why we don't need to worry too much about the latest grid battery fire." Canary Media.
https://www.canarymedia.com/articles/energy-storage/moss-landing-fire-reveals-flaws-in-the-battery-industrys-early-designs

East Side Project Overview

INVESTMENT IN WYANDOTTE COUNTY

- **$27 million** (minimum) in local revenue over 20 years, regardless of HB2083
- **$1-2 million** in upfront community benefit payments
- Will store energy during periods of low demand and discharge that energy during periods of peak demand, providing **$9 million** in annual production cost savings.
- **$8 million** in new local earnings: 65 construction jobs and 7 long-term jobs
- Will make quarterly community benefit contributions during development and contribute to local scholarships annually for the life of the project.

OPTIMIZING ENERGY INFRASTRUCTURE

- Will help Wyandotte County meet growing electricity demand and **allow the county to continue attracting new development** with reliable and affordable energy rates.
- Optimizes the use of our existing energy investments while adding significant reliability to our local electric grid.

COMMUNITY AND UTILITY SUPPORT

- BPU supports the project which is sited adjacent to their high voltage substation and an excellent complement to BPU's energy portfolio.
- IBEW, AFL-CIO and Operating Engineers unions support project development
- RiSE4EJ, Real Impact Energy, Sierra Club, and other environmental groups are in support.

BEING A GOOD NEIGHBOR

- The project will **not increase traffic, demand on local resources, noise, odors, and will not result in visual impacts to surrounding neighbors**.
- The project is developing 10 acres of a 64-acre parcel, protecting the surrounding area from other more intrusive development.
- The project has significant neighbor support, representing over 50% of the land within 200 feet of the project boundary.
- The request for a Special Use Permit (as opposed to a Zone Change) ensures the land will be fully restored to agricultural once the project is decommissioned.
- The project will improve over one mile of deteriorated roadways prior to commencing construction.

SAFEST BATTERY ENERGY TECHNOLOGY

- The project will utilize LFP battery technology, which is the safest non-toxic battery technology using bio-degradable components.
- Accelergen complies with 2026 NFPA855 regulations and annual trainings with Kansas City Fire Department.

Contact

Josh Skogen
josh.skogen@accelergen.com
SVP Development, Co-Founder
Accelergen Energy

East Side
ENERGY STORAGE

Supplement Documents Received by UG Clerk's Office for PZ Non-Consent: Item 10.1.A and 10.2.A

LiUNA! CONSTRUCTION & GENERAL LABORERS' LOCAL UNION 1290
Feel the Power

2600 Merriam Lane
Kansas City, Kansas 66106
(913) 432-1903
service@local1290.com
Web: local1290.com

Dear Wyandotte County Officials,

We are writing to share our support for the East Side Energy Storage project. The project team has started collaborating with Construction & General Laborers Local Union 1290 on ways to involve skilled local labor in the project. We understand the project has the potential to create nearly 300 new construction jobs. This project provides a great opportunity for our labor force to gain valuable experience in constructing new energy projects needed for area.

We are experiencing the industry growth in our region and understand the need for new affordable energy to meet the demand. This project offers safe, reliable and affordable solutions. We urge you to approve it and help secure the jobs and resources our labor force, local families and businesses need to thrive for generations to come.

Sincerely,

Jeffrey Philgreen
Business Manager/
Secretary-Treasurer

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

IBEW Local Union 124

December 31, 2025

Dear Wyandotte County Officials,

We are writing to share our strong support for the East Side Energy Storage project. The project team has been collaborating with IBEW Local 124 to involve skilled local labor on the project. We understand the project has the potential to create nearly 300 new construction jobs in the State of Kansas – 65 new local jobs in Wyandotte County. This project provides a great opportunity for our labor force to gain valuable experience in constructing new energy projects needed for the area.

We are experiencing industry growth in our region and understand the need for new, affordable energy to meet the demand. This project offers safe, reliable, and affordable solutions. We urge you to approve it and help secure the jobs and resources our labor force, local families, and businesses need to thrive for generations to come.

Sincerely,

Joseph “Bo” Moreno
Business Manager

301 EAST 103RD TERRACE – KANSAS CITY MO 64114-4760 -816.942.7500 – FAX 816.942.8805 – www.ibew124.org

To: Unified Government Board of Commissioners

From: Greg Kindle, President

Date: April 30, 2026

Re: Support for East Side Energy Storage Project

Please accept this letter in support of the **East Side Energy Storage project**, proposed for the approximately **60+-acre site at 8900 Metropolitan Avenue in Kansas City, Kansas**.

As Wyandotte County continues to grow, it is essential that our energy infrastructure keeps pace with industry and community needs so dependable power is available when it is needed most. Energy storage allows electricity that is already being produced to be captured and used later, rather than wasted or exported to other regions. This approach helps the county meet increasing energy demand without overloading existing infrastructure or accelerating the need to build new large-scale power generation facilities.

Rural Character and Compatible Land Use

The project team has demonstrated a commitment to preserving the agricultural and rural character of the surrounding area. The company has agreed to establish a **50+ acre conservation area** around the approximately **10-acre operational footprint**, where the energy storage units will be located for the next 20 years. Landscaping, visual buffers, and low-profile equipment will help maintain the existing rural landscape. Based on our understanding, The facility produces no emissions, minimal noise, and requires significantly less long-term land disturbance than most residential or industrial alternatives. Opportunities for native vegetation and pollinator-friendly plantings further enhance the ecological value of the site.

Community Benefits and Revenue

In addition to being a low-impact land use, this project presents a meaningful opportunity to generate community benefit and revenue while preserving open space. The project includes a proposed **20-year property tax Community Improvement District (CID)** structure, set at **$5,000 per megawatt of installed battery storage**, with an annual inflation factor.

WYEDC recommends that project approval be tied to agreement on a financial structure aligned with the anticipated life of the development. This approach is particularly important at a time when the State has not fully defined how battery energy storage facilities should be treated for property taxation purposes. Under this framework, the Unified Government would retain discretion over how CID revenues are ultimately utilized.

Infrastructure Context and Future Development

One key outcome of this discussion is the acknowledgement that existing deeded Kansas Department of Transportation right-of-way for on- and off-ramps from Interstate 435 serves both Schwartz Road and Metropolitan Avenue. Despite this access, there has been limited economic activity along the I-435 corridor between Interstate 70 and Kansas Highway 32 due to infrastructure gaps and the absence of clear land-use direction.

As a result of this project, developers — particularly in industrial and logistics sectors — have begun expressing interest in the area. While WYEDC may support future discussions, it is important to note that those uses would have a greater impact on the rural character than this proposal.

Grid Reliability, Resilience, and Workforce Impact

Battery energy storage systems provide critical support to modernizing the electric grid by balancing peak demand, reducing strain on substations and transmission lines, and improving system stability during extreme weather events. Storage also enables faster recovery following outages and strengthens emergency preparedness through rapid response capacity.

East Side Energy Storage has also committed to utilizing local electrical contractors for ongoing maintenance, supporting local employment and sustained economic activity. Reliable energy infrastructure further strengthens Wyandotte County's competitiveness for future commercial and industrial development.

Safety and Operational Standards

The company is utilizing the newest fire suppression and thermal management technologies available for battery energy storage systems. Modern BESS facilities incorporate early detection systems, automated shutdown capabilities, and 24/7 remote monitoring. Coordination with the Kansas City, Kansas Fire Department is already underway, and these measures exceed current industry standards, demonstrating a proactive and responsible approach to public safety.

Alignment with Planning and Community Goals

The project is consistent with **PlanKCK** and supports broader regional goals to expand sustainable energy infrastructure without impacting local ratepayers. It also positions Wyandotte County to capitalize on federal grid modernization and resilience funding, reinforcing the county's leadership in forward-looking infrastructure planning.

The project team has engaged nearby residents early in the process and has demonstrated a willingness to collaborate with neighbors and the Unified Government on road and infrastructure considerations. Continued transparency and responsiveness will help ensure the project remains a good long-term neighbor.

Recommendation

For these reasons — including grid reliability, safety, environmental stewardship, economic benefit, and alignment with long-term planning goals — the **Wyandotte Economic Development Council respectfully urges the Commission to support the East Side Energy Storage project**.

From: Lindsee Acton <eeacton@gmail.com>
Sent: Wednesday, April 29, 2026 2:48:54 PM
To: MayorWatson <MayorWatson@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Johnston, David <djohnston@wycokck.org>
Subject: Support for the East Side Energy Storage Project

You don't often get email from eeacton@gmail.com. Learn why this is important

Good Afternoon,

My name is Lindsee Acton. My husband Warren Scherich and I live at 1539 S 88th St.

I am writing to express my support for the East Side Energy Storage project proposed for the land at 8900 Metropolitan Avenue.

I had been concerned about the condition and capacity of local infrastructure, particularly neighborhood streets. However, I appreciate that the developer has agreed to bring 88th Street specifically up to code as part of this project.

I also had concerns about the impact of personnel on site and increased commercial traffic. Again, I understand and appreciate the developer's stated intention to limit personnel on site and therefore traffic flow.

Finally, my primary concern had been the development of historic and present agricultural land. But again, I understand the developer has committed to purchasing significantly more land than required, allowing the majority of the property to remain in agricultural use.

Overall, I appreciate that the proposed development includes a known, limited-impact use, rather than an unknown future use of this property. For these reasons, I support this project moving forward and ask the Commision to do the same.

Thank you,

--
Lindsee Acton
(913) 486-6958
eeacton@gmail.com

From: Jim Surber <jimsurber@gmail.com>
Sent: Wednesday, April 29, 2026 1:55:31 PM
To: MayorWatson <MayorWatson@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Johnston, David <djohnston@wycokck.org>
Subject: East Side BESS Project - 8900 Metropolitan

You don't often get email from jimsurber@gmail.com. Learn why this is important

Dear Wyandotte County Officials,

I live at 1434 S. 88th and am writing to express my support for the East Side Energy Storage project.

To me, the decision before the Commission is fundamentally about choosing between a **known, limited-impact use** and an **unknown future use** of this property.
This proposal has been carefully defined. The developer has agreed to numerous conditions addressing noise, screening, land use, and long-term responsibility, including a decommissioning bond to ensure the site is properly handled even in the event of company failure. Just as importantly, this project brings very little daily activity. It does not introduce a workforce, traffic, or ongoing operational presence that would change the character of the area.

If this project is not approved, the property will return to the open market and could be developed in ways that are more intensive, less controlled, and more disruptive to nearby residents. Given that choice, this project represents the lower-risk and more predictable outcome, and I support its approval.

Sincerely,

James Surber

From: Ty Gorman <ty.gorman@sierraclub.org>
Sent: Wednesday, April 29, 2026 4:09:45 PM
To: Johnston, David <djohnston@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; MayorWatson <MayorWatson@wycokck.org>
Cc: aferris <aferris@kckbpu.onmicrosoft.com>; Greg Kindle <gkindle@wyedc.org>; Brett Parker <thebrettparker@gmail.com>
Subject: Letter of Support for East Side BESS

You don't often get email from ty.gorman@sierraclub.org. Learn why this is important

Dear Commissioners:

Thank you all for your work to bring better living standards to us Wyandotte County residents. I hope you improve our community tomorrow by approving the Conditional Use Permit for Accelergen's East Side BESS clean energy development!

These kinds of batteries replace deadly fossil fuel pollution with clean/healthy stored (mostly wind) power, make the local grid more reliable, reduce electric costs, and bring ~$20 million in tax revenue (though we still have to fight to see that investment lower our taxes/bills for current residents). There is no real pollution or fire risk to the community from this kind of battery set up. I mention a bit more in the Op-ed published here: https://kansasreflector.com/2026/04/24/storage-is-key-to-a-strong-healthy-energy-future-wyandotte-county-deserves-responsible-investment/.

With that aside, let's get into the details (also covered in the UG recording of the las planning commissioner meeting).

1. Where/when is this going? The battery will take up a fraction of the acres of a much larger plot of land that was for sale next to a transmission substation just north of the Kansas River near 435. Most local landowners are for it, and almost no one was there to oppose it in the botched planning commission meeting where they voted it down because they didn't know what to do about energy financing, which always requires a 20

year permit. The few transmission lines required don't go far and the area is already crisscrossed by power lines. Most of the land will be undisturbed, and the road/building for the battery that they build will be removable with minimum impact in 20 years if needed. There are no appreciable environmental or health risks.

2. Is there already an offtake agreement in place with BPU or others? No, utilities don't sign an offtake agreement until the Commission allows the project to go forward (via the permit vote tomorrow). It will very likely be either BPU or Evergy that buys it. This type of project is in great demand across the SPP region. Even if it is Evergy that buys it on paper, the taxes and grid reliability benefits will stay local. That's why BPU supports the project regardless of who buys it.

4. Why is this called East Side? Because they're looking at installing another one in Leavenworth County, which is the West Side BESS. It doesn't have anything to do with East Wyandotte or any other organizations referencing the East Side.

5. What are the community benefits? Right now it's union labor and taxes (they have committed to pay full property taxes of ~$19 million even though the state republicans are trying to say they don't have to pay). They've given ~$40k so far to local BPU bill reduction and education, but commissioners could still work with staff to bring more real benefits to East KCK with Accelergen's money as the project moves forward.

I hope you vote to approve the permit for Accelergen's East Side BESS project tomorrow. It would be a shame for Wyandotte to tell the business community that we can't accommodate an investment this good: a no-risk project that's paying us more than they have to.

Best regards,

Ty Gorman (he/him)
Sierra Club Sr. Campaign Organizing Strategist
Beyond Coal Campaign
Southwest Power Pool, Kansas
E-Mail: ty.gorman@sierraclub.org
Cell: 913.227.9310

From: Taylor Made <taylormadedjdj@gmail.com>
Sent: Wednesday, April 29, 2026 11:59 PM
To: MayorWatson <MayorWatson@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Johnston, David <djohnston@wycokck.org>
Subject: East Side BESS Project - 8900 Metropolitan

You don't often get email from taylormadedjdj@gmail.com. Learn why this is important

Dear Unified Government of Wyandotte County,

My wife and I live at 1630 S 88th St, Kansas City, KS 66111 and have for 32 years, raising two children in a nice quiet area totally forgotten by the city and county; and, we like it that way. Yes, we are still hurt by our government not holding Google to their promise of providing fiber Internet to everyone interested in their service, but that was before this regime. Yes, we have a road where two vehicles can barely pass with road deterioration continually not addressed and pay for storm drains though we have none. But, we continue to put up with those things to keep it quiet around here. Now a company/corporation is wanting to put a Battery Energy Storage System facility around the corner on a piece of farm land. We keep hearing that it's better than the alternative, which is possible apartments, housing, etc... with the state supporting exit ramps to I-435 and Metropolitan. To me, these threats seem moot since there is no infrastructure in place. We have no sewer, no Internet, no storm drains, and no street that can support more traffic. With all that said, here is my two cents... I am not opposed to the Battery Energy Storage System going in if the Unified Government of Wyandotte County agrees to hold the company/corporation accountable to their promises. Improved streets (at least two lanes, not to cause issues with driveway grade) and Internet. We have survived this long with no sewer or storm

drains, I am sure we will continue to survive without them. Of course, we live on 88th Street and not directly across from where it will be placed, if passed.

Thank you for your time and attention in this matter.

--

Todd C. Taylor
816-820-4603

From: steve buche <stevebuche@att.net>
Sent: Thursday, April 30, 2026 4:12 AM
To: MayorWatson <MayorWatson@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Johnston, David <djohnston@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Davis, Andrew <adavis@wycokck.org>
Subject: East Side BESS Project - 8900 Metropolitan

> You don't often get email from stevebuche@att.net. Learn why this is important

Dear Wyandotte County Officials,

I live at 1400 S. 86th St. and am writing to express my support for the East Side Energy Storage project.

I have been involved in the meetings with the City, the Energy Company and other neighbors since this project was first announced. I understand the issues related to this project. I appreciate the City's due diligence in this matter. I respectfully ask the Commission to approve this project.

Thank you,

Steve Buche

From: A A <a124guy@yahoo.com>
Sent: Thursday, April 30, 2026 10:09 AM
To: MayorWatson <MayorWatson@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; wjburnes@wycokck.org; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Johnston, David <djohnston@wycokck.org>
Subject: Battery storage facility on metropolitan

You don't often get email from a124guy@yahoo.com. Learn why this is important

Hello, my name is Adam Allfree. I live at 1151 S. 88th street kansascity kansas. Im right up the road from the proposed site for the energy storage facility. I am greatly in favor of this project vs an an unknown future project that will undoubtedly be a much greater traffic burden on 88th street. Thankyou.

Yahoo Mail: Search, Organize, Conquer

Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: April 30, 2026

Re: **Special Use Permit Petition SP2025-094 and Preliminary Plan Petition PR2025-039**

GENERAL INFORMATION

Applicant Information:
East Side Storage LLC
Applicant/Representative
Josh Skogen with Accelergen Energy LLC
3736 Bee Caves Road, Suite 1, Unit 124
Austin, Texas 78746

Subject Property:
8900 Metropolitan Avenue
Kansas City, Kansas 66111

Requested Action and Purpose:
Approval of a Special Use Permit and Preliminary Development Plan for a battery storage facility.

Commission Districts:
At-Large Commissioner, District #2: Andrew Kump
District #6 Commissioner: Philip Lopez

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

Plan Area:
PlanKCK Comprehensive Plan





	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture District	Large lot single-family homes
South	A-G Agriculture District	Large lot single-family homes and wooded, undeveloped land
East	A-G Agriculture and R-1 Single Family Districts	Single-family homes
West	A-G Agriculture District	Undeveloped, wooded lot

Total Tract Size: 37.00 Acres

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates this property as Rural Residential, which allows single-family detached, residential, but without agricultural uses.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan classifies South 89th Street and Metropolitan Avenue as Local Streets.

Parking Requirement: Section 27-452(e) Two (2) off street parking spaces shall be provided on the premises for each single-family dwelling.

Section 27-668(b) Any use not included in the parking requirements found in this article shall be assigned a parking requirement by the Planning Commission.

Landscaping Requirement: Section 27-700(a) In the R-1, R, A-G, R-1(B), R-2, and R-2(B) districts, 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. 230 trees are required to be planted.

Advertisement: The Wyandotte Echo – December 18, 2025
Letters to Property Owners – December 19, 2025, January 5, 2026, February 11, 2026, and March 10, 2026

Public Hearings: February 9, March 9, April 13, and April 30, 2026

Public Support:	Staff received a phone call from Jim Surber, property owner at 1434 South 88th Street who is not opposed to the battery energy storage facility after the Applicant acquired the additional acreage east of Timmons Creek to remain as open space. Staff also received letters of support from organizations and property owners, which are included in the Attachments. There was support expressed by the public at the February 9, 2026 City Planning Commission. There were 43 people in support at the April 13, 2026 City Planning Commission meeting
Public Opposition:	Planning Staff has received multiple letters opposing the battery storage facility because of industrial creep into a rural residential neighborhood. There was opposition expressed by the public at the February 9, 2026 City Planning Commission. There were 14 people in opposition at the April 13, 2026 City Planning Commission meeting

PROPOSAL

Detailed Outline of Requested Action: The applicant, East Side Storage LLC, a subsidiary, and representative, Josh Skogen, with Accelergen Energy LLC, is requesting a Special Use Permit and Preliminary Development Plan for a battery storage facility on 37.00 acres at 8900 Metropolitan Avenue.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VIII Sections 27-592 – 27-606, 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. Between 1999 – 2025, there have been six (6) notice of violations ranging from junk vehicles, trash and debris, weeds, tall grass, and tires.

Outstanding or Related Permit and Cases:

1. There are no outstanding or related permits or cases.

Previous Planning Actions:

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

FACTORS TO BE CONSIDERED

Special Use Permit:

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

   The subject property is located within the Morris Statistical Group and Census Block Group #0438022. The character of the neighborhood is comprised of single-family homes on larger acreages. The area is relatively rural in nature along Metropolitan Avenue to the south and South 89th Street to the east. The site is within the vicinity of a BPU substation.

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, a large battery storage facility is not compatible with the adjacent uses as there are single-family homes along the South 89th Street and Metropolitan Avenue and the rural southwestern edge of the I-435 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?***

   The property is suitable for uses to which it has been restricted as A-G Agriculture District, which allows large agricultural, farming activities and single-family homes. Removal of these restrictions for a Special Use Permit may detrimentally affect nearby property as the life cycle of battery storage facility will be more intense than agricultural related uses.

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

The property has been vacant farmland since at least 1991, which is based on aerial photography.

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 this property as Rural Residential, which allows single-family detached, residential, but without agricultural uses.

   The battery storage facility, which is more of a "utility" use does not conform to the PlanKCK Comprehensive Plan. At the end of the project's lifecycle and the facility is decommissioned, the land use designation should remain Rural Residential rather than designated as Utilities, which would require an amendment to the PlanKCK Comprehensive Plan.

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

   The proposed use is not a highly trafficked use, so while there will be an increase in traffic due to the undeveloped nature of the site, the daily vehicle trips will not be substantial compared to a large lot single-family subdivision as planned within the Rural Residential land use category. A Traffic Impact Study is currently being reviewed by the Public Works Department and the County's Traffic Engineer. Additional analysis and comments may be generated separately from this report.

7. ***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 considering these benefits are solely for the applicant. While only one-half of the parcel is to be developed, having such a facility around single-family homes could affect the visual quality and 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, and illumination normally associated with a battery storage facility should not be of such duration and intensity as not to create problems for near-by property.

The subject property is surrounded by large lots – a mixture of single-family residential and wooded, undeveloped lots.

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

   The proposed use will not pollute the air, land or water, initially, but Staff has concerns about the long-term effects the use will impact the land. When the site is decommissioned, this site could be a classified as a brownfield.

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

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

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

    The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, the owners will still have property that is able to be developed, however, not in the form they originally intended.

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

    The applicant will be required to adhere to the conditions of approval, subject to approval by the Unified Government Board of Commissioners.

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 37-acre site.

Preliminary Development Plan:

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

   The site is 37.00 acres, which affords enough space for the proposed development to provide adequate space for buildings and open space. Parking will be available on-site, so employees will be able to circulate the site, and perform routine maintenance without affecting Metropolitan Avenue.

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

   The plan provides adequate site access, directly to Metropolitan Avenue.

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 employees and public safety to navigate the site safely.

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 sitting the storage facility in a bowl which will be screened from public view from Metropolitan Avenue and abutting properties.

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.***

   Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The PlanKCK Comprehensive Plan designates this property as Rural Residential, which allows single-family detached, residential, but without agricultural uses.

   The battery storage facility, which is more of a “utility” use does not conform to the PlanKCK Comprehensive Plan. At the end of the project’s lifecycle and the facility is decommissioned, the land use designation should remain Rural Residential rather than designated as Utilities, which would require an amendment to the PlanKCK Comprehensive Plan.

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

   The proposed use accesses the existing Metropolitan Avenue right-of-way with this development. No additional right-of-way is required for dedication.

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.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 1000 North 82nd Street (Legacy Events) in October 2025, on January 13, 2026, and March 10, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Unified Government Infrastructure Maintenance Costs
Landscaping, Screening and Buffering
Noise
Open Space Easements and Wetland Preservation
On-site security

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 1 to recommend **DENIAL** of Special Use Permit Application **SP2025-094 and PR2025-039** as the property is not in compliance with the code and does not fit the character of the neighborhood.

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

Update – April 13, 2026:

The Applicant held a neighborhood meeting as requested by the City Planning Commission on March 10, 2026. The sign-in sheet and meeting minutes are within the Attachments, which provides a summary of the meeting.

Additionally, the Applicant is requesting a longer initial term, between 20 – 25 years. While there are safeguards written into the conditions of approval, the City Planning Commission and Unified Government Board of Commissioners should have the ability to re-review the Special Use Permit to ensure strict adherence to the stipulations within a reasonable timeframe. Staff recommended 10 years, which is more appropriate.

Update – March 9, 2026:

This application was held over by the City Planning Commission at the February 9, 2026 meeting for the Applicant to conduct an additional neighborhood meeting. That neighborhood meeting is scheduled to occur on March 10, 2026; therefore the Applicant is asking for a 30-day holdover until April 13, 2026.

General Planning:

1. Hazardous material storage is not permitted in the A-G Agriculture District, even with a Special Use Permit. Hazardous waste storage, albeit temporarily requires M-3/MP-3 Planned Heavy Industrial District zoning.

   Applicant Response: The project will not store hazardous waste. Hazardous waste storage has been removed from the plan.

2. After the decommissioning of this site, this property will become a brownfield site, which will make redeveloping/repurposing this site difficult and possibly cost prohibitive.

   Applicant Response: As stated in the Decommissioning Plan provided as part of the Applicant's initial application submittal, the Applicant will restore and reclaim the property to the pre-BESS condition. The property will not become a brownfield site after the decommissioning is complete. To better clarify this point, the reclamation section of the Decommissioning Plan has been updated to provide additional details on the environmental assessments to be completed as part of the decommissioning process. Please refer to Section 3.2 of the updated Decommissioning Plan submitted as part of this response for additional details.

3. Provide proof of funds/bonds as part of the Decommissioning Plan.

   Applicant Response: The Applicant will provide proof of funds and a draft of the bond to the satisfaction of the Unified Government of Wyandotte County as part of the Final Development Plan submittal. In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to the decommissioning bond including updating the bond amount on a recurring basis during operations to provide additional assurances. As part of the recurring updates to the bond amount during operations, the Applicant will provide recurring proof of funds to carry out the activities detailed in the Decommissioning Plan. For the avoidance of doubt, the bond is meant provide a safeguard for the community and the UG of Wyandotte County against the abandonment of facilities without proper land reclamation and IS NOT the planned source of funds to complete activities detailed in the Decommissioning Plan. The Applicant will complete the activities detailed in the Decommissioning Plan at its expense.

4. The initial Special Use Permit request is for 20 years, but what is the lifecycle of the battery storage facility operation?

   Applicant Response: The lifecycle of the battery storage equipment is 20 years. As the 20-yr term approaches, the Applicant will evaluate its options including a re-powering of the equipment or decommissioning the site.

5. How are you mitigating noise for the abutting property owners?

   Applicant Response: In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to noise mitigation. As stated in the proposed condition of approval, the Applicant is committed to ensuring the Facility shall not be operated as to emit noise at a neighboring residential structures existing as of the effective date of the Special Use Permit that is of higher sound pressure level (dB(A)) than the ambient day-night average (Ldn) existing prior to commencement of Facility operations. As part of the Final Development Plan submittal, the Applicant will submit acoustics modeling reports using prudent industry standards completed by a 3rd party with expertise in the field of acoustics to determine day-night average sound level conditions before and after Facility operations.

   Noise mitigation is managed with technology selection, throttling of the system fans and acoustic sound barriers as deemed necessary to ensure compliance with the thresholds detailed above. As proposed in the Applicant's condition of approval to the Special Use Permit, any acoustic sound barriers would be colored an earthen tone.

6. How are you mitigating the existing wetlands on the property?

   Applicant Response: The primary site access and BESS facility have been sited outside a 50' setback from the existing wetlands on the property, minimizing impacts to the maximum extent possible. The secondary access road includes 0.73 AC of disturbance within the 50' wetland setback around existing streams and wetlands - actual wetland and stream disturbance will be lower. Any disturbance within the 50' setback will implement best management practices in accordance with all local, state and federal standards and requirements.

7. What is your emergency plan if there is a battery leak or spill on site? How will you manage site contamination given its proximity to the creek?

   Applicant Response: An effective control plan requires an integrated system where each component has its place and functions to provide layered protection. With any type of incident where mitigation is possible, it is always best to intervene at the earliest possible stage. The Applicant has designed the system with the following multi-layered protections:

   - *Secondary Containment. The facility equipment and ancillary equipment will have secondary containment for any internal liquids in case of leak or spill.*
   - *Emergency Response Plan. In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to emergency response and hazard mitigation. As stated in the proposed conditions of approval, the Applicant will coordinate with local emergency responders to develop and provide an Emergency Response Guide and Hazard Mitigation Analysis as*

part of the Final Development Plan application. The Applicant has already provided a draft of the Emergency Response Guide to the Kansas City Kansas Fire Department to initiate the coordination. In the unlikely event of an emergency that includes a leak or spill, the Emergency Response Guide sets forth the response protocols including notifying applicable agencies, implementing response protocols, completing post-incident monitoring/testing and incident close-out.

- *Runoff Detention. In the unlikely event of an emergency that includes a leak or spill and the secondary containment fails, spilled fluids will remain on site. The grading plan has been designed to prevent offsite runoff without first being captured within a detention basin with a volume totaling 10.2 acre-feet (3.3 million gallons). However, the BESS equipment does not have large amounts of liquid and it's unlikely that a leak or spill will reach the detention basin unless conveyed there with firefighting water or rainwater. If firefighting is applied, then the detention basin outlets will be blocked prior to using water to prevent contaminated runoff from leaving the Project site.*

  If the use of firefighting water is not employed, or if the quantity used is minimal, such that no runoff reached the drainage facilities, soil testing shall be conducted in the area of the spill or leak immediately following the incident. Testing of any impounded firefighting water runoff will be conducted before unblocking the detention basis outlets and releasing it to the environment.

  If post-incident testing reveals the presence of contaminants, then the contaminated soils or impounded water within the detention basin would be removed and handled offsite in accordance with local, state and federal regulations. These protocols and procedures will be detailed in the final Emergency Response Guide submitted as part of the Applicant's Final Development Plan application.

  It's important to note that the risk of groundwater contamination is extremely low. Preliminary onsite geotechnical investigations revealed that the existing soils comprising a majority of the site infiltrate at 0.03 feet per hour. Based on publicly available water well logs near the site, it would take approximately 52 days for impounded water or leaks to reach the groundwater, presenting a low risk for groundwater contamination with implementation of the emergency response and post-incident remediation protocols detailed above.

Landscaping and Screening:

1. Tree preservation is of the upmost importance to assist in provide existing screening for the proposed development. Maintain existing tree stands.

   Applicant Response: The proposed facilities have been sited in locations to optimize the use of already cleared areas – minimizing the need to remove

existing tree stands. Existing trees are being preserved as much as possible for screening and to minimize site impacts.

2. Section 27-700(a) In the R-1, R, A-G, R-1(B), R-2, and R-2(B) districts, 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. 230 trees are required to be planted. The site is 37.00 acres, which requires 230 trees to be planted. Existing mature trees can count towards that total.

   Given the proposed location of the battery storage, and what is visible from Metropolitan, no adjacent property owner should see this facility or substation from their rear yards (to the north and east) or from Metropolitan Avenue to the south or South 89th Street.

   Revise the landscape plan to incorporate more berming, vegetation around the perimeter of the property to fully encircle the facility, so residents and passersby do not know if its existence.

   Applicant Response: As part of the Final Development Plan application, the Applicant will provide an official tree survey documenting the quantity of existing mature trees. The landscape plan submitted as part of the Applicant's Final Development Plan application will be updated as necessary to ensure a minimum of 230 trees are located within the 37 acres site. The Applicant is agreeable to making this a condition of approval to the Special Use Permit, as necessary.

   The Applicant retained a 3rd party expert to model the potential visual impacts resulting from the project. Based on the visual modeling, it was determined that the proposed facilities will be screened with a combination of existing vegetation and topography. To further ensure the site is visually screened, a proposed 25' landscaping buffer has been added to south berm of the proposed basin to increase the screening from the south.

   In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to screening. The Applicant is proposing that it shall be permitted to install a barrier around all or a portion of the Facility for noise mitigation, visual screening and/or security (e.g., wall, screened fencing, etc.). Any barrier shall be colored an earthen tone representative of the surrounding area. If no barrier is installed, then the exterior Facility enclosures shall be colored an earthen tone representative of the surrounding area.

3. Create an open space easement along the blue line streamways (Intermittent stream, forested wetland and ephemeral stream depicted on sheet C100) in the southwest corner of the site.

   Applicant Response: A 50' stream and wetland easement has been added to the plan. The site plan incorporates more than 11 acres of undisturbed open space

around the wetlands and streams on site.

4. The protected wetland throughout the property, preserving as an open space easement.

   Applicant Response: A 50' stream and wetland easement has been added to the plan to protect the wetlands and streams. The site plan incorporates more than 11 acres of undisturbed open space around the wetlands and streams on site.

5. Creek underneath the building in the southwest corner of the development – is the intent to channelize the creek? What is the plan to mitigate this issue?

   Applicant Response: The intent is to install a culvert under the proposed access road and grading per the callout in civil plan.

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

   Applicant Response: The landscaping plans submitted as part of the Applicant's Final Development Plan application will include an in-ground irrigation system. The Applicant is agreeable to making this a condition of approval to the Special Use Permit, as necessary.

Signage:

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: The plan has been updated with a callout stating that no signs shall be erected without obtaining the appropriate UG sign permit.

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 Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition **SP2025-094 and PR2025-039** subject to all comments and suggestions outlined in this staff report and the reasons listed by the City Planning Commission.

ATTACHMENTS

April 13, 2026 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Applicant Letter Requesting for Longer Approval Term
Neighborhood Meeting Documents – March 10, 2026
Neighborhood Meeting Documents
Site Survey
Site Plan
Grading Plan
Landscape Plan
Building Elevations
Decommissioning Plan
Kansas Department of Wildlife and Parks E-Mail
Kansas Department of Health and Environment E-Mail
Department of the Army E-mail
Letters of Support
Letters of Opposition
Notice of Second Neighborhood Meeting Scheduled for March 10, 2026

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	February 9, 2026 Held over March 9, 2026 Held over April 13, 2026 Denial	April 30, 2026
Preliminary Plan Review	February 9, 2026 Held over March 9, 2026 Held over April 13, 2026 Denial	April 30, 2026

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-094/PR2025-039** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1._____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-094/PR2025-039,** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

April 13, 2026, City Planning Commission Minutes:
Hearing starts at 37:22:

SP2025-094 - EAST SIDE STORAGE LLC WITH ACCELERGEN ENERGY LLC
Synopsis: Special Use Permit for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with PR2025-039).

PR2025-039 - EASTSIDE STORAGE LLC
Synopsis: Preliminary Plan Review for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with SP2025-094). *Detailed Outline of Requested Action:* The applicant, East Side Storage LLC, a subsidiary, and representative, Josh Skogen, with Accelergen Energy LLC, is requesting a Special Use Permit and Preliminary Development Plan for a battery storage facility on 37.00 acres at 8900 Metropolitan Avenue.

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. Commissioner Fogleson stated that he received the presentation from the applicant beforehand.

Present in Support:

- Josh Skogen, Applicant Representative
- A count of 38 people were present in support, 5 online.

The Planning Commission directed questions to the Applicant Representative.

Present in Opposition:

- A count of 10 people were present in opposition, 4 online

Staff Recommendation starts at 1:18:16: Lead Planner Byron Toy stated that there was a indoor battery storage facility approved in late 2024 by the commission for 10 years. Staff is recommending approval of this project for 10 years, the commission can approve for longer or shorter if they choose.

The Planning Commission directed questions to Toy.

Motion starts at 1:31:45:

Commissioner Straws motioned to **recommend APPROVAL of SP2025-094 for ten years with check in after five (5) years,** the motion died for lack of second.

Motion starts at 1:33:27:

Commissioner Foglesong, motioned to **recommend APPROVAL of SP2025-094 for 10 years with three (3) additional five (5) year check ins,** the motion died for lack of second.

Motion starts at 1:34:26:

On motion by Commissioner Beth, seconded by Commissioner Ernst, the Planning Commission voted as follows to **recommend DENIAL SP2025-094:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**No**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

Motion to recommend DENIAL passed: 6 to 1

Motion starts at 1:36:47:

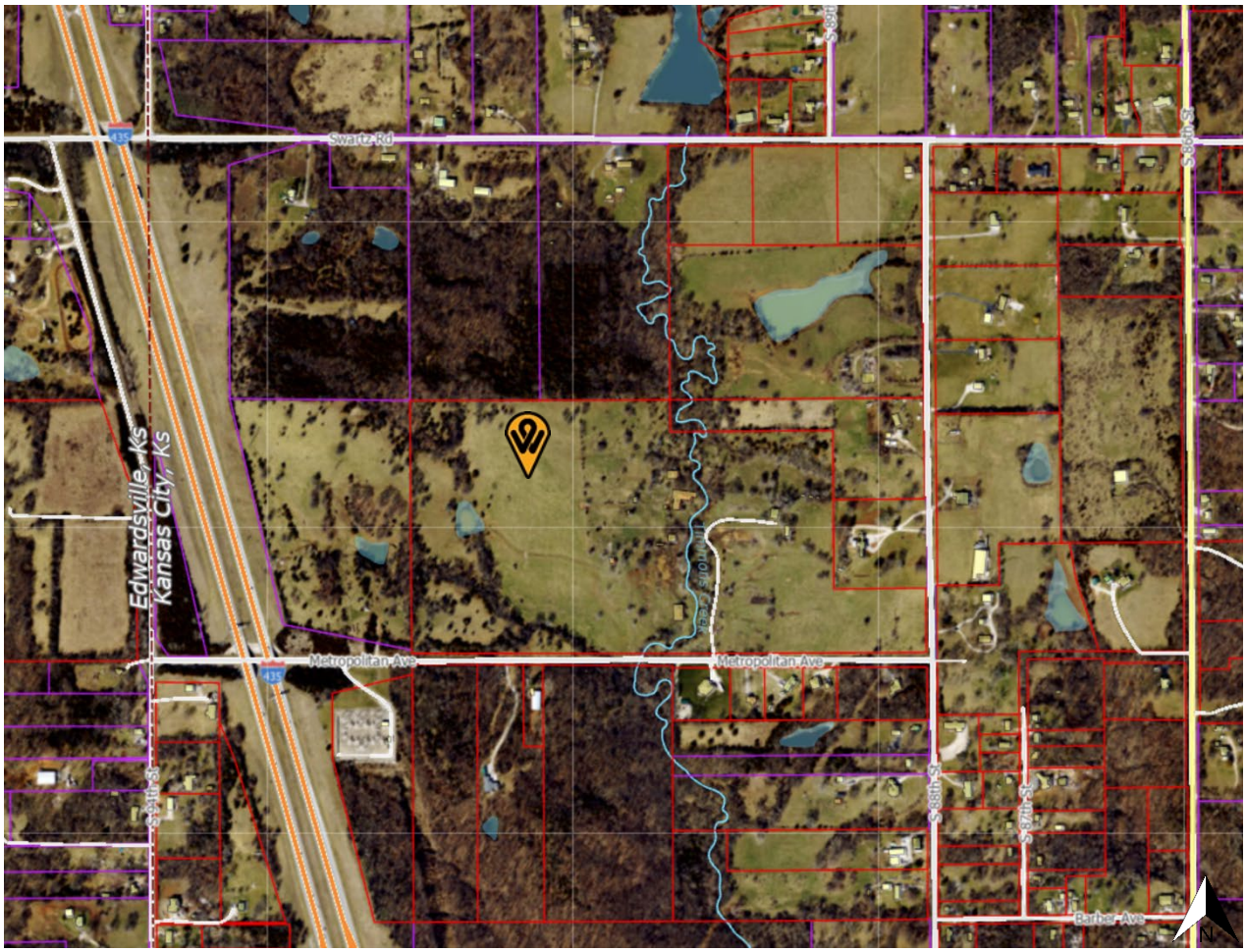
On motion by Commissioner Beth, seconded by Commissioner Ernst, the Planning Commission voted as follows to **recommend DENIAL of PR2025-039:**

Carson	**Chairman**
Easterwood	**Aye**
Foglesong	**No**
Jones	**Aye**
Straws	**Aye**
Ward	**Aye**
Beth	**Aye**
Ernst	**Aye**
Miller	**Not present**
Armstrong	**Not present**
Mohler	**Not present**

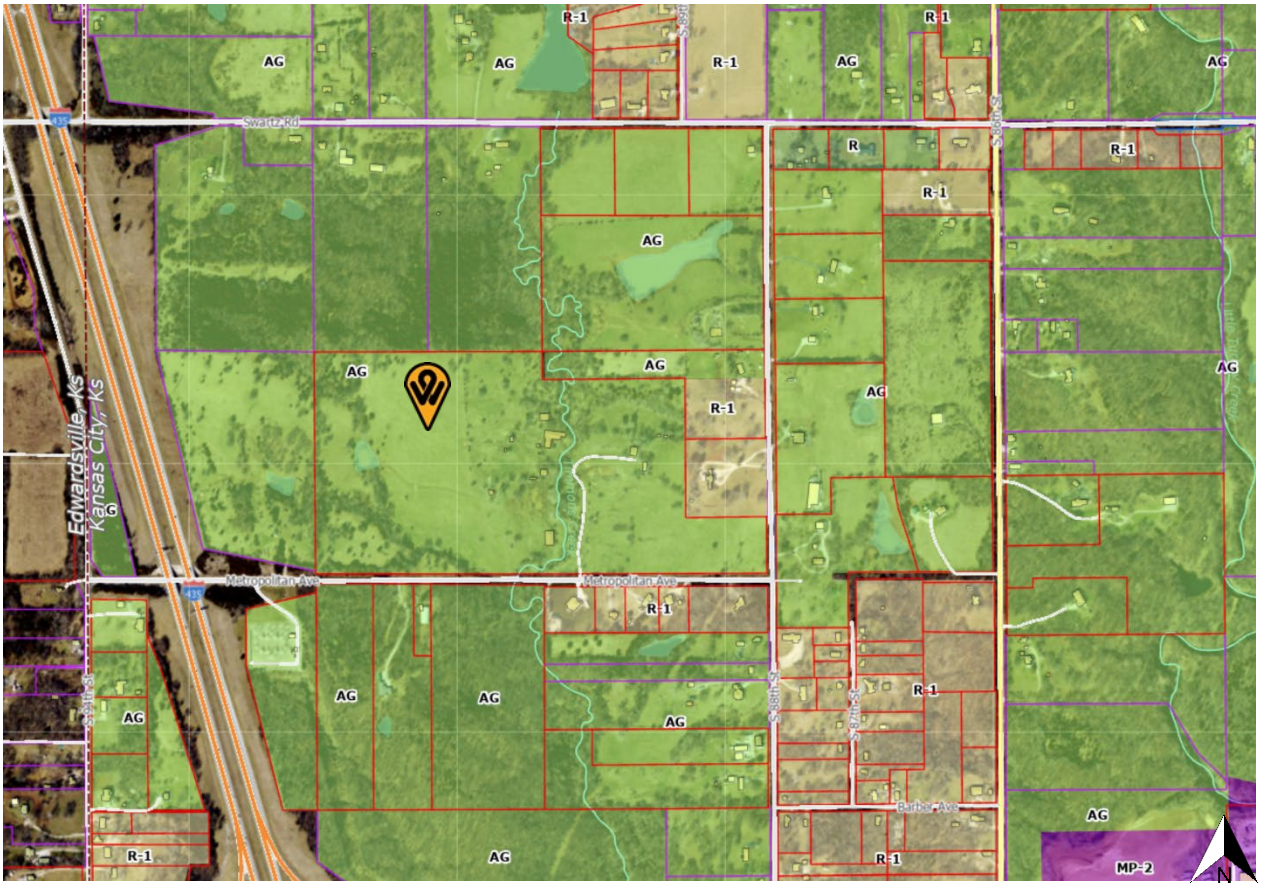
Motion to recommend DENIAL passed: 6 to 1

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP


AG
R-1
R
Swartz Rd
Edwardsville, Ks
Kansas City, Ks
Metropolitan Ave
Barber Ave
MP-2
N

LAND USE MAP


OSAGE
89TH
86TH
SWARTZ
94TH
Low-Density Residential
I-435
METROPOLITAN
87TH
BARBER
Business Park
RUBY
KAW DR TO NB I-435 HWY
Rural Residential
KAW
Public / Semi-Public Institutional
Right-of-Way
88TH
Industrial
GIBBS
N

Memorandum

To: Wyandotte County Kansas

From: Accelergen Energy

Planning and Urban Design Comments:

General Planning:

1. Hazardous material storage is not permitted in the A-G Agriculture District, even with a Special Use Permit. Hazardous waste storage, albeit temporarily requires M-3/MP-3 Planned Heavy Industrial District zoning.

Accelergen Response: The Project will not store hazardous waste. Hazardous material storage has been removed from plan.

2. After the decommissioning of this site, this property will become a brownfield site, which will make redeveloping/repurposing this site difficult and possibly cost prohibitive.

Accelergen Response: As stated in the Decommissioning Plan provided as part of t he Applicant's initial application submittal, the Applicant will restore and reclaim the property to the pre-BESS condition. The property will not become a brownfield site after the decommissioning is complete. To better clarify this point, the reclamation section of the Decommissioning Plan has been updated to provide additional details on the environmental assessments to be completed as part of the decommissioning process. Please refer to Section 3.2 of the updated Decommissioning Plan submitted as part of this response for additional details.

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the planned source of funds to complete activities detailed in the Decommissioning Plan. The Applicant will complete the activities detailed in the Decommissioning Plan at its expense.

4. The initial Special Use Permit request is for 20 years, but what is the lifecycle of the battery storage facility operation?

Accelergen Response: The lifecycle of the battery storage equipment is 20 years. As the 20-yr term approaches, the Applicant will evaluate its options including a re-powering of the equipment or decommissioning the site.

5. How are you mitigating noise for the abutting property owners?

Accelergen Response: In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing a condition of approval to the Special Use Permit related to noise mitigation. As stated in the proposed condition of approval, the Applicant is committed to ensuring the Facility shall not be operated as to emit noise at a neighboring residential structures existing as of the effective date of the special use permit that is of higher sound pressure level (dB(A)) than the ambient day-night average (L_{dn}) existing prior to commencement of Facility operations. As part of the Final Development Plan submittal, the Applicant will submit acoustics modeling reports using prudent industry standards completed by a 3rd party with expertise in the field of acoustics to determine day-night average sound level conditions before and after Facility operations.

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it always best to intervene at the earliest possible stage. The Applicant has designed the system with the following multi-layered protections:

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  If post-incident testing reveals the presence of contaminants, then the contaminated soils or impounded water within the detention basin would be removed and handled offsite in accordance with local, state and federal regulations. These protocols and procedures will be detailed in the final Emergency Response Guide submitted as part of the Applicant's Final Development Plan application.

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1. Tree preservation is of the upmost importance to assist in provide existing screening for the proposed development. Maintain existing tree stands.

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Accelergen Response: As part of the Final Development Plan application, the Applicant will provide an official tree survey documenting the quantity of existing mature trees. The landscape plan submitted as part of the Applicant's Final Development Plan application will be updated as necessary to ensure a minimum of 230 trees are located within the 37 acres site. The Applicant is agreeable to making this a condition of approval to the Special Use Permit, as necessary.

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Accelergen Response: The intent is to install a culvert under the proposed access road and grading per the callout in civil plan.

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

Accelergen Response: The landscaping plans submitted as part of the Applicant's Final Development Plan application will include and in-ground irrigation system. The Applicant is agreeable to making this a condition of approval to the Special Use Permit, as necessary.

Signage:

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.

Accelergen Response. The plan has been updated with a callout stating that no signs shall be erected without obtaining the appropriate UG sign permit.

Standard Comments:

1. 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.

Accelergen Response: Noted. The Applicant will obtain all applicable licenses or permits required for safe and proper operation. In a separate submittal to the Department of Planning + Urban Design, the Applicant is proposing conditions of approval to the Special Use Permit related to safe and proper operation including the following:

a. Development of an emergency response plan and hazard mitigation analysis in coordination with local emergency responders and the KCK Fire Department;
b. The Facility shall not be permitted or so operated within a fully enclosed building;
c. The Facility shall not involve the storage, handling or use of heavy metals in the batteries or otherwise;
d. The battery enclosures shall be integrated and UL certified offsite to ensure the highest level of quality related to assembly and installation;
e. The Facility shall not be permitted to stack individual enclosures;
f. The Facility shall maintain ongoing compliance with NFPA and IFC fire and electrical codes applicable to the Facility; and
g. The Facility shall be operated by the Applicant using a state-of-the-art battery management system capable of remote management of overall system health including temperature, state-of-charge and voltage;

2. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org.

Accelergen Response: Noted.

3. 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.

Accelergen Response: Noted.

4. 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.

Accelergen Response: Noted. Proposed parking spaces will conform with UG requirements.

5. 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.

Accelergen Response: Noted.

6. 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.

Accelergen Response: Noted.

7. 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.

Accelergen Response: Noted.

8. 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.

Accelergen Response: In an effort to address certain community concerns and provide certain safeguards, the Applicant is proposing additional conditions of approval that require final engineering to be complete. Final engineering and design is not currently scheduled to be complete until Q1 2028. In order to maintain compliance with the deadlines listed above, the Applicant will either require (i) an extension of the timeline required to fulfill all the conditions of approval, or (ii) revisions to the deadlines required to meet certain conditions of approval. The Applicant would like to discuss this with Urban Planning and Zoning to decide on the best path forward.

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.

Accelergen Response: Revised plans and response memorandums have been provided as part of a resubmittal on January 26, 2026

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

1) None

Factors to be Considered:

The Applicant noted the following comments within the section titled "Factors to be Considered" and offers responses for the Planning and Urban Design Staff to consider below.

2. The proposed use, a large battery storage facility is not compatible with the adjacent uses as there are single-family homes along the South 89th Street and Metropolitan Avenue and the rural southwestern edge of the I-435 corridor.

   Accelergen Response: The proposed use is located on previously cleared property and adjacent to an existing utility substation and Interstate 435. The proposed use is located in a low residential density area with abundance of natural screening to mitigate visual impacts to the surrounding uses. The proposed use will not increase noise, traffic, odors or visual impacts and is being designed to co-exist safely with nearby land uses. In alignment with PlanKCK, the proposed use supports new energy generation and sustainability strategies for rural land in Wyandotte County.

3. The property is suitable for uses to which it has been restricted as A-G Agriculture District, which allows large agricultural, farming activities and single-family homes. Removal of these

restrictions for a Special Use Permit may detrimentally affect nearby property as the life cycle of battery storage facility will be more intense than agricultural related uses

Accelergen Response: In alignment with PlanKCK, the proposed use supports new energy generation and sustainability strategies for rural land in Wyandotte County. The proposed use will not increase noise, traffic, odors or visual impacts and is being designed to co-exist safely with nearby land uses. The Applicant is also coordinating to continue grazing the site during operations, which is intended to maintain the rural landscape of the site.

5. Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The battery storage facility, which is more of an industrial use does not conform to the PlanKCK Comprehensive Plan.

Accelergen Response: The proposed use **is not** a traditional industrial use, but rather a technological and sustainability-focused businesses. Unlike traditional industrial uses, the proposed use will not increase noise, traffic, odors or visual impacts on surrounding properties. In addition, the Applicant disagrees that the proposed use does not conform to the PlanKCK Comprehensive Plan. The proposes use is in **direct alignment with many of the goals and strategies detailed within PlanKCK** including the following:

- PlanKCK "*prioritizes infill development that incentives growth in established, infrastructure-ready parcels where services and utility connections already exist.*" The proposed Project is located on previously cleared land in a low residential density area with abundance of natural screening and adjacent to existing substation and interstate highway corridor.
- PlanKCK "*supports new energy generation and sustainability strategies for our rural land.*" The proposed Project is in direct alignment with this goal.
- PlanKCK aims to "*attract future industries that can co-exist safely with other land uses.*" The proposed project is not a traditional industrial use and will not increase noise, air pollution, or visual impacts on neighboring properties. The proposed Project is utilizing a multi-layered protection system to co-exist safety with nearby land uses including: (i) **24/7 monitoring** - System health, temperature and charge levels will be managed automatically and the system will be monitored by trained personnel for any signs of abnormal conditions, (ii) **Automate fire mitigation -** Isolation, shutdown and ventilation systems activate quickly to prevent fire spread and protect the site, (iii) **Environmental management plan** - Predictive Analysis, testing and controls will be implemented to prevent any potential impacts resulting from an unlikely event, (iv) **Emergency Response Plans** - Coordinating with local emergency responders to develop proactive plans to manage emergency events, including ongoing training, (v) **Assembly & Construction** - Using the most highly trained and skilled electrical workforce available (e.g. IBEW) to ensure the safest and highest quality system integration, and (vi) **Safe Technology** – the Project will not utilize batteries that contain toxic heavy metals.
- PlanKCK "*leverages federal Justice40 initiatives to attract and grow clean energy generation.*" The proposed Project is in direct alignment with this goal.
- PlanKCK aims to "*invest in renewable energy and decrease fossil fuel use.*" The proposed Project is in direct alignment with this goal.

- PlanKCK aims to "*establish a green bank that accelerates the deployment of clean energy to attract private capital investment in clean energy projects.*" The proposed Project is in direct alignment with this goal.
- PlanKCK aims to "*...encourage non-nuisance industrial uses in non-traditional industrial areas...*" The proposed use is a modern technology-focused business that, unlike traditional industrial uses, will not increase noise, traffic, odors or visual impacts on surrounding properties.

7. The proposed use is not reasonably necessary for the convenience and welfare of the public considering these benefits are solely for applicant. While only one-half of the parcel is to be developed, having such a facility around single-family homes could affect the visual quality and marketability of adjoining property.

Accelergen Response: The Applicant strongly disagrees that the proposed use is not reasonably necessary for the convenience and welfare of the public. Local and regional utilities are forecasting significant new load growth while also considering the retirement of older thermal generation assets in their fleets - creating a need to both optimize the use of its existing assets and add new affordable capacity. Local families and business are facing rising energy prices and need affordable solutions that can be implemented in the near term. The proposed use provides an affordable solution to these problems by optimizing the use of otherwise unused energy generation during periods of low demand (e.g., wind energy). This otherwise unuse energy is stored for use when residents and business need it most. The proposed use is responsibly sited adjacent to a substation that has been determined to be one of the most transmission constrained in the entire region. The proposed use will alleviate the congestion and mitigate the need for costly investments in new transmission.

The Applicant also strongly disagrees that the benefits of the proposed use are solely for the applicant. Below are some of the benefits to the public resulting from the proposed use:

- **Taxes**. The proposed Project will make meaningful contributions to local tax revenues and help fund public services that benefit vulnerable populations.
- **Community Benefits**. In addition to annual property taxes, the Applicant is currently coordinating with Wyandotte Economic Development Council on a Community Benefit program to help support local schools, infrastructure, and community services. This new source of revenue will have a far-reaching impact to improve the quality of life for all community members within Wyandotte County.
- **Jobs**. The proposed Project will create 65 local jobs in Wyandotte County during construction and 7 during operations, supporting an estimated $8 million in local earnings
- **Affordability**. During periods of peak demand, the Eastside BESS reduces reliance on high-cost generation resources, alleviates system congestion, and mitigates price volatility, resulting in more than an estimated $5.1 million in annual demand charge savings for KCBPU customers.
- **Supporting Critical Infrastructure**. The proposed Project will increase the ability for critical infrastructure, such as hospitals, emergency response centers, and community shelter to remains operational during power outages.

- **Workforce Development**. The proposed Project is working to establish a scholarship program to provide $30,000 in annual scholarships throughout the life of the project, preparing students for the jobs of tomorrow
- **Improved Air Quality**. By enabling greater use of clean energy and displacing higher-emission resources, Eastside reduces system-wide emissions by over +114,000 tons of NOx annually, creating meaningful environmental impact within KCBPU's system

11. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, the owners will still have property that is able to be developed, however, not in the form they originally intended

Accelergen Response: The proposed use has significant improvements to the public health, safety and welfare **without placing undue burdens** on the surrounding community. Examples of how the proposed use has been responsibly sited to avoid impacts to the neighboring properties include:

- The Project is proposing multiple conditions of approval to ensure it safely co-exists with the surrounding community with minimal impacts.
- The proposed use is located on previously cleared property adjacent to an existing utility substation and Interstate 435, minimizing the need for tree clearing and infrastructure improvements.
- The proposed use is located in a low residential density area with abundance of natural screening to mitigate visual impacts to the surrounding uses.
- The proposed use **will not** increase noise, traffic, odors or visual impacts on surrounding properties.
- The proposed use will allow cattle grazing to continue on the property and neighboring properties, minimizing disruption to the existing use.

Regarding the gains to the public health, safety, and welfare, the proposed use provides improved community outcomes across multiple fronts including those listed below.

- **Improved Air Quality.** By enabling greater use of clean energy and displacing higher-emission resources, Eastside reduces system-wide emissions by over +114,000 tons of NOx annually, creating meaningful environmental impact within KCBPU's system.
- **Supporting Critical Infrastructure:** The Project will increase the ability for critical infrastructure, such as hospitals, emergency response centers, and community shelter to remains operational during power outages.
- **Taxes**. The proposed Project will make meaningful contributions to local tax revenues and help fund public services that benefit vulnerable populations.
- **Community Benefits**. In addition to annual property taxes, the Applicant is currently coordinating with Wyandotte Economic Development Council on a Community Benefit program to help support local schools, infrastructure, and community services. This new source of revenue will have a far-reaching impact to improve the quality of life for all community members within Wyandotte County.
- **Jobs**. The proposed Project will create 65 local jobs in Wyandotte County during construction and 7 during operations, supporting an estimated $8 million in local earnings
- **Affordability**. During periods of peak demand, the Eastside BESS reduces reliance on high-cost generation resources, alleviates system congestion, and mitigates price volatility,

resulting in more than an estimated $5.1 million in annual demand charge savings for KCBPU customers.

- **Supporting Critical Infrastructure**. The proposed Project will increase the ability for critical infrastructure, such as hospitals, emergency response centers, and community shelter to remains operational during power outages.
- **Workforce Development**. The proposed Project is working to establish a scholarship program to provide $30,000 in annual scholarships throughout the life of the project, preparing students for the jobs of tomorrow

March 24, 2026

Chairman Jeff Carson
City Planning Commission
701 N. 7th Street
Kansas City, KS 66101

RE: Requested update to the period of validity for **Special Use Permit Petition SP2025-094**

Dear Chairman Carson,

Based on recent conversations with the UG Department of Planning + Urban Design, it has come to the Applicant's attention that Special Use Permit Petition SP2025-094 (the "SUP") would expire upon the end of the recommended five (5) year period of validity, **regardless** of whether the proposed East Side Energy Storage Project (the "Project") is constructed and operating or not. The potential for the SUP to be terminated for reasons outside the Applicant's control and prior to the end of the useful life of the Project (ie, denied SUP renewal) is not an acceptable risk to financial institutions.

The staff report for the SUP dated February 9, 2026 recommends the SUP to remain valid for a period of five (5) years from the publication date of the associated Ordinance. To maintain financial viability of the Project and in accordance with Sec. 27-214(f)(8) of the KCK Zoning Code, the Applicant will be requesting the SUP to remain valid for a period of twenty-five (25) years. The 25-year period provides the minimum time necessary to complete construction and operate the Project through the useful life of the equipment, a requirement for financial underwriting.

The request made in this letter has been discussed and guided by the Legal Department within the UG of Wyandotte County. Based on those discussions, it's the Applicant's understanding that Sec. 27-214(f)(8) of the KCK Zoning Code has been used to approve longer approval periods on previous Special Use Permit petitions.

Please consider this letter an informal request for Special Use Permit Petition SP2025-094 to remain valid for a period of twenty-five (25) years from the publication date of the associated Ordinance. The Applicant will formally request the longer approval period during the Planning Commission meeting scheduled for April 13, 2026.

Respectfully,

Josh Skogen

Josh Skogen on behalf of the Applicant
East Side Storage LLC

East Side
ENERGY STORAGE

Accelergen Energy
3736 Bee Caves Road, Suite 1, Unit 124
Austin, TX 78746

February 26th, 2026

SUBJECT: Neighbor Meeting for East Side Energy Storage

Dear Neighbor,

Accelergen Energy has filed two applications with the Planning + Urban Design Department #SP2025-094 and #PR2025-039. The purpose of this **Special Use Permit and Preliminary Development Plan** is for a **300MW Battery Energy Storage System (BESS)** project at **8900 Metropolitan Ave, Kansas City, KS 66111.**

We are having a neighborhood meeting on Tuesday, March 10th, 2026, from 6:00-7:30PM at Legacy Events at 1000 N 82nd St., Kansas City, KS 66112.

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

To help ensure receipt, this letter is being sent via both standard U.S. Mail and certified mail. We look forward to seeing you at the neighborhood meeting. Please RSVP for the meeting by using the QR code or at **https://eastside-mar2026.eventbrite.com.**

Sincerely,

Josh Skogen
SVP Development
Accelergen Energy
josh.skogen@accelergen.com



NAME	EMAIL	PHONE	INTEREST
Bob Howard			
Teressa & Kevin Fogarty			
Sandra Drown			
Miles Colunga			
David Fromm			
Jim White			
Vicki Hyatte			
Greg Kindle			
Nicole Crosson			
Austin Crossan			NO
Allison Thomas	thomas@climateandenergy.org		
Stephanie BARTON			
Jim Sunbon			
Phil Lopez			

www.eastsideBESS.com

SP2025-094 and PR2025-039

Neighborhood and Community Meetings
March 11, 2026

Accelergen Energy held a third community meeting on its Battery Energy Storage System proposed at 8900 Metropolitan. This additional meeting was mandated by the Planning Commission at the February meeting and was held March 11. The official required community meeting was held January 13. A voluntary community meeting was also held in October 2025.

14 people attended the March 11 meeting. Almost all of the attendees were nearby neighbors to the proposed project. Four attendees support the project. 10 had concerns or were opposed.

The meeting was set-up in "science fair" format with posters explaining details of the project. An updated handout describing the project in detail was distributed.

Accelergen Energy owner Josh Skogen engaged in lengthy conversations with property owners living across the street. They have been the loudest voices against the project. Their opposition boiled down to one particular item. They are concerned the project will lower the property values of their homes.

Other previous concerns about fires, noise, air pollution and general safety of the project seemed to be resolved, or at least not a major topic of discussion. Again, the biggest concern expressed was regarding a fear that having the project across the street could lower property values.

It should be noted that the neighbors to the immediate east and west are large land owners who do not oppose the project and have expressed satisfaction with the commitments Accelergen Energy has made regarding deed restrictions, facility location on the acreage and leaving most of the site available for continued agricultural/grazing use.

It should also be noted that Beto Martinez of Rise4EJ, who asked for a delay of the project in February, is now satisfied with the community outreach and is supportive of the project.

A copy of the sign-in sheet of attendees is attached.

Mike Taylor on behalf of Accelergen Energy



NAME	EMAIL	PHONE	INTEREST
Nick Priviteri	nick.priviteri@mariane.us	913-948-0236	Contracting
David Fromm	davidjfromm@gmail	913-961-0628	neighbor - Darby Farm LLC
Jerry & Sandy Cigich	scigich1950@att.net	913-302-5578	Neighbor
Hellie Abet Hogan			
Charles Stephens		913-441-0363	Neighbor
Gordon Criswell	Airwolfe1@kc.rr.com	(913)573-5040	MAYOR'S OFFICE
Gina Gschnauer	bloodingutersus@yahoo.com	(417) 388-5888	neighbor
Teressa K. Fogarty	fogartytk86@gmail.com	913-206-0438	neighbor
Miles Colunga	MilesC1@Gmail.com	970 640 7776	
Jim Surber	jsurber@everydaymail.net	913 972 0214	Neighbor
Duane/Beth	dnbeth@icloud.com	913 484 4	
James + Jeanie Tillison	jeanie9216@gmail.com	9139826419	
Ben Gorack	screamingohms@gmail.com	505-681-5802	Neighbor
Karen Schibi			



NAME	EMAIL	PHONE	INTEREST
Denis Bailes		9135309928	
Elsa T.		913-963-2317	
Elias R T.		913-998-4741	
Janeth B		913-293-4883	
Dan Ross		913-226-0145	
Nicole Crosson		913-526-8541	
Kellan Widner		816-315-6658	
Paige Kincaid		913 210 1024	
Elijah Hubbell		816-602-8035	
Greg Kindle		913-748-2272	
Greg Masier	KCKCC President		

www.eastsideBESS.com



NAME	EMAIL	PHONE	INTEREST
Shirley Carter Ford		—	—
Carlos/Dena Williams		816 560-4193	
Jim/Terri White		913 302 5761	
Steve Buchel		913-951-9181	
Eva Garcia Meza		913.980.8328	
Jason Widner		816-550-8615	
Sabriya Sami		(816)305-4933	
Silas Samo		316-214-1936	
Stephanie Burch		913-575-5282	
Bo Moreno		816 492-9332	
Steve Sessions		913-220-5546	
Wade Kieker		816-585-7906	
Tracy Ramsey			
Tracey Bailey		9135304946	



NAME	EMAIL	PHONE	INTEREST
Nicole Crossen	lilj.oe913@gmail	913-526-8541	
Justine Bogart	jbogart33@gmail	913 547 6244	
Stephanie Burch	slpupolka@sbcglobal.net	913/579-5232	
Thomas Chafton	CHAFTONTOM@AOL.com	913-707-8664	
Paige Kincaid	Kincaid@climateandenergy.org		Climate + Energy Project
Allison Thomas	Athomas@Climateandenergy.org		Climate + ~~Energy~~ Energy Proje
Dana Beth	dbeth@ikc.rr.com	913 334-9670	
Sheila Bunnell	bbynki@yahoo.com	913-544-9072	
Gloria Burt	gloremipsum070@gmail.com		
Janet Boose	boose@climateandenergy.org		Climate + Energy Project
Karen Schibi	karenschibi@gmail.com		Morris Watch
Zack Pistora	zack.pistora@sierraclub.org	785-865-6503	environment
Neal Palmer	haskellfarms@outlook.com	913-300-0701	all



NAME	EMAIL	PHONE	INTEREST
Donna O'Hare	Khromegal@gmail.com	913-669-3356	In my neighborhood
Dorothy Estis	dlestis240@gmail.com	913-6020502	Res. Wy.
Paul Boettcher	Tallsuy KC@Gmail.com	913 6054912	Neighborhood
Todd C Taylor	Taylormadeproj Equipment	816-820-4003	Neighborhood
Marlin Burt	MBurt99@gmail	913 940 2867	Neighborhood

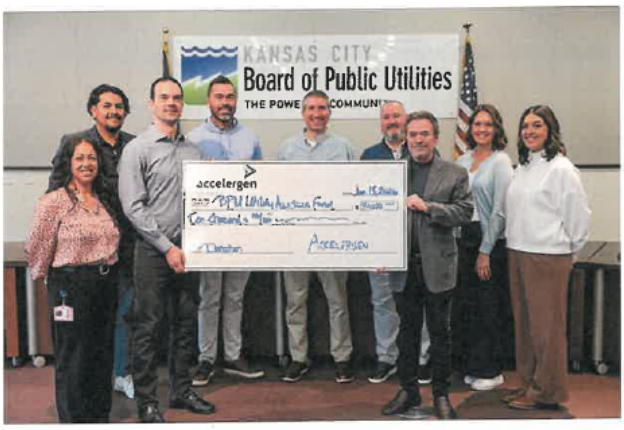
accelergen
ENERGY

SP2025-094

Neighborhood and Community Meetings
January 13, 2026

Accelergen Energy is proposing a Battery Energy Storage System at 8900 Metropolitan. The company has held two neighborhood meetings, one in October and the required meeting on January 13.

While company officials were in Wyandotte County, they demonstrated their commitment to providing community benefits by donating $10,000 to the Board of Public Utilities Utility Assistance Fund which will be used to help at least 25 Wyandotte County customers who are having difficulty paying their electric bill.



Accelergen Energy also donated $10,000 to Edwardsville Elementary school after working with the Bonner Springs Edwardsville Area Chamber of Commerce to decide where the contribution could meet the biggest need.



Bonner Springs Edwardsville Area Chamber of Commerce
🧡🖤BETTER TOGETHER🖤🧡
Thank you to Accelergen for giving the Chamber an opportunity to nominate Edwardsville Elementary for a grant! Businesses often reach out, asking where assistance is needed in our community. They awarded a grant of $10,000 to Edwardsville Elementary! It's impactful when new businesses give back upon joining our cities or county. A special thank you to Chamber Board Members, Jena Woodbury and Councilman Garrett Mellott for being passionate Edwardsville residents and advocates. Jena had the honor of filling out the check!
Without a doubt, Accelergen Energy hit a bull's-eye with its recipient choice.

Accelergen Energy has a corporate policy of making quarterly donations in the communities they serve as well as creating a workforce scholarship program. Conversations are already underway with Kansas City Kansas Community College.

Community/Neighborhood Meeting

Accelergen Energy invited the required members from the neighborhood around 8900 Metropolitan as provided by the KCK Planning Department. We also invited a number of other community members including the Mayor's Office, UG Commissioners, Wyandotte Economic Development Council, Unified Government Economic Development, KCK Chamber of Commerce, Kansas City Kansas Community College, Sierra Club, social media influencers with We The People and other community advocates.

The meeting was held from 5:30pm-7:30pm so we provided dinner catered by Wyandot BBQ.

The meeting was recorded and posted to YouTube by a citizen and can be viewed at https://youtu.be/bWiy-GJnevY?si=_ceMsB0l6IRqgoHj.

We also recorded the entire meeting. A complete written transcript of the meeting follows along with the required sign-in sheets and letter inviting neighborhood residents. A handout explaining details of the proposed project was provided which meeting participants could take with them. That hand-out has been provided to Byron Toy of the Planning Department.



Transcript of Neighborhood Meeting
January 13, 2026
5:30pm-7:30pm
Legacy Events Center 1000 N 82nd KCK

Josh Skogen
... Um, we are an independent power producer. Uh, here in our country, anybody, uh, can put power onto the grid and sell it out on the wholesale market. Um, one of the great things about it, and so what we do is sell power to utilities and other, other industrial customers, um, at levelized rates and make our return for our investors, and then the utility has a guaranteed rate, uh, as a hedge against volatility associated with other sources of fuel.

I also want to do the battery energy storage. It's relatively new in this part of the country. It's... A lot of installations have been going, uh, in the Southwest, primarily Texas, Arizona, Nevada, California, up in New York, but they're moving-- and, and in Virginia, but they're moving, uh, into this part of the country due to the tremendous amount of energy growth that we're seeing. Um, so these projects take energy from the grid at, at, when it's at a low cost, during low demand hours, store that energy and discharge it during hours when it's needed most at an affordable price. That's the intent. These systems are really optimizing the use of the energy that's already being created.

Uh, over seventy percent of the nameplate capacity of your energy sources come from wind in this part of the country. It's staggering. Uh, and all that wind, a lot of it is generated at night, and it's not being used. These projects allow, uh, us to capture that energy at a low cost and deliver it later in the evenings and afternoons when it's needed most at an affordable price. Uh, they also... These projects help avoid costly transmission upgrades when sited, um, in the right locations. Uh, they help avoid all the congestion. Think of transmission lines like roadways. During peak demand, you get a lot of traffic jams on those transmission lines, and these projects, when they're sited near the load, are able to deliver right at that location without having to rely on the transmission lines during peak hours. Why do we need energy storage? I've gone a little bit about this, but what we're experiencing for the first time really since post-War II is demand growth. Uh, local energy providers are projecting to double their energy load over the next five years. It's unbelievable. It's... We've never seen anything like this, uh, in my lifetime, and like I said, since post-World War II. Uh, but at the same time, we have a lot of old infrastructure. We have old transmission lines, we have old oil and gas plants that are very inefficient and costly to run. Those are being shut down. So in one direction, we have more demand for power, in the other, we're trying to take older power plants offline. So there's this increasing gap of a need, and these projects, like I said, are part of a solution. They're not the only solution, but they're part of a solution to capture the energy we're already generating and deliver it later in the day. Why this location? We start siting our projects by looking at all the transmission models that are developed by your local energy providers and evaluate where on their system are they experiencing the highest price variances or the highest price differentials. Meaning, where... That's a sign of where there's the most traffic on those lines and very hard to get power to. This location is one of the most volatile price locations in all of the twelve-state area. Kansas City has a very congested transmission system. I was at your local energy provider's office today. We easily agreed on that fact. This area, while having a, a need for affordable power when it's needed most, is also infrastructure-ready. There's a substation already at this location. We also saw that there was already cleared land adjacent to that substation, so no need to deforest a lot of areas. There was also interstate highway, uh, providing access near the site, so easy to get to. And then we looked at the priorities of the local government. Your local government recently published Plan KCK, which had a comprehensive plan of what their priorities are moving forward, and this project had a lot of alignment with those values and strategies laid out in Plan KCK. This is a snapshot of the proposed site plan. What you're seeing on the screen in green is thirty-seven acres of property that we're buying from a landowner who currently owns about sixty acres. We've split this

thirty-seven acres off from that. So this, uh, project participant is just a tenant farmer, really, but they'll continue to own about twenty-three acres to the east of the site that will not be developed. Um-...The layout on the screen is for a three hundred megawatt project. Our first phase will be two hundred megawatts. So what you're seeing on the screen is larger than what we're planning to build over the next few years. Um, this project is not planned to be constructed for a few more, few more years. Probably twenty twenty-nine is when it will go operational, twenty twenty-eight or twenty twenty-nine. So we're still a ways off from that phase here. When we developed this layout as part of our permit application to the county, um, the county had a, has a very good process, a very rigorous process, to help us develop a site layout that, um, complies with all their requirements. Um, the site layout, the fence of the layout will be more than a thousand feet from any existing neighboring residents, creating a large buffer area around. We also see a lot of natural vegetative screening that's existing. And we said, "Well, what is this project gonna look like from nearby roads?" So we did... Had a consultant who does three D modeling for all sorts of industries in the United States, develop three D models for us based upon on-site topography and the layout of the project. And here's what we're seeing. The only location from roadways that we potentially could see the site is from the entrance along Metropolitan Avenue. So what you're seeing on the left side of the screen is an existing condition from the entrance, looking to the northwest. What you're seeing on the right is what the project will look like when it's done. So as you can see from Metropolitan Avenue, the project will not be visible. If it was, what you would see is probably some landscaping with an aesthetic wall. Um, there's gonna be likely an aesthetic wall, uh, to abate sound. We don't want to increase sound levels on any nearby residences, and we'll work, um, on a baseline to establish that. I'll go into that a little bit further on in the presentation. [coughs] A lot of benefits that this project brings, uh, in terms of boosting local workforce, just locally, uh, not even statewide, but just locally, we're estimating sixty-five local construction jobs. Um, we're talking with local contractors and the IBEW Local one twenty-four. We want to hire the most skilled local labor that has the highest safety record possible. That's paramount to us. Increasing tax revenue, uh, over the life of the project for twenty years, this project will generate about nineteen million in tax revenue. Uh, we are modeling it to reduce annual production costs, nine million dollars annually. So taking that cheap power at night and shifting it to later in the day is estimated to save about nine million dollars annually just for this one project. Uh, it will deliver clean energy. These projects do not em-emit, uh, greenhouse gases. Um, community-based partnerships, we're looking at doing scholarships with the local community college, uh, providing at least one, you know, full-ride scholarship annually to an applicant. We're doing other programs for workforce development. Uh, we're also doing, uh, currently community-based partnerships. We're doing a five thousand dollar quarterly donation or more to local community-based partnerships, um, like Energy Relief and Human Services. For design best practices, I went into a little bit about noise. Uh, we want to establish what the baseline is. What is your current noise level at nearby residences? And our commitment is to not increase that with this project, and that can be done with, uh, acoustics modeling. There... Acoustics modeling is a well-known technique. There's, there's software based upon specification of the equipment in order to do that, and that's our commitment. Uh, lighting is minimal. It really isn't needed at the substation. Um, at the site, there will be minimal lighting that will be turned on with a switch as necessary, uh, but this system is largely unmanned, so that light will likely very little ever be on. If it is on, it will be shielded and faced downward to avoid light pollution. Uh, we've done all sorts of environmental studies, um, species, habitat, waterways, hazardous materials, you name it. We've done all the studies. We've submitted those studies to the local applicable agencies, including US Fish and Wildlife Service, US Army Corps of Engineers, Kansas Department of Fish and Game, and they've all provided written correspondence back that this project is not having negative impacts to species, habitat, or waterways. Off-site drainage, all the water, uh, on-site will be captured prior to being released off-site, so there will be no increase in off-site water flows. Uh, groundwater, the-- we estimate with, uh, our early geotechnical studies, not the aquifer, but just to hit groundwater, it's about thirty feet plus down at this site. Uh, and with the infiltration rates of this soil type, it will take about three and a half years for water droplets to get down that far. Um, public services, the project is an unmanned project. It, it does not require, uh, sewer, um, it does not require a continuous amount of water flow. Uh, it will not increase traffic during operations. This project will actually have-... than an average

residential home throughout its life. It will not generate solid waste through its operations, um, so low demand on public services. I want to go a little bit into project safety. Uh, I do have a consultant here, an energy expert from Gensym, the largest [coughs] fire protection engineering company globally. Um, I brought my Stanley here off to my right, and he'll come in here in just a moment, but I'll kick this off. And I want to talk about safety because this, um, there's a lot of misinformation out there about safety with battery energy storage systems. [coughs] Excuse me, one second. Uh, battery energy storage systems, um, have made a lot of improvements over the years. Just like any first version of a technology, you learn a lot. And with this technology, because [coughs] it's connected to the grid, you had to learn a lot fast. In the beginning, the industry basically was taking cars from electric-- batteries from electric vehicles, putting them in containers, assembling them on-site, and putting energy on the grid. Well, that didn't work. As you can see with the red bar, the red bars, uh, uh, on the bottom here, we have a time frame from twenty sixteen to basically today. So the last ten years, we've seen improvement here. The red bar is the number of incidents reported globally on utility scale energy systems. The blue bar is the amount of systems installed. [coughs] So you see in the beginning, [coughs] there was a very high incident rate per installation. Since that time, the evolution of codes, standards, installation techniques, technology, operation, [coughs] battery management systems, that has all changed the game. As you can see off to the right here, [coughs] the number of installations has grown exponentially, and the number of reported incidents has come to the point where it is extremely rare for a safety incident to occur with one of these units. Um, one of the main reasons for that is that not all lithium-ion batteries are created equal. They're not the same. In BESS systems, they're not the same. Lithium ion describes a group of battery types. There are many variants of lithium ion within that group. Two have really proven themselves for certain applications. One is an application that has done very well for the electric vehicle industry. However, it contains heavy metals like nickel, cobalt, and manganese. It is good for the use in electric vehicle because it has high density. So a lot of energy can be put in a small space, but it's very heavy. It has a low tolerance for temperature before it, uh, goes into what we call thermal runaway. And when it goes into thermal runaway, it has a self-propagation, [coughs] because the components within the battery start to break down under heat and release oxygen, creating a fire triangle. That is what creates the self-propagating thermal runaway in that technology. That's what the energy storage industry was using early on, and why we were seeing those really high incident rates per installation, because it wasn't the right technology for the use. We were putting a round peg in a square hole. Engineers have come a long way. They developed a brand new... Well, not brand new, but they've helped commercialize and improve a technology called lithium iron phosphate, LFP. That is the technology that this project will use. This project will not use technologies with heavy metals like nickel, cobalt, or manganese. That does a lot of wonderful things. First and foremost, what it does is it prevents these, the decomposition of the battery under extreme heat. So you're not introducing oxygen or the fire triangle into a thermal runaway event. You're also, in the very rare, extremely rare event of a fire with a lithium iron phosphate battery into these systems, you don't have those heavy metals, which those heavy metals in those older technologies is what was creating very high heat conditions, causing those fires to last for a long time. Those are the improvements that this industry has made, and I'm going to go at the end and show you some of the commitments we want to make for projects like this, and commitments that we want to have the project make to you, and not just by what I say, but by what's on paper. And we can do that through the conditional use permit that we're applying for. A conditional use permit, in our view, is a contract to the community. That conditional use permit can put restrictions and requirements on us that we have to meet or comply with before we can get a building permit, and those are things that we want to do. Um, the other main complaint about... Two main things that have changed-... a lot of incidents that have happened, have happened within the first year or two of installation. And that's because the quality of the installation, and the s- the industry has addressed that in two ways. One, these systems are integrated in controlled environments in factories now. You have system integrators that not just make the battery, or not just make the, the racks, or not just make the enclosure, but create an engineered solution that is completely manufactured within their walls, tested before it is shipped out. So there's no... It is a plug-and-play in the field. Number two, the labor industry has come a long way in understanding what works and what doesn't, and we're committed to using the highest

quality, most skilled, highest safety record labor force in Kansas. We believe that's IBEW Local one twenty-four and its general contract partners. We're committed to doing that. The other is the battery management. Why do we feel comfortable plugging our phone in, plugging in our laptop, plugging in our power tools, walking away and forgetting about it without fear of them overheating or overcharging? Because battery management has come a long way. Ten years ago, that wasn't the case. We had cell phones that were run-- going into thermal runaway because they were under battery monitoring, not battery management. They're two very different things. Battery management systems are what are creating very safe systems today and prevent that overcharging, that overheating condition from occurring. [coughs] Uh, there's other systems here. I want to give Mike a chance to maybe add anything. Mike Stanley, uh, with Jensen Hughes here off to my right, your left. Um, if you want to add anything to what I'm saying here, Mike, or introduce yourself.

Mike Stanley
I just want to introduce myself and touch on a couple of things. But [coughs] like Josh just said, my name is Mike Stanley, and I'm a senior fire and emergency service consultant for Jensen Hughes. As he mentioned, Jensen Hughes is the largest fire protection engineering company in the world. So we were engaged with the Overland Park Fire Department, and also to address some of these safety factors and help improve these safety factors that come along with BESS installations. Some of them are required by fire code, some of them are required by statutes. Some of them, but the majority of it is we want to protect the community and protect these BESS. So I spent thirty plus years working in communities evaluating risk. Retired working for the fire department, retired as a fire chief for Perry. I came to work for Jensen Hughes. [coughs] And now I get the opportunity to come talk to fine folks like you about different projects around the country and around the world. And so I do a lot of work in the, the BESS space, as does Jensen Hughes. And that's our folks are on all the committees. They're the ones driving the industry, doing a lot of that engineering work. So I'll be around, you know, throughout the evening, you know, be able to answer some of your questions. I'll be around. If you think of something later, grab me off to the side and we can talk. But I'm sure you have lots of questions, and we'll go back to that, that slide, and you see the graphic over here about the decrease in incidents. Now, when, uh, [coughs] we look at that, you think, [coughs] well, that's only been less than ten years. That's kind of a short span, right? But the reality of the way technology evolves in our modern world is on the left, that's the Flintstones. On the right, that's the Jetsons. Not to, to date myself with that analogy, but, I mean, that's what we're talking about, how technology has emerged. That's, you know, when you try to conceptualize that, think about that we had the f- first human flight where they survived the landing. It kicked off with the Wright brothers, [coughs] putting a man on the moon in less than seven years. You know, and we have done nothing but pick up the pace. But that's... [coughs] So the technology's evolved. You know, Josh mentioned the changes in code and regulations. Decades and decades ago, we used to have lots of tragic fires in schools. Well, codes were developed, standards were developed. We learned from those incidents, and now you don't see that in the news anymore. And that's what's happening in this industry as well. So the National Fire Protection Association, which develops all the different fire protection standards throughout the United States, it's referenced globally, just released their Standard eight fifty-five on lithium-ion batteries and battery energy supply system-- battery energy storage systems, excuse me. This is highly regulated. Highly regulated, but there are lots of standards involved, and there is lots of engineered systems that are developed to prevent those bad things from happening.... the owner doesn't want it to burn up, the community doesn't want it to burn up, the manufacturer doesn't want it to burn up, the fire department doesn't want it to burn up. So we over-engineer some of these things, and we've gotten the technology, much like in your cell phone, has gotten much smarter. So lots of, of standards and stuff to minimize that. So [clears throat] we work with the local fire departments and the area fire departments, who might respond, in developing an emergency response plan. That way, they already have a plan for how to respond, what to do if needed. Very unlikely event, but coming from the fire service, my job was always to hope for the best and plan for the worst. And so we'll develop those plans. We'll do a thing called a hazard mitigation analysis. We'll do some plume modeling. I can get into more explanation about that, you know, as, as we go along. You know, I won't bore you to tears with all that

information right now, but we'll look at all those factors of how does this impact the community in regards to [coughs] safety, and how does it impact the fire department? And so, so that's the perspective we come from. You want this one? Go ahead.

Josh Skogen
Yeah. I think I'll just kind of open it up to questions here as I wrap just a couple more slides. Um, thank you, Mike, and Mike's going to be a resource for questions after here. I just want to get through the deck. Um, this is just a list in the packet that if you didn't get one, they're at the entrance there. Please grab one. It just describes all the, [coughs] the layered protection systems and the technology that we're committed to using. Um, like I said, this project isn't gonna go into construction for the next few years, so technology is going to continue to evolve, um, and get better. This project, we were talking to the, uh, your deputy marshal today, and he was saying he would like to see this project be subject [coughs] to new codes as they're adopted ongoing. So I'm not stuck in twenty twenty-six or twenty twenty-seven code forever, but I'll be required-- we'll be required to continuously update the project to make sure it complies with the new codes. And I think that's a fair request. Uh, decommissioning. We don't want to leave you with a mess. [coughs] That's not, that's not our objective. To guarantee that, we are going to be issuing a bond to the benefit of the county that it can draw on in the event, unlikely, that we just disappeared and walked away from a two hundred million dollar investment. Unlikely, but if for some reason it happened, we went bankrupt and fell off the earth, I don't know, you, as a community, would have the ability to pull that bond and have the money available to hire a contractor locally to do the work. And the way that we're guaranteeing the right amount is in place is we're going to hire a third-party professional engineer, we've already done to prepare one, to draft an estimate of the cost to decommission and properly handle, [coughs] dispose, and recycle and restore the site to its existing condition when done, and return to the ag zoning it is. That's the nature of the conditional use permit. This is not a permanent forever thing. This will be fully restored, and you'll have that guarantee. Uh, final neighbor commitments. This is just a few that I came up with as I was thinking about the commitments we want to make to you and things that we would be, um, happy to see in the conditional use permit list is no toxic metals in our technology. That's not the way we're going, so happy to make that commitment. Highest quality installations, making commitments like working with your local laborers, your IBEW 124, your local contractors. I'm sure we are utilizing the highest skilled workforce available. Improving local services. We've talked with your road department, a very nice gentleman. Um, both Ricky and Chris were great. Um, they agreed that the width and the shape of eighty-eight, the Metropolitan, is not in the state it needs to be, but we'll get it there at our expense. We'll improve that to a rural cross-section with nice ditches through those culverts, and solve the problems that those roads are currently in. [coughs] We also understand that some of you folks don't have internet. We'll put in a backbone line. We need a backbone fiber line to the project. I'm happy to make that line large enough to, to have taps for others in the community to have a life-changing event and have internet at your home. Top-tier battery management system. Um, we're gonna be using the highest quality, likely a fully integrated battery management system made by the manufacturer of the entire unit itself. So it's not some third-party communication device trying to talk to another piece of equipment that was generated by a separate group. We want to maintain that rural agricultural setting, so we're not looking to site this in an area where we're gonna have to do many more tree clearing. It's already done. We don't want to increase noise on existing homes, and we've that commitment. We can do that through baseline sound studies and then acoustics modeling of the technology we finally select. I want to continue grazing this property if that makes sense for everyone. I know there's interest from the existing-... uh, family that is grazing to want to continue that. We're just gonna put a fence, uh, or a visual, uh, sound wall around the project. The remaining, uh, about fifteen acres of the land, the thirty-seven that I showed you, we're not gonna develop that. It'll remain as seen in that, uh, visual. I'm happy to have that rural setting be maintained, [cough] a mixed use of the land. And the visual screening, you know, we chose this site because of all the vegetation that is around it to the north. Um, it's hard to see from metropolitan. We thought that was a great thing, but if there is any areas that aren't visually screened, the county is already wanting us to make sure we have at least, I think, two hundred and thirty mature trees on the

site. Uh, if we don't already have that, we'll continue to plant more mature trees and, and make a, a nice visual screen if anybody, um, has a problem with, um, what they're seeing. And partnering with local resources, [cough] including your emergency responders, to set up the appropriate plans. The testing requires during an unlikely incident, the resources that they have available, we'll make sure they have them, [cough] and the training. So we're not-- This isn't a one and done, develop a response plan, put it on a shelf, and let it collect dust for twenty years. [cough] This is a working document that we continuously improve in collaboration with your local emergency responders, including annual training on the updated codes, and that work gets implemented into a revised version, probably at least annually into that emergency response plan. [cough] Uh, with that, I think that wraps up what I had to present. I would like to open it up to Q&A. Yes, please.

Neighbor #1
Um, from the original meeting, I thought you said that you had already purchased the land and that a farmer was leasing it.

Josh Skogen
We do have a purchase agreement for the land, but the way our agreement works is that we have a right to execute on the option for the next number of years. So the, the purchase, we have an exclusive right to purchase the property that is signed.

Neighbor #2
And then you'll own the property then when you remediate the land, you'll still own that property?

Josh Skogen
We would, but we-- we're not long-term property owners. [coughing] That's not our business. So what would likely happen is the land would be put up for sale at the end of the project life.

Neighbor #2
Okay. I have one other question, because I know a lot of people have questions. Um, what, what is your valuation of, um, building this? What is your, what is your cost of this?

Josh Skogen
Um, somewhere around two hundred and fifty million.

Neighbor #2
Okay. So, so to remediate the land and remove those batteries, from my understanding, um, from what I've researched-

Josh Skogen
Mm-hmm.

Neighbor #2
-um, it can range anywhere from twelve to fifty plus million to remediate and have that happen. What is your anticipated fund that you so call it, to the county-

Josh Skogen
Yep.

Neighbor #2
-to, to do this?

Josh Skogen
Yep. We will issue a bond for the estimated amount, and that bond will sit for the benefit of the county. In the event it needs to be called upon because we just walk away, [cough] we will be able to call on that bond and have the funds available to do that work.

Neighbor #2
Okay. So if it's fifty million, you're putting fifty million into that bond.

Josh Skogen
That's right.

Neighbor #3
Does that, does that bond grow as the years go by? Because what costs us a million dollars today doesn't cost that in ten years.

Josh Skogen
I know. I wish that was true, though, but, um, it's not. You're right. So what we'll do is have an assessment probably every five years to reevaluate the estimated cost and update the bond amount.

Neighbor #3
Who decides the estimated cost then?

Josh Skogen
A third-party engineer will do the estimate to be approved by the county. [cough] That's the way we've seen it done in other models. Uh, please.

Citizen #1 Steve Sessions
I have several questions.

Josh Skgoen
Yes.

Citizen #1 Steve Sessions
So you're pur-- you're purchasing the property from...?

Speaker 1
The current owner is, um, an EV charging business. Uh, that was their plan for the property. They, they have the property, the name of the holding company called Olin Holdings, LLC.

Citizen #1 Steve Sessions
And so when you purchase the property, you're gonna change that from agriculture to industrial?

Speaker 1
No, we are not.

Citizen #1 Steve Sessions
Why?

Speaker 1
We didn't feel that was the right thing to leave behind.

Citizen #1 Steve Sessions
So you're gonna have a two hundred and fifty million dollar project on agriculture land, paying twenty-eight hundred dollars a year in taxes?

Speaker 1
No, that is not, that's not what we're doing. No. We'll have a conditional use permit-

Citizen #1 Steve Sessions
Yeah.

Speaker 1
-and the evaluated tax is estimated at about nineteen million, uh, for the life of the project.

Neighbor #4
Um, how many best [cough] does your company currently have completed and in operation?

Speaker 1
Accelerated Energy does not have any projects in operation. Myself and my business partners, we've been doing this for twenty plus years.

Neighbor #4
Okay, so my question was, this company right now-

Speaker 1
Yes.

Neighbor #4
-you guys don't have any facilities that are completed?

Speaker 1
That's correct.

Neighbor #4
And a proven track record with your company, there's none?

Speaker 1
Not under Accelerated Energy.

Neighbor #4
[clapping] Okay. So one thing-

Speaker 1

But as a company, [cough] as a team, we've project-... sixty plus projects into operation together from beginning to end, and we've operated and built out platforms, operating the largest solar private, privately held solar energy company in the world. In twenty sixteen, we sold three utilities.

Neighbor #5
And did you put all of these in a residential area?

Speaker 1
Um, we-- it was mixed. There were about twenty different states.

Neighbor #5
Okay.

Speaker 1
Spanning from Virginia to, um, Michigan to California.

Neighbor #5
So currently, what states do you have projects in? I know you have Kansas, and I know you have Colorado. That's all. But you supposedly have six. So what are the other four states?

Speaker 1
We have projects in Kansas, Oklahoma, Colorado, Utah, New Mexico. Lauren, am I missing anything?

Neighbor #5
That's only five. You're, everything's just six. [laughing]

Speaker 1
Uh, six. Well, we have about ten projects across those states. We have three in Kansas, two in Utah, two in Colorado, one in New Mexico, and two in Oklahoma.

Neighbor #6
I just, I just have a simple question. Um, I went directly to the property, probably my sales probably don't see this.

Neighbor #5
What is the benefit of your company doing this to me living here? I know all the downside of things, but what do you say the benefit to me personally, living across the street from your battery systems?

Speaker 6
And internet and phone, so I'll cut it. [laughing]

Speaker 1
Well, I'd like to talk to you about that. Um-

Speaker 6
Go ahead. [crosstalking]

Speaker 8

The road is a little spoiled. I mean, I, I know that-
Speaker 6
I mean, I've lived thirty-five years with those roads. I mean, that coming out of it, man. [crosstalking]

Speaker 8
I know the downside. But what is the benefit to me for? I, I don't think it's going to lower my taxes. I mean, you told me you aren't going to get lower for this being in there. You, you're just going to get lower energy costs. But what is my benefit? Why do I want this across from me?

Josh Skogen
Ultimately, it does result in current annual energy prices for you. So BPU, so our business model, we will sell the energy to a company like BPU. There's no commitment from BPU or us to sell BPU.

Speaker 8
That's what we definitely hear.

Speaker 6
Yeah. But what if they don't want to sell to you?

Josh Skogen
You can-- This grid is operated through multi-state, so actually, you could, you can have customers, uh, beyond just BPU.

Speaker 8
But my energy comes from BPU.

Speaker 9
In the transmission line, I don't know about you. [crosstalking]

Speaker 8
But again, what-- I just want to know what the benefit to me is.

Josh Skogen
Yeah. So it's really that nine million dollars of production cost savings annually on the system providing benefit to you. So it's really being able to capture that wind energy and deliver it locally to the grid, um, relieve that strain at that substation.

Speaker 6
If they buy it.

Josh Skogen
That is the issue.

Speaker 6
If they buy it.

Josh Skogen
And so while you won't probably ever in your life, none of us will see lower energy bills, projects like this are meant to curb your annual costs.

Speaker 6
Well, so now they sell it to some, some city.

Speaker 7
And we just... Correct.

Speaker 6
Right. But I mean, [crosstalking] it's just going to go to the next city that needs to buy it.

Speaker 8
So how do you-

Speaker 6
At that time, it's not going to stay here.

Speaker 9
If you're going to sell it to a different city, how do you propose getting it there? You're gonna pay for the transmission lines from BPU and Energy to, to send it there, or you're going to have your own transmission line?

Speaker 8
The entire country is connected, so you could move-

Speaker 9
I know what the grid is.

Speaker 8
Right. So you could move, theoretically, an electron from here to New York. You can, but there again, you're going to have to cross these property lines, basically.

Speaker 6
Yeah.

Speaker 8
Because BPU ain't gonna let you use it for free, just like Evergy Ain't, New York's not.

Josh Skogen
Right.

Speaker 8
It's not an open door.

Josh Skogen
You can move power across Southwestern Power Pool. Uh, it is an open access system, so I, I can make a virtual trade for anybody independently, privately.

Speaker 8

But then you can trade-

Josh Skogen
From here to, uh, Texas, and then over up to Dallas.

Speaker 8
Right.

Speaker 7
But then we're back to, but then we're back to selling it to someone out of state. [crosstalking]

Josh Skogen
Right. That's, that's not what we're planning to do. We, we are talking-

Speaker 7
But you don't-

Josh Skogen
To energy providers and-

Speaker 7
But you don't have an agreement with BPU currently, that you would sell it to them?

Josh Skogen
We do not currently.

Speaker 6
Then-

Speaker 10
Have you proposed one?

Josh Skogen
Um, what I can probably say is they're aware of the project.

Speaker 10
But you haven't proposed one.

Speaker 6
They will have one.

Speaker 10
Oh, have you, have you pro-proposed something to our local supplier?

Josh Skogen
We, we've made them aware of the project. They, um, have a need that this project very clearly fits, and we are in discussion about the opportunity.

Speaker 10
Yeah. So, so second question, you, you say this project is two hundred and fifty million dollars. What is the valuation that you're going to set on your project for property valuation?

Josh Skogen
Um, the economic benefit-

Speaker 10
No, no, no, not-- no benefits, no savings.

Josh Skogen
I understand.

Speaker 10
If you're going to spend two hundred and fifty million dollars, what is going to be the asset, the assessment value of your property with the project?

Josh Skogen
Great question, and I was talking about the economic benefit.... site, I would have to refer to that. I'm sorry, I don't have it.

Speaker 10
The value of your property. Because the only, because right now, the only way that anybody in this room gains value from this project is not through sales tax, it's gonna be through property tax. So if you say you're gonna build a two hundred and fifty million dollar project-

Josh Skogen
Mm-hmm.

Speaker 10
-and come back, and you, but you have a conditional use permit for agricultural land, what? Five million dollar valuation.

Josh Skogen
Right.

Speaker 10
That is how your projects work.

Josh Skogen
That is not the point.

Speaker 10 Steve Sessions
I-- Then what, what, tell us what your proposed value is. This should, this should be a number you already know.

Josh Skogen
You're right, I should. I apologize, I don't have it off the top of my head, but it is something I can get tonight.

Speaker 10 Steve Sessions
You guys offer the community what they may save over nine, nine, twenty years is not-

Josh Skogen
No, I, I hear you. What-- We've, we've done an assessment of this, um, using our two hundred and fifty million dollar valuation, okay? Not just assuming ag land, just assuming it gets at the appropriately assessed valuation. Our estimate is nineteen million over the life cycle.

Speaker 10 Steve Sessions
Of what?

Josh Skogen
Based on-

Speaker 10 Steve Sessions
Of, of what, of what that will pay?

Josh Skogen
That's... I know that, I know the question you're answering. I apologize. I do not have that number.

Speaker 10
Here's a second, here's a second.

Speaker 1
Yeah.

Speaker 11
That is the property tax that's projected to be generated over the life of the project, is the nineteen million dollars.

Speaker 1
That's right. I think he's asking, what is the assessed value of the property you're assuming to arrive at that?

Speaker 10 Steve Sessions
Because, because I can tell you a million dollars a year from a two hundred and fifty million dollar project, you're not gonna get back. More importantly, this is not a white wall project, meaning that the valuation isn't like a white wall commercial building. It can only be used for one kind of, one kind of project as itself. So if you guys are gonna put two hundred and fifty million, what is the valuation of that project then? Because it can't be used for anything else.

Josh Skogen
We agree.

Speaker 10 Steve Sessions
So all I want-- I just want you to tell everybody in this room, if you agree that you should base the valuation of your project for two hundred and fifty million dollars.

Josh Skogen

Let me follow up with you on what the report says. I just-

Speaker 10 Steve Sessions
I don't want reports. I, this is you-

Josh Skogen
I'm not a tax- expert

Speaker 10 Steve Sessions
You as the owner.

Josh Skogen
I'm not a tax-

Speaker 10 Steve Sessions
You are the one selling this.

Josh Skogen
You're right.

Speaker 10 Steve Sessions
You should know this stuff.

Josh Skogen
You're right.

Speaker 10 Steve Sessions
This is, this is more than your... This is not your first meeting.

Josh Skogen
You're right, and I apologize. I should know that.

Speaker 10 Steve Sessions
This should be on a slide. All of the slides you showed are over generic.

Josh Skogen
Okay, thank you for that feedback.

Speaker 12
So, so even if you did it based, if we did it based on what my property is at, right? And you divide it by your two hundred and fifty million, you should be paying like... Hold on, let me do the math. You'd be paying five million a year in taxes.

Josh Skogen
Okay.

Speaker 12
Yeah.

Josh Skogen
And maybe that's what the county will tell us we owe.

Speaker 12
Yeah. I mean, I think that's-

Josh Skogen
We are willing, we are willing to accept whatever valuation the county puts on this project, okay? It will be up to us to decide whether or not it makes economic sense.
Speaker 13
I have a question. You've been talking about these incidents that have gone down over the years, but they're not zero. Tell us about these incidents. Are we talking about fires, explosions, leukemia in children, leaching into the water and the ground? What exactly are these incidents? Evacuations?

Josh Skogen
Yeah. All of them. Mike, I ask you, because I do have an initial response to that. The incidents are primarily, um, not large fire incidents. Uh, there are fires. It has happened. Uh, it can happen, absolutely.

Speaker 13 Nicole Corsson
Moss Landing was-

Speaker 14
I was gonna say Moss Landing-

Josh Skogen
Moss Landing is-

Speaker 14 Nicole Corsson
-not even on your fire sheet, and that was in January of twenty twenty-five.

Josh Skogen
What?

Speaker 14 Nicole Corsson
Moss Landing in California.

Josh Skogen
Yes.

Speaker 14 Nicole Corsson
That was just in January of twenty twenty-five, and yet it's not on your slide sheet.

Josh Skogen
Yeah, thanks for bringing that one up. So you may have heard of Moss Landing.

Speaker 14 Nicole Corsson
Yeah, we don't-

Josh Skogen
It was a fire in California.

Speaker 14 Nicole Corsson
And it was also a three hundred battery facility.

Josh Skogen
Yep, it was a large installation.

Speaker 14 Nicole Corsson
Just like the one you want to put in here.

Josh Skogen
And it is very unlike the one we want to put here. It was actually very globally unique, and the key differences are, one, it was using technology made with cobalt, nickel, and manganese. Okay? So it generated that very high heat. It had a battery that started to decompose, release oxygen, and create that self-propagating runaway. That was number one. Number two, it was on stacked containers. Okay? So not, uh, an enclosure, one, that they would put one on top of the other, it's because in California, in LA, it's very hard to find available land. So that developer thought they were really smart and decided to stack the containers. That created a lot of safety risks. And number three, it was put inside of a building built in the nineteen fifties that was not up to code. It did not have-

Speaker 13
So why isn't that being regulated? How are you going to regulate that and make sure that these safety precautions are in place?

Josh Skogen
That those codes are now in place, and Mike can speak to that, but that is not allowed.

Speaker 14
But you're putting it around trees. So in our area, it's a residential area with forest land. Should that catch on fire, it's going to catch all of the trees on fire in that area.

Josh Skogen
Yep, and that is some-

Speaker 14
And it will ruin it.

Josh Skogen
Mm-hmm, and that is something your fire department is well equipped to handle.

Speaker 14
That is- [crosstalk]

Speaker 13
Like, on the property.

Josh Skogen
But- [crosstalk]

Speaker 15
... Is there a fire station out there?

Speaker 14
I'm not favoring that.

Speaker 15
Fire station. I mean, the water supply is not good.

Josh Skogen
Thank you. Yeah, and we're taking this very seriously. We were just, um, at Deputy Chief John's- ... office today, talking with him and his assistant chief, uh, about these issues. Um-

Speaker 2
Did they tell you how easily our line breaks? [laughing] As soon as you get that fire hydrant, close the main.

Mike Stanley
So if you'll allow me, let me start to unpack some of the questions.

Speaker 2
Yeah.

Speaker 3
Because you're asking lots of good questions, and I want to provide answers to you to the best of my ability. But before we-

Speaker 2
[clears throat]

Speaker 3
-the machine gun pace, let me start to unpack this a little bit. All right? So, Mary, you asked a question about these incidents.

Speaker 2
Mm-hmm.

Speaker 3
And these are looking at emergency incidents, okay? Not long-term thing. This is, "Do we have to call nine one one" type, okay? This- [clears throat] So what happens is what happens. Initially, what we see-

Speaker 16
Is this what you need for the assessment? I was trying to see if it has-

Speaker 2
Let me see if it has that. It has total revenue and year-by-year breakdown. I don't see assessed value, though. Yeah, this is just a handout.

Speaker 3
Discussion on everybody's home. Moss Landing-

Speaker 2
So they want to know, like, what were the numbers to arrive at that?

Speaker 3
That Josh was just talking about.

Speaker 2
Files.

Speaker 3
A lot of mitigating circumstances.

Speaker 2
No, you want it? It's fine.

Mike Stanley
Talk about lithium-ion batteries, and we're talking about the two classic things. Right? Now, these are not the lithium-ion batteries they're asking about at the airport if you have them in your bag. The-- I can say categorically, there's a thing that's vehicles. Right? There's a classification, vehicle, and lithium-ion batteries is much like that. We say vehicle. A Ford Model T is a vehicle. A Ferrari is a vehicle. But I think we can all agree the engineering and the technology and, and the advancements are wildly different. And the same thing with a Ferrari is a vehicle, and so is a dump truck. [laughing] Okay, they're still vehicles, but there's so many different nuances, you know, and that's one of the main differences when we talk about Moss Landing, is it's a completely different vehicle. The fact that it was inside, and the fact that they were double-stacking the batteries and the technology they were using, horrible, shouldn't have happened. We said, "How do we preve-- Why did that happen?" Those things were allowed, and I'm not bad-mouthing the city of Los Angeles, but those things happened in Los Angeles. They were allowed. We can't be, be held accountable for that. And you said, "Now, how do we make sure it doesn't happen?" That's where your local ordinances and adopted fire codes come in. And we talked at great length with the fire marshal today about not only what Kansas City, Kansas, is doing, but throughout the region, all of the fire marshals that have a consortium that just adopted the most recent fire codes in the twenty twenty-four fire, just adopted that move across-- universally across the agencies. Inside that twenty twenty-four fire code, [clears throat] lithium-ion batteries and invest facilities is specifically addressed, as is in that NFPA ten five. Now, let me, let me keep unpacking. Right? So questions came up about the trees. [clears throat] The biggest concern from my perspective when I come in and work with these communities, work with these fire departments, is preventing vegetation fires. That in the unlikely event that a fire should happen, control the vegetation fires, put out those spot fires so they don't spread and burn up not only the wildlife, the wildfire vegetation, but also that urban interface of the buildings that are amongst those trees, like your houses. We want to protect that. You know, and there's lots of pieces and components inside that NFPA code that talks about vegetation management, distances of setbacks, what type of surfaces you can use around this facility to minimize that. [clears throat] And quite honestly, I love what Josh told me this morning about probably going to let on the, the bigger property, the cows continue to graze. That's an aspect of [clears throat] vegetation management that doesn't normally happen on the bigger property in these type of facilities. Okay? So yes, we want to pre-prevent and protect from the, the wildfire and burn down those, those trees. Absolutely. Then he talked about should there be a fire station there? But I want to back up to, I had another thought around the trees. That same issue holds true. That's basically vacant property right

now, right? And I read that people over the years, not, you know, every day, not that it's, you know, an epidemic, but people have been going out there and dumping their stuff out there, dumping their garbage out there, tires and pallets and stuff.

Speaker 2
Maybe not twenty-four seven, but probably [clears throat].

Speaker 3
You know, I'm betting all the, [clears throat] the local teenagers know about that property.... You know? So if I go out there with a discarded cigarette, I go out there and start a little bonfire to have my little social party, that same risk exists of you could burn down all the trees. Those aren't new risks.

Speaker 17
So there's the same danger, you're telling me, between a bonfire-

Speaker 2
Right.

Speaker 17
-and a battery flame?

Speaker 2
Yeah.

Speaker 17
That's what you're gonna say. [crosstalking]

Speaker 3
I'll tell you this, [crosstalking] the risk-

Speaker 2
That's why it's going into the soil.

Speaker 3
It's more concerning to me about somebody having a bonfire out there than putting that battery. Let me tell you why. That bonfire is an uncontrolled event. That is an open flame event. That is a known fire, right? It's burning. There is no engineering system behind it. There is no preventative maintenance behind that. There is no monitoring associated with that. There is no alarm notification associated with that.

Speaker 2
Except a responsible homeowner doing the burning.

Speaker 3
What's that?

Speaker 2
Except from the responsible homeowner that's doing the burning, unless you're gonna say we're ignorant about-

Speaker 3
No, no, no, no, no, no, no, no. I would never say that, ma'am, number one. Two, the example I gave is not a homeowner, and it's on this property where there, there is not a homeowner, and I talked about irresponsible teenagers.

Speaker 2
And you haven't crossed, why have you yet?

Speaker 17
We're gonna call someone off. I mean, that's what we live there.

Speaker 3
Right. Ab- absolutely. And like I said, just talking about the risk for, for wildland urban interface fires. The question came up about do we need a, a fire station? That is a grand discussion, okay? Do you need a fire station there because the best facility is normal?

Speaker 2
Yeah. We'll figure it out. I do.
Speaker 3
Let me explain.

Speaker 2
That's one of the requirements.

Speaker 3
This bigger question is: do you need a fire station there to protect your community?

Speaker 2
I took pictures of places to start.

Speaker 3
You live there. You might have a house fire, you might have an apartment, right? So that happens on the fire department side, and they look at the risk analysis. Services that Jensen Hughes has offered to, to Excelergen and was offered to the fire department today, is we could come in and do a capability analysis. [coughs] And we're gonna look at what's that response time? What resources come there, which is interchangeable with across the street to your house, right? You know, so identify some of those gaps. All right. Sir?

Speaker 10
So what, what is the fire protection cost for that? [coughing] Because right now, the current fire protection covers the whole-

Speaker 2
That's it. [crosstalking]

Speaker 10
What is the added cost for fire protection?

Speaker 1

Can I just interrupt for one second? I apologize. One of the requirements we have to have back to the county for this is when you have a question, can you please just state your name? 'Cause we have to, uh, list those questions and what our responses were. Greatly appreciated.

Speaker 10
On that, can I ask, is there any BPU, fire, county, city people that here, here tonight at all, and how are they gonna know what our response is to your, uh, proposal is?

Speaker 1
Yep. Um, I would ask, is anybody here representing any of those groups?

Speaker 17
No. So I, I'm Commissioner Chuck Stites, District Seven for Wyandotte County, so I am here taking notes.

Speaker 18
Uh, Gordon Criswell, mayor's office. I've got a few things to notice over here. [laughing]

Speaker 1
Thank you. Sorry to interrupt.

Speaker 2
Do you guys know where the closest fire station is?

Speaker 10
Hold on, let, let, let me answer the, the first question.

Speaker 1
Can you state your name, sir?

Speaker 10 Steve Sessions
My name is... And, and for the next one, it's easier if you just record these. I mean, it'll give you all the information. I mean, the two hundred and fifty million dollar project, that should be the least of your problems. [coughing] And the way we do the small things in life is how we do the big things, and we shouldn't be at the end of the meeting, after an hour in, saying, "Oh, we need to schedule a meeting."

Speaker 10 Steve Sessions
But, but then on the big things, if you come back and say, "Oh, I'm sorry, it's my fault." Like, that's the problem with all of this. It's so vague at the beginning, and nobody knows the information, and you're expecting the community to then have support behind you guys. If you come to these, you guys should be prepared for this stuff. You guys should have the answer. You guys should have-- know what you need to have. Not, I mean, if you're, if you're not winterized now, when you're building a two hundred and fifty million dollar project, you're not gonna winterize it. So back to me, what is the added cost for fire protection for a two hundred and fifty million dollar project?

Speaker 3
[clears throat] And I'm not gonna engage in debate about property valuation.

Speaker 10
No, I'm talking about fire.

Speaker 3
Yeah. [coughs]

Speaker 1
That's what I'm talking about.

Speaker 3
So can I unequivocally tell you today what Kansas City, Kansas Fire Department is going to feel is their impact? I cannot speak to that. What I can tell you is that in my experience in looking at similar projects like this around the country, Jensen Hughes, my office, we think it's a pretty negligible expense because the incident volume-

Speaker 3
-is not big. If we put a seven-story nursing home there, they're gonna call the fire department a lot, and there's gonna be impact.

Speaker 10
Fire, fire protection, fire protection will cover the worst-case scenario.

Speaker 3
Sure.

Speaker 10
... Yeah, worst case-

Speaker 2
It becomes toxic when there is a fire.

Speaker 10
Yeah, so there- you should, you are, you are the expert, so you should have this answer. You should know, like, how many mega watts or whatever you, whatever, how much it costs to protect it. That should be a, that's an industry something, right? You're, you're putting this in our rural, rural communities, and if you talked to our fire chief today, you'd also know that they are severely understaffed.

Speaker 3
Yeah, we had that discussion today.

Speaker 10
So then you should know it's going to cost us even more money.

Speaker 3
Yeah. Theoretically.

Speaker 10
That's not theoretical. [laughing] Go ahead.

Speaker 18

So can, can I just add real quick? Are you asking what it would cost for the fire department to have the necessary equipment-

Speaker 10
Correct.

Speaker 18
-to put out said fire?

Speaker 10
Yeah. He knows what...

Speaker 18
I don't know if everybody is following.

Speaker 10
He, he knows. That's why I asked the way, the language that he used in his, his, his work. He knows. I-

Speaker 3
Yeah, I appreciate the clarification.

Speaker 10
That's right.

Speaker 19
Let's try this another way.

Speaker 3
So when you talk about-

Speaker 19
Let's just try this another way.

Speaker 3
Sure.

Speaker 19
NFPA thirty-five describes how the services for suppression is supposed to happen inside the trailer. The fire is supposed to be suppressed in the trailer before it gets out anywhere else. And so the idea that there's... That's built into the technology, right? That's built into every trailer has its own alarm and stuff to do all that stuff. So we don't need to do that. What we do need to understand, what we do by the way here, is what is the capacity of the flow rate going down the road? I think there's five fire hydrants, [coughs] which is five hundred gallons a minute. How much do we want to calculate if one of these things catches on fire, what is involving, what we need to put that out? There's these kinds of things we want to do, and it takes a long time, but you would contain it within one box. Um, Jensen-

Speaker 10
So you're working fire engine?

Speaker 19
I am. It's right across the street.

Speaker 10
Okay, so well-

Speaker 20
Can I ask a question? Um, my name is Karen. So I heard you talk about cases, like the batteries are in cases, and stacked, and some mechanism. Are those cases protected by something like an alloy? Like, you talked about space or like a heat shield that would contain if there was a fire because it's a case, would contain it within a case.

Speaker 3
Great, great question. So let me kind of chip away at some of the previous question that this gentleman asked me and some of the others, right? [coughs] I heard somebody say, "This is a rural community." I, I will tell you from the projects that I work on, this is an urban community compared to resource response. The portfolio coming in is in working with fire departments that are one station, volunteer fire departments with no hy- fire hydrants in their municipality. That's honest. That's true. Now, do, do I say that they're completely prepared? Not always. That's where that assessment happens. So I'll respectfully disagree with you and say, I should know what the cost of that will be. We offered to engage that capability assessment, fire department, at no cost to the fire department to test it. Celergen was, was kind enough to do that. That's where that assessment comes. 'Cause we're talking about the people and the resources, what they get paid, and how many fire trucks do they have. That's an in-depth analysis. And I, I'll be very honest with all you folks, right? 'Cause I work for a separate company. I don't work for Celergen, I work for Jensen EMAS. And until Jensen Hughes is engaged to do that work, I'm not going to do all that work. I'm just being brutally honest with you. I don't get paid, my company doesn't get paid, and then they fire us. And I'm categorically opposed to that concept. So now, we've offered that to look at when that worst-case scenario happens, or the most mundane thing happens, what is the fire department's capability? Where is the gap, and what needs to happen to close that gap? But for me to do that now, and do all that work, is like me getting insurance support before I go on a first date. I can't do that. It doesn't make sense, okay? Your question's about it, valid, but I can't bring that to the table until I'm engaged to do that. Go ahead. And I'll come back to your question.

Speaker 2
Worst-case scenario, catches on fire. How do you put it out?

Speaker 3
Yeah, great question, and that's going to come back when we tie these two together. That's okay. So I talked about this is an engineered system. You will hear people just kind of glibly throw it out there, this is a shipping container. That helps you get a picture of size, shape, but it is far from a shipping container. It is an engineered vessel to contain... Well, there's a- I'll talk about the engineering that happens inside to make sure it doesn't catch on fire, but it is engineered to contain that fire, and also, we talked about the coatings and stuff. It is built to prevent auto exposure. What that means is, if one catches on fire, it burns up next, and the next, and the next. Some of that is accomplished through the code, through that spacing, but some of it is through the construction of the container itself.... And I'm, I'm coming. I'm coming your way, all right? [clears throat] So what, you know, like, so this is a smart container. It is monitored to the individual cell level. So again, this is not how the technology works. You know, I just want you to help con- conceive this in your minds. It's like a double A battery.

Speaker 2

Where is it monitored at, though? There's not going to be anybody on site. How does it monitor?

Speaker 3
Correct. Much like at the bank, the burglar alarm is monitored off-site. So it's done by a computer. There is a lively being that sits there and watches for that alarm. So what happens is, you know, if we start to see, if they start to see a disruption at that cell level, it starts shutting down the system. It shuts that cell down, and it can shut the rack down, where they've got the s- the, you know, picture mini double A batteries. It can shut the whole unit down. That is designed to keep it from catching fire in the first place. There is some engineering systems in there, and depending on which model you end up buying, whether you buy a Ford or a Chevrolet, [audience clearing throat] they look a little different. Some of them have a clean agent, you know, where they will suppress fire in it. Okay? That... Then when we say, how do we put it out? And I heard somebody talk about toxic gases, too. That let's say one of these catches on fire. I'll, I'll make it put it out. Catches on fire. Anything that catches on fire produces a toxic gas. You, you burn your garbage, it's going to produce a toxic gas.

Speaker 2
Oh, yeah.

Speaker 3
That is absolutely a fact. Okay? [clears throat] Now, the... On the other side of the, of the COG there, I was driving around this morning, saw the household chemical waste storage facility. I don't know what's in there. That changes day to day, probably hour to hour. We very much know what's the off-gassing of that product-

Speaker 21
Yeah, I've got to give it up.

Speaker 3
-specific to anger. That's been tested, that's been evaluated, and [clears throat] we know what toxic chemicals are gonna come off this. Any other fire, house, the fire department goes to, any other structure the fire department goes to, they have no idea. We can tell you within this. And what [clears throat] we will do, and we've done in other circumstances, is what's called a plume model. Well, first we'll do a hazard mitigation analysis, where we'll look at what are those hazards, hazard materials that could potentially come from this product. That has to be done. [audience member coughing] Somebody's happy to do it anyway, but we're gonna... This program is gonna get it. And when we look at plume modeling, that is unique. We will look at unique to that exact spot. Look at weather conditions, things like, like that. I'll, I'll get you.

Speaker 21
Did you say the weather conditions?

Speaker 3
Yeah, like normal, and you know, that normally the wind blows from the west, you know, in this area. So-

Speaker 21
I'm trying to ask, since this system, this, this company, this box will be monitored off-site-

Speaker 3
Mm-hmm.

Speaker 21 Gordon Criswell

-we have F four tornadoes that come through here, rarely, but we have them. [audience member coughing] So if a monitor sees a weather report, that there's a high potential of an F four coming in my direction, that's gonna trigger shutting down your system?

Speaker 3
Not that it... There could be-

Speaker 21
To prevent a fire?

Speaker 3
What's that?

Speaker 21
To prevent a fire, if an F four comes across and destroys this building, won't there be a potential fire or-

Speaker 3
Yes, but it, to qualify that there's a tornado warning for this area to proactively shut down, no. What it, it sees, detects as a disruption. How many times have you, you heard a tornado warning, and I'm not bringing you flip, but how many times have you had a tornado warning, you didn't tear your house down?

Speaker 21
Well, but, but the, the people said, "There's a tornado warning, you need to take shelter immediately." [audience member coughing] Whether a tornado comes or not, and you know, eighty-five percent of the time, the meteorology gets stuff wrong.

Speaker 3
Right.

Speaker 21
But you want to protect your family and your property, so you will take shelter. Same thing with this building. If, if, if there's a tornado warning and it's on the ground, there's gonna be a fire. That building is gonna be blown to smithereens. Are you gonna need to veneer for that? Or how do you prevent the fire that they were talking about when you've got an F four that's ripping everything in attendance?

Speaker 1
Yeah. I think what... If there's an F four, I think we all have, there's a lot of problems, uh, for the community. [audience member coughing] Um, this may be one of them. The way it's mitigated is these enclosures are fastened to concrete pads. They are not, um, easily movable, um, and they are designed for, for certain wind loads, snow loads, severe convection storms like you're talking about, per code, at a minimum.

Speaker 22
Can you answer what the metal is? What the metal casing is around the individual units within the trailer?

Josh Skogen
Yeah. So the way a enclosure is assembled, you have-... Start with a battery cell, which is a, it looks like a brick. It's basically the size of a couple of bricks stacked on top of each other. That's the battery cell, and that is an airtight enclosure that, that has the, the material in it. Um, from there, those cells are put on a rack and wired in series, just like a Christmas light, uh, on a rack. And then those racks are wired together to form the

best enclosure. The, uh, monitoring of the system is done at the cell level. So we will know the state of health of every single cell in the system, and we'll automatically get a notice if any cell is exhibiting behavior out with normal operating conditions. So we can proactively address it and prevent it from going into a state that we're talking about here, which is unlikely, but possible.

Speaker 23
So they're not necessarily separate. They're all in the tray or lined up, but they're not necessarily separated. Say, like-

Speaker 1
Oh, I see what you're saying.

Speaker 23
You have another grid.

Speaker 1
Yes, they are, they are separated.

Speaker 23
What you're talking about.

Speaker 1
Yes.

Speaker 23
What is the [background noise]?

Speaker 1
The cell separators are steel, and then they're separated between the modules. A physical separation.

Speaker 3
I forgot-

Speaker 1
To prevent that cell-to-cell heat transfer.

Mike Stanley
So what I'm going to tell you now, this is getting me on fire. It's coming from a twenty-year firefighter, and it's coming to in the public's perception, the public's expectation of what a fire department does, this is exactly what they do. When we look back here, you know, part of the problems around that is, what's the fire department supposed to do? See a fire, put water on it. [coughs] Strategies and tactics around these facilities is dramatically changing in the American fire service. Now, I'm going to say something here, and probably all going to go, "Oh, my gosh, I can't believe you said that. You can't have said that to him." In that uniform event, where the fire gets to the point that it breaches that container, I want it to continue. Because what happens is, we're going to put a million gallons of water on there, and now you've created this superfund site with products of combustion, potentially into the creek. Now we've got to bait that stuff. We're better off, let that unit run its course.

Speaker 24

For how long? How long will it burn?

Speaker 3
I'll give you a very technical answer: Depends.

Speaker 24
How is that?

Speaker 3
So, so it depends on-- It's unpredictable. It depends on the [coughs] the level of involvement of it. I mean, it's going to depend-

Speaker 1
The technology used.

Speaker 3
On the technology that's, that's used. Right.

Speaker 24
Right, but you guys told us what technology.

Speaker 3
Right.

Speaker 24
So therefore, worst-case scenario, that catches on fire, you should know how long that's going to burn.

Speaker 1
Yep. These technologies are very hard to actually get to ignite into a fire.

Speaker 24
Got it. You don't know.

Speaker 3
No.

Speaker 1
We, we don't know, absolutely. It, it, every case can be different. Um, it could be that day, it could be a few days, but it won't be a volatile fire type case.

Speaker 24
This could be volatile chemicals that the kids are breathing, and there are children, and they're all being breathed.

Speaker 1
What we know is that the chemicals are very similar. Most of the chemicals are very similar to that of a common residential house fire, including VOCs and carbon monoxide. The remaining materials are organic solvents.

Speaker 24
How's it going to burn for days? [coughs]

Speaker 1
Organic solvents that are typically used in your house paint, your vinyl flooring, vinyl siding, your insulation, everyday products we use. Uh, hydrogen cyanide, that's emitted in a house. [coughs] That is no different than what we're doing here.

Speaker 24
Except yours is going to burn for days, right?

Speaker 1
But won't be emitting toxic gases like that.

Mike Stanley
Those things burn for days. Part of that reason, historically, why they burn for days, is because we put water on it. It's, you know, I gave a... Told a story to the, the fire department today. Uh, as a young firefighter, my city had a huge warehouse fire. It was a warehouse that stocked everything for convenience stores, and we were there for ten days, and we put over a million gallons of water on that fire. And this was my observation as a pretty young, naive firefighter. I said, "Well, the fire gets a little bigger, and we put it out." Well, the roof then collapsed. What's the roof supposed to do? It's supposed to shed water. If we would have just let the thing burn and burn itself out, we wouldn't have been there for ten days. So that lack of spraying water on it is going to shorten the length of that, that fire duration.

Speaker 1
And the lack of the heavy metals would cause extreme heat, and will also shorten that duration.

Speaker 3
You made the comment about, you know, people are breathing this. So to talk a little more about plume models, what we want is specific to this location, to this facility. But what I see come out of this-

Speaker 23
Getting the point?

Speaker 3
... is maintain a distance of thirty-five feet, [coughs] which I hope all of you would do. You would stay thirty-five feet away from a fire. [clears throat] And you're talking about the whole atmosphere of air. You know, and we have a, a cute little term where we talk about in the fire service and emergency response, dilution is the solution to pollution. We see that absorbed into the atmosphere, and that plume, that toxic gas, is at a ceiling of three hundred and fifty feet. [coughs] So hopefully, none of you are, are up at three hundred and fifty feet in the air to breathe that, and then it gets dispersed in the atmosphere, and you've had a question forever.

Speaker 25
Yes. I just wanna-- Nicole Crosson. I just want to make a couple of things perfectly clear. You are moving into an agricultural, rural type area, as there's twenty-three acres and cows that's gonna be around this proposed facility. Number one, clarification. Number two, if the Moss Landing wasn't that big a deal, do you realize how deceiving it is for us to believe anything you're telling us because you left an off-the-cuff prepared slideshow to come and talk to us about?

Speaker 3
Okay, this is false. I never said Moss Landing was not a big deal. I said it's a horrible tragedy.

Speaker 25
But do you see how that looks when it's not listed on your twenty twenty-five chart for Project Safeties? That was an event that just happened.

Speaker 1
This, this goes up to the end of year twenty twenty-four.

Speaker 25
But you're here to us now, talking in twenty twenty-six.

Speaker 1
Right.

Speaker 25
So why was that not put on your slide?

Speaker 1
We're happy to talk about Moss Landing.

Speaker 25
But do you understand the perception of what that looks like to come to our community and say that safety and, and try to minimize the fears that the community has about this and say, "Oh, no, it's not going to be bad. Oh, no, we know what we're doing out of..."

Speaker 3
Yeah.

Speaker 25
Do you realize that?

Speaker 3
Yeah, let me offer clarification. Very clearly stated that this information comes from a database.

Speaker 25
Well, I can do a quick [coughs] search and find it if I search best unit fires nationwide.

Speaker 3
Right, but that was not the search engine, you know, the search parameters. [laughing] We said, this is the information that's coming from this reporting body.

Speaker 25
But the-

Speaker 3
That reporting body, I'm sorry to interrupt you, but that reporting body has not released numbers for twenty twenty-five.

Speaker 25
Okay. So you just conveniently left that part out.

Speaker 3
No, not, not conveniently. It's... If you ask, go down to the county and ask today, [background noise] I want data from twenty twenty-five. I want to know how much water was used. I want to know how much property tax was assessed. I want information from twenty twenty-five. [coughs] They're going to tell you, we are closing out that year in January, in the first two weeks of January, we're not gonna have data for you in twenty twenty-- for twenty twenty-five. That's just the way data management works. Okay, so it's not intending to be misleading. [coughs] Josh gave the... And I'm not trying to be confrontational, but Josh gave the information is available from this reporting body. This is a vetted, credible source. Now, I can get on Facebook and look at what's there, supposedly, a best fire in Outer Mongolia. I don't know that that's credible.

Speaker 25
The EPA is pretty credible.

Speaker 3
We're offering a credible source.

Speaker 25
The EPA is pretty credible.

Speaker 1
We agree, we agree, and I, I want to make clear [coughs] that we want-- we're trying, this is an effort-

Speaker 25
Trying to convince us to put it in a revenue show-

Speaker 1
Thank you for the feedback

Speaker 25
Agriculture area.

Speaker 1
Thank you for the feedback. I will make these commitments to you regarding Moss Landing. We will obligate ourselves to do everything Moss Landing didn't before we can be awarded a building permit, okay? And that's, we will not double-stack containers. We will not use NMC technology containing heavy metals. We will not operate this system without a battery management system at the cell level. We will not commence operations with [coughs] an emergency response plan that has buy-in from your fire department. We will not operate this system without being up to the codes and standards of the time in the future, okay? We're happy to make all those commitments. We're making a two hundred and fifty million dollar investment. We don't want it to set on fire either. If I do allow this to set on fire, it's probably the last one we do, okay? I won't have a social license to do another one anywhere else. [coughs] So I am extremely aligned with you to not have this extreme event happen.

Speaker 26

Would you be willing to have headcount security there twenty-four seven, within the development agreement, so that if someone is on fire, I mean, people do sabotage things as well. I'm just curious if you would be willing to put that in the development agreement, that someone would be on site twenty-four seven.

Speaker 1
That's something-

Speaker 27
My name is Teresa. [coughs] Um, first, who makes the battery? Where's the battery coming from?

Speaker 1
Yeah. Okay, so that manufacturing selection, because construction on the project won't start for another three years.

Speaker 3
Where are they mostly manufacturing?

Speaker 1
South Korea today. Okay, South Korea today. However, LG and Samsung, being the two primary in South Korea, they have manufacturing facilities, building cells in Indiana, Michigan, and integrating in Arizona. They've had partnerships with groups like Tesla, uh, and Ford, and those groups are expanding those facilities and making bigger investments to meet the demand.

Speaker 28
... who is the helping make the contingency list for this zoning?

Speaker 1
Uh, I would say any concerns of yours that you have, uh, voice those to your- to us, to your planning commission, to your commissioners. Um, and that can be decided to be put as a condition on the permit. Um, like I was talking earlier, these sorts of commitments and, and the suggestion to have security or monitoring, somebody, at least someone on site twenty-four/seven, those are conditions that can be put into a permit that acts as a contract for us to comply with before we're awarded the permit.

Speaker 28
Okay. So can we see that list before the, the commissioner votes? Because otherwise we're not- [coughs]

Speaker 1
I wouldn't see-

Speaker 29
Not yet.

Speaker 1
I think it would be unreasonable for you to not see that list before you vote on it.

Speaker 28
Okay. And then I was reading, um, so with the zoning, you never have to be rezoned. It can be a conditional for infinity until you're done. How long are the batteries really going to last? From what I'm reading, anywhere

from only thirteen to twenty years. So are you really only here, after you get set, three years for that amount of time, and then you're going to go off into the-

Speaker 1
Yes, twenty years is the intended lifespan. And so at the end of twenty years, we will decommission the project, restore it to its existing condition, including grading, and the conditioning permit will expire because the project will no longer be operating. The conditioning permit will expire, and the zoning will be returned to its previous state.

Speaker 28
So it's just a twenty-year project?

Speaker 1
Correct.

Speaker 28
And it's going to be at a conditional zoning. It really does have tax base. It, it will count to the city later.

Speaker 1
Right. I see what you're saying. This is what I was talking about earlier. Um, we have had a third party do an independent tax assessment. They do this nationally for all sorts of industries, serious tax advisors. Um, and they evaluated the estimated taxes based upon a two hundred and seventy million dollar capital investment, applied the necessary, um, you know, assessment values based upon, uh, this use, not the current use. And that's-

Speaker 28
Okay, because Pulam right now, well, what I know about Pulam, they have continued to get their ag, that property, devalued, while mining is going up thousands of compounds.

Speaker 1
And that's completely unfair. I wouldn't let that happen. And I'm happy to make that-

Speaker 28
You are, but that is-

Speaker 1
I'm, I'm happy.

Speaker 29
You're mining.

Speaker 1
What I mean by that is that can be a condition in the permit. [coughs]

Speaker 29
Another permit, so that will solve the problem.

Speaker 2
Yeah, we just got one. [laughing]

Speaker 10
What, what is the projected sale? [clapping] [laughing] What, what's your projected annual sales?

Speaker 1
Projected annual sales?

Speaker 10
Yeah.

Speaker 1
Um-

Speaker 10
And, and will these sales be based in Wyandotte County or out of state?

Speaker 1
We are estimating, I would say, fifteen to twenty million annually, [clears throat] gross revenue.

Speaker 10
And where will the revenue be based out of, Wyandotte County or out of state?

Speaker 1
Where will the energy be sold?

Speaker 10
Where will the sales be based out of? Will it be based out here?

Speaker 1
Wyandotte County.

Speaker 10
It'll be, so it'll be fifteen to twenty million, right?

Speaker 1
Correct.

Speaker 10
In Wyandotte County.

Speaker 1
Yes.

Speaker 10
And then you're willing, you're willing... So are you also willing to pay the sales tax that will not be collected when you sell to a data center in the state of Kansas?

Speaker 1
Yes.

Speaker 10
Because if you-- [coughs] Are you going to put that in your contract? Because if you sell, if you sell it to a, the data center in the state of Kansas, they don't pay sales tax. They have a sales tax exemption.

Speaker 1
We don't have a sales tax.

Speaker 10
No, no, you, you, you don't pay it. The user, the purchaser pays the sales-

Speaker 1
Oh, on the energy sales?

Speaker 10
So, correct.

Speaker 1
Yeah.

Speaker 10
So are you willing-- So, and, and what I'm getting with these questions is, you're asking our res- the residents to support your project, but so far, there is no benefit. Let's take the health and safety. We have to assume that the safety and fire is going to be taken care of. But the difference is, you're bringing a two hundred and fifty million dollar project, that you're going to be making money from our community, off of being in our community, and you're claiming to only pay a million dollars a year in property tax. But a simple basis is four point nine million on a two hundred and fifty million dollar project. So that number is already drastically wrong. And also, I don't think you guys are will-- I know you're not willing, you're not going to do it, but to pay the sales tax that's going to be what?

Speaker 1
I don't, I don't disagree with what you're saying. I think we're willing to pay whatever-

Speaker 10
I know.

Speaker 1
The jurisdiction.

Speaker 10
Yes, yes, yes, I understand. [coughs] The problem is, these projects very much don't pay anything. This, your project isn't any different.

Speaker 1
What are you basing this on?

Speaker 10
Because right now in the state of Kansas, when you sell that power to, to a data center, which is where this is going, the reason why you are in our community, is we are not a loss of power here. We don't have a power...

We don't, we don't, we don't have power problems. More importantly, we have excess power. We have, we have DUs that doesn't produce close to what they need to be. So you're-- we don't have windmills in our, in our area, so you're not saving the... You, you're doing that from out of state, and you're reselling out of state. But if you sell it to a data center, there is no sales tax collected.

Speaker 1
We will have sales tax on our revenue.

Speaker 10
Not if you sell to a data center. The state of Kansas has tax exemptions.

Speaker 1
Okay. [coughs]

Speaker 2
... partner with BTU?

Speaker 10
Yeah.

Speaker 2
We get a benefit.

Speaker 1
I would love to.

Speaker 10
The value of the money, why did you bring?-

Speaker 1
What's that?

Speaker 10
I mean, so the first is that the group that can speak for our entire community is somebody from BTU, which is a publicly owned utility.

Speaker 1
Correct.

Speaker 10
The value would have been to bring somebody in here from them, to be met with them.

Speaker 1
Yep.

Speaker 10
Because I don't know who you met with, but I asked, I asked nine people in the last two days, and not one of them met with you. So I don't know who you met.

Speaker 1
We've met with your general manager-

Speaker 10
Who?

Speaker 1
-your CFO, and your chief operating officer.

Speaker 10
What's his name?

Speaker 1
Andrew Ferris.

Speaker 10
Okay.

Speaker 1
Um, we met with Jarvis, your chief operating officer, is that his name?

Speaker 30
Jeremy Ash.

Speaker 1
And then Jeremy Ash, general manager.

Speaker 10
And what, and why, and why would they show up? If it was a benefit to us, then why wouldn't they show up?

Speaker 1
They are not a partner of the project currently.

Speaker 10
They are a partner of us.

Speaker 1
They were invited.

Speaker 10
And they chose not to show.

Speaker 1
Exactly.

Speaker 10
So, so, so you invited, you invited Jeremy Ash to show up. So I can call him tomorrow and say, "Did they, did they invite you to show up tonight?"

Speaker 30
You don't have to, I just texted him. [laughing]

Speaker 10
What is he, what is he going to say? What is he going to say?

Speaker 1
Do you recall who specifically we invited?

Speaker 10
No, you sent it. You're representing this, my friend.

Speaker 30
I have a team.

Speaker 10
Did you invite them?

Speaker 30
And I have a team, and I'm asking my team who we invited. I personally invited Jeremy, Amber Aubry, and Chris.

Speaker 10
What did he say? Down there.

Speaker 30
Yeah. We were with them this morning, in fact, and he said he would try to make it, but like everybody, other schedule. So they're well aware of this project.

Speaker 10
When was, when was this meeting presented?

Speaker 30
Oh, I'd say just about two weeks.

Speaker 10
Can we assume then, if we knew about this weeks ago, inviting somebody like Jeremy Ash as the head of BPU, probably a busy gentleman, inviting him to this meeting from this morning is probably not the way to do it.

Speaker 30
No, I invited him anyway.

Speaker 2
I would like to know on the first meeting when we received it the day of the meeting.

Speaker 17
Yeah, we received it in the mail for the first meeting, and that's why we weren't able to attend it. It came the day of the meeting.

Speaker 2
We didn't know about the first meeting, and we live across the street.

Speaker 10
You think that-

Speaker 2
I'm just saying that as a BPU resident.

Speaker 31
I'd like you to address the noise level. You did talk about acoustic modeling and how it was going to reduce the noise level. My research shows that these plants typically produce about ninety decibels of noise, which is more than double the residential limits of forty-five decibels. How many decibels of noise reduction does your predicted model show?

Speaker 1
You typically see fifty to fifty-five decibels at the fence line.

Speaker 31
Well, that's still going to be loud.

Speaker 1
Um-

Speaker 31
These things have the noise level of topography.

Speaker 32
Here is the noise survey that is done at the site. You'll see that it's not a drive, it oscillates entirely between morning traffic and evening. So nothing compared to ninety decibels. Um, so I offered to put a noise monitor on anybody's house if they want. We have three of them. We can collect data at your house. I am mostly concerned about noise more than anybody else.

Speaker 17
Forty-five.

Speaker 2
Forty-five is the maximum residential limit, so that's three houses.

Speaker 1
You can hear it at all.

Speaker 2
How can we know one period? [crowd murmuring]

Speaker 10
Hey, hold on. She's trying to talk.

Speaker 31

If it's such a big investment, um, why only a twenty-year lifespan? And if after twenty years, why not re, I guess, re-implement it? Because the level of investment, what makes it just in that twenty years?

Speaker 1
Twenty years is typically the performance of these batteries. Batteries degrade over time, so after twenty years, without adding additional batteries, which is called augmentation, the system is not providing the capacity, something like necessary to really justify the investment. They can be reused, salvaged, recycled, or disposed of safely.

Speaker 33
Can I piggyback on her? Um, so than the study of technology, there is a technology that could make the durability be there longer and with better battery pack, because that's the same battery technology, which is-

Speaker 1
Yeah, potentially, it is a technology that is up and coming. Sodium ion is the question. Um, vendors outside the country are already switching to sodium ion because it is proving to be a good use case for a lot of applications. Uh, it has commercial barriers to entry into the market still, cost being one of them. Um, but I think within three years, it could be a potentially viable technology for a project like this.

Speaker 33
Because I think it's-

Speaker 31
You never answered my question. How many decibels of noise reduction does your-

Speaker 1
We will abate it to existing levels at all nearby residences, or we will not be allowed a building permit, and we're happy with that condition.

Speaker 10
Are, are you able to share the, um, results from the canvas biologists and all those reports you got back?

Speaker 1
Absolutely. It is a public document right now. All those are public documents.

Speaker 10
Where can we find those at?

Speaker 1
... Um, you would have to call your county staff to, um, it's all been submitted, but they are public documents. But I'm happy to grab your email-

Speaker 34
Yeah.

Speaker 1
-and send them directly to you.

Speaker 35

Thanks. Um, a few years ago, I talked to Richard Petty, and his organization tried putting in a camp for disabled children, and that was eventually denied because of the environmental impact and of the, uh, rare wildlife. It was taken off the endangered species list in twenty fifteen, and my understanding is that the state does not want to disturb their habitat, which is part of that area over there. Um, so that would it'll be back on the, um, endangered species list. Uh, what is, what is going to be on the environmental impact of the native wildlife?

Speaker 1
Yeah, that's a great question. Environmental impacts, uh, are something we also take very seriously. Um, we have done [coughing] assessments. We've had, uh, licensed biologists in the state of Kansas do on-site, uh, pedestrian surveys to identify any potential species habitat of endangered or critical, um, or listed species. They submitted the findings of those reports, which did not find anything, um-

Speaker 35
There's no wildlife?

Speaker 1
No critical, endangered or listed species are on there, and those reports were submitted to both Kansas Department of Game and US Fish and Wildlife. Uh, we spoke with both those agencies, and they have provided written correspondence back to us stating that there are no potential negative impacts associated with this project.

Speaker 35
That wasn't my understanding, and we'll let it go for now.

Speaker 34
Um, I'm happy to provide it directly to you. Just grab your email and grab it for sure. [coughing] Happy to send those reports to you.

Speaker 35
What was the question? I'm sorry.

Speaker 1
Oh, I'm sorry. Yes, she was asking if I could send reports to her and the correspondence from Fish and Wildlife. So I will happily.

Speaker 34
What you're proposing is proprietary for somebody to just go plant five miles from here and do what you're doing?

Speaker 1
Um, any licensed business, um, can put power onto the system as a private independent [pause] What we're doing is not proprietary. You know, we have trade secrets in how we identify locations like this that are starving for power, affordable power, during peak hours. But what we do in terms of operating facilities, it's a very common business model, um, that goes back all the way to coal and gas plants. Utilities are capital [coughing] just like any other business, and so they can't own every single asset. They end up buying power from independent power producers, like Accelogen, through long-term contracts.

Speaker 35

And do you have a chart or data on that three million consumer analysis? Because I have time to apply it. It's not going to be because they're selling us. But, um, you know, I figured that's where the electricity is going or maybe [coughing] plants. But where, where are you getting that data from?

Speaker 1
Yep. So Kansas City Board of Public Utilities posts their energy fore-forecast, their integrated resource planning. That is a document on their website. Um, and through conversations with them and other, um, load-serving entities like Energy, um, the demand is forecasted to double through this decade.

Speaker 35
We agree.

Speaker 1
I understand.

Speaker 36
Do you have any... [coughing] Because I kinda breezed through that really quickly. Do you have any, uh, literature or documentation to kinda show what the inside looks like on the inside?

Speaker 1
Yes. Yes. The question was, do we have any [coughing] photos or documents that show what the enclosures look like on the inside? Yes.

Speaker 34
My name is David Romm, and, uh, my question is, what is the proposed timeline for this project, uh, everything that was going on?

Speaker 1
The earliest we would commence construction at this point, realistically, is January. It's possible we could start operations in twenty twenty-eight, but likely twenty twenty-nine.

Speaker 35
When does construction start?

Speaker 1
Twenty twenty-eight. I'd say as early as twenty twenty-eight.

Speaker 34
It's gonna take you over a years to get there out there. [laughing]

Speaker 1
Yeah, that's why... That's what makes it why I did bring a piece of coffee. Do you want to put this on? That's one last like [static noise]

Speaker 34
One thing that you said, this whole thing that piqued my interest is improving the road and the BP Metropolitan Avenue. Um, I've lived there. So I guess my question is, you can't really wide that road without the other people seeing it as a BP, as everybody else.

Speaker 1
Exactly.

Speaker 34
So, [coughing] I guess I want to see something that says how you're going to improve the road, what are you going to do to them, and that before you clean it. Is that going to happen before you get a building permit? Is that all talked about or discussed before the building permit is issued, or what's the best stuff?

Speaker 1
That's a great question. So the way that typically works is the condition to improve eighty-eight Street Metropolitan will be put on our permit, our condition use permit, as a requirement to get a building. So that would require proactive involvement with your road department to discuss how that will be done, and that won't be done overnight, to your point.

Speaker 34
Right.

Speaker 1
So if the permit is awarded in the near future, we would start that work-... um, to understand how that's done. There's, my understanding, there's some, uh, erosion problems. The culverts are undersized. All that we would love to see improved.

Speaker 18
I mean, the infrastructure needs we're doing, it's, it's a process.

Speaker 1
Yeah.

Speaker 18
I guess putting new blacktop on the road is not what I would say would be an improvement. You gotta widen, you gotta widen the road, and you're gonna widen all this before you start the project or after?

Speaker 1
We would widen it before. We would put, you know, do the rural, uh, Ricky, with your own department, was thinking a rural profile, you know, maybe a twelve-foot lane on each side with a ditch profile on either side.

Speaker 37
[crowd murmuring]

Speaker 38
The, the view from Metropolitan, I understand, is important to the people that are on that road, but there are views in the surrounding area that are such that they would be able to see this plant, uh, and not just a bunch of trees and, and all the structures you're showing right now. Because, um, the surrounding areas almost look down upon this, right at it, and what are those views going to look like?

Speaker 1
Yeah, so the question is, what it will look like from the homes up, up here?

Speaker 38

Yes.

Speaker 1
Um, my understanding is you wouldn't have a clear line of sight to this location due to tallest, due to the, the size of the trees and the topography.

Speaker 38
Well, I know the next-door neighbor is going to see it pretty easily. And the people on eighty-eight Street, what's it going to look like from four thirty-five? Um, you know, all the things familiar to you in the area. The picture from Port, from Metropolitan, I mean, that's a no-brainer.

Speaker 1
Yeah.

Speaker 38
Yeah.

Speaker 18
I'm Miles. I live in that populace right there across the street from it. So I can shoot the top of that hill clear as day. I can see almost down there clear as day.

Speaker 1
Yep. So we, uh, we had a consultant do the visual modeling based upon the topography and the layout. And this, this location near the entrance was the only location their models were telling me it was visible from, from either four thirty-five or Metropolitan. And then, when we did the modeling-

Speaker 37
[crowd murmuring]

Speaker 1
We have not done modeling from, um, you know, any residents here.

Speaker 38
That's what I mean.

Speaker 1
Due to the visual screening existing, we are not touching any of this. This will all be maintained. We want to maintain an aesthetic buffer all the way around.

Speaker 18
Are you going to own that piece of property that's to the east of where you're going to build?

Speaker 1
We do not have this property under control.

Speaker 18
Who owns that?

Speaker 1

That is a company that has it under the name Olim Moldings, LLC.

Speaker 18
That's the four seven across from my street.

Speaker 1
That's the company we would have to get.

Speaker 2
How tall is the building that you're going to be in, I guess?

Speaker 1
Yeah, the enclosures are typically seven to eight feet tall.

Speaker 2
And how wide are you talking?

Speaker 1
Yeah.

Speaker 2
I mean, you have that big box there, but how much?

Speaker 1
Yep. Uh, think, think of a thirty to forty-foot shipping container visually. That's what the enclosure size is.

Speaker 39
Can you go back to the picture of the entrance?

Speaker 37
[crowd murmuring]

Speaker 39
Okay, so you show the gate there, and then you show the road. So you're going to put the road where the gate is?

Speaker 1
Yes. That's the proposal in the current layout.

Speaker 39
And that is not within the green area, correct? It's not.

Speaker 1
It is not in the green area, yes. It is right here.

Speaker 39
Because the power, that is the power relay station, right?

Speaker 1

Yes, this is the power station, yeah.

Speaker 39
So the entrance is way down by your house.

Speaker 2
Right. Right.

Speaker 39
Because-

Speaker 2
It's right across the street from, uh, Elias's house.

Speaker 39
Yeah.

Speaker 2
Where it is now. [coughing] Between your house and Elias's house. Um, so you're using eighty-eight Street to, to bring all that stuff in, or are you using-

Speaker 1
We would exit off four thirty-five at the top and then improve eighty-eight and Metropolitan back to consistent.

Speaker 39
And that's before or after?

Speaker 1
Yes. Yes, it would be-

Speaker 18
No damn way you're going to get them trucks up that road.

Speaker 37
[crowd murmuring]

Speaker 18
So you're going to take part of my...

Speaker 37
[crowd murmuring]

Speaker 18
You're going to infringe on my easement to make a different road or something. I don't want that.

Speaker 2
Correct. Yes. You're going to take my venue out.

Speaker 18

Do you realize our gas line is a foot off the road? You going to move that shit, too?

Speaker 1
We would have to move all the stuff to meet the twelve-foot road width.

Speaker 18
Yeah, they gotta move-

Speaker 39
So in addition to everything else that's not been passed, you want to take part of our house, you want to make it so we cannot get in and out for a period of time because you're doing something with the road, and then you want to make it so nobody has utility access on their own stuff? No. Or water.

Speaker 1
So I think what we're going to do, we're not getting the twelve-foot lane-...suggestion was an initial suggestion that is not by any stretch an approved, uh, [coughing] cross-section of that road.

Speaker 35
But that's what you told us you wanted to do.

Speaker 1
This was a suggestion from the road department, that they're not-

Speaker 2
What was the cost on that?

Speaker 1
So it'd be about a mile of road improvement.

Speaker 2
A mile? [coughing] Um, what's the projected-

Speaker 1
Uh, you know, I would say per foot of road improvement, it'd be, you know, fifty bucks a foot, fifty to a hundred bucks a foot.

Speaker 2
No way. [laughing]

Speaker 35
Right. But, but you can't-

Speaker 2
Very fair boy.

Speaker 35
You can't, you can't [coughing] make the road wider on the other side of the street, unless you go through every single one of those high power poles.

Speaker 2
Because it's only gonna get down.

Speaker 41
But your information is ever-changing. First, there's gonna be a real, you know, nice big, wide road, [coughing] so we're gonna have to take our property. There's going to be this type of battery, but in three years, it could be a different type of battery. You see what I'm saying? You've got nothing set in stone, except you want to come in and put this right in the middle of our neighborhood.

Speaker 1
Subject to all the conditions and requirements that you put on us.

Speaker 41
Okay, I wish that...

Speaker 35
I want a requirement that my house value not go down, but you're not gonna give me that.

Speaker 41
Where else did you look to put that in?

Speaker 1
Locations?

Speaker 41
Yeah.

Speaker 1
We looked all in a twelve-state area.

Speaker 41
Okay, and why not here? Where else would you think about putting it?

Speaker 1
This was the location that had the highest price volatility, we call it, meaning the most suggestive-

Speaker 35
Volatility is?

Speaker 1
That particular substation. And with, with that technical aspect of it, it also offered a site [coughing] that was already cleared, and a site that had access from the interstate.

Speaker 35
So basically-

Speaker 1

It also had existing network screening surrounding it. [sighing] So we saw it as an area that was infrastructure-ready for a project.

Speaker 25
So you didn't look into Fairfax?

Speaker 1
We evaluated all the twelve states in the Southwest Power Pool and looked at over a hundred and fifty substation locations at the one hundred and fifty KV level, which this is at, and this particular substation was in the top five percent of the most price volatile locations. I shared that information today with your local energy provider, and they were not surprised.

Speaker 35
We suggest you put it someplace that's not near people's houses.

Speaker 41
Correct. In an industrial area.

Speaker 25
Take Fairfax.

Speaker 41
Fairfax.

Speaker 35
Milton. Someplace, we don't want it in that area.

Speaker 41
No.

Speaker 35
Not at all. I mean, is there anybody here that wants this? Anybody? Raise your hand if you want it here. Okay, what's that telling you? We don't want it. Not at all.

Speaker 41
He doesn't care.

Speaker 35
He doesn't. He wants to make millions of dollars, and he's willing to sacrifice every single person in here to any extent to make it, because he-- all he cares about is making his millions of dollars, and he's willing to sacrifice our homes, he's willing to sacrifice our values, he's willing to make sure that you can't get in and out of your home. [coughing]

Speaker 1
That's not true.

Speaker 35
Because he doesn't, because, because of the road.

Speaker 1
So-

Speaker 35
Which if you want to do, just take them out, we don't care. So you're gonna be on my side, [coughing] taking more of my property.

Speaker 1
So the solution might then be to not have the road widened, but have it improved, but not have it widened, and then just use traffic control during the short construction period to manage up and down eighty-eight.

Speaker 35
Oh, so once, you know, if you're lets people get to and from and an hour of that.

Speaker 1
Just during a construction period.

Speaker 35
No, it doesn't matter. So just during construction period, if I decide I want to go to the grocery store, I can't. If I need to go to work or come home from work, I can't. If I decide I want to go to the movie lot and have a freaking beer at five o'clock in the afternoon, I can't, because you don't want me to.

Speaker 1
You know what? That's not right.

Speaker 35
Yes, it is. It is.

Speaker 40
How many of these have been put in [coughing] residential areas? How many of these have been put in residential areas that have kept homeowners' property taxes neutral or low? You know.

Speaker 35
And what has it done to the property values?

Speaker 1
The property values. That I-

Speaker 35
And the marketability of that. [coughing]

Speaker 1
Half of your taxing authority. That would be a question of value.

Speaker 35
What about marketability?

Speaker 1

Marketability and value to homeowners, there's been an impact. So what we would see is a pretty quiet neighbor that is not increasing noise, creating odors, or increasing-

Speaker 35
From what you don't understand, from the second floor of our house, you can hear it. [coughing]

Speaker 40
And you just said-

Speaker 35
Absolutely

Speaker 40
... it go up to ninety decibels.

Speaker 1
No, I didn't.

Speaker 40
We researched that it could go up to ninety decibels possible.

Speaker 1
No, we don't see that with the technology we're using.

Speaker 35
Okay, but see here, here's the bottom line.

Speaker 25
Do you want to live next to it? Would you want to live next to one?

Speaker 35
He's gonna say he would.

Speaker 25
Yeah. I'm being, I'm being so serious because we're talking about people's homes. [coughing] Some of us have lived here... My daughter's the fifth generation to live in my home. These are lifelong families that have lived in this area, and you're talking about their home. So that's why I ask respectfully, would you want to live next to this?

Speaker 1
I would see it as a quiet neighbor that would prohibit other development, yes.

Speaker 35
Because he's making a few million dollars off of selling that to you.

Speaker 41
No, and here's the long and the short of that, [coughing] no disrespect whatsoever. So we're having this meeting tonight, which is like a meeting before it goes to the bank, correct? Because we're supposed to have all the information, right?

Speaker 25
Yeah, on that note, that's something-

Speaker 1
... to make, um, the project. We want to partner with you, there's-

Speaker 15
We don't want to partner with you, we want you to go elsewhere.

Speaker 42
But you don't have any facilities completed.

Speaker 1
To do.

Speaker 42
But this company-

Speaker 1
Correct.

Speaker 42
-can verify. You don't?

Speaker 1
What's different between doing this under the banner of-

Speaker 42
Well-

Speaker 1
-the banner?

Speaker 42
Because you work for a facility, and not the other company.

Speaker 1
Experience.

Speaker 42
I know, well, I know what this other company is, and I don't care.

Speaker 1
So we want to-- I don't have answers on the technology, [coughing] or the exact road spec. And I don't have the spec on what your baseline noise levels are at your existing residences. But I'm happy to be subject to making sure [coughing] that I have a road spec that we build, that you're all happy with in your county.

Speaker 15
We're not happy with it yet.

Speaker 1
Prior to getting a building permit.

Speaker 15
You're not listening. We don't want it.
Speaker 1
And I'm also happy to have a condition to use the technology [coughing] that is proven to be the safest in the industry.

Speaker 42
But you wouldn't-

Speaker 1
Heavy metals. [coughing]

Speaker 42
You have the voting to approve it, correct?

Speaker 1
But he's voting to approve it based on these conditions, so I cannot improve without showing you one.

Speaker 43
And I'm pretty sure if they deny them, they can come back in thirty days with permission, just like the data center.

Speaker 1
Correct.

Speaker 43
So it'd be an ongoing thing where everybody's having to call and email nonstop until they give up, or we give up.

Speaker 1
I still-

Speaker 43
That's basically, that's basically what I-- my understanding is. [coughing]

Speaker 44
I still say from my original question, and the third one that's here, what, how does this benefit any of us? I, I live by it. How does it benefit anyone who lives by there? You told us random, generic things-

Speaker 1
Mm-hmm.

Speaker 44
-but nothing... You said benefits from living by this battery. [coughing] I mean, there's no benefit to it.

Speaker 42
None whatsoever.

Speaker 44
Yeah, you don't-

Speaker 42
Nothing.

Speaker 44
You don't-

Speaker 42
Intelligent.

Speaker 44
You, you don't pay sales tax if it goes to a, uh, a data center. Uh, you know, will I ever see any of the nine million dollars of tax [coughing] that you're going to pay or nineteen go to us? No, I won't. Uh, there's no benefit to any of us for this going in. No, no benefit whatsoever.

Speaker 1
The land is good now. We can't make it better. The landowner has the right to do with their land. [crosstalk]

Speaker 44
That's what I want to hear, is what, what, how does this benefit? Where do they do know the wider replication of properties? I want to see something I don't see from you. [crosstalk]

Speaker 1
The county, I think, has an interest to do that.

Speaker 45
Okay. [crosstalk]

Speaker 1
All right. Well, thank you. I think this is like a wrap. I appreciate everyone's questions and attendance. [crosstalk]

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now MICHAEL G TAYLOR, of lawful age, sound mind and upon his/her oath states as follows: (ON behalf of Accelergen Energy

1. That I am the petitioner for Petition # SP 2025-094.
2. That I conducted a neighborhood meeting on JANUARY 13, 2026
3. The notice to nearby property owners was sent on December 30, 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.

Michael G Tay
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 20th day of January, 2026.

My commission expires 8th of December, 2027.

KASANDRA WRIGHT
Notary Public, State of Kansas
My Appointment Expires
12-8-2027

Kasandra Wright
Notary Public



Westwood

accelergen ENERGY
3736 Bee Caves Road, Suite 1
Austin, TX 78746

EAST SIDE BESS
Wyandotte County, Kansas

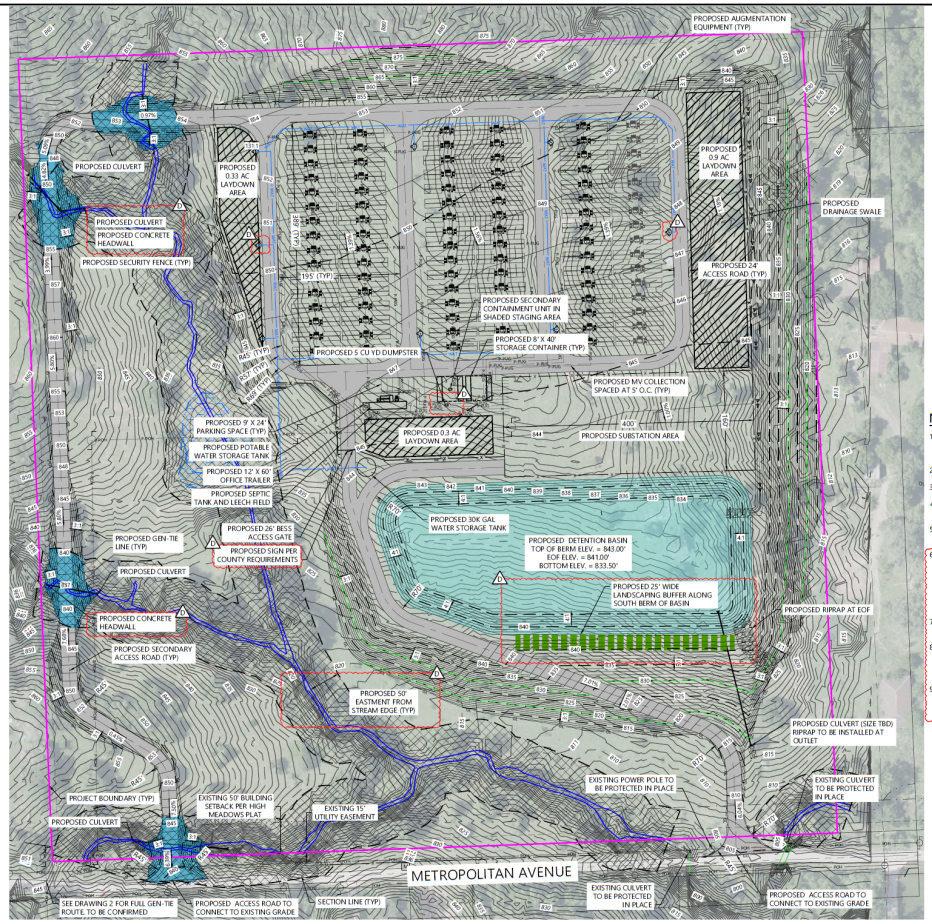
EXHIBIT SHEET

ALTA/NSPS
LAND TITLE SURVEY

PROJECT NUMBER: 0051002.00
DATE: 08/08/2025
SHEET: 2 of 2



2 OVERALL GEN-TIE ROUTE
1" = 80'



1 OVERALL SITE AND GRADING PLAN
1" = 80'

LEGEND:

- PROJECT BOUNDARY
- PARCEL LINES
- SECTION LINES
- RIGHT-OF-WAY LINES
- EASEMENT LINES
- SETBACK LINES
- EX. INDEX CONTOUR
- EX. INTERVAL CONTOUR
- EX. PAVED ROAD
- EX. GRAVEL ROAD
- EX. FENCE
- EX. CULVERT
- EX. OVERHEAD POWER
- EX. STREAM CHANNEL
- EX. WETLAND
- PROPOSED STREAM & WETLAND OPEN SPACE EASEMENT
- PROPOSED 24' ACCESS ROAD
- PROPOSED SECURITY FENCE
- PROPOSED DRAINAGE BASIN
- PROPOSED LAYDOWN YARD
- PROPOSED UNDERGROUND MV COLLECTION
- PROPOSED GEN-TIE LINE
- PROPOSED POWER POLE
- PROPOSED INDEX CONTOUR
- PROPOSED INTERVAL CONTOUR
- PROPOSED DRAINAGE SWALE
- PROPOSED GRADING LIMITS
- PROPOSED SLOPE PROTECTION TERRACE
- PROPOSED RIPRAP
- PROPOSED CULVERT
- PROPOSED CONCRETE HEADWALL
- PROPOSED 0.73 AC DISTURBANCE WITHIN STREAM & WETLAND EASEMENT
- PROPOSED WATER LINE
- PROPOSED FIRE HYDRANT

NOTES:

1. THIS PLAN IS PRELIMINARY AND SUBJECT TO CHANGE. ITEMS TO BE DETERMINED DURING DETAILED ENGINEERING (INCLUDING BUT NOT LIMITED TO): PARKING AREAS, O&M, SIGNAGE, GRADING, FIRE WATER CONTROLS, EROSION CONTROL MEASURES, AND STAGING AREA.
2. PLAN AND CONSTRAINTS ARE BASED ON REQUESTED SETBACKS GENERATED FROM WETLAND, FEMA, AND SURVEY DATA PROVIDED BY ACCELERGEN.
3. FURTHER SITE DESIGN DETAILS ARE SUBJECT TO COUNTY OF WYANDOTTE AND KANSAS STATE REQUIREMENTS
4. PROPOSED BATTERIES, PCS, AND SUBSTATION EQUIPMENT SHOWN ARE FOR REFERENCE ONLY. CONFIRM WITH MANUFACTURER SPECIFICATIONS AND SUBSTATION EOR.
5. QUANTITIES ARE PRELIMINARY AND FOR ESTIMATING ONLY. QUANTITIES PROVIDED ARE SUBJECT TO CHANGE BASED ON REVISED LAYOUT, UPDATED CONSTRAINTS, AND FINALIZED DESIGN.
6. ALL WORK IN PUBLIC EASEMENTS AND RIGHT-OF-WAY AND ALL EROSION CONTROL WORK MUST COMPLY WITH THE LATEST EDITION OF THE TECHNICAL PROVISIONS & STANDARD DRAWINGS FOR ROADS AND SEWERS, OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS. IF ANY OF THE GENERAL NOTES CONFLICT WITH THE TECHNICAL PROVISIONS & STANDARD DRAWINGS FOR ROADS AND SEWERS, OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS (THE UG), THE UG'S STANDARDS SHALL OVERRIDE.
7. ALL CONSTRUCTION TRAFFIC, TEMPORARY TRAFFIC CONTROL DEVICES, AND PAVEMENT MARKINGS SHALL CONFORM TO THE REQUIREMENTS OF THE LATEST MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
8. THE DRIVEWAY ENTRANCES WITHIN RIGHT OF WAY SHALL CONFORM TO THE UNITED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KANSAS TECHNICAL PROVISIONS SPECIFICATIONS. SEE UG DETAILS I.E., UG 4100-G. IF A WIDER DRIVE ENTRANCE IS REQUIRED, PLEASE SUBMIT A WAIVER REQUEST AND INDICATE REASONS FOR THE WIDER DRIVE ENTRANCE.
9. PERMITS TO BE OBTAINED PRIOR TO STARTING CONSTRUCTION INCLUDE BUT ARE NOT LIMITED TO: UNIFIED GOVERNMENT OF WYANDOTTE COUNTY, PUBLIC WORKS DEPARTMENT, RIGHT-OF-WAY, HAULING, LAND DISTURBANCE, EROSION CONTROL, ETC..

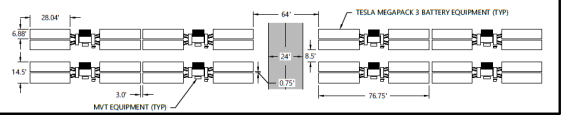
EARTHWORK QUANTITIES

LAND DISTURBANCE AREA	21.73 945,900	ACRES SF
IMPERVIOUS AREA (NET)	539,100	SF
RAW CUT	172,500	CY
RAW FILL	144,500	CY
RAW NET	28,000 (CUT)	CY

NOTE: NET IMPERVIOUS AREA CALCULATED ASSUMING ALL EXISTING GROUND IS PERVIOUS UNLESS THERE ARE EXISTING STRUCTURES OR IMPERVIOUS SURFACES WITHIN THE PROVIDED SURVEY. ALL PROPOSED GRAVEL SURFACING COUNTED AS IMPERVIOUS.

East Side BESS BESS Project Preliminary Layout:	300 MW X 4 h	
Nominal Power Required at POI	300.0	MW
Nominal Energy Capacity Required at POI	1200.0	MWh
Block Count (initial + augmentation) - 1 MVT/MVS per block	80 + 16	
Medium Voltage Transformer or Skid	MVT or MVS Manufacturer and Model	TBD 4.6MVA MVT
	Transformer Rated Power (standard conditions)	4.600 MVA
	Transformer Rated Power (site conditions)	4.600 MVA
	Assumed Real Power delivered to POI at BoL	3.750 MW
BATTERY CONTAINER INCLUDES BATTERY MODULES, BMS, & LV PCS	Battery Manufacturer and Model	Tesla Megapack 3
	Nameplate Initial Capacity at AC Bus	4.608 MWh
	LV PCS Rating at LV AC Terminals (Total per Bat.)	1.152 MW
	Battery Container Count per Block	4
	Initial Count at Beginning of Life (BoL)	320
	Augmentation Count	64
	Full Buildout Count at End of Life (EoL)	384
	Initial Nameplate Capacity Provided at AC Bus	1474.6 MWh
	Augmentation Nameplate Capacity Provided at AC Bus	294.9 MWh
	Total EoL Nameplate Capacity at AC Bus	1769.5 MWh

TYPICAL EQUIPMENT LAYOUT: (NOT TO SCALE)



Westwood
Phone (720) 531-8350
Toll Free (888) 937-5150
10170 Church Ranch Way, Suite #201
Westminster, CO 80021
westwoodps.com
Westwood Professional Services, Inc.

PREPARED FOR:
accelergen ENERGY
3736 Bee Cave Road, Suite 1, #124
Austin, TX 78746

REVISIONS:

#	DATE	COMMENT	BY	CHK	APR
A	08/15/2025	ISSUED FOR 10% REVIEW	MB	DW	MW
B	09/19/2025	ISSUED FOR 10% REVIEW	MB	DW	MW
C	11/26/2025	ISSUED FOR 10% REVIEW	MB	DW	MW
D	01/19/2026	ISSUED FOR 10% REVIEW	MB	DW	MW

0' 80' 160' 240'

East Side Energy Storage Project

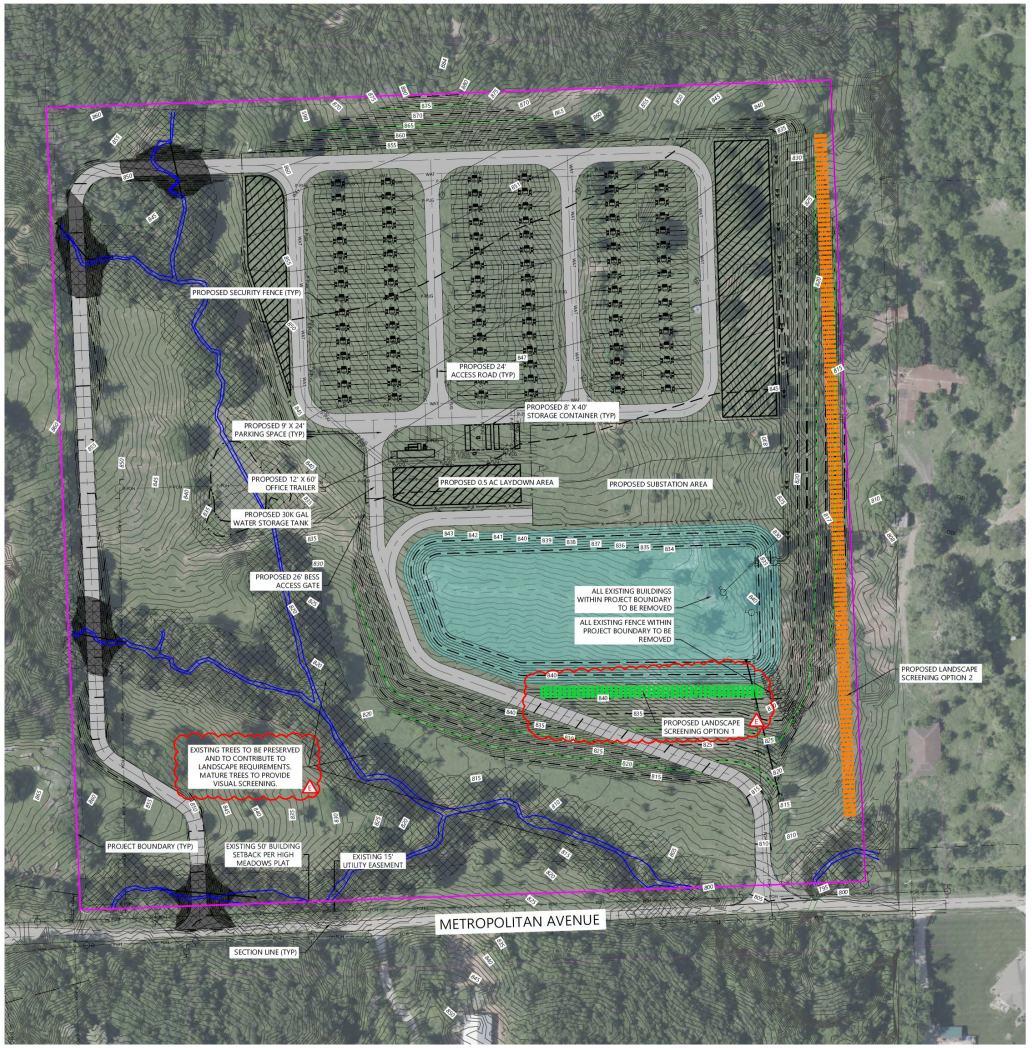
Wyandotte County, Kansas

Conceptual Site & Grading Plan

NOT FOR CONSTRUCTION

DATE: 01/19/2026

SHEET: C100 REV: D



LEGEND:

- PROJECT BOUNDARY
- SECTION LINES
- RIGHT-OF-WAY LINES
- EASEMENT LINES
- SETBACK LINES
- EX. INDEX CONTOUR
- EX. INTERVAL CONTOUR
- EX. PAVED ROAD
- EX. GRAVEL ROAD
- EX. FENCE
- EX. BUILDING
- EX. CULVERT
- EX. OVERHEAD POWER
- EX. STREAM CHANNEL
- EX. WETLAND
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- PROPOSED DRAINAGE BASIN
- PROPOSED LAYDOWN YARD
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- PROPOSED INDEX CONTOUR
- PROPOSED INTERVAL CONTOUR
- PROPOSED GRADING LIMITS
- PROPOSED SLOPE PROTECTION TERRACE
- PROPOSED RIPRAP
- PROPOSED CULVERT
- PROPOSED LANDSCAPE SCREENING OPTION 1
- PROPOSED LANDSCAPE SCREENING OPTION 2

NOTES:

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5. A TEMPORARY IN-GROUND DRIP IRRIGATION SYSTEM TO BE DESIGNED WITH FINAL CONSTRUCTION PLANS TO IRRIGATE THE TREES UNITL ESTABLISHED. THE INSTALLED IRRIGATION SYSTEM WILL LOOK TO UTILIZE A WATER REUSE PUMP FROM THE BASIN ON SITE AND HAVE A BACK-UP DOMESTIC LINE FROM THE WATER STORAGE TANK ON SITE.

Westwood

Phone (720) 531-8350 10170 Church Ranch Way, Suite #201
Toll Free (888) 937-5150 Westminster, CO 80021
westwoodps.com

Westwood Professional Services, Inc.

PREPARED FOR:

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Austin, TX 78746

REVISIONS:

#	DATE	COMMENT	BY	CHK	APR
A	08/29/2025	ISSUED FOR 10% REVIEW	RER	EAC	NTM
B	09/12/2025	CLIENT COMMENTS	RER	EAC	NTM
C	09/18/2025	SITE PLAN REVISIONS	EAC	EAC	NTM
D	11/26/2025	SITE PLAN REVISIONS	EAC	EAC	NTM
E	01/19/2026	COUNTY COMMENTS	EAC	EAC	NTM

0 80' 160' 240'

East Side Energy Storage Project

Wyandotte County, Kansas

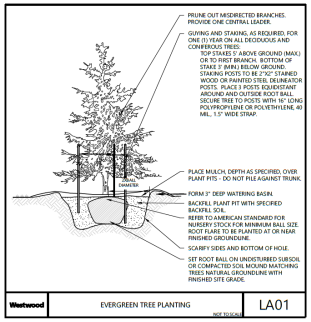
Overall Landscape Plan

NOT FOR CONSTRUCTION

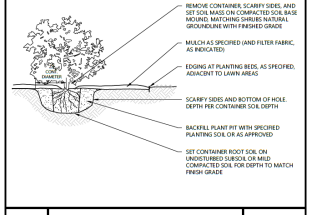
DATE: 01/19/2026

SHEET: L101 REV: E

PLANTING DETAILS



Westwood	EVERGREEN TREE PLANTING	LA01
	NOT TO SCALE	



Westwood	SHRUB & PERENNIAL CONTAINER PLANTING	LA03
	NOT TO SCALE	

WYANDOTTE COUNTY - LANDSCAPE SCREENING REQUIREMENTS

DIVISION 10. - LANDSCAPING AND SCREENING

SEC. 27-700 - DISTRICT REQUIREMENTS

(B) THE GENERAL LANDSCAPING AND SCREENING REQUIREMENTS FOR THE OTHER DISTRICTS ARE LISTED IN EACH PARTICULAR DISTRICT, IN ADDITION:

(3) DISTRICTS M-1, M-2, AND M-3. A BUFFER AREA SHALL BE PROVIDED ALONG SIDE AND REAR PROPERTY LINES COMMON TO OR ACROSS AN ALLEY FROM RESIDENTIALLY ZONED PROPERTY AND SHALL CONSIST OF AN AREA 15 FEET IN WIDTH IMPROVED WITH A SIX-FOOT ARCHITECTURAL SCREEN ADJACENT TO THE PROPERTY LINE AND ONE ROW OF SHADE TREES SPACED NOT MORE THAN 40 FEET ON CENTER AND ONE ROW OF LARGE SHRUBS SPACED NOT MORE THAN EIGHT FEET ON CENTER.

SEC. 27-702 - PLANTING REQUIREMENTS

(1) TREES.

A. SHADE TREES. TWO-INCH CALIPER AS MEASURED 12 INCHES ABOVE GROUND.

B. ORNAMENTAL DECIDUOUS TREES. SIX TO EIGHT FEET IN HEIGHT.

C. EVERGREEN TREES. FIVE TO SIX FEET IN HEIGHT.

TREES DOWN TO 75 PERCENT OF THE MINIMUM PLANTING SIZES MAY BE PERMITTED IF A PROPORTIONATELY GREATER NUMBER OF TREES ARE PLANTED.

(5) LANDSCAPE SCREENING. PLANT MATERIAL USED FOR SCREENING SHALL PROVIDE COVERAGE OF AT LEAST 50 PERCENT OF THE REQUIRED SCREENING AREA IN THE FIRST GROWING SEASON. TOTAL COVERAGE MUST BE ACCOMPLISHED BY THE THIRD GROWING SEASON. DECIDUOUS PLANT MATERIAL USED FOR SCREENING PURPOSES SHALL HAVE A TWIG OR BRANCH STRUCTURE DENSE ENOUGH TO PROVIDE A SOLID WINTER SCREEN.

VEGETATIVE SCREENING SELECTION & INTENT

THE PROPOSED PLANS INCLUDE INSTALLING VEGETATIVE LANDSCAPE BUFFERS WHICH UTILIZE, TO THE EXTENT COMMERCIALLY PRACTICABLE, NATIVE TREES AND SHRUBS THAT GROW WELL IN THIS CLIMATE AT STRATEGIC LOCATIONS ACROSS THE PROJECT SITE TO LIMIT DIRECT VIEWS OF THE ARRAY. ONE BENEFIT TO USING NATIVE PLANTS IS THAT THEY ARE ACCLIMATED TO THE PARTICULAR CLIMATE AND ENVIRONMENTAL CONDITIONS, THUS ALLOWING FOR A QUICKER ESTABLISHMENT AND INCREASED SURVIVAL RATES. THE PROPOSED VEGETATIVE LANDSCAPE BUFFERS ARE COMPOSED OF EVERGREEN TREES THAT CAN PROVIDE LUSH GREEN YEAR ROUND SCREENING AND DECIDUOUS SHRUBS THAT CAN HELP PROVIDE ADDITIONAL SCREENING AND BE VISUALLY APPEALING ACROSS MULTIPLE SEASONS. SOME OF THE CHARACTERISTICS THAT THESE NATIVE SHRUBS HAVE BEEN SELECTED FOR INCLUDE FOLIAGE AND STEM COLOR, FLOWERS AND FRUIT PRODUCTION. THE SHRUBS PROPOSED TO BE PLANTED IN SMALL MASSES SO THAT AT ANY ONE TIME IN THE YEAR ONE SPECIES MIGHT DISPLAY SOME OF THESE AESTHETIC CHARACTERISTICS. BEYOND THE AESTHETIC VALUE, THE PROPOSED PLANTS CAN PROVIDE ADDITIONAL WILDLIFE BENEFITS THAT INCLUDE A SOURCE FOR POLLINATORS, SHELTER, FORAGE AND WINTER HABITAT. AS THE PLANTS MATURE THEY WILL GROW CLOSER TOGETHER CREATING A TYPE OF NATURAL HEDGE.

PLANTING NOTES

1. CONTRACTOR SHALL CONTACT KANSAS DIG SAFE SYSTEM (811) or (316-687-2102) TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE OWNER PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. CONTRACTOR SHALL PROVIDE ONE YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, KANSAS-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:
   ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.
   ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.
   ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.
   ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING.
   CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER KALNA & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY, TEMPORARY ONLY.
10. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
11. REMOVE POT ON POTTED PLANTS, SPLIT AND BREAK APART PEAT POTS.
12. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
13. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY OWNER FOR THE NEED OF ANY SOIL AMENDMENTS.
14. BACKFILL SOIL AND TOPSOIL TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
15. PROVIDE MULCH FOR ALL TREE AND SHRUB PLANTINGS PER DETAIL. MULCH TO BE SHREDDED HARDWOOD AND FREE OF DELETERIOUS MATERIAL. MULCH 3' DIAMETER RING AROUND ALL TREES AND SHRUBS TO A DEPTH OF 4". KEEP MULCH OFF TRUNK.
16. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
17. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
18. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.

PRELIMINARY SCREENING PLANT MATERIAL



PRELIMINARY SCREENING PLANT SPECIES LIST

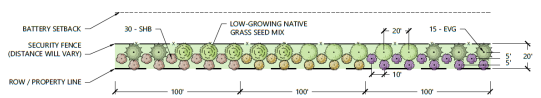
COMMON / BOTANICAL NAME	SIZE	MATURE SIZE
EVERGREEN TREES		
WHITE FIR / ABIES CONCOLOR	6' HT.	H 40'-65' W 15'-25'
EASTERN REDCEDAR / JUNIPERUS VIRGINIANA	6' HT.	H 25'-40' W 20'-25'
BLACK HILLS WHITE SPRUCE / PICEA GLAUCA 'DENSATA'	6' HT.	H 40'-65' W 15'-25'
COLORADO SPRUCE / PICEA PUNGENS	6' HT.	H 25'-40' W 20'-25'

COMMON / BOTANICAL NAME	SIZE	MATURE SIZE
SHRUBS		
NINEBARK / PHYSOCARPUS OPULIFOLIUS	#5 CONT.	H 6-10' W 3-6'
FRAGRANT SUMAC / RHUS AROMATICA	#5 CONT.	H 3-6' W 6-10'
PRAIRIE WILLOW / SALIX HUMILIS	#5 CONT.	H 10-15' W 6-10'
AMERICAN ELDERBERRY / SAMBUCUS CANADENSIS	#5 CONT.	H 10-15' W 10-15'
ARROWWOOD VIBURNUM / VIBURNUM DENTATUM 'ARROWWOOD'	#5 CONT.	H 6-10' W 6-10'

NOTES:
1. QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.
2. B.B. SPECIFIES ROOT TYPE AS BALLED AND BURLAPPED.
3. H.T. SPECIFIES MINIMUM SPECIMEN HEIGHT UPON INSTALLATION.
4. #5 CONT. TO MEET MINIMUM SIZE REQUIREMENT OF 24"H OR 30"W FOR DECIDUOUS SHRUBS UPON INSTALLATION. IF PLANT SIZE UNAVAILABLE AT #5 CONT. UPSIZE CONTAINER UNTIL MINIMUM PLANT SIZE REQUIREMENT IS MET.
5. PLANT SPECIES SUBJECT TO CHANGE BASED UPON AVAILABILITY AT TIME OF PLANTING

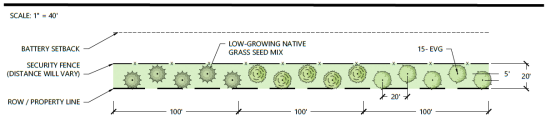
PROPOSED LANDSCAPE SCREENING OPTION 1 - ONE ROW OF EVERGREEN TREES & ONE OFFSET ROW OF SHRUBS

SCALE: 1" = 40'



PROPOSED LANDSCAPE SCREENING OPTION 2- ONE OFFSET ROW OF EVERGREEN TREES

SCALE: 1" = 40'



Westwood

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Westminster, CO 80021
westwoodps.com

Westwood Professional Services, Inc.

PREPARED FOR:

accelergen ENERGY

3736 Bee Cave Road, Suite 1, #124
Austin, TX 78746

REVISIONS

#	DATE	COMMENT	BY	CHK	APR
A	08/29/2025	ISSUED FOR 10% REVIEW	RER	EAC	NTM
B	09/12/2025	CLIENT COMMENTS	RER	EAC	NTM
C	09/18/2025	SITE PLAN REVISIONS	EAC	EAC	NTM
D	11/26/2025	SITE PLAN REVISIONS	EAC	EAC	NTM
E	01/19/2026	COUNTY COMMENTS	EAC	EAC	NTM

East Side Energy Storage Project

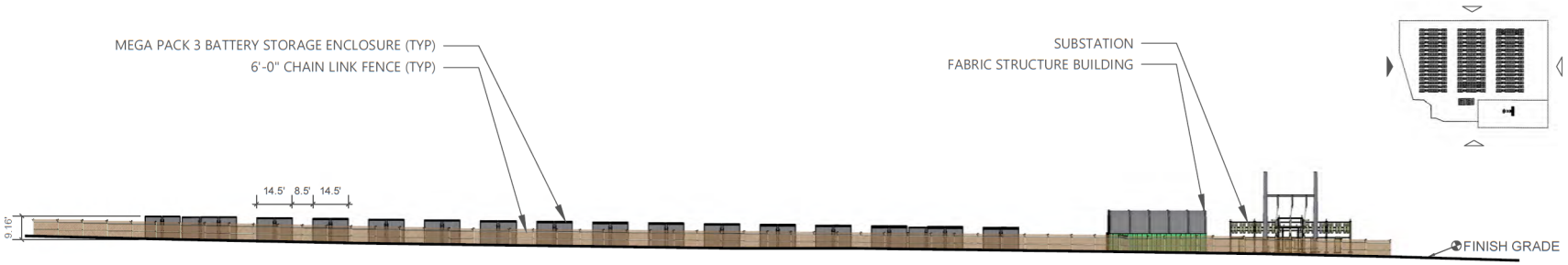
Wyandotte County, Kansas

Landscape Notes & Details

NOT FOR CONSTRUCTION

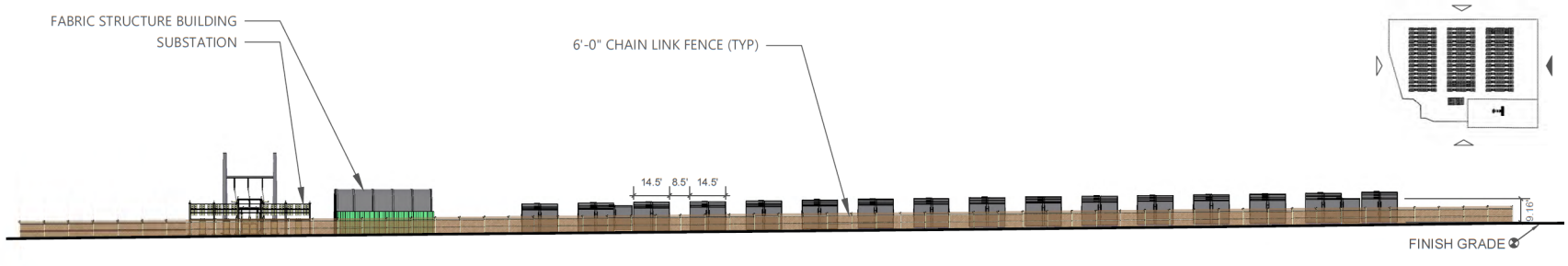
DATE: 01/19/2026

SHEET: L100 REV: E



1 ELEVATION: WEST VIEW

SCALE: 1"=40'



2 ELEVATION: EAST VIEW

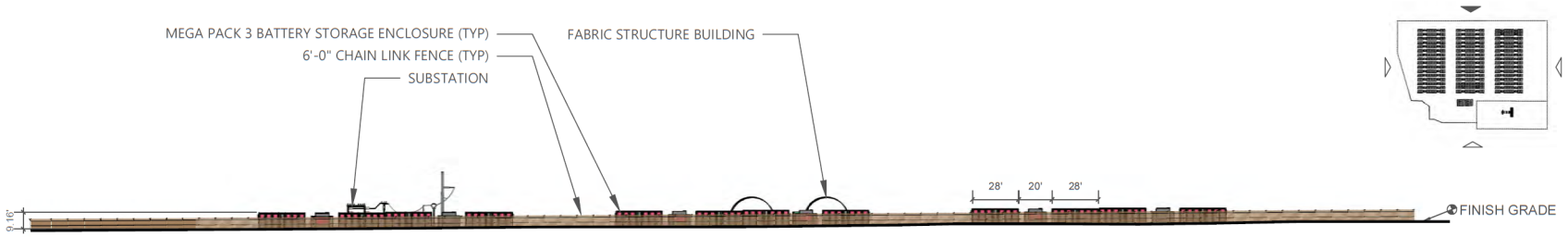
SCALE: 1"=40'

EAST SIDE ENERGY STORAGE

BATTERY ENERGY STORAGE SYSTEM (BESS)

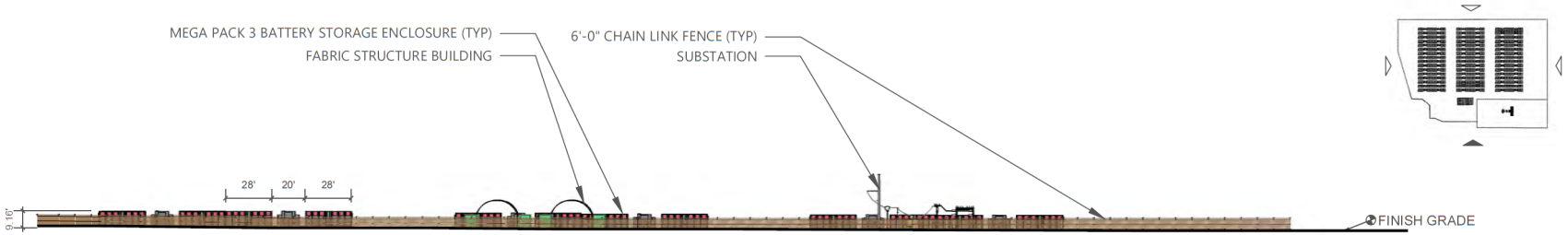
SEPTEMBER 2025

accelergen ENERGY SWCA



3 ELEVATION: NORTH VIEW

SCALE: 1"=60'



4 ELEVATION: SOUTH VIEW

SCALE: 1"=60'

EAST SIDE ENERGY STORAGE
BATTERY ENERGY STORAGE SYSTEM (BESS)

SEPTEMBER 2025

Sun and Weather

Partly Cloudy

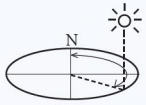
Date: **9-9-2025**

Photo Time: **12:42 pm**

Visibility: Good — Poor

Air Quality: Good

Sun Azimuth (degrees): **166.15**



Sun Angle (degrees): **55.35**

Lighting Angle on Project: **Side**

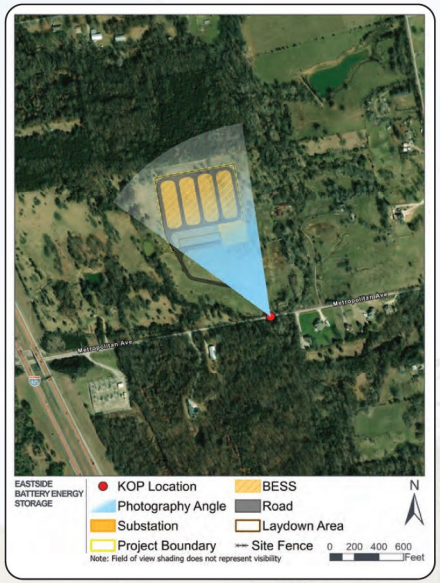
Wind: **9 mph**

Cloud Cover: **40 %**

Temperature (°F): **80° F**

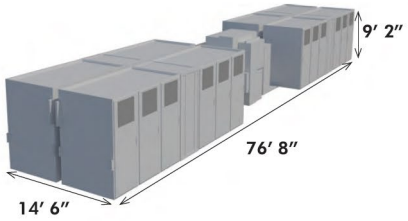
Simulation was prepared using information provided by client, "2025-9-22 East Side BESS-CAD" dated September 22, 2025. Locations, colors, and heights may vary based on final engineering and design.

East Side Energy Storage



KOP Location and Visible Elements

BESS Unit



Structure Diagram



KOP 1 - Metropolitan Ave

Base Photographic Documentation

Latitude, Longitude (degrees):
39.07277, -94.788929

Viewpoint Elevation (feet):
800

Camera Height (meters):
1.8

Camera Heading (degrees):
340

Camera Make & Model:
Canon EOS 5D Mark IV

Camera Sensor Size (mm):
36 x 24 Full Frame

Lens Make & Model:
AF-P Nikkor

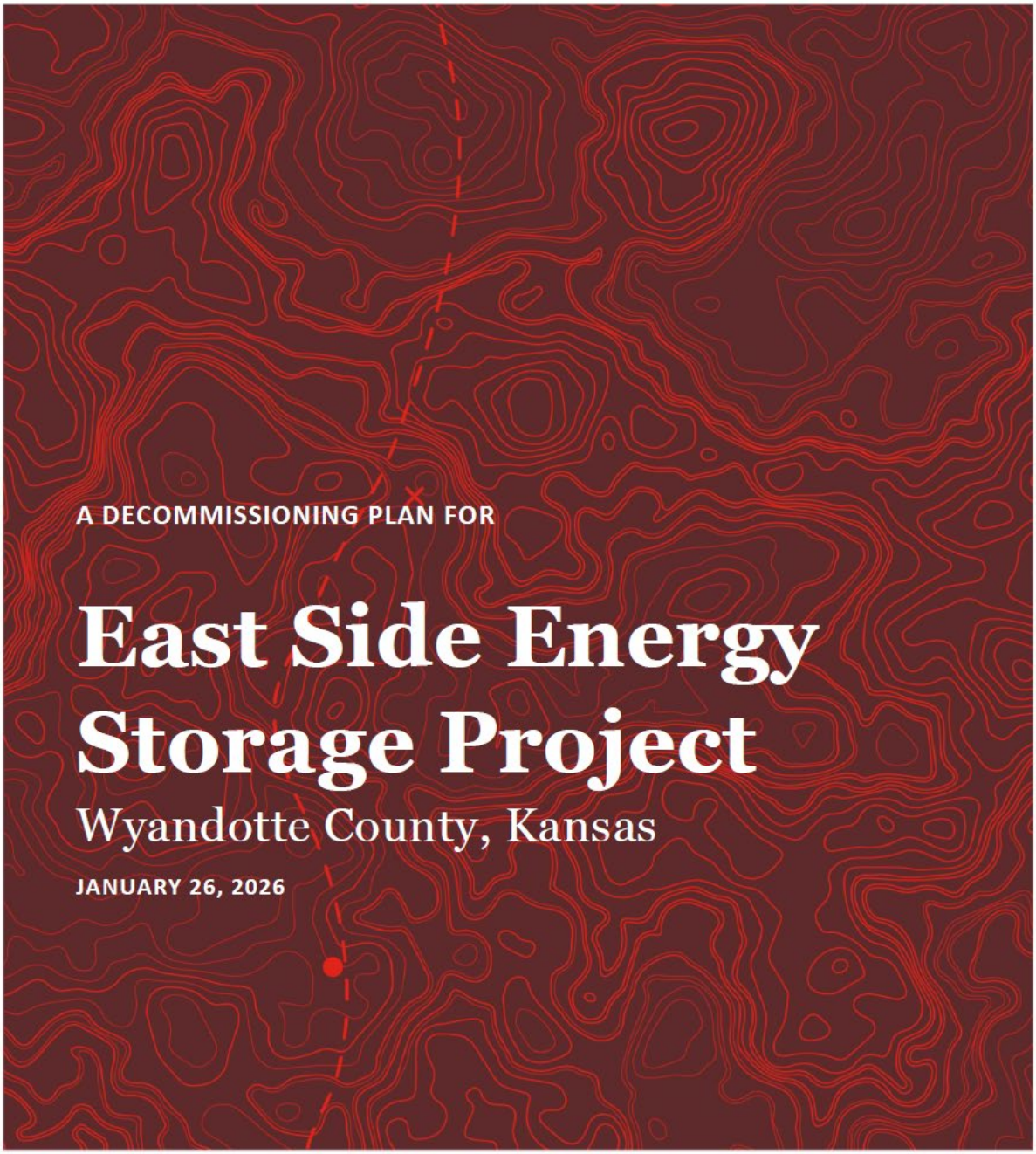
Lens Focal Length (mm):
50

Image Size (pixels):
6720 x 4480

Approximate Distance to Nearest Project Component:
700 feet

Viewing Instructions: Printed at 100% the resulting simulation is 16 inches wide by 10 inches high. At this size and focal length, the simulation should be viewed at arms length (24 inches). If viewed on a computer monitor, scale should be 100%.

SWCA® ENVIRONMENTAL CONSULTANTS



A DECOMMISSIONING PLAN FOR

East Side Energy Storage Project

Wyandotte County, Kansas

JANUARY 26, 2026

PREPARED FOR:

East Side Storage LLC

PREPARED BY:

Westwood

Westwood

Decommissioning Plan

East Side Energy Storage Project

Wyandotte County, Kansas

Prepared for:

East Side Storage LLC
3736 Bee Cave Road, Suite 1 #124
Austin, Texas 78746

Prepared by:

Westwood Professional Services
12701 Whitewater Drive, Suite 300
Minnetonka, MN 55343
(952) 937-5150

Project Number: 0051002.00

Date: January 26, 2026

Multi-Disciplined Surveying & Engineering
westwoodps.com

Table of Contents

1.0 Introduction / Project Description 1
2.0 Proposed Future Land Use 1
3.0 Decommissioning Activities 1
3.1 Decommissioning of Project Components 2
3.1.1 Steel Foundation Posts 2
3.1.2 Underground Cables and Lines 2
3.1.3 Generation Tie Line System 2
3.1.4 Transformers and Ancillary Equipment 2
3.1.5 Equipment Foundations and Ancillary Foundations 2
3.1.6 Fence 2
3.1.7 Access Roads 3
3.1.8 Substation 3
3.1.9 Battery Energy Storage Systems (BESS) 3
3.2 Reclamation 4
4.0 Best Management Practices (BMPs) 5
4.1 Construction Stormwater Practices 5
4.1.1 Erosion Control 5
4.1.2 Sediment Control 5
4.1.3 Controlling Stormwater Flowing onto and Through the Project 5
4.2 Permitting 6
4.3 Health and Safety Standards 6
5.0 Timeline 6
6.0 Decommissioning Costs 6

Attachments

Attachment A: Decommissioning Cost Estimate

1.0 Introduction / Project Description

This Decommissioning Plan ("Plan") has been prepared for the East Side Energy Storage Project. The purpose of the Plan is to describe the means and methods that can be used to remove all structures, foundations, underground cables, and equipment and to reclaim and restore the land altered during the construction and operation of the battery energy storage system ("BESS") to its predevelopment condition to the extent feasible.

The East Side Energy Storage Project ("Project") is a battery energy storage system (BESS) proposed by East Side Storage LLC ("Applicant") in Wyandotte County, Kansas. The Project will have a capacity of 300-megawatt (MW)/1,200-megawatt hours (MWh) with a storage duration of four (4) hours. Upon completion, the Project will comprise of battery storage containers, medium voltage power stations containing transformers, underground collection lines, a generation tie (gen-tie) line, a substation, access roads, and fencing. The Project will be built within a general Project Area of approximately eleven (11) acres.

The useful life a BESS is generally considered to be 20 years. At that time, the Project will either be decommissioned or repowered with newer technology. The Plan identifies components which may be removed and areas that may be restored once the Project has surpassed the useful lifespan of the batteries and facilities.

2.0 Proposed Future Land Use

Prior to the development of the Project, the land use of the Project Area was primarily a mix of shrubland and grassland. After all equipment and infrastructure is removed during decommissioning, any holes or voids created by poles, concrete pads, and other equipment will be filled in with native soil to the surrounding grade, and the site will be restored to pre-construction conditions to the extent practicable. Access roads and other areas compacted by equipment may be de-compacted to a depth necessary to ensure drainage of the soil and root penetration prior to fine grading and revegetation to match preconstruction conditions.

Please refer to Section 3.2 for a detailed description of reclamation activities.

3.0 Decommissioning Activities

Decommissioning of the Project will include removing the battery containers, transformer power stations, underground cables and lines, the gen-tie line, equipment pads and foundations, equipment cabinets, and ancillary equipment. The civil facilities, access roads, security fencing, and drainage structures. Standard decommissioning practices will be utilized, including dismantling and repurposing, salvaging/recycling, or disposing of the battery energy storage improvements.

During decommissioning, the landowners will be consulted to identify the extent and type of work to be completed. Some Project infrastructure, such as the access roads, and fencing, may be removed at the discretion of the landowner(s).

All dismantling, removal, recycling, and disposal of materials generated during decommissioning will comply with rules, regulations, and prevailing Federal, State, and local laws at the time decommissioning is initiated. The project will use approved local or regional disposal or recycling sites as available. Recyclable materials will be recycled to the furthest extent practicable. Non-recyclable materials will be disposed of in accordance with State and Federal law.

3.1 Decommissioning of Project Components

3.1.1 Steel Foundation Posts

Structural foundation steel posts will be pulled out to full depth, removed, processed to appropriate size, and shipped to a recycling facility. The posts can be removed using back hoes or similar equipment. During decommissioning, the area around the foundation posts may be compacted by equipment and, if compacted, the area will be de-compacted in a manner to adequately restore the topsoil and sub-grade material to a density consistent for native vegetation.

3.1.2 Underground Cables and Lines

All underground cables and conduits will be fully removed. Topsoil will be segregated and stockpiled for later use prior to any excavation and the subsurface soils will be staged next to the excavation. The subgrade will be compacted per standards. Topsoil will be redistributed across the disturbed area.

3.1.3 Generation Tie Line System

The gen-tie will be de-strung in the opposite manner that the conductor was installed, using pull trucks, reel trucks, tensioners, and pullers, in addition to standard equipment. Insulators and insulator gangs will also be removed from each tower. It is anticipated that one crew will work on removing the conductors while another crew works on the ground conductor and SCADA. Once the wires are removed, the transmission towers will be brought to the ground for disassembly. All removed equipment will be disassembled to sizes suitable for hauling, then loaded onto standard hauling trucks for off-site recycling or disposal.

3.1.4 Transformers and Ancillary Equipment

All electrical equipment will be disconnected and disassembled. All parts will be removed from the site and reconditioned and reused, sold as scrap, recycled, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards.

3.1.5 Equipment Foundations and Ancillary Foundations

The ancillary foundations are pile foundations for the equipment pads. As with the other structural steel foundation posts, the foundation piles will be pulled out completely. All unexcavated areas compacted by equipment used in decommissioning will be de-compacted in a manner to adequately restore the topsoil and sub-grade material to a density similar to the surrounding soils. All materials will be removed from the site and reconditioned and reused, sold as scrap, recycled, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards.

3.1.6 Fence

Fence parts and foundations will be removed from the site and reconditioned and reused, sold as scrap,

recycled, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards. The surrounding areas will be restored to pre-BESS conditions to the extent feasible.

3.1.7 Access Roads

Project access roads will be used for decommissioning purposes, after which removal of roads will be discussed with the landowner(s) and one of the following options will be pursued:

1. After final clean-up, roads may be left intact through mutual agreement of the landowner and the Applicant unless otherwise restricted by federal, state, or local regulations.
2. If a road is to be removed, aggregate will be removed and shipped from the site to be reused, sold, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards. Clean aggregate can often be used as "daily cover" at landfills for no disposal cost. Internal service roads are assumed to be constructed with geotextile fabric and eight inches of aggregate over compacted subgrade. Any ditch crossing connecting access roads to public roads will be removed unless the landowner requests it remains. The subgrade will be de-compacted in a manner to adequately restore the topsoil and sub-grade material to a density consistent for vegetation. Topsoil that was stockpiled during the original construction will be distributed across the open area. Finally, the access road corridors will be revegetated with an approved seed mix.

3.1.8 Substation

Decommissioning of the collector substation will be performed with the rest of the Project. All steel, conductors, switches, transformers, and other components of the substation will be disassembled and taken off-site to be recycled or reused. Foundations and underground components will be fully removed. The rock base will be removed using bulldozers and backhoes or front loaders. The material will be hauled from the site using dump trucks to be recycled or disposed of at an off-site facility. Additionally, any permanent stormwater treatment facilities (e.g., infiltration ponds and engineered drainage swales) will be removed. Topsoil will be reapplied to match surrounding grade to preserve existing drainage patterns. Topsoil and subsoil will be de-compacted in a manner to adequately restore the topsoil and sub-grade material to a density consistent for native vegetation.

3.1.9 Battery Energy Storage Systems (BESS)

Prior to commencing decommissioning of the BESS, all personnel on-site during the decommissioning process will receive a site-specific safety briefing and will be made aware of all electrical shock and arc flash risks when working within the battery containers. Hazmat training will also be conducted for all personnel handling lithium-ion batteries during the process.

The battery facility will be fully discharged to the minimum state of charge required for removal and safe transportation as per battery manufacturer specifications. The battery modules will be removed from their racks, repackaged on-site, and shipped intact to a regional recycling hub within 500 miles of the Project site. No disassembly of battery modules will be required on-site, and the battery terminals will be taped off to avoid any potential for a short to occur. In the event of any breakage or damage to individual battery modules, such modules will be placed in individual, non-metallic inner packaging that completely encloses the cell.

The United States Environmental Protection Agency ("U.S. EPA") has guidelines for responsible disposal and recycling of lithium-ion batteries that have reached end of life (Title 40 Code of Federal Regulations Part 273: Standards for Universal Waste Management). All applicable requirements related to the packaging, labeling, transportation, and disposal or recycling of the lithium-ion batteries will be followed during the decommissioning process, contained in the Code of Federal Regulations, Title 49, Subchapter C, Parts 171-180, or the applicable regulation.

The refrigerant/coolant from HVAC units will be collected into separate containers on-site as per the code and industry standard practice. The coolant can be reused after processing. The HVAC units will be sent to the metal recyclers along with other recycling material. Similarly, all fire suppression units will be cleared of the suppression fluids and sent to the suppliers for reuse following the industry standard practice. All electrical equipment will be disconnected and disassembled. All parts will be removed from the site and reconditioned and reused, sold as scrap, recycled, or disposed of appropriately, at the Applicant's sole discretion, consistent with applicable regulations and industry standards.

Finally, aggregate ground cover will be removed and shipped from the Project site to be reused, sold, or disposed of appropriately, at the Applicant sole discretion, consistent with applicable regulations and industry standards. Clean aggregate can often be used as "daily cover" at landfills for no disposal cost. All internal service roads are assumed to be constructed with geotextile fabric and eight inches of aggregate over compacted subgrade. All pile foundations will be pulled out completely. Underground cables and duct banks will be fully removed. Topsoil will be reapplied to the disturbed area. Soil and topsoil will be de-compacted, and the site will be restored to the pre-construction condition and re-vegetated in accordance with the Stormwater Pollution Prevention Plan (SWPPP) and/or construction stormwater permits.

In all cases, the Applicant, or their subcontractor as applicable, shall ensure all applicable OSHA, security, safety and health requirements are complied with during the removal and decommissioning of the BESS and its related equipment.

3.2 Reclamation

The Applicant will restore and reclaim the site to the pre-BESS condition consistent with the site lease agreement. The Applicant assumes that most of the site will be returned to shrubland/grassland after decommissioning through implementation of appropriate measures. If no specific use is otherwise identified, the Applicant will vegetate the site with a seed mix approved by the local soil and water conservation district or similar agency. The goal of restoration will be to restore natural hydrology and plant communities to the greatest extent practicable while minimizing new disturbance and removal of native vegetation. In addition to the reclamation activities described above for each decommissioning activity, all unexcavated areas compacted by equipment and activity during the decommissioning will be de-compacted as needed to ensure proper density of topsoil consistent and compatible with the surrounding area and associated land use. All materials and debris associated with Project decommissioning will be removed and properly recycled or disposed of at off-site facilities.

As part of the decommissioning process, the Applicant will complete site assessments including a Phase I Environmental Site Assessment and Phase II Environmental Site Assessment as necessary at its expense (the "Environmental Assessments"). The Environmental Assessments will be completed by a 3rd party environmental professional with expertise in the field of Environmental Assessments and in accordance

with the American Society for Testing and Materials (ASTM) International Standard Practice for Environmental Site Assessments. If evidence of known or potential contamination is found at the property, a sampling plan will be completed to evaluate the potential presence of potential contamination including soil and groundwater testing. If testing results exceed regulatory thresholds, then a cleanup plan will be developed and executed as part of completing the decommissioning process. In no event shall the decommissioning process be complete until the Environmental Assessments determine the site does have presence of any conditions that render it a brownfield site, as confirmed by a 3rd party environmental professional.

4.0 Best Management Practices (BMPs)

4.1 Construction Stormwater Practices

During decommissioning, erosion and sediment control BMPs will be implemented to minimize potential for erosion of site soils and sedimentation of surface waters and waters of the state. Because decommissioning will entail disturbance of more than one acre of soil, the Applicant will prepare a SWPPP and obtain coverage with the Kansas Department of Health and Environment (KDHE) under the KDHE NPDES Construction Stormwater General Permit prior to initiating soil disturbing activities. Potential BMPs to be implemented during decommissioning activities are described below and will be subject to refinement in the SWPPP. The decommissioning team will review the permitting requirements at the time of decommissioning and obtain any other necessary permits, which may include but are not limited to those listed below.

4.1.1 Erosion Control

Erosion control measures will be refined based on the standard of practice current at the time the SWPPP is developed for decommissioning. All disturbed areas without permanent impermeable or gravel surfaces, or planned for use as crop land, will be vegetated for final stabilization. All slopes steeper than 4:1 should be protected with erosion control blankets. Restoration should include seed application prior to application of the blanket. All slopes 4:1 or flatter should be restored with seed and mulch, which will be disc anchored.

4.1.2 Sediment Control

Sediment controls, such as silt fences, fiber logs, dewatering practices, construction entrances, and sedimentation traps and/or basins will be implemented during construction to prevent the transport of sediment off-site during decommissioning activities. Street sweeping/scraping will also be implemented to mitigate potential tracking of sediment onto public roadways.

4.1.3 Controlling Stormwater Flowing onto and Through the Project

Given the low gradient of the slopes in the Project Area, controlling stormwater flow that enters the Project Area will likely require minimal effort during decommissioning activities. Only newly disturbed areas may require new, temporary stormwater control. If necessary, water may be diverted around the Project site using diversion berms.

4.2 Permitting

Prior to decommissioning of the Project, applicable plans will be prepared as required by local, state, and federal regulations at the time of decommissioning. All decommissioning and reclamation activities will comply with Federal and State permit requirements. Decommissioning activities that will disturb more than one acre of soil will require coverage under the KDHE NPDES Construction Stormwater General Permit for construction stormwater. The permits will be applied for and received prior to decommissioning construction activities commencing. At a minimum, a SWPPP will be developed prior to filing for construction stormwater permit coverage.

If necessary for decommissioning activities, wetlands and waters permits will be obtained from the USACE or KDHE. A Spill Prevention, Control, and Countermeasure (SPCC) Plan for decommissioning will likely also be required for decommissioning work.

4.3 Health and Safety Standards

Work will be conducted in strict accordance with the Applicant's health and safety plan. The construction contractor hired to perform the decommissioning will also be required to prepare a site-specific health and safety plan. All site workers, including subcontractors, will be required to read, understand, and abide by the plans. A site safety officer will be designated by the construction contractor to ensure compliance. This official will have stop-work authority over all activities on the site should unsafe conditions or lapses in the safety plan be observed.

5.0 Timeline

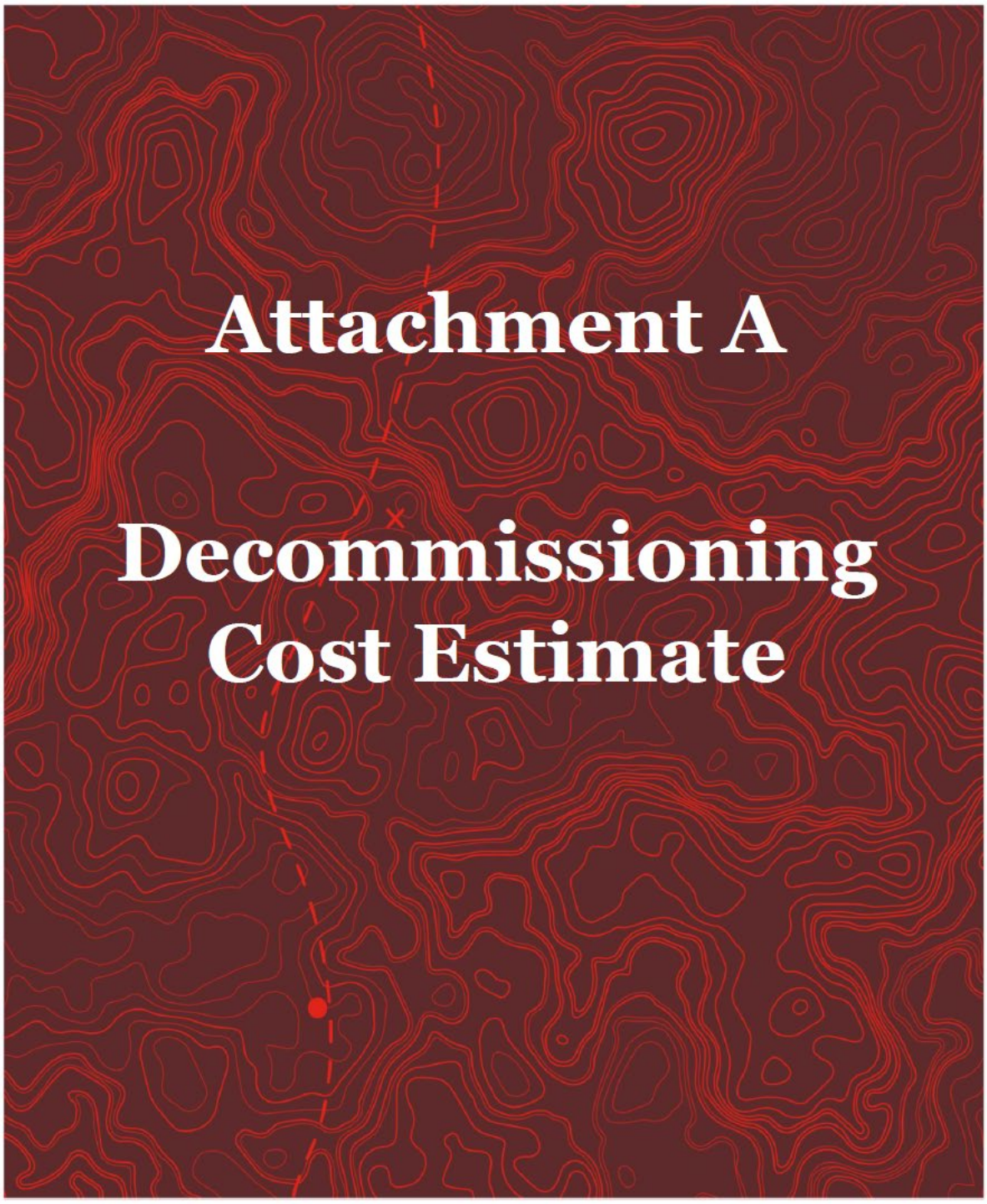
Decommissioning of the entire Project will be initiated if the Project has surpassed the useful lifespan of the batteries and facilities. It is anticipated that the decommissioning activities for the Project can be completed in a thirty (30)-week period. The estimated costs for decommissioning are tied to assumptions about the amount of equipment mobilized, the crew sizes, weather and climate conditions, and the productivity of the equipment and crews.

6.0 Decommissioning Costs

The decommissioning costs are calculated using current pricing. Westwood recommends that the estimate of net costs should be updated regularly throughout the Project's life to recognize price trends for decommissioning costs.

There are currently active markets for scrap steel, aluminum, and copper, and used transformers and electrical equipment. Scrap metal prices have been discounted from posted spot prices found on www.scrapmonster.com.

The total estimated cost of decommissioning the East Side Energy Storage Project is approximately $5,362,549 ($17,875 per MW). Estimated salvage/scrap value of the battery storage containers, inverter transformer power stations, and other materials is approximately $313,360. The net decommissioning costs after accounting for resale and salvage values is approximately $5,049,200 or $16,831 per MW.


Attachment A
Decommissioning
Cost Estimate

East Side Energy Storage

	Quantity	Unit	Unit Cost	Total Cost
Mobilization/Demobilization	1	Lump Sum	$331,600.00	$331,600
Mobilization was estimated to be approximately 7% of total cost of other items.				
Permitting				
County Permits	1	Lump Sum	$10,000.00	$10,000
State Permits	1	Lump Sum	$20,000.00	$20,000
Subtotal Permitting				**$30,000**
Decommissioning will require SWPPP and SPCC Plans. Cost is an estimate of the permit preparation cost.				
Battery Energy Storage System (BESS)				
Train Crew in Safety and Hazmat	1	LS	$5,000.00	$5,000
Disconnect Battery Storage Containers	320	Each	$1,571.20	$502,784
Remove and Load Tesla MegaPacks	320	Each	$1,489.67	$476,693
Haul Battery Containers for Recycling (Sparks, NV)	320	Each	$4,344.20	$1,390,143
Remove Equipment Skids	80	Each	$1,210.20	$96,816
Haul Transformers to Transformer Disposal	80	Each	$93.95	$7,516
Remove Steel Foundation Posts (Storage Containers and Skids)	3,200	Each	$16.90	$54,080
Haul Steel Posts to metal Recycler (Kansas City, KS)	288	Tons	$12.19	$3,511
Removal of Underground AC Collector Cables (aluminum)	2,719	LF	$2.26	$6,144
Load and Haul Cables for Recycling	3	Tons	$14.02	$42
Decompact BESS Site	9.4	Acres	$249.40	$2,344
Grade BESS Site	494,511	SF	$0.07	$34,616
Subtotal BESS				**$2,579,690**
Civil Infrastructure				
Remove Gravel Surfacing from Road	2,128	Cubic Yards (BV)	$2.84	$6,044
Haul Gravel Removed from Road to Landfill (Lansing, KS)	2,660	Cubic Yards (LV)	$17.46	$46,444
Dispose of Gravel Removed from Road (Landfill uses as Daily Cover)	3,447	Tons	$66.00	$227,502
Remove Geotextile Fabric from Beneath Access Roads	11,492	Square Yards	$1.40	$16,089
Haul Geotech Fabric to Landfill (Lansing, KS)	3.2	Tons	$9.75	$31
Dispose of Geotech Fabric	3.2	Tons	$66.00	$211
Grade Road Corridor (Re-spread Topsoil)	4,310	Linear Feet	$1.87	$8,060
Decompact Road Area	2.4	Acres	$249.40	$599
Remove and Load Gravel Surfacing from BESS Site (Excluding Roads)	10,082	Cubic Yard (BV)	$2.84	$28,633
Haul Gravel Removed from BESS Site	12,602	Cubic Yard (LV)	$17.46	$220,031
Dispose of Gravel from BESS Site (Use as Daily Cover)	18,903	Tons	$66.00	$1,247,598
Remove Chainlink Fence	3,374	Linear Feet	$7.08	$23,888
Haul Chainlink Fence to Metal Recycling (Kansas City, KS)	18.0	Tons	$12.19	$219
Remove/Haul/Dispose Structures from Stormwater Basins	1	Each	$5,000.00	$5,000
Grade Basin Areas	1	LS	$802.62	$803
Subtotal Civil Infrastructure				**$1,831,150**
Civil removal costs are a combination of MNDOT unit costs where applicable, RSMeans cost for Kansas City, Kansas, and industry standards provided to Westwood.				
Gen-tie System				
Remove Overhead Cables	2,517	Feet	$4.23	$10,647
Loadout Overhead Cables	50.3	Tons	$5.13	$258
Haul Overhead Cables to Metals Recycling (Kansas City, KS)	50.3	Tons	$12.19	$613
Remove Insulators and Gangs	24	Each	$577.48	$13,860
Remove and Load Timber Poles	8	Each	$946.11	$7,569
Haul Timber Poles to Landfill (Lansing, KS)	8	Each	$267.53	$2,140
Backfill Pole Locations	74.5	Cubic Yards	$42.70	$3,180
Subtotal Gen-tie System				**$38,267**

	Quantity	Unit	Unit Cost	Total Cost
Substation				
Disassemble and Remove Main Power Transformer(s)	1	Each	$4,500.00	$4,500
Haul Transformer(s) Offsite	1	Each	$375.82	$376
Haul Transformer Oil Offsite	12,830	Gallons	$0.08	$964
Dispose of Transformer (Including Oil) (Salvage Value)	1	Each	$0.00	$0
Excavate Around Transformer Foundation(s)	1	Each	$1,769.17	$1,769
Remove Complete Transformer Foundation(s)	83	Cubic Yards	$136.46	$11,326
Backfill Excavation Area from Transformer Foundation Removal	168	Cubic Yards	$42.70	$7,174
Haul Concrete (Foundations Transformer, Switch Gear, etc.)	168	Tons	$11.95	$2,008
Dispose of Concrete from Transformer Foundation	168	Tons	$66.00	$11,088
Demolish Substation Site Improvements (fences, etc)	1	LS	$3,500.00	$3,500
Demolish Control Building and Foundation	1	LS	$12,000.00	$12,000
Remove Medium/High Voltage Equipment	1	LS	$3,500.00	$3,500
Remove Structural Steel Substation Frame	1	LS	$3,500.00	$3,500
Remove Copper Ground Grid	1	LS	$4,876.88	$4,877
Load Copper Wire	20,000	Feet	$0.76	$15,200
Haul Copper Wire to Recycling	6.5	Tons	$12.19	$79
Haul - Demolition Materials, Removed Equipment & Structural Steel	10	Tons	$12.19	$122
Dispose of Demolition Materials & Removed Equipment	10	Tons	$66.00	$660
Remove and Load Gravel Surfacing from Substation Site	1,576	Cubic Yards (BV)	$2.84	$4,476
Haul Gravel Removed from Substation Site	1,970	Cubic Yards (LV)	$17.46	$34,396
Dispose of Gravel from Substation Site (Use as Daily Cover)	2,553	Tons	$66.00	$168,498
Grade Substation Site	1	LS	$4,876.88	$4,877
Erosion and Sediment Control at Substation Site	560	LF	$3.84	$2,150
Decompact Substation Site (Subsoiling)	1.5	Acres	$249.40	$374
Permanent Seeding at Substation Site	1.5	Acres	$1,581.07	$2,372
Subtotal Substation				**$299,786**
Site Restoration				
Stabilized Construction Entrance	1	Each	$2,000.00	$2,000
Perimeter Controls (Erosion and Sediment Control)	1,687	Linear Feet	$3.84	$6,478
Permanent Seeding on Roadway Areas	2.4	Acres	$1,581.07	$3,795
Revegetate BESS to Permanent Condition	9.0	Acres	$1,581.07	$14,154
Subtotal Site Restoration				**$26,427**
Project Management				
Project Manager	30	Weeks	$3,749.00	$112,470
Superintendent (half-time)	30	Weeks	$1,762.50	$52,875
Field Engineer (half-time)	30	Weeks	$1,634.50	$49,035
Clerk (half-time)	30	Weeks	$375.00	$11,250
Subtotal Project Management				**$225,630**
Standard industry weekly rates from RSMeans.				
Subtotal Demolition/Removals				**$5,362,549**
Salvage				
Fencing (Chain Link)	18	Tons	$251.74	$4,531
Steel Posts	288	Tons	$251.74	$72,501
Transformers and Inverters	5,500	Pounds	$0.38	$2,090
Substation Transformers (Core and Coils)	327,162	Pounds	$0.38	$124,322
Substation Transformers (Tanks and Fittings)	110	Tons	$251.74	$27,691
Transformers (Oil)	78,430	Gallons	$0.70	$54,901
Substation Ground Grid (Copper)	13,000	Pounds	$1.44	$18,720
AC Collection Lines (Aluminum)	6,797	Pounds	$0.90	$6,117
Ground Conductor Lines (Copper)	1,726	Pounds	$1.44	$2,486
Subtotal Salvage				**$313,360**
Salvage values are a combination of the following factors; current market metal salvage prices, current secondary market for solar panel				
Total Demolition Minus Salvage				**$5,049,200**

Notes:

1. Prices used in analysis are estimated based on research of current average costs and salvage values. See Cost Estimate Assumptions below
2. Prices provided are estimates and may fluctuate over the life of the project.
3. Contractor means and methods may vary and price will be affected by these.

Cost Estimate Assumptions

To develop a cost estimate for the decommissioning of East Side Energy Storage, Westwood engineers made the following assumptions and used the following pricing references. Costs were estimated based on current pricing, technology, and regulatory requirements. The assumptions are listed in order from top to bottom of the estimate spreadsheet. When publicly available bid prices or bid summaries were not available for particular work items, we developed time- and material-based estimates considering composition of work crews and equipment and material required. While materials may have a salvage value at the end of the Project life, the construction activity costs and the hauling/freight costs, are separated from the disposal costs or salvage value to make revisions to salvage values more transparent.

1. Project quantities are based on East Side Energy Storage Project Conceptual Site & Grading Plan, dated September 19, 2025.
2. A project of this size and complexity requires a full-time project manager with half-time support staff.
3. RS Means pricing was used for the Kansas City, Kansas region for timeframe Year 2025 Quarter 2.
4. Common labor will be used for the majority of tasks, supplemented by electricians, steel workers, and equipment operators where labor rules may require.
5. Permit applications will require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) and a Spill Prevention, Control, and Countermeasure (SPCC) Plan.
6. Road gravel removal was estimated on a time and material basis. Since the material will not remain on-site, a hauling cost is added to the removal cost. Clean aggregate can typically be used as "daily cover" at landfills without incurring a disposal cost. The road gravel may also be used to fortify local driveways and roads, lowering hauling costs but incurring placing and compaction costs. The hauling costs to a landfill represents an upper limit to costs for disposal of the road gravel.
7. The selected disposal facility (Leavenworth County Solid Waste) is located in Lansing, Kansas, approximately 17.6 miles from the Project site. Hauling costs to the landfill are estimated to be $9.75 per ton.
8. The selected metal recycling facility (Advantage Metals Recycling) is located in Kansas City, KS approximately 11.6 miles from the Project site. Hauling costs to the recycling facility are approximately $0.69 per ton mile, or $12.19 per ton.
9. Erosion and sediment control along roads reflects the cost of silt fence on the downgradient side of the proposed roads. As such, the length of controls has been estimated to be approximately 50% of the road length.
10. Topsoil is required to be stockpiled on-site during construction, so no topsoil replacement is expected to replace the road aggregate. Subsoiling cost to de-compact roadway areas is estimated as $249.40 per acre, and permanent seeding is estimated as $1,581.07 per acre.
11. The intact Tesla Megapack 3 battery containers will be hauled to Tesla's Gigafactory for recycling.
12. The transformers contain copper windings that have significant salvage value. They are typically oil filled, but most transformer recyclers will accept the transformers with oil. The estimated costs include removal of metal frame and conduits feeding the equipment.
13. Medium voltage (MV) equipment and SCADA equipment are mounted on the same equipment skids as the inverters and transformers, and they are enclosed in weatherproof cabinets. Their size

requires light equipment to remove them. The costs for the removal of the pile foundations are included in the "Remove Steel Foundation Posts" estimate.

14. The underground collector system cables are placed in trenches with a minimum of 18 inches of cover. Several cables/circuits are placed side by side in each trench. The conduits and cables can be removed by trenching.
15. Perimeter control pricing is based on silt fence installation around downgradient sides of the project perimeter.
16. It is assumed that the batteries will be recycled at the end of project life. Pricing for battery recycling was obtained from Battery Recyclers of America in September 2023.
17. Metal salvage prices (steel, aluminum, copper) are based on June, 2025 quotes from www.scrapmonster.com for the Midwest Region. Posted prices are three months old. These prices are based on delivery to the recycling facility with the material prepared to meet size, thickness, cleanliness, and other specifications.
18. A reduction of 25% has been taken from all pricing obtained from www.scrapmonster.com to reflect the processing by the contractor to meet the specifications.
19. The salvage value for steel uses pricing from the Midwest Region United States at $370 per metric ton, or $335.66 for U.S. ton.
20. There is an active market for reselling and recycling electrical transformers and inverters with several national companies specializing in recycling. However, we have assumed that the electrical equipment will be obsolete at the time of decommissioning, so we have developed pricing assuming 25% of the weight of the equipment will be comprised of the copper windings that can be salvaged. Pricing was used for Copper Transformer Scrap for the Midwest Region United States, at $0.50 per pound. Accounting for the 25% reduction, the estimate value is $251.74 per pound.
21. The collection lines are priced assuming copper conductor wire for the direct current circuits and aluminum wire for the alternating current circuits. The prices reflect a reduced yield of copper or aluminum resulting from the stripping of insulation and other materials from the wire prior to recycling. The estimate uses the Midwest Region prices of #2 insulated copper wire with a 50% recovery rate ($1.92 /pound) and E.C. Aluminum Wire ($1.20 /pound). Accounting for the 25% reduction, the estimated values are $1.44 and $0.90 per pound, respectively.
22. Care to prevent damage and breakage of equipment, PV modules, inverters, capacitors, and SCADA must be exercised.

Outlook

Fw: KDWP Updated Review (ERT20260180) - East Side Storage battery energy storage system construction

From Zac Eddy [KDWP] <Zac.Eddy@KS.GOV>
Date Fri 2026-02-20 11:04 AM
To Sean Martin <smartin@energyrenewalpartners.com>

See below.

--
Zac Eddy | *Terrestrial Ecologist*
Kansas Department of Wildlife and Parks
512 SE 25th Ave. | Pratt, KS 67124
O: (620) 672-0788 | M: (620) 388-0043
ksoutdoors.gov

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From: Zac Eddy [KDWP] <Zac.Eddy@KS.GOV>
Sent: Thursday, February 19, 2026 9:21 AM
To: lwyles@energyrenewalpartners.com <lwyles@energyrenewalpartners.com>
Subject: KDWP Updated Review (ERT20260180) - East Side Storage battery energy storage system construction

Lauren Wyles,

Thank you for submitting updated information to the KDWP Ecological Review Tool website regarding the proposed East Side Storage Project to build a utility-scale energy storage system in Wyandotte County, Kansas (S19-T11S-R24E). The site's Automated Determination for the project indicates secondary review by KDWP staff is necessary. We have reviewed the project for potential impacts to critical wildlife habitats, current state-listed threatened or endangered species and species in need of conservation, as well as Kansas Department of Wildlife and Parks managed areas for which this agency has administrative authority.

We note the project will occur near documented records of Smooth Earth Snake (*Virgina valeriae*). The species is listed as a Species in Need of Conservation by the State of Kansas. As such, we discourage the removal of oak-hickory dominated forest areas on rocky slopes or hills in the area. We recommend construction alternatives that will target non-native grassland areas, previously developed areas and Eastern-red cedar dominated woodland areas while avoiding clearing of oak-hickory stands. We also provide the following comments and general recommendations. When applicable:

- **Avoid or minimize the removal of native upland or riparian hardwood timber and vegetation when moving or constructing new power lines.**
- **Consult the Avian Power Line Interaction Committee Marking Guidelines for mitigating avian collisions by marking power lines appropriately.**
- **Install perch guards on infrastructure with repeat avian mortality.**
- **Avoid impacts to existing streams, wetlands, and riparian corridors.**
- **Avoid instream and stream bank disturbances including stabilizing the banks with foreign materials (e.g. riprap).**
- **Avoid encroachment or development in floodplains.**
- **Implement operational strategies and technologies to minimize potential wildlife aversion resulting from additional noise from cooling systems.**
- **Minimize light pollution by using low-intensity, shielded lighting. Consider using warmer color temperatures (below 3000K) to reduce skyglow.**
- **Consider ways to improve water use efficiency if liquid-cooled battery arrays are used.**
- **Develop contingency plans for fire, battery malfunction, and inadvertent chemical releases from storage components. Abide by all relevant environmental contamination and contaminant removal guidance.**
- **Implement and maintain standard erosion control Best Management Practices during all aspects of construction by installing sediment barriers (wattles, filter logs, rock check ditches, mulching, or any combination of these) across the entire construction area to prevent sediment and spoil from entering aquatic systems. Barriers should be maintained at high functioning capacity until construction is completed and vegetation is established. For more information on erosion BMPs go to: http://www.kdheks.gov/stormwater/#construct.**
- **Replant grassland disturbances with native grasses and forbs, we recommend using the local seed mix for USDA-NRCS conservation practice 643 - Rare and Declining Habitat.**

Results of our review indicate there will be no significant impacts to designated critical wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently-listed threatened or endangered species. No Department of Wildlife and Parks permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Permits may be required from other agencies. We encourage consultation with all applicable regulatory authorities—including, but not limited to Kansas Department of Health and Environment, Kansas Department of Agriculture-Division of Water Resources, and the U.S. Army Corps of Engineers.

Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Please consider this email our official review for this project. Thank you for the opportunity to provide these comments and recommendations. Please let me know if you have any questions or concerns about the preceding information.

Further coordination on this project can be completed by updating or editing the original project submission on the KDWP Ecological Review Tool website. If you have any questions, please direct them electronically to kdwp.ess@ks.gov to streamline the process for all parties.

Thank you.



--

Zac Eddy | *Terrestrial Ecologist*
Kansas Department of Wildlife and Parks
512 SE 25th Ave. | Pratt, KS 67124
O: (620) 672-0788 | M: (620) 388-0043
ksoutdoors.gov

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Outlook

RE: Permitting Guidance for East Side Storage Project

From Wendi Kessler [KDHE] <Wendi.Kessler@ks.gov>
Date Mon 2026-03-02 10:26 AM
To Jayleen Ramirez <Jramirez@energyrenewalpartners.com>; NEDO_Administrators <kdhe.NEDO.Admin@ks.gov>
Cc Sean Martin <smartin@energyrenewalpartners.com>

Good morning,
Thank you for contacting the Kansas Department of Health and Environment (KDHE).

Please note that the Northeast (NE) District Office does not process permit applications or provide detailed permitting determinations. For program-specific permitting information, KDHE is organized into the following bureaus:

- **Bureau of Air (BOA)** – Air construction permits, Title V permits, and asbestos notifications
- **Bureau of Water (BOW)** – NPDES permits, wastewater, stormwater, lagoons, and drinking water systems
- **Bureau of Waste Management (BWM)** – Solid waste, hazardous waste, underground storage tanks (USTs), and remediation
- **Bureau of Environmental Remediation (BER)** – Site cleanup programs, including spills, brownfields, and voluntary cleanup

Each bureau provides permit guidance, application forms, and contact information on the KDHE website:
https://www.kdhe.ks.gov/
The primary permitting page, which outlines available permits and how to begin the application process, is available at:
https://www.kdhe.ks.gov/313/Permitting
This page also includes access to the Kansas Environmental Information Management System (KEIMS), the online portal used for submitting many permit applications:
https://ks-kdhe2.civicplus.com/249/Kansas-Environmental-Information-Managem

If you have questions regarding a specific project or permit type, it is recommended to contact the appropriate bureau directly using the contact information provided on the website.

Best regards,

Wendi Kessler [KDHE]
District Environmental Administrator
Office 785-330-8605
Wendi.kessler@ks.gov

From: Jayleen Ramirez <Jramirez@energyrenewalpartners.com>
Sent: Friday, February 27, 2026 3:42 PM
To: NEDO_Administrators <kdhe.NEDO.Admin@ks.gov>
Cc: Sean Martin <smartin@energyrenewalpartners.com>
Subject: Permitting Guidance for East Side Storage Project

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon,

On behalf of our client, East Side Storage LLC, Energy Renewal Partners, LLC is requesting further coordination if any permits for the Project will be required by the Kansas Department of Health and Environment, including the following items below. Additionally, I've attached a site plan for your review.

- NPDES Construction Stormwater General Permit (≥1 acre disturbance)
- Section 401 Water Quality Certification associated with USACE Section 404 permits
- Air quality for generators
- Solid and hazardous wastes

Project: East Side Storage Project
Site Location: Wyandotte County, Kansas
Project Description: Approximately 37 acres as a proposed battery energy storage facility and ancillary infrastructure. Results of our field assessments indicate habitats within the project area consist of undeveloped pastureland, mixed woodlands, an emergent wetland, and stream corridors of various flow regimes.

Please confirm receipt of this submission and let us know if any additional information is required to complete your review.

Thank you for your time and assistance.

Jayleen Ramirez
Environmental Scientist
Energy Renewal Partners, LLC
Office: (512) 222-1125
Mobile: (832) 784-2252

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT
601 E. 12TH STREET, 635 FEDERAL BUILDING
KANSAS CITY, MO 64106-2824

December 3, 3024

Regulatory Branch
NWK-2024-00156

Ms. Monica Downer
Energy Renewal Partners, LLC
4330 Gaines Ranch Loop, Suite 110
Austin, TX 78735

Dear Ms. Downer:

This letter is in response to your request submitted on behalf of East Side Storage, LLC for a Jurisdictional Determination. The site is located in Section 19, Township 11 South, Range 24 East, Wyandotte County, Kansas. Your request has been assigned Regulatory File No. NWK-2024-00156. Please reference this file number on any correspondence to us or to other interested parties concerning this matter.

This letter contains an approved jurisdictional determination for your project site. This jurisdictional determination is valid for a 5-year period from the date of this letter unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Administrative Appeal Options and Process and Request for Appeal (NAO-RFA) form. If you request to appeal this determination, you must submit a completed NAO-RFA form to the Northwestern Division Office at the following address:

Division Engineer
U.S. Army Corps of Engineers, Northwestern Division
ATTN: Melinda M. Larsen
Regulatory Appeals Review Officer
1201 NE Lloyd Blvd., Suite 400
Portland, OR 97232
Telephone: 503-808-3888

In order for an NAO-RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAO-RFA. Should you decide to submit an NAO-RFA form, it must be received at the above address by February 1, 2025. It is not necessary to submit an NAO-RFA form to the Division Office if you do not object to the determination in this letter.

In the event that you disagree with an approved jurisdictional determination, and you have **new information** not considered in the original determination, you may request reconsideration of that determination by the Corps District prior to initiating an appeal. To request this reconsideration based upon new information, you must submit the completed NAO-RFA form and the new information to the District Office so that it is received within 60 days of the date of the NAO-RFA. Send approved jurisdictional determination reconsideration requests to:

District Commander
ATTN: David R. Hibbs
Chief, Regulatory Branch
U.S. Army Engineer District, Kansas City
601 East 12th Street, Suite 402
Kansas City, MO 64106-2824
Voice: 816-389-3990 – FAX: 816-389-2032

The Corps of Engineers has jurisdiction over all waters of the United States. Discharges of dredged or fill material in waters of the United States, including wetlands, require prior authorization from the Corps under Section 404 of the Clean Water Act (33 USC 1344). The implementing regulation for this Act is found at 33 CFR 320-332.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. Please feel free to complete our Customer Service Survey form on our website at: https://regulatory.ops.usace.army.mil/customer-service-survey/. You may also call and request a paper copy of the survey which you may complete and return to us by mail.

If you have any questions concerning this matter, please feel free to write or contact me at 816-389-3739 or by email at jesse.s.cochran@usace.army.mil. Please reference Regulatory File No. NWK-2024-00156 in all comments and/or inquiries relating to this project. This letter is only being provided to you electronically at: mdowner@energyrenewalpartners.com.

Sincerely,

Mr. Jesse Cochran
Project Manager

Enclosures

cc (electronically w/o enclosures):

Environmental Protection Agency,
Watershed and Grants Branch
U.S. Fish and Wildlife Service, Manhattan, Kansas
Kansas Department of Wildlife and Parks
Kansas Department of Health and Environment
Kansas Department of Agriculture

LETTERS OF SUPPORT

INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL NO. 101
AFFILIATED WITH THE AFL-CIO

AARON BROWN, Business Manager
MARK JONES, JR. President
TOM MILLSAP, Vice President
MIKE TIEHEN, Recording Secretary
JOSH DAVIS, Financial Secretary
CONTRELL MASON, Treasurer

Unified Government of Wyandotte County
Planning Commission
701 N. 7th Street
Kansas City, Kansas

Letter of Support- East Side Energy Storage

Dear Members of the Planning Commission:

On behalf of the 5,400 members of the Operating Engineers, Local 101, we write to you today to voice our strong endorsement of Accelergen Energy's proposed East Side Energy Storage in Wyandotte County.

This initiative reflects the type of forward-looking investment our region needs—one that advances clean energy while creating high-quality jobs for local workers. Accelergen has pledged to utilize union labor and partner with local businesses throughout the construction process, supporting an estimated 300 construction jobs statewide and approximately 65 positions within Wyandotte County.

In addition to its construction benefits, the project will play a key role in strengthening the reliability of the regional power grid as energy demand in the Kansas City area continues to grow. By storing excess renewable energy and deploying it during peak usage periods, the facility will help improve energy efficiency and provide greater cost stability for both residents and businesses. Furthermore, the project is expected to generate meaningful tax revenue for local services and contribute to the community through initiatives such as scholarships and support for local organizations.

For these reasons, we respectfully encourage the Planning Commission to approve and support this important project.

Respectfully,

Annette Noll
Business Representative
Operating Engineers, Local 101

6601 WINCHESTER, SUITE 280 · KANSAS CITY, MO 64133 · Office: 816.737.8600

Kansas AFL-CIO

- ksaflcio.org
- 2131 S.W. 36th St
Topeka, KS 66611
- 785.267.0100

April 7, 2026

Unified Government of Wyandotte County/Kansas City, Kansas
Planning Commission
701 N. 7th Street
Kansas City, Kansas 66101

RE: Letter of Support — East Side Energy Storage (Accelergen Energy), Wyandotte County

Dear Members of the Planning Commission:

On behalf of the Kansas AFL-CIO and the more than 100,000 members and their families we represent across the state, I am writing to express our strong support for Accelergen Energy's East Side Energy Storage battery energy storage project in Wyandotte County.

This project represents exactly the kind of investment our communities need: clean energy infrastructure that creates good jobs for local workers. Accelergen has committed to using union labor and local companies to build this facility, supporting approximately 300 construction jobs across Kansas and roughly 65 jobs right here in Wyandotte County. The company has worked collaboratively with affiliated unions of the AFL-CIO on involving skilled local labor in every phase of the project.

Beyond the construction phase, this project will strengthen the regional power grid at a time when energy demand in the Kansas City area is projected to more than double. Battery storage captures surplus renewable energy and releases it during peak demand, helping stabilize costs for families and businesses. The project also generates significant new tax revenue for local services and includes community benefit contributions such as scholarships and support for local community organizations.

President **Brian Alexander** ▪ Executive Secretary Treasurer **Jake Lowen** ▪ Executive Vice President **John Nave**

Executive Board: Luke Bizzell ▪ Brian Burnett ▪ Tony Cahill ▪ Robert Cammarn ▪ Tony Delich ▪ Joey Flicker ▪ Tom Gebken ▪ Russell Hardy ▪ Shaun Junkins ▪ Mike Kane ▪ Jeff Kurtz ▪ Donna Lehane ▪ Tatum Keister ▪ Andy Martin ▪ Julie Perry ▪ Dennis Phillips ▪ Emil Ramirez ▪ Carol Russell ▪ Jeff Townsend ▪ Scott Tummons ▪ Chris Ubel ▪ Katie Warren

Printed In House with Union Labor

Clean energy and good union jobs are not an either-or proposition. This project delivers both. We urge the Planning Commission to approve the East Side Energy Storage project.

Thank you for your consideration.

Respectfully,

Jake Lowen
Executive Secretary-Treasurer
Kansas AFL-CIO

KCK Chamber

Subject: Letter of Support for the Eastside Energy Storage Project

April 3, 2026

Dear Wyandotte County,

On behalf of the Kansas City Kansas Chamber of Commerce, I am writing to express our support for the proposed Eastside Energy Storage Project in Wyandotte County.
As Wyandotte County continues to grow, it is essential that our energy infrastructure keeps pace with increasing demand. Businesses, schools, hospitals, and families all rely on dependable power.

Energy storage allows electricity that is already being produced to be saved and used later, rather than wasted. This helps meet higher energy needs without overloading the system or rushing to build new large power sources, all while helping to keep energy costs more affordable through better use of existing resources.

The Eastside Energy Storage Project would also create well-paid jobs and put existing land to productive use in a responsible manner. Just as important, the project includes a clear plan to return the site to agricultural use at the end of its operating life, ensuring this is a temporary land use that delivers economic and energy benefits today while preserving long-term options for Wyandotte County's future.

The Eastside Energy Storage Project aligns with Wyandotte County's priorities and advances the Kansas City, Kansas Chamber of Commerce's economic development efforts to ensure the county remains competitive, infrastructure-ready, and well positioned to support business growth and job creation. For these reasons, we respectfully urge the County to support this project.

Sincerely,

Renee Hadley
President & CEO
KCK Area Chamber of Commerce

2026.03.31

Dear Wyandotte County Officials,

I am the owner and resident of a five-acre property on S. 88th Street, directly east of the site proposed for the East Side Energy Storage project. I have lived at this location for 34 years.

I recognize that future development of the properties to the west of my home is likely. In considering potential outcomes, I believe no alternative proposal would result in fewer impacts related to noise, traffic, visual character, or air quality—especially with respect to noise. In this context, Accelergen's proposal represents a lower-risk option for such development.

In my view, Accelergen's proposal represents a thoughtful and reasonable use of the site, particularly given that a substantial portion of the 64 acres will remain undisturbed and that the project will be governed by the terms of the conditional use permit.

For these reasons, I support approval of Accelergen's Special Use Permit for the East Side Energy Storage Project. I believe it is an appropriate and beneficial choice for our neighborhood.

Sincerely,



James Surber

WYANDOTTE ECONOMIC DEVELOPMENT COUNCIL

To: Unified Government Planning Commission Members

From: Greg Kindle, President

Date: March 26, 2026

Re: Support for East Side Energy Storage Project

Please accept this letter in support of the East Side Energy Storage project proposed for the 60+-acre site at 8900 Metropolitan Avenue in Kansas City, Kansas. As Wyandotte County continues to grow, it is essential that our energy infrastructure keeps pace, so dependable power is available when needed. Energy storage allows electricity that is already being produced to be saved and used later, instead of being wasted or sent to another region, helping the county meet higher energy needs without overloading the system or rushing to build new, large power sources.

Strengthening grid reliability and resilience: Battery energy storage systems (BESS) provide critical support to modernizing the electric grid. This project will help balance peak demand, reduce strain on substations and transmission lines, and improve system stability during extreme weather events. Storage also enables faster recovery after outages and enhances emergency preparedness by providing rapid response capacity when the grid is under stress. These benefits make the project not only an energy initiative but a foundational infrastructure investment.

Protecting rural character and minimizing land impacts: The project team has demonstrated a clear commitment to preserving the agricultural nature of the area. The company has been open to expanding the amount of acreage to be undeveloped to preserve the agricultural nature of the area, and that commitment remains central to the design. Landscaping, visual buffers, and low-profile equipment help maintain the rural landscape. The facility produces no emissions, minimal noise, and requires far less long-term land disturbance than any other residential or industrial uses. Opportunities for native vegetation or pollinator-friendly plantings can further enhance ecological value.

Safety and advanced fire-suppression technology: The company is utilizing the newest fire-suppression and thermal-management technologies. Modern BESS facilities incorporate early detection systems, automated shutdown capabilities, and 24/7 remote monitoring. Coordination with local fire departments ensures that emergency response plans are well understood and that first responders are trained on the specific systems in use. These measures exceed industry standards and demonstrate a proactive approach to safety.

Economic and workforce benefits: East Side Energy Storage has committed to utilizing local electric contractors to maintain the facility, creating ongoing economic activity in the county. In addition, the $250 million investment will generate construction jobs for a limited amount of time, support local procurement where possible, and create a defined revenue stream for the community through a 20-year development agreement consistent with the projected lifespan of the investment. Reliable energy infrastructure also strengthens Wyandotte County's competitiveness for future commercial and industrial development, supporting long-term economic growth.

Alignment with county and regional goals: The project is consistent with PlanKCK and supports broader regional efforts to expand sustainable energy resources without impacting local ratepayers. It also positions the county to take advantage of federal grid-modernization and resilience funding opportunities, reinforcing Wyandotte County's leadership in forward-looking infrastructure planning.

Community engagement and responsiveness: The project team has engaged neighbors early and often, with a willingness to collaborate with both residents and the Unified Government on road and infrastructure improvements. Continued transparency, responsiveness to community feedback, and a commitment to long-term communication help ensure that the project remains a good neighbor while delivering countywide benefits.

For these reasons, including grid reliability, safety, environmental stewardship, economic benefit, and alignment with long-term planning goals, WYEDC respectfully urges the Planning Commission to support the East Side Energy Storage project.

Wyandotte Economic Development Council, Inc.
P.O. Box 171337 • 727 Minnesota Avenue, Kansas City, KS 66117
Ph 913.371.3198 • Fx 913.371.3732 • www.wyedc.org

March 9 2026

Josh Skogen
Accelergan
(604) 203-1883
josh.skogen@accelergen.com

RE: SP2025-094 and PR2025-039 – East Side Battery Energy Storage System (BESS)

RiSE4EJ supports true clean energy projects and is committed to helping ensure it addresses the cumulative burdens on public health and move forward in ways that prioritize community health and safety.

We have been in communication with the developer and acknowledge that East Side Battery has shown a commitment to engaging with the community and considering the recommendations of local residents. We commend these efforts and appreciate their responsiveness to our expertise.

RiSE4EJ is helping plan a community meeting ahead of the April 13th Planning Commission hearing, which puts the above referenced item on schedule for the Board of Commissioners hearing on April 30th.

In collaboration with other community organizations will be selecting panelists to ensure community members have the opportunity to learn more and be part of the discussions. We are also developing an action plan letter and recommendations to hold the East Side Battery Energy accountable to its commitments and to ensure that the health and safety of surrounding community members remain a priority throughout the lifetime of the facility and beyond.

Sincerely

Beto Lugo Martinez
Atenas Mena
cc: Jennifer Ahumada

rise4ej.org

Dear Wyandotte County Officials,

I'm writing today to share my strong support for the East Side Energy Storage project. Our public schools shape the future of Wyandotte County by keeping families here, attracting new ones, and preparing students for tomorrow. But delivering on that requires reliable, sustainable school funding and strong programs to support students. East Side Energy Storage can help us in that mission.

This project is a long-term investment for our community. It will store energy to provide us with more reliable, affordable power, but also will generate millions in new tax revenue for our county and schools. That means more resources in classrooms, better support for teachers, and stronger outcomes for students.

Approving this project is more than supporting new energy infrastructure. It's choosing to invest in our kids, our schools, and Wyandotte County's future. I urge you to approve it and help secure the resources our students and teachers need to thrive for generations to come.

Sincerely,

Lexi McDaniel
yanyakc@yahoo.com
913-481-2044
Kansas City, Kansas 66112

jnoonen@everyactioncustom.com
To rmorris@wycokck.org

Reply | Reply All | Forward

Tue 3/17/2026 2:13 PM

[You don't often get email from jnoonen@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services.

By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security.

Unlike other forms of heavy industry, energy storage systems are safe and built with public health in mind. They don't create their own pollution and they make fewer permanent changes to the land. They help us use clean energy resources like solar and wind more effectively. When paired with these resources, they can also reduce the need for polluting peaker plants, reducing air pollution and making our community and the environment healthier and safer.

I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
mrs janet noonen
Overland Park, KS 66204
jnoonen@gmail.com

March 10, 2026

Dear Wyandotte County Officials,

I am writing to share my support for the East Side Energy Storage project.

We appreciate that Accelergen is designing the project to ensure there are no adverse impacts resulting from noise, traffic, odor, visual or air quality issues. We also like that Accelergen is committed to keeping most of the land undeveloped for the duration of the project. We welcome this project as our neighbor.

The commission should approve this clean energy project to bring needed investment into the community without adverse impacts.

Sincerely,

Julie E. Fromm

Julie E. Fromm, Manager
Darby Farm LLC
Owner of Parcel 939117 – 9400 Metropolitan

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

IBEW Local Union 124

December 31, 2025

Dear Wyandotte County Officials,

We are writing to share our strong support for the East Side Energy Storage project. The project team has been collaborating with IBEW Local 124 on ways to involve skilled local labor in the project. We understand the project has the potential to create nearly 300 new construction jobs in the State of Kansas – 65 new local jobs in Wyandotte County. This project provides a great opportunity for our labor force to gain valuable experience in constructing new energy projects needed for area.

We are experiencing the industry growth in our region and understand the need for new affordable energy to meet the demand. This project offers safe, reliable and affordable solutions. We urge you to approve it and help secure the jobs and resources our labor force, local families and businesses need to thrive for generations to come.

Sincerely,



Joseph "Bo" Moreno
Business Manager

301 EAST 103RD TERRACE – KANSAS CITY MO 64114-4760 -816.942.7500 – FAX 816.942.8805 – www.ibew124.org

Kansas City Kansas Community College

Office of the President
7250 State Avenue : Kansas City, KS 66112
Phone 913.288.7123 : Fax 913.288.7680

January 28, 2026

Dear Wyandotte County Officials,

I'm writing to share my support for the East Side Energy Storage project. Kansas City Kansas Community College continues to serve as a major engine for workforce development in Wyandotte County and the surrounding region. The College continues to focus on creating programmatic certificates, degrees, and customized training opportunities for our students and community so they are ready and able to meet the needs of new industry entering the County, especially in high-wage, high-demand industries.

KCKCC's educational programs continue to shape and improve the socioeconomic status of individuals and families living in Wyandotte County and maintains a goal of helping to end the generational poverty of many of our residents. Having new high-tech companies and industries locating in Wyandotte County is a significant part of helping KCKCC achieve this goal. East Side Energy Storage can help us in that mission.

Accelergen has expressed a commitment to partner on a $30,000 annual contribution to Kansas City Kansas Community College Foundation through the life of the project. The donation would support students, faculty and programs that connect with priorities of the planned partnership.

Approving this project is more than supporting new energy infrastructure. It's choosing to help secure the resources for our students and programs the College needs to thrive for generations to come.

Sincerely,

Greg Mosier

Dr. Greg Mosier
President, KCKCC

"We Create Our Future"

Dear Wyandotte County Officials,

I'm writing to share my strong support for the East Side Energy Storage project. I am the owner of the property immediately east of the proposed project. This project is a forward-thinking investment for the community. We welcome this project as our neighbor. We appreciate the approach Accelergen is taking by requesting a special use permit. This ensures the land will be restored to agricultural zoning once its decommissioned. We also like that it's being designed to ensure there are no adverse impacts resulting from noise, odor, visual or air quality issues.

We see the growth in our area and understand the need for low-cost energy when it's needed most. This project offer solutions and uses infrastructure already in place – not to mention it will generate significant new tax revenue. That means more resources in classrooms, better support for teachers, and stronger outcomes for students.

I urge you to approve it and help secure the affordable energy and resources our students, local families and businesses need to thrive for generations to come.

Sincerely,

[insert signature block]

Signed by:
Mike Englhard
AC1169BACFBA4C3...

Mike Englhard

Chief Development Officer
Mikee@terawattinfrastructure.com

Outlook

Public comment in support of East Side Energy Storage

From Gustine Green <greengustine90@everyactioncustom.com>
Date Wed 1/28/2026 11:04 PM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from greengustine90@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services.

By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security.

Unlike other forms of heavy industry, energy storage systems are safe and built with public health in mind. They don't create their own pollution and they make fewer permanent changes to the land. They help us use clean energy resources like solar and wind more effectively. When paired with these resources, they can also reduce the need for polluting peaker plants, reducing air pollution and making our community and the environment healthier and safer.

I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Miss Gustine Green
Kansas City, KS 66104
greengustine90@gmail.com

Public comment in support of East Side Energy Storage

From Judy Ancel <jancel@everyactioncustom.com>
Date Wed 1/28/2026 11:15 PM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from jancel@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Ms. Judy Ancel
Kansas City, KS 66106
jancel@igc.org

Outlook

Public comment in support of East Side Energy Storage

From Lisa Walker-Yeager <lisawalkeryeager@everyactioncustom.com>
Date Thu 1/29/2026 4:54 AM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from lisawalkeryeager@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Mrs. Lisa Walker-Yeager
Kansas City, KS 66104
lisawalkeryeager@gmail.com

Public comment in support of East Side Energy Storage

From Teri Quinn <tquinnchc@everyactioncustom.com>
Date Thu 1/29/2026 9:28 AM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from tquinnchc@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Mx. Teri Quinn
Kansas City, KS 66101
tquinnchc@gmail.com

Outlook

Public comment in support of East Side Energy Storage

From Carol Carley <cac744@everyactioncustom.com>
Date Thu 1/29/2026 3:20 PM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from cac744@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Ms. Carol Carley
Kansas City, KS 66104
cac744@aol.com

Outlook

Public comment in support of East Side Energy Storage

From Hillary Myles <hillary.myles1@everyactioncustom.com>
Date Thu 1/29/2026 12:13 PM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from hillary.myles1@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Mrs. Hillary Myles
Kansas City, KS 66103
hillary.myles1@gmail.com

Outlook

Public comment in support of East Side Energy Storage

From Vicki Arnett <vickiarnett@everyactioncustom.com>
Date Mon 2/9/2026 10:25 AM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from vickiarnett@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

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I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Ms. Vicki Arnett
Topeka, KS 66604
vickiarnett@sbcglobal.net

Public comment in support of East Side Energy Storage

From Asher Caulfield <tote_talkers9w@everyactioncustom.com>
Date Mon 2/9/2026 4:32 PM
To rmorris@wycokck.org <rmorris@wycokck.org>

[You don't often get email from tote_talkers9w@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] Dear Wyandotte County Planning Commission, I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable. As a resident of Kansas, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services. By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security. Unlike other forms of heavy industry, energy storage systems are safe and built with public health in mind. They don't create their own pollution and they make fewer permanent changes to the land. They help us use clean energy resources like solar and wind more effectively. When paired with these resources, they can also reduce the need for polluting peaker plants, reducing air pollution and making our community and the environment healthier and safer. I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you. Sincerely, Mr. Asher Caulfield Lenexa, KS 66219 tote_talkers9w@icloud.com

Letter from Sierra Club to support East Side BESS

From Ty Gorman <ty.gorman@sierraclub.org>
Date Sat 2/7/2026 4:10 PM
To Morris, Rose <rmorris@wycokck.org>; Toy, Byron <btoy@wycokck.org>; aferris <aferris@kckbpu.onmicrosoft.com>

You don't often get email from ty.gorman@sierraclub.org. Learn why this is important

Hi Rose and Byron,

The Kansas Sierra Club is sending this letter to support the proposed Battery Energy Storage System (East Side BESS) at 8900 Metropolitan in KCK. BESS technology provides flexibility, rapid response capabilities, and grid stabilization, ensuring that energy remains available during peak demand periods. While battery storage is still evolving, its role in enhancing grid resilience and integrating renewable energy sources will become increasingly important in the years ahead.

The Sierra Club supports this battery energy storage project because it can reduce costs and bring more energy capacity without pollution to the local electric distribution system. It should also provide approximately $20 million in county revenue over its lifespan, 65 local construction jobs, 7 operational positions, and an estimated $9 million in annual energy savings by providing dispatchable local capacity.

This investment has the potential to help replace local polluting energy sources like the Nearman Coal plant, and ensure a better supply of local reliable energy in case of extreme weather events and high transmission congestion. In addition, the community should expect benefits like quarterly contributions of $5,000 to local organizations during permitting and construction, as well as scholarships for students pursuing STEM and energy careers once operational.

Wyandotte County has a long history of industrial land use and historically under-invested neighborhoods. Areas such as Armourdale, Argentine, and Quindaro are adjacent to rail yards, scrap yards, manufacturing plants, and other heavy infrastructure. The commission should approve this clean energy project to bring needed investment into the community and eliminate projects that create significant amounts of pollution in our neighborhoods.

Thank you!

Ty Gorman (he/him)
Sierra Club Sr. Campaign Organizing Strategist
Beyond Coal Campaign
Southwest Power Pool, Kansas
E-Mail: ty.gorman@sierraclub.org
Cell: 913.227.9310

Outlook

Public comment in support of East Side Energy Storage

From Leonard Braton <maxgalaxy@everyactioncustom.com>
Date Mon 4/13/2026 11:37 AM
To Morris, Rose <rmorris@wycokck.org>

[You don't often get email from maxgalaxy@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Wyandotte County Planning Commission,

As a resident and a IBEW 124 member, I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable.

As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services.

By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security.

Unlike other forms of heavy industry, energy storage systems are safe and built with public health in mind. They don't create their own pollution and they make fewer permanent changes to the land. They help us use clean energy resources like solar and wind more effectively. When paired with these resources, they can also reduce the need for polluting peaker plants, reducing air pollution and making our community and the environment healthier and safer.

I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you.

Sincerely,
Mr. Leonard Braton
Kansas City, KS 66109
maxgalaxy@live.com

Public comment in support of East Side Energy Storage

From janet noonen <jnoonen@everyactioncustom.com>
Date Tue 3/17/2026 2:12 PM
To rmorris@wycokck.org <rmorris@wycokck.org>

[You don't often get email from jnoonen@everyactioncustom.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] Dear Wyandotte County Planning Commission, I am writing to express my strong support for the East Side Energy Storage project. This project is a great opportunity to welcome a safe technology that strengthens our grid, keeping the lights on and energy costs affordable. As a resident of Wyandotte County, I'm most excited about the local economic benefits. East Side Energy Storage will generate 238 local construction jobs and 7 long-term positions in operations. It will also provide over $19 million tax revenue over its lifetime that we can use to strengthen our roads, schools, and emergency services. By storing energy when it's cheap and deploying it when it's needed most, this project will help keep energy costs stable even as demand grows in our area. East Side Energy Storage will be able to store enough flexible, affordable electricity to power 40,000 homes whenever we need it most, including during times of extreme heat or cold. Saying yes to storage in Wyandotte helps make the most of our homegrown energy sources, reducing our reliance on foreign or out of state energy sources, protecting our independence and security. Unlike other forms of heavy industry, energy storage systems are safe and built with public health in mind. They don't create their own pollution and they make fewer permanent changes to the land. They help us use clean energy resources like solar and wind more effectively. When paired with these resources, they can also reduce the need for polluting peaker plants, reducing air pollution and making our community and the environment healthier and safer. I urge you to approve this project to ensure reliable power, a cleaner environment, and a strong economic future for Wyandotte County. Thank you. Sincerely, mrs janet noonen Overland Park, KS 66204 jnoonen@gmail.com

Kansas AFL-CIO

- ksaflcio.org
- 2131 S.W. 36th St
Topeka, KS 66611
- 785.267.0100

April 7, 2026

Unified Government of Wyandotte County/Kansas City, Kansas
Planning Commission
701 N. 7th Street
Kansas City, Kansas 66101

RE: Letter of Support — East Side Energy Storage (Accelergen Energy), Wyandotte County

Dear Members of the Planning Commission:

On behalf of the Kansas AFL-CIO and the more than 100,000 members and their families we represent across the state, I am writing to express our strong support for Accelergen Energy's East Side Energy Storage battery energy storage project in Wyandotte County.

This project represents exactly the kind of investment our communities need: clean energy infrastructure that creates good jobs for local workers. Accelergen has committed to using union labor and local companies to build this facility, supporting approximately 300 construction jobs across Kansas and roughly 65 jobs right here in Wyandotte County. The company has worked collaboratively with affiliated unions of the AFL-CIO on involving skilled local labor in every phase of the project.

Beyond the construction phase, this project will strengthen the regional power grid at a time when energy demand in the Kansas City area is projected to more than double. Battery storage captures surplus renewable energy and releases it during peak demand, helping stabilize costs for families and businesses. The project also generates significant new tax revenue for local services and includes community benefit contributions such as scholarships and support for local community organizations.

President **Brian Alexander** • Executive Secretary Treasurer **Jake Lowen** • Executive Vice President **John Nave**

Executive Board: Luke Bizzell • Brian Burnett • Tony Cahill • Robert Cammarn • Tony Delich • Joey Flicker • Tom Gebken • Russell Hardy • Shaun Junkins • Mike Kane • Jeff Kurtz • Donna Lehane • Tatum Keister • Andy Martin • Julie Perry • Dennis Phillips • Emil Ramirez • Carol Russell • Jeff Townsend • Scott Tummons • Chris Ubel • Katie Warren
Printed In House with Union Labor

Clean energy and good union jobs are not an either-or proposition. This project delivers both. We urge the Planning Commission to approve the East Side Energy Storage project.

Thank you for your consideration.

Respectfully,

Jake Lowen
Executive Secretary-Treasurer
Kansas AFL-CIO

LETTERS OF OPPOSITION

Outlook

Battery storage facility

From Janet <spufee@yahoo.com>
Date Tue 12/16/2025 9:29 PM
To PlanningInfo <Planninginfo@wycokck.org>

[You don't often get email from spufee@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I would like to protest a battery storage facility at 8900 Metropolitan. I don't understand why every neighborhood in the city has to be turned into an industrial area. Let me know if this email is sufficient to register my disapproval of this facility in this neighborhood. Thank you, Janet Ruby.

Battery Energy Storage at 89th & Metropolitan

From Jamie Burns <jamierburns@hotmail.com>
Date Mon 2/2/2026 11:11 AM
To Planninginfo@wycokck.org <Planninginfo@wycokck.org>

[You don't often get email from jamierburns@hotmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] Hello, My name is Jamie Burns, resident of Wyandotte County in zip code 66111. I am writing to oppose the approval of special use permit to install a Battery Energy Storage System in the neighborhood of 89th & Metropolitan in Kansas City, KS. This area is too close to residents of the community that could be negatively impacted by this installation- not only by the negative environmental effects, but also the risk of fire, as well as the negative impact to property values of neighboring homes. Thank you for listening. Jamie Burns 48 N 102nd St, Edwardsville, KS 66111

Battery Energy Storage System

From Donna OHare <khromegal@yahoo.com>
Date Mon 2/9/2026 3:12 PM
To Morris, Rose <rmorris@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>

You don't often get email from khromegal@yahoo.com. Learn why this is important

I wish I could attend the meeting but walking is difficult for me. I live 3 blocks east of the proposed site and have lived here for 60 of my 70 years. This is a rural area and not a business area. I do not want this storage system anywhere near me. Since I live east of it any accident or error in their handling of the batteries would be blown my direction. I'm concerned for the safety of having it there especially since this is the company's first attempt at this. I also object to the company walking away from the site after their 20 year planned use of the land. There should be some assurance that the land will be usable when they are done with it. I already have to listen to the heavy equipment running in the business park off K32 which I'm sure will benefit from this more than I. I have no cable but an ATT high speed line runs down my street but not for me, but for the business park. There's a quality of life issue here. All this is ruining the neighborhood and once this is approved they'll be more infringement into the neighborhood and we'll lose our neighborhood. I grew up here and bought grandparents house. On this street there are several children who have purchased their parents house. This speaks to how we prefer the neighborhood to stay the same. Please do not vote for this. Thank you.

Donna oh are
1325 S86th St
Kansas City, KS 66111

From: Jodi Maxey <jodi.maxey13@gmail.com>
Sent: Monday, February 9, 2026 4:01 PM
To: Morris, Rose <rmorris@wycokck.org>
Cc: pjlipoz@wycokck.org <pjlipoz@wycokck.org>
Subject: Battery Energy Storage Systems

You don't often get email from jodi.maxey13@gmail.com. Learn why this is important

Hello,
I live at 2029 Orchard St, Edwardsville, KS 66111, about two miles away from the proposed BESS site. I am strongly opposed to this going in at this location. There are many homes around the area that will be affected by this being put in. I'm guessing property values will decline for those homes. This area should be built up for people to get into homes. We rely strongly on property taxes. We are tired of businesses coming in, taking up land, and getting tax deals. Please do not approve the special permit for the BESS. I have not read about one positive thing for the communities these things go into.

I appreciate the hard work you do for Wyandotte County.

Thank you, Jodi Maxey

Battery Storage Facility

From Sandy Zugelder <sazugelder@gmail.com>
Date Mon 2/9/2026 9:03 PM
To rmorris@wycokck.org <rmorris@wycokck.org>
Cc pjlopez@wycokck.org <pjlopez@wycokck.org>

You don't often get email from sazugelder@gmail.com. Learn why this is important

I am a resident of Wyandotte County. I am sending this email to say I am OPPOSED to the Battery Storage Facility that has been proposed at 8900 Metropolitan Avenue. This is in conjunction with PR2025-039.

Sandy Zugelder

(No subject)

From Jerry Cigich <woodsmancig@att.net>
Date Mon 2/9/2026 5:31 PM
To pjlopez@wycokck.org <pjlopez@wycokck.org>
Cc rmorris@wycokck.org <rmorris@wycokck.org>

You don't often get email from woodsmancig@att.net. Learn why this is important

opposition for Battery energy storage system

Opposition to Battery Storage

From Sandra Cigich <scigich1957@att.net>
Date Mon 2/9/2026 2:03 PM
To rmorris@wycokck.org <rmorris@wycokck.org>
Cc pjlopez@wycokck.org <pjlopez@wycokck.org>

You don't often get email from scigich1957@att.net. Learn why this is important

Opposition of Battery Storage System can not attend tonight's meeting
Thank you
Sandra Cigich
9201 Swartz Rd
KCK 66111

Proposed battery energy storage system

From melissaknight509@gmail.com <melissaknight509@gmail.com>
Date Mon 2/2/2026 10:49 AM
To Planninginfo@wycokck.org <Planninginfo@wycokck.org>

[You don't often get email from melissaknight509@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] I am OPPOSED to the approval of the special use permit for the proposed battery energy storage system located at 8900 Metropolitan Ave, Kansas City, Ks Thank you, Melissa Knight Sent from my iPhone

From: courtney slinkard <courtneyslinkard@gmail.com>
Sent: Sunday, February 8, 2026 5:38 PM
To: PlanningInfo <Planninginfo@wycokck.org>
Subject: Battery energy storage system

You don't often get email from courtneyslinkard@gmail.com. Learn why this is important

To whom it may concern,

I live in the area where they are trying to put in this battery energy storage system . I am 100% against them using a special permit for the system. Please don't allow the system to go in.

Thank you for your time Courtney Slinkard

RE: OFFICIAL OPPOSITION TO CASE PR2025-039 and PR2025-94(East Side Energy Storage LLC)

From Sandra Drown <sdrown15@gmail.com>
Date Sat 2/21/2026 4:29 PM
To Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; PlanningInfo <Planninginfo@wycokck.org>; Morris, Rose <rmorris@wycokck.org>; Hand, Gunnar <ghand@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Burroughs, Tom <tburroughs@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; bburns@wycokck.org <bburns@wycokck.org>

You don't often get email from sdrown15@gmail.com. Learn why this is important

To the Unified Government Planning Commission and Board of Commissioners:

I am a direct neighbor at **9111 Metropolitan Ave**, located directly across the street from the proposed 8900 Metropolitan Ave project. I formally object to this Special Use Permit based on the following critical technical and financial facts:

1. Corporate & Financial Opacity: The applicant, **East Side Energy Storage LLC**, is a Delaware shell company formed only 15 months ago (11/14/23), operating out of a **residential home in Overland Park**. This $250 million project is being led by **Accelergen Energy LLC** (founded late 2020), a startup with **zero completed utility-scale projects**. Their total funding of $50 million is "bridge" capital for deposits—not the $200M+ required for construction. Our neighborhood should not be a "test case" for a startup's first venture into high-voltage thermal energy storage. A company that has existed for barely five years and has never successfully energized any sites as of today, lacks the institutional experience to manage the complex safety and infrastructure risks inherent in a $250 million project.

1. **Incompatibility with the Golden Factors:** This project fails the "Character of the Neighborhood" test. A 24/7 industrial hum at **60dB** (100x more intense than our 30dB rural baseline) is a permanent nuisance that cannot be mitigated by a standard fence. Accelergen **representative Josh admits they intend to sell this project**. This creates a dangerous accountability gap: Who do we call at 3:00 AM when the noise is unbearable? A mail-drop service in Topeka? A Delaware LLC with no assets? A global corporation like Blackstone that has no local office?. Yet oh, Accelergen is also an out of state company. No one to contact locally before or after that sale.

2. **Zero Long-Term Local Economic Benefit:** This project provides **no permanent local jobs**. While there may be temporary construction work, once operational, these sites are monitored remotely. Wyandotte County is being asked to sacrifice its safety and property values for a facility that employs **zero** local residents.

3. **No Local Energy Commitment:** The developer has **no contract or commitment** to provide energy storage to our local Board of Public Utilities (BPU). This is a "merchant" facility designed to sell power to out-of-state markets. Wyandotte County is being asked to bear 100% of the industrial risk while receiving 0% of the energy benefit.

4. **Infrastructure Bottleneck:** Metropolitan Avenue is a 20-foot rural road with **no shoulders**. Fire hydrants are located on the project side, while overhead utility lines and mature residential trees line my side. Staging a single KCKFD Type 1 Pumper (10.5 ft wide) at a hydrant creates a **total blockade**, preventing all residential emergency egress. There is physically no room to widen this road without relocating city power lines and destroying the residential trees and more.

5. **Inadequate Fire Flow Infrastructure:** The existing fire hydrants on Metropolitan Avenue were designed for residential and agricultural protection. They do **not** accommodate the industrial-scale "Fire Flow" (gallons per minute) required to manage a 300 MW lithium-ion thermal runaway event. Cooling a battery fire requires thousands of gallons of continuous water for days; our current infrastructure cannot support this, posing a catastrophic risk to neighboring homes.

6. **Misleading Visual Impact Claims:** Accelergen representative Josh has stated on the record that this facility would be **"unseen."** This is factually incorrect. From my front yard, I will have a direct, unobstructed view of an industrial battery array. The developer's attempt to downplay the visual blight proves a lack of transparency and a disregard for the "Character of the Neighborhood" protected under the **Golden Factors**.

7. **Property Value Diminishment:** This industrialization of an agricultural zone creates a "market stigma." Independent data suggests a **5% to 7% decrease in property values** for adjacent homes. This project represents a direct, uncompensated taking of my home equity.

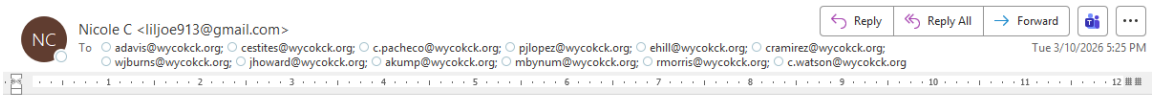
8. **Industrial Encroachment**: As seen in recent denials in Saline County and Sumner County, commissions are increasingly finding that large-scale Battery Energy Storage Systems (BESS) are inconsistent with rural-residential and agricultural zones.

We chose this location to purchase in 2021 to live in a quiet, rural area away from industrial blight. This $250 million project is in total violation of the agricultural character we invested in. A plant like this belongs in an industrial park, not across the street from homes and livestock.

I urge you to recommend **DENIAL**.

Respectfully,

Sandra Drown



You don't often get email from liljoe913@gmail.com. Learn why this is important

Good evening, Mayor Watson, Commissioners and Planning/Zoning Committee Members,

I'm reaching out to you once again to please vote 'No' on the proposed battery storage facility proposed at 88th and metropolitan in KCK.

My family doesn't live far from the facility, in a home where my child is the 5th generation to live in our home, in a neighborhood my great-grand parents helped build including the church down the road.

We continue to stay in this area because it is one of the few areas left that has agriculture-type areas nestled in the city, has strong family ties and hasn't been destroyed with commercial development. Putting this battery storage facility, a heavy commercial use development in a currently agriculturally zoned area, takes away from the neighborhood we live in, it will decrease home values, take away from the established ecosystem and beautification of our neighborhood.

I have attend both community meetings so far and it's clear this area was targeted because the land was already cleared and cheap to purchase, as a "first timer" site for this company. If BPU thought this was infrastructure we needed, it would have already been built or would be in the works. We do not have a power problem in this community. This company wants to buy electricity us constituents pay for, to sell to other places at a profit, at our expense in more ways than one. I fully believe this is to sell power tax-free to the incoming data center and others like it, rather than to our community's benefit.

Please do not destroy our neighborhood, our wildlife and ecosystems and where we call home for a project that is not needed in a residential area.

Thanks,
Nicole Crosson



You don't often get email from mattl635@outlook.com. Learn why this is important

WYCO Planning Commission,

I write this email to oppose placing this Battery Energy Storage System in the proposed location, because:

1. To close to residential housing
2. If this is so good why doesn't BPU put it in?

Thank you,

Matthew Birzer
913-208-4011

Sent from Outlook
Matthew L Birzer PE
913-208-4011



[You don't often get email from ward6696@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I am writing in opposition to the proposed battery storage plant that has been proposed across the street from residential homes in the 8900 block of Metropolitan.
Let it go on record that I am completely amazed that the powers that be would even consider such a plant anywhere near residential properties and homes in our city.
I seriously ask that this not be allowed.

Thank you,

Deborah Ward
7315 Lafayette Ave
Kansas City, KS. 66109
Sent from my iPhone

Battery and data centers

From Teach <teachb52@yahoo.com>
Date Mon 4/13/2026 6:13 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from teachb52@yahoo.com. Learn why this is important

Please do not allow these busineses in the county; especially in our residential and populated areas. Health hazards, noisy, unsustainable to our water supply and nature, in general. Thank you, Cheryl Lynn

Battery energy storage facility

From jayr1210@aol.com <jayr1210@aol.com>
Date Mon 4/13/2026 2:07 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from jayr1210@aol.com. Learn why this is important

I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration.

Battery Energy Storage

From Cathy Bruce <catbruce@live.com>
Date Mon 4/13/2026 4:46 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from catbruce@live.com. Learn why this is important

Hello - I am writing to respectfully urge you to deny approval of a proposed Battery Energy Storage System in the area near 8900 Metropolitan, and refrain from granting any special use permits for such facilities in this neighborhood. Placing this type of infrastructure in a residential setting raises serious concerns for those of us who live nearby. Issues such as potential fire hazards, increased noise, and the broader impact on the property values and overall quality of life cannot be overlooked. Families in this community rely on a safe, quiet, and stable environment, and this type development does not uphold those expectations. Please consider more appropriate locations for these facilities, such as an industrial area, where they can operate without negatively affecting the residential communities.

Thank you for your time and thoughtful consideration.

Sincerely,

C. Hilton

Battery Storage at 89th & Metropolitan

From Joe & Debi Ward <ward6696@gmail.com>
Date Mon 4/13/2026 7:50 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from ward6696@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] To whom it may concern: I am again writing to plead with the planning commission to turn down the request for the battery storage area near 89th and Metropolitan Ave. This area is surrounded by residential homes who deserve much better than this from their local government. Please DO NOT allow this to take place. Debi Ward 7315 Lafayette Ave. Kansas City. KS. 66109 Sent from my iPhone

Battery storage facility

From Shane Carpenter <scarp563@gmail.com>
Date Mon 4/13/2026 8:13 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from scarp563@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] I'm writing to express my displeasure with you and to let you know that this is a stupid idea. This doesn't belong in a residential area.. duh. Do the right thing and keep it out of the area of 8900 blocks of Metropolitan. Sent from my iPhone

Battery Storage Facility Vote

From Jodi Maxey <jodi.maxey13@gmail.com>
Date Mon 4/13/2026 11:44 AM
To PLANNINGINFO@wycokck.org <PLANNINGINFO@wycokck.org>

You don't often get email from jodi.maxey13@gmail.com. Learn why this is important

Hello,

I am opposed to the battery storage facility being built in KCK on Metropolitan. It seems these companies are in such a rush to build and to build wherever they want. The risks of gases being released in the neighborhood are not a risk our neighbors should have to take. This will negatively affect the neighborhood's property values.

I live 1.5 miles away from the proposed facility. This is not something that I want or should have in our residential community.

Please vote against the building of the battery storage facily.

Thank you, Jodi Maxey

From: Donna OHare <khromegal@yahoo.com>
Sent: Monday, April 13, 2026 8:15 AM
To: Morris, Rose <rmorris@wycokck.org>
Subject: Battery Storage Facility

You don't often get email from khromegal@yahoo.com. Learn why this is important

I live 3 blocks due east of the proposed site of the facility. I have lived here the majority of my 70 years. I live in my grandparents house but next to my childhood house where my brother lives now. My husband and I chose to live here after his 4 Navy years. We're retired and had planned to stay here as long as possible. It's a very good neighborhood to live in. Over the years we now have to listen to heavy equipment from business area off K32 and traffic from 435 but we're managing. I said all the above to make the point that this storage facility gains us nothing. The business is not local, initially some jobs will be gained but will end on completion of the site. The company is not committed to aid BPU in providing power nor are they interested in the area for anything but cheap land and access to substation. I am concerned about the safety of the site, being just east of it, since the wind blows west to east here.There will be noise both during construction and once it's on line. Once it's on line it doesn't have business hours... it runs. I know of the program the city has promoting liveable neighborhoods and fail to see how this facility can be paired with that. Please do not grant them a zoning change. They neither care about neighbors nor the area. This is an opportunity for them to put

a money making plan in and then leave. They bring no benefit to the neighborhood. My road won't be fixed, never had WiFi so don't miss it. Please let them go somewhere else to build this. Let the people win one for once.

Donna O'Hare
1325 S 86 St
KC, KS

Battery energy storage 8900 Metropolitan area

From Roxie Armstrong <roxiearm@gmail.com>
Date Mon 4/13/2026 6:03 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from roxiearm@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] To whomever this applies: planninginfo@wycokck.org I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration. Sincerely, Roxie Armstrong

BESS

From Tracy Ramey <tracy052265@gmail.com>
Date Mon 4/13/2026 7:34 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from tracy052265@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] This proposed battery energy storage facility does not meet the standards required for a Special Use Permit in this location. The project is not compatible with the surrounding residential area along Metropolitan Avenue and would introduce an industrial use into an established neighborhood. In addition, there are unresolved concerns regarding fire safety, emergency response readiness, and proximity to homes. These impacts have not been sufficiently addressed to ensure the protection of nearby residents. For these reasons, this project does not satisfy the required findings for approval and the Special Use Permit should be denied."

Concerns regarding a battery energy storage system

From Lydia Black <black.lydia319@gmail.com>
Date Mon 4/13/2026 6:15 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from black.lydia319@gmail.com. Learn why this is important

Hello,

It has come to my attention that the planning committee is considering adding a battery energy storage system to the area of 8900 Metropolitan Ave. While I see the potential benefits- as someone who lives close the area the plan is concerning. There are warnings linking such systems to the releases of toxic gases and increased fire hazard. This area already has radon levels exceeding EPA standards. Please don't add something else potentially harmful to our children. I come from North County St. Louis and there's been many lawsuits in the area related cancer resulting from pollutants contaminating the community (Cold water creek specifically). I do not want to raise my children near something like this. Please consider this as you guys are planning. I'm sure there's plenty of space South of Kaw Dr for such a development. Lifting the residency requirement did not motivate me to leave the area as an employee of the city- but putting the health of my children at risk for industrial development would.

Very Respectfully,
Lydia Black 8741 Barber Ave.

(No subject)

From Robin Reitmeyer <kscasinocop@gmail.com>
Date Mon 4/13/2026 8:11 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from kscasinocop@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration. Sent from my iPhone

No to the battery plant!

From David Thaxton <dthaxton1234@icloud.com>
Date Mon 4/13/2026 3:50 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from dthaxton1234@icloud.com. Learn why this is important

I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration.
Sent from my iPhone

Opposition

From Ramey Hunt <rameyhunt33@gmail.com>
Date Mon 4/13/2026 5:34 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from rameyhunt33@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] To whom it may concern, I am writing to express my opposition to the battery energy storage facility that is being planned to go into the neighborhood of 8900 Metropolitan Ave. while I do not live in that neighborhood my family and I spend a lot of time there. This is something that is not wanted in the area. Thank you for your consideration

Energy Storage System Request

From Noel <sporkcake26@gmail.com>
Date Mon 4/13/2026 4:40 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from sporkcake26@gmail.com. Learn why this is important

I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods. Thank you for your consideration.

Noel Burt, resident of Muncie, KS.

Please reconsider

From Roz Woody <roz.woody2@gmail.com>
Date Mon 4/13/2026 7:12 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

[You don't often get email from roz.woody2@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] Dear Planning Commission, It's my understanding that a battery storage facility is under consideration for approval in a residential neighborhood, specifically 8900 Metropolitan or grant special use permits. These facilities do not belong near homes or families who enjoy safety, peace and stability. There are real concerns about fire, noise and overall impact on property values and quality of life. Please place these types of facilities in appropriate industrial area, not our neighborhoods. Would you want one in YOUR neighborhood? Respectfully, Rosalind Woody Sent from my iPhone

Please Vote 'No' for Battery Facility

From Nicole C <liljoe913@gmail.com>
Date Mon 4/13/2026 5:39 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from liljoe913@gmail.com. Learn why this is important

Dear Members of the Planning Commission,

I'm writing again to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. We are a fifth generation family living in the area and we do not want this in our neighborhood.

These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life.

Please place these types of developments in appropriate industrial areas, not in our neighborhoods.

Thank you for your consideration.
Nicole Crosson

Please vote no on the BESS

From Tracy Ramey <tracy052265@yahoo.com>
Date Mon 4/13/2026 2:05 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from tracy052265@yahoo.com. Learn why this is important

I'm writing to respectfully ask the Planning Commission to not approve battery energy storage systems in residential neighborhoods, specifically in the 8900 Metropolitan area, or grant them special use permits there. These facilities do not belong near homes where families expect safety, peace, and stability. There are real concerns about fire risk, noise, and overall impact on property values and quality of life. Please place these types of developments in appropriate industrial areas, not in our neighborhoods.

Thank you for your consideration.

Tracy Ramey
KCK
Directly across from the proposed site

Special Use Permit for 8900 Metropolitan Ave

From Kellie Hogan <kelliehogan1102@gmail.com>
Date Sun 4/12/2026 2:59 PM
To planninginfo@wycokck.org <planninginfo@wycokck.org>

You don't often get email from kelliehogan1102@gmail.com. Learn why this is important

To Whom it May Concern,

As a neighbor directly across the street from this location I am opposed to this project. It has no business in a residential area.

Kellie Hogan
8919 Metropolitan Ave, Kansas City, KS 66111

From: Michelle Payne <mpayne202@gmail.com>
Sent: Monday, April 13, 2026 1:58 PM
To: PlanningInfo <Planninginfo@wycokck.org>
Subject: Data Center at 86th and Metropolitan

You don't often get email from mpayne202@gmail.com. Learn why this is important

Dear Commissioners,
I am writing to express my concerns regarding the proposed data center and battery storage facility planned for our neighborhood. While I understand the importance of supporting energy infrastructure, I believe this particular project raises several serious issues that deserve closer consideration.
First, I am concerned that this facility will not provide meaningful benefits to our local community. Based on available information, it appears that the project will not significantly contribute to our tax base or provide tangible financial support to the surrounding area. Unlike other developments that bring jobs, services, or increased local revenue, this project seems to operate primarily as a private energy asset with limited direct return to residents.
Additionally, the potential environmental impacts are troubling. Large-scale battery storage facilities can pose risks related to soil and water contamination, especially in the event of leaks, fires, or improper disposal of materials. There are also concerns about air quality and the handling of hazardous substances associated with battery systems. Beyond that, the construction and operation of

---

such a facility may disrupt local ecosystems, increase noise levels, and alter the character of our neighborhood.
I am also worried about long-term safety and sustainability. Battery storage sites require careful monitoring and emergency preparedness, and it is not clear whether sufficient safeguards and response plans will be in place to protect nearby residents.
Given these concerns, I respectfully urge you to carefully evaluate whether this project truly serves the best interests of our community. I ask that you consider the lack of direct economic benefit alongside the potential environmental and safety risks before moving forward with approval.
Thank you for your time and attention to this matter. I appreciate your commitment to representing and protecting the interests of our community.
Sincerely,
Michelle Payne
940 S 89th St
Kansas City, Ks
66111

From: William Michael <wem07hdeguc@gmail.com>
Sent: Monday, April 13, 2026 3:49 PM
To: PlanningInfo <Planninginfo@wycokck.org>
Subject: Data Center

You don't often get email from wem07hdeguc@gmail.com. Learn why this is important

Please consider an industrial area, such as Fairfax area in Wyandotte County, and NOT in the 8900 block of Metropolitan Ave., to install a data center. Thank you.

To The Unified Government of Wyandotte County and Kansas City, Kansas, Planning Commission and Board of Commissioners:

Re: SP2025-094 - EAST SIDE STORAGE LLC WITH ACCELERGEN ENERGY LLC, Special Use Permit for a battery storage facility at 8900 Metropolitan Avenue (in conjunction with PR2025-039, Preliminary Plan Review)

I am writing as a residential real estate professional with more than three decades of experience specializing in upper-bracket new home sales. I am speaking for myself, and not as a representative of any particular client, company or agency. Over the course of my career, I have worked with hundreds of buyers and sellers, and I have seen firsthand how surrounding land uses, particularly those perceived as industrial or high-risk, can materially affect both the market value of nearby homes and the long-term enjoyment of those properties.

I am submitting this letter to express my professional concern regarding the proposed battery power storage facility near an established residential neighborhood. My comments are based on long-standing market patterns, buyer behavior, and valuation impacts that consistently arise when industrial uses are introduced adjacent to or near residential communities.

Impact on Property Values and Marketability
In my professional experience, the introduction of an industrial-scale facility near homes almost always results in a measurable diminution of nearby residential property values. Buyers routinely discount homes located near uses they perceive as incompatible with residential living, and battery storage facilities, because of their size, purpose, and perceived risks, fall squarely into that category.

Beyond direct value impacts, such facilities significantly reduce buyer interest. When prospective purchasers learn of a nearby industrial use, many simply eliminate the property from consideration. This reduced buyer pool leads to longer days on market, increased carrying costs for sellers, and a measurable decline in marketability.

In many cases, proximity to an industrial facility becomes what the real estate industry refers to as an *incurable defect*, a condition that cannot be remedied by the homeowner and that permanently affects value and desirability.

Stigma and Buyer Perception
Even when a facility is engineered to meet safety standards, the *perception* of risk is often just as influential as any actual risk. Buyers frequently express concerns about noise, light pollution, operational activity, and the loss of peace and tranquility that define residential neighborhoods. These concerns create what appraisers call *stigma discounts*, which can persist for years.

Additionally, sellers are legally obligated to disclose nearby industrial uses to prospective buyers. Such disclosures are widely viewed as “red flags” and often trigger immediate valuation concerns. Once disclosed, the presence of the facility becomes a permanent part of the property’s market profile.

Visibility and Misleading Assumptions
I understand the developer has stated that the facility will not be visible from outside the industrial property. However, this assertion does not align with the topography of the area. The surrounding residential properties sit at a higher elevation, meaning the facility, and any associated fencing,

lighting, or equipment, will in fact be visible to certain homeowners. This visibility further reinforces buyer concerns and contributes to long-term stigma.

It is also worth noting that similar facilities operated by this company include perimeter fencing with danger-warning signage. Such signage, while necessary for safety, is highly inconsistent with residential aesthetics and further contributes to negative buyer perception.

Noise Mitigation
Battery energy storage systems rely on continuous cooling and electrical equipment that can generate a persistent background hum. While this may be modest in absolute terms, constant low-frequency noise can be disruptive in quiet residential areas, especially at night. I encourage the following mitigation measures:

- Require a formal, independently verified noise study using conservative assumptions (including nighttime operation and worst-case conditions)
- Establish enforceable maximum noise limits at the residential property line
- Require design measures such as equipment orientation, sound barriers, and acoustic enclosures to ensure compliance

Fire Safety and Emergency Preparedness
Public concern regarding battery-related fire risks is significant and understandable. While such events are rare, they can be difficult to manage when they occur. The Commission should recommend the following:

- A detailed, publicly available emergency response plan developed in coordination with local fire departments
- On-site fire detection and suppression systems appropriate for lithium-ion battery installations
- Adequate spacing between battery units to prevent propagation of thermal events
- Clear access routes and staging areas for emergency responders
- Ongoing training and coordination with local emergency personnel

Visual Screening and Buffering
Given the site's visibility from nearby homes, particularly those south of Metropolitan Avenue, it is important that the project be designed to minimize visual impact. The Commission should recommend the following:

- A substantial landscaped buffer (ideally at the higher end of the 25–50 ft range)
- Inclusion of berming and dense evergreen plantings to provide year-round screening
- Strategic placement of equipment away from the southern property line where feasible

Lighting and Community Compatibility
To preserve neighborhood character, the Commission should recommend the following:

- Fully shielded, downward-directed lighting to minimize nighttime glare
- Operational practices that limit unnecessary nighttime disturbance

Conclusion
Based on my professional experience, the proposed battery storage facility poses a substantial risk to the property values, marketability, and overall enjoyment of nearby homes. These impacts are not speculative; they are consistent with buyer behavior patterns observed across many markets over many years.

For these reasons, I respectfully urge decision-makers to consider the long-term consequences for homeowners who have invested in their properties with the reasonable expectation of stability, safety, and residential compatibility.

Thank you for your consideration.

Sincerely,

Janet P. Agron
Realtor, licensed in Kansas and Missouri

ReeceNichols KCN

janetagron28@gmail.com

cell: 816-289-7778

Re:Battery Energy Storage System

From Mary Ann <maatumellc@gmail.com>
Date Fri 4/10/2026 1:15 PM
To PlanningInfo <Planninginfo@wycokck.org>

1 attachment (397 KB)
LetterPg2.pdf;

You don't often get email from maatumellc@gmail.com. Learn why this is important

Re: Opposition to Eastwood Energy Project – 8900 Metropolitan Avenue, Kansas City, KS 66111

To Whom It May Concern,

We are writing to formally express opposition to the proposed Eastwood Energy Project located at 8900 Metropolitan Avenue in Kansas City, Kansas. We are property owners and our homes are in close proximity to the proposed development.
After reviewing the available information and considering the potential impacts, we have serious concerns regarding this project and respectfully request that it not be approved in its current form.

Primary concerns include:
Residential Impact and Quality of Life
The proposed project is not consistent with the surrounding residential character of the area. Increased industrial activity, lighting, and operational presence may negatively affect the quiet enjoyment, safety, and livability of nearby homes.

Traffic and Safety
The development is expected to increase vehicle and potentially heavy truck traffic in the area. Swartz Road and nearby streets are not designed for significant increases in traffic volume, raising concerns about congestion, road wear, and safety for residents.

Noise and Environmental Effects
Energy-related facilities often generate continuous or intermittent noise, which may disrupt nearby households. Additionally, there are concerns about potential environmental impacts, including emissions, runoff, and long-term effects on local land and water.

Fire Risk and Documented Safety Incidents
There is a significant and well-documented risk of fire and explosion events associated with battery energy storage systems and similar energy infrastructure.

Real-world incidents highlight the seriousness of these risks:

Moss Landing, California (2025): One of the largest battery storage facilities in the world experienced a major fire involving tens of thousands of lithium-ion batteries. The fire burned for days, produced large plumes of smoke, and forced the evacuation of approximately 1,200–1,500 residents in the surrounding area. Fire officials were limited in their ability to extinguish the blaze and, in some cases, allowed portions of the facility to burn out due to the nature of lithium battery fires. (Energy-Storage.News)

Moss Landing, California (ongoing concerns): The same site has experienced multiple incidents over several years, including equipment failures and repeat fire-related events, raising broader concerns about the long-term reliability and safety of large-scale battery storage installations. (The Guardian)

Surprise, Arizona (APS McMicken Facility, 2019): A lithium-ion battery storage facility experienced a thermal runaway event that led to a catastrophic explosion, severely injuring four firefighters. Investigations found that flammable gases had accumulated inside the unit and ignited when accessed by first responders. (https://www.investigatetv.com/)

This Arizona incident has since been widely cited in safety research as a critical example of the risks associated with thermal runaway and confined battery storage environments, particularly for emergency responders and nearby communities. (UL Research Institutes)

These events demonstrate that while such systems are increasingly common, they carry non-negligible risks of fire, explosion, toxic gas release, and prolonged emergency response situations. These risks are especially concerning given the proximity of the proposed project to residential homes.

Local emergency services may not have the specialized equipment, training, or resources required to safely manage a large-scale battery fire or explosion, further increasing the potential risk to residents.

Property Values
The proximity of an energy facility to residential properties may adversely affect property values and marketability of homes in this area.

Lack of Community Alignment
This project appears to be incompatible with the existing use and expectations of the surrounding neighborhood. Development decisions should reflect the interests and well-being of current residents.

For these reasons, we respectfully urge the reviewing authority to deny approval of the Eastwood Energy Project or require substantial reconsideration, relocation, or modification to address these concerns.

This letter is supported by adjacent property owners, including our immediate neighbors, who share these concerns about the impact this project may have on our community.

Thank you for your time and consideration.

Sincerely,
Concerned members of the community.

Supporting Neighbor Signatures

I, the undersigned, support the concerns outlined in this letter and oppose the Eastwood Energy Project at 8900 Metropolitan Avenue:

Name: William Frey Signature:

Address: 9019 Swartz Rd KC KS 66111

Name: Sandra Cigich Signature:

Address: 9201 Swartz Rd KCK 66111

Name: Damian Emblen Signature:

Address: 9141 Swartz RD KC KS 66111

Documents Received by UG Clerk's Office

KANSAS CITY BPU
THE POWER OF COMMUNITY

April 30, 2026

Unified Government of Wyandotte County
Mayor and Commission
Kansas City, Kansas

Re: Support of Accelergen Energy Storage Projects

Dear Mayor Watson, District and At-Large Commissioners of the Unified Government of Wyandotte County:

On behalf of the BPU, I am writing to express support for energy storage projects that help strengthen the reliability and resilience of the electric system serving Wyandotte County. As energy demand continues to grow in Wyandotte County, maintaining a resilient and flexible electric system becomes increasingly important. Battery energy storage is one of several tools that can help support reliability, fortify system responsiveness, and provide additional options as our community plans for future load needs.

While these projects are being developed independently and are not part of BPU-owned generation resources, the availability of additional energy solutions in the region is valuable. As a utility, we evaluate a wide range of potential resources based on timing, cost, reliability, and overall benefit to our customers. Projects like those proposed by Accelergen have the potential to contribute to a more affordable, balanced and reliable regional energy portfolio. By storing energy during periods of lower demand and making it available during periods of higher demand, battery storage can support system stability and help meet the needs of any community.

Accelergen has already demonstrated a commitment to Wyandotte County through its contributions to BPU's Customer Hardship Fund, which directly supports residents facing financial challenges and helps families remain connected to essential utility services.

As we continue planning for future growth, having a range of affordable energy solutions available strengthens our ability to make informed, responsible decisions on behalf of our customers and the community.

Respectfully submitted,

Jeremy Ash
General Manager
Kansas City Board of Public Utilities

April 21, 2026

Dear Wyandotte County Officials,

I am writing to share my support for the East Side Energy Storage project at 8900 Metropolitan, adjacent to our property at 9400 Metropolitan.

We appreciate that Accelergen is designing the project to ensure there are no adverse impacts resulting from noise, traffic, odor, visual or air quality issues. We also like the fact that Accelergen is committed to keeping most of the land undeveloped for the duration of the project. We welcome this project as our neighbor.

The Commission should approve this clean energy project to bring needed investment and additional tax revenue into the community without adverse impacts.

Sincerely,

Julie Fromm, Manager

Darby Farm LLC

(Owner of Parcel 939117 – 9400 Metropolitan)

INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL NO. 101
AFFILIATED WITH THE AFL-CIO

AARON BROWN, Business Manager
MARK JONES, JR. President
TOM MILLSAP, Vice President

MIKE TIEHEN, Recording Secretary
JOSH DAVIS, Financial Secretary
CONTRELL MASON, Treasurer

Unified Government of Wyandotte County
David Johnston
Commissioner
701 N. 7th Street
Kansas City, Kansas 66101

Dear Commissioner Johnston,

I am writing to express strong support for the East Side Energy Storage project. The project team has begun working with Operating Engineers Local 101 to incorporate skilled local workers, which is an important step toward ensuring community involvement and workforce development.

This project has the potential to generate nearly 300 construction jobs, including approximately 65 new career opportunities in Wyandotte County. It presents a meaningful opportunity for local workers to gain hands-on experience building critical energy infrastructure that will serve our region.

As our area continues to grow, so does the demand for dependable and affordable energy. This project would help meet that need by delivering safe, reliable energy solutions while also supporting local jobs, families, and businesses.

We respectfully encourage you to approve the project and help secure long-term economic and workforce benefits for our community.

Respectfully,

Annette Noll
Business Representative
Operating Engineers, Local 101

East Side
ENERGY STORAGE

Responsibly delivering significant investment to Wyandotte County

Josh Skogen
josh.skogen@accelergen.com
SVP Development, Co-Founder
Accelergen Energy

www.eastsidebess.com

East Side Energy Storage to Support Wyandotte County

$27 million (minimum) in local revenue over 20 years

$1-2 million in upfront community benefit payments

$9 million in annual production cost savings.

$8 million in new local earnings across 300 jobs



Current property for proposed East Side Energy Storage

10-acre project sited on 64 acres - preserving landscape with setbacks and deed restrictions

Will not increase traffic, noise, odors, visual blight, or demand on local resources

Improving over one mile of deteriorated roadways prior to commencing construction.

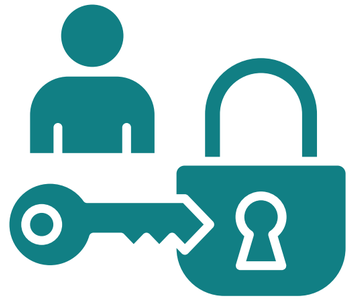
Shared vision with PlanKCK

Project goals and its location are aligned with PlanKCK vision and strategies



Equity

PlanKCK aims to “direct development agreements and other incentives to optimize community benefits”



Access

PlanKCK aims to “…encourage non-nuisance industrial uses in non-traditional industrial areas…”



Sustainability

PlanKCK “supports new energy generation and sustainability strategies for our rural land”



Health

PlanKCK aims to “invest in renewable energy and decrease fossil fuel use.”

Developed to be a compatible use

BPU Substation is constrained

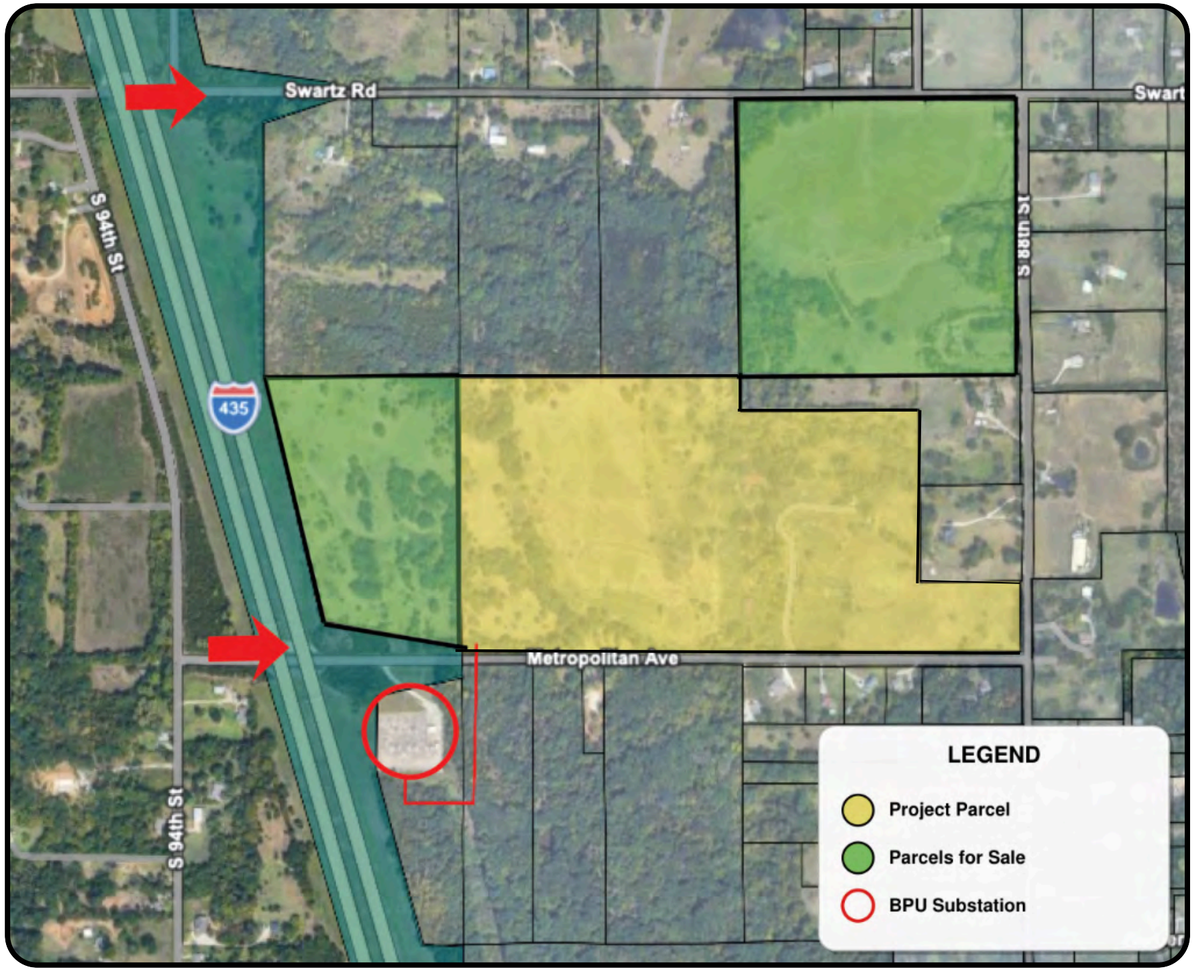
- Significant opportunity for savings to ratepayers

Area is ready for new development

- 120 acres of previously cleared land for sale
- I-435 recorded access for on/off ramps
- Existing BPU substation

Alignment with PlanKCK

- Non-nuisance use in non-traditional industrial areas
- Sustainability strategy for our rural land



Focused on uplifting local partners

Ensuring local stakeholder concerns and needs are addressed

KANSAS CITY BPU
THE POWER OF COMMUNITY

INTERNATIONAL UNION OF OPERATING ENGINEERS
ORGANIZED DEC. 7, 1896
101
LABOR OMNIA VINCIT

KANSAS CITY, MO
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
ORGANIZED NOV. 28, 1891
LOCAL 124

KANSAS
AFL – CIO
SOLIDARITY

LiUNA!
Feel the Power
LOCAL 1290

AD ASTRA PER ASPERA
Kansas
Department of Wildlife, Parks and Tourism

CITY KANSAS FIRE DEPT

SIERRA CLUB
KANSAS CHAPTER

WYANDOTTE
ECONOMIC DEVELOPMENT COUNCIL

RISE

KANSAS LATINO
COMMUNITY NETWORK

KCKChamber

Bonner Springs
Edwardsville
Area Chamber of Commerce

Being a collaborative neighbor

Focused on hearing concerns and answering questions

- **Certified & standard mailed invitations** to project neighbors from Wyandotte planning staff's mailing list (at a minimum)
- **Three neighbor meetings:** 18 attendees in October 2025, 44 in January 2026, 14 attendees in March 2026
- **Conversations between East Side and neighbors** focused on risk of fire, payment of taxes, noise, visual impacts, road improvements, and potential impacts to property values
- **Conversations and solutions with neighbors will continue** through the development period


Oct. 17 , 2025 neighbor meeting


Jan. 13, 2026 presentation to neighbors


March 10, 2026 Neighbor conversation

Addressing Neighbor Concerns

Conditions of the Special Use Permit provide mutliple safeguards for the community

Quiet Neighbor
The project will not increase sound at neighboring residences

Maintaining Rural Setting
Placing a deed restriction on 27 acres to guarantee neighbor viewsheds for 20+ years

Optimizing Visual Buffers
50 acres to remain open space with irrigated landscaping around project perimeter

Local Benefit
Minimum $27 million of local revenue and millions in annual energy cost savings

Insignificant Traffic
Project will have long-term traffic similar to a single residential home

Decommissioning
Posting a bond as a safeguard for the community

Addressing Neighbor Concerns

Conditions of the Special Use Permit provide mutliple safeguards for the community



Code Compliance

Submitting annual fire and electrical code compliance report



Non-Toxic Materials

Utilizing LFP battery technology, a non-toxic technology using bio-degradable materials

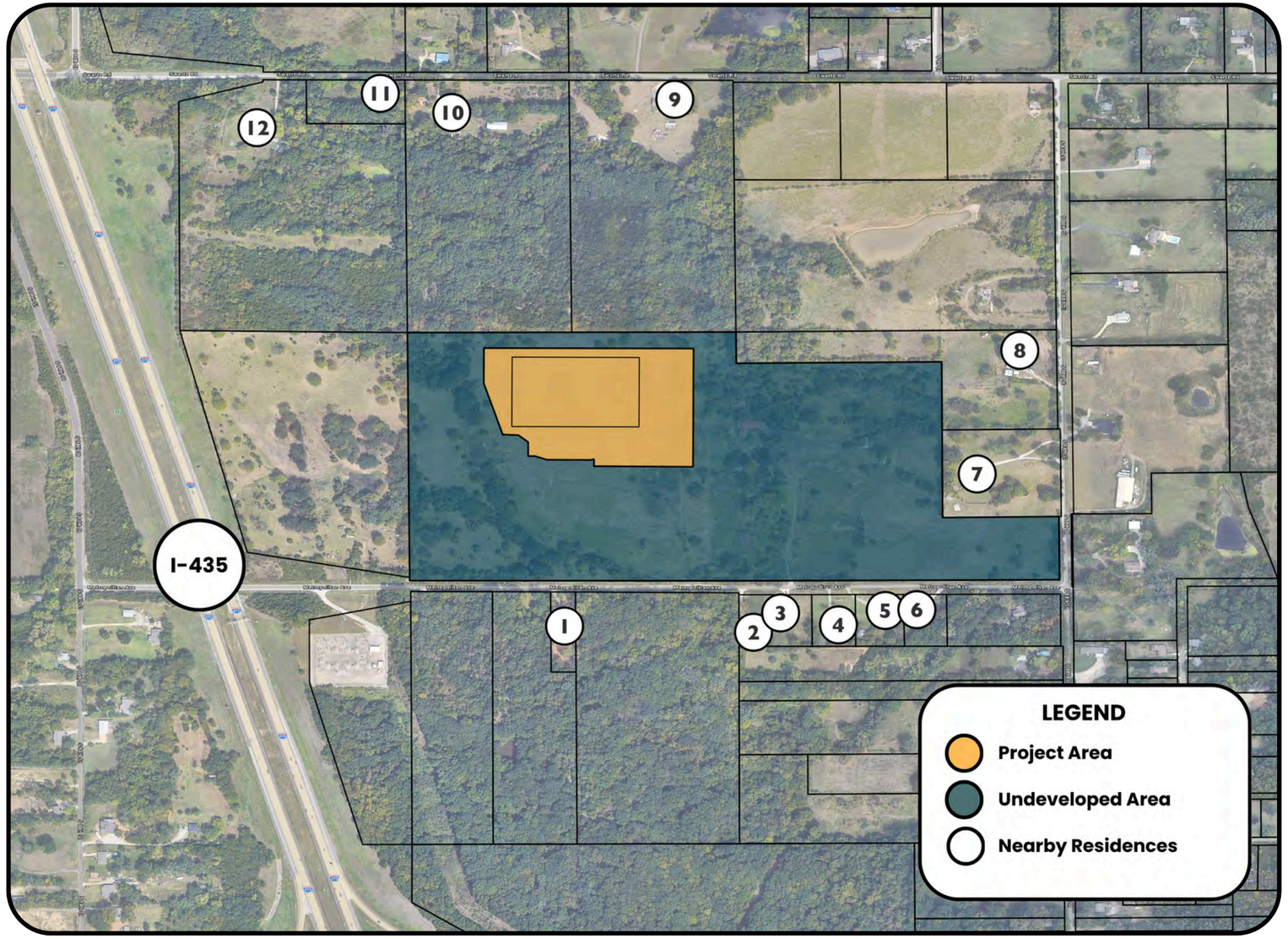


Ensuring Safety

Providing Annual Training for local emergency responders

Maximizing Setbacks / Minimizing Impact

- Maintaining **1,000+-foot setbacks** from the nearest residences, with landscaping and sound mitigation
- Purchasing 64 acres with **~50 acres to remain undistburbed and preserved**



Residence	Distance from BESS
1	1000 ft
2	1,150 ft
3	1,100 ft
4	1250 ft
5	1,375 ft
6	1,450 ft
7	1,350 ft
8	1,510 ft
9	1,325 ft
10	1,225 ft
11	1,450 ft
12	1,540 ft

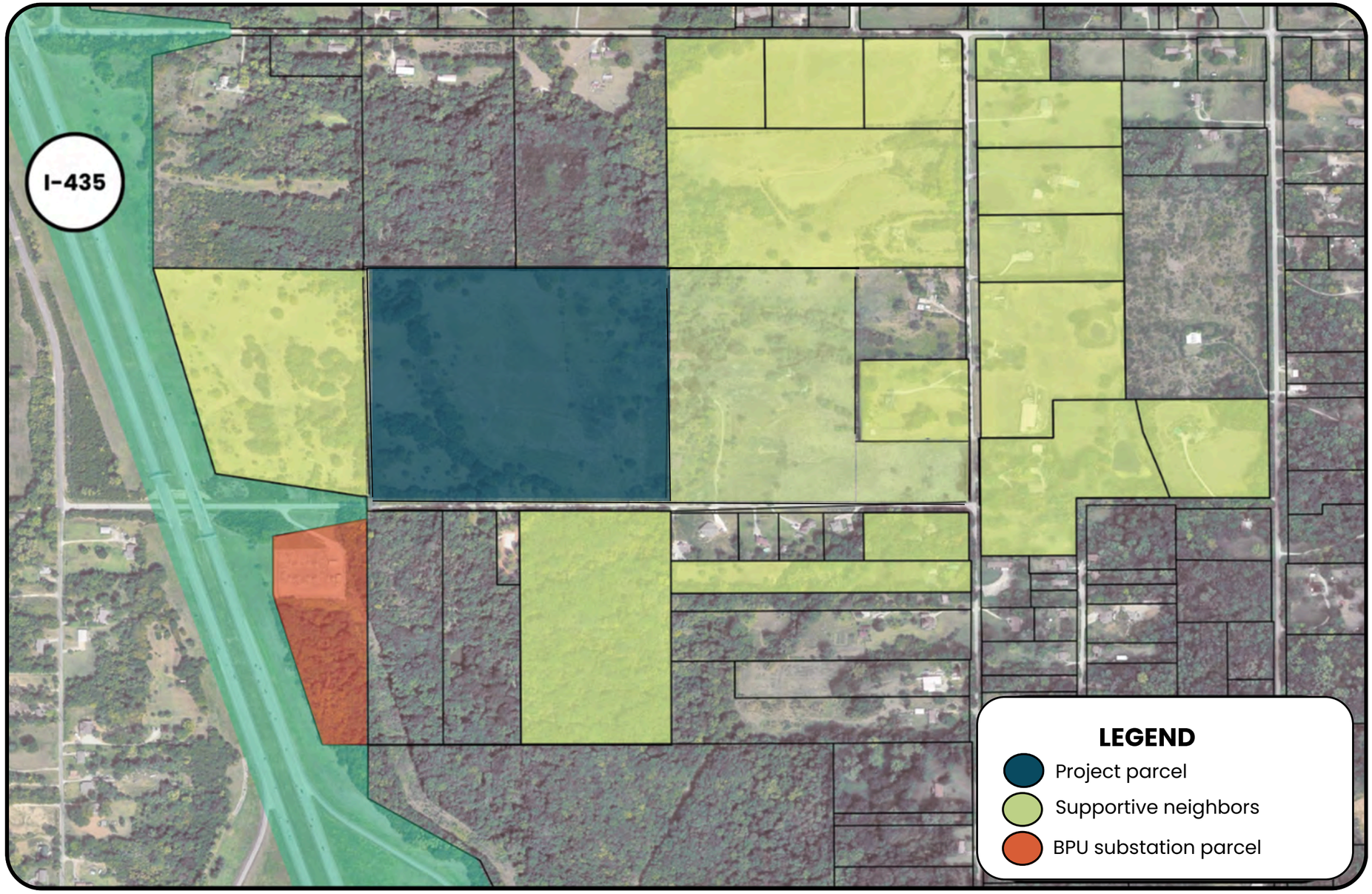
Significant Neighbor Support

13 total neighbors within 200 feet

- 5 in support
- 3 in opposition
- 3 have not responded (local)
- 2 have not responded (not local)

Area is ready for new development

- 120 acres for sale
- I-435 recorded access
- BPU substation

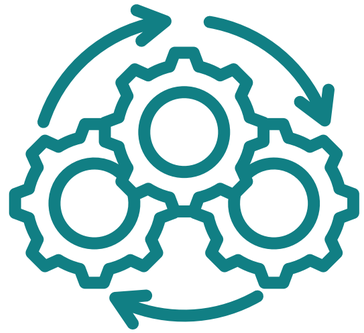


Special Use Permit Approval Period

Applicant is proposing SUP extensions subject to recurring public check-ins to verify compliance following the intial 10-year term



Operations scheduled to commence within the **next 5 years**

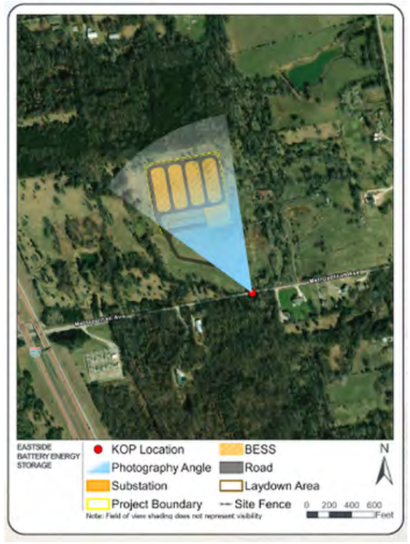


Investments and contracts are based on a **20-yr operating period**

Based on feedback from UG Legal Department, **Applicant is requesting built in SUP extensions in accordance with Sec. 27-214(f)(8) of the KCK Zoning Code**

Appendix

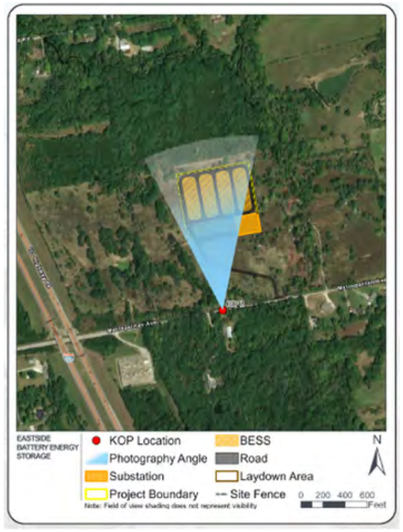
Looking North from Metropolitan Ave.



Terrain obstruction, landscaping and distance will mitigate any visibility of the Project at these locations



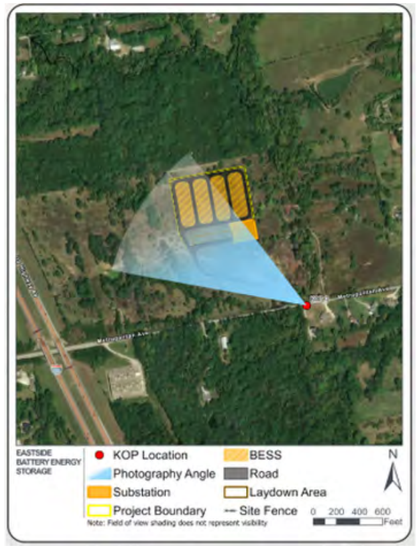








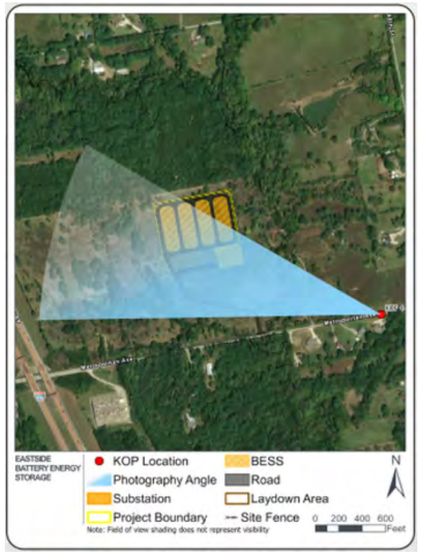
Looking Northwest from Metropolitan Ave.



Terrain obstruction, landscaping and distance will mitigate any visibility of the Project at these locations









Differences between Accelergen BESS projects & Gateway Energy Storage Moss Landing

	Accelergen BESS	Gateway Energy Storage's Moss Landing BESS
Battery Type	**Lithium-iron phosphate (LFP)** batteries	**Nickel manganese cobalt lithium-ion (NMC)** batteries
Storage Container	**Outdoors**, in separate containers that are **actively managed**	**Indoors** a 1950's decommissioned power plant; only **monitored**
Placement & Spacing	Spaced in compliance with **2026 NFPA 855** regulations to **prevent thermal runaway**	**Stacked** on multiple floors, creating many batteries in **close proximity**
Testing Requirements	Batteries and storage containers	Only batteries

Spector, J. 27 January 2025. "Why we don't need to worry too much about the latest grid battery fire." Canary Media.
https://www.canarymedia.com/articles/energy-storage/moss-landing-fire-reveals-flaws-in-the-battery-industrys-early-designs

East Side Project Overview

INVESTMENT IN WYANDOTTE COUNTY

- **$27 million** (minimum) in local revenue over 20 years, regardless of HB2083
- **$1-2 million** in upfront community benefit payments
- Will store energy during periods of low demand and discharge that energy during periods of peak demand, providing **$9 million** in annual production cost savings.
- **$8 million** in new local earnings: 65 construction jobs and 7 long-term jobs
- Will make quarterly community benefit contributions during development and contribute to local scholarships annually for the life of the project.

OPTIMIZING ENERGY INFRASTRUCTURE

- Will help Wyandotte County meet growing electricity demand and **allow the county to continue attracting new development** with reliable and affordable energy rates.
- Optimizes the use of our existing energy investments while adding significant reliability to our local electric grid.

COMMUNITY AND UTILITY SUPPORT

- BPU supports the project which is sited adjacent to their high voltage substation and an excellent complement to BPU's energy portfolio.
- IBEW, AFL-CIO and Operating Engineers unions support project development
- RiSE4EJ, Real Impact Energy, Sierra Club, and other environmental groups are in support.

BEING A GOOD NEIGHBOR

- The project will **not increase traffic, demand on local resources, noise, odors, and will not result in visual impacts to surrounding neighbors**.
- The project is developing 10 acres of a 64-acre parcel, protecting the surrounding area from other more intrusive development.
- The project has significant neighbor support, representing over 50% of the land within 200 feet of the project boundary.
- The request for a Special Use Permit (as opposed to a Zone Change) ensures the land will be fully restored to agricultural once the project is decommissioned.
- The project will improve over one mile of deteriorated roadways prior to commencing construction.

SAFEST BATTERY ENERGY TECHNOLOGY

- The project will utilize LFP battery technology, which is the safest non-toxic battery technology using bio-degradable components.
- Accelergen complies with 2026 NFPA855 regulations and annual trainings with Kansas City Fire Department.

Contact

Josh Skogen
josh.skogen@accelergen.com
SVP Development, Co-Founder
Accelergen Energy

East Side
ENERGY STORAGE

Supplement Documents Received by UG Clerk's Office for PZ Non-Consent: Item 10.1.A and 10.2.A

LiUNA! CONSTRUCTION & GENERAL LABORERS' LOCAL UNION 1290
Feel the Power

2600 Merriam Lane
Kansas City, Kansas 66106
(913) 432-1903
service@local1290.com
Web: local1290.com

Dear Wyandotte County Officials,

We are writing to share our support for the East Side Energy Storage project. The project team has started collaborating with Construction & General Laborers Local Union 1290 on ways to involve skilled local labor in the project. We understand the project has the potential to create nearly 300 new construction jobs. This project provides a great opportunity for our labor force to gain valuable experience in constructing new energy projects needed for area.

We are experiencing the industry growth in our region and understand the need for new affordable energy to meet the demand. This project offers safe, reliable and affordable solutions. We urge you to approve it and help secure the jobs and resources our labor force, local families and businesses need to thrive for generations to come.

Sincerely,

Jeffrey Philgreen
Business Manager/
Secretary-Treasurer

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

IBEW Local Union 124

December 31, 2025

Dear Wyandotte County Officials,

We are writing to share our strong support for the East Side Energy Storage project. The project team has been collaborating with IBEW Local 124 to involve skilled local labor on the project. We understand the project has the potential to create nearly 300 new construction jobs in the State of Kansas – 65 new local jobs in Wyandotte County. This project provides a great opportunity for our labor force to gain valuable experience in constructing new energy projects needed for the area.

We are experiencing industry growth in our region and understand the need for new, affordable energy to meet the demand. This project offers safe, reliable, and affordable solutions. We urge you to approve it and help secure the jobs and resources our labor force, local families, and businesses need to thrive for generations to come.

Sincerely,

Joseph “Bo” Moreno
Business Manager

301 EAST 103RD TERRACE – KANSAS CITY MO 64114-4760 -816.942.7500 – FAX 816.942.8805 – www.ibew124.org

To: Unified Government Board of Commissioners

From: Greg Kindle, President

Date: April 30, 2026

Re: Support for East Side Energy Storage Project

Please accept this letter in support of the **East Side Energy Storage project**, proposed for the approximately **60+-acre site at 8900 Metropolitan Avenue in Kansas City, Kansas**.

As Wyandotte County continues to grow, it is essential that our energy infrastructure keeps pace with industry and community needs so dependable power is available when it is needed most. Energy storage allows electricity that is already being produced to be captured and used later, rather than wasted or exported to other regions. This approach helps the county meet increasing energy demand without overloading existing infrastructure or accelerating the need to build new large-scale power generation facilities.

Rural Character and Compatible Land Use

The project team has demonstrated a commitment to preserving the agricultural and rural character of the surrounding area. The company has agreed to establish a **50+ acre conservation area** around the approximately **10-acre operational footprint**, where the energy storage units will be located for the next 20 years. Landscaping, visual buffers, and low-profile equipment will help maintain the existing rural landscape. Based on our understanding, The facility produces no emissions, minimal noise, and requires significantly less long-term land disturbance than most residential or industrial alternatives. Opportunities for native vegetation and pollinator-friendly plantings further enhance the ecological value of the site.

Community Benefits and Revenue

In addition to being a low-impact land use, this project presents a meaningful opportunity to generate community benefit and revenue while preserving open space. The project includes a proposed **20-year property tax Community Improvement District (CID)** structure, set at **$5,000 per megawatt of installed battery storage**, with an annual inflation factor.

WYEDC recommends that project approval be tied to agreement on a financial structure aligned with the anticipated life of the development. This approach is particularly important at a time when the State has not fully defined how battery energy storage facilities should be treated for property taxation purposes. Under this framework, the Unified Government would retain discretion over how CID revenues are ultimately utilized.

Infrastructure Context and Future Development

One key outcome of this discussion is the acknowledgement that existing deeded Kansas Department of Transportation right-of-way for on- and off-ramps from Interstate 435 serves both Schwartz Road and Metropolitan Avenue. Despite this access, there has been limited economic activity along the I-435 corridor between Interstate 70 and Kansas Highway 32 due to infrastructure gaps and the absence of clear land-use direction.

As a result of this project, developers — particularly in industrial and logistics sectors — have begun expressing interest in the area. While WYEDC may support future discussions, it is important to note that those uses would have a greater impact on the rural character than this proposal.

Grid Reliability, Resilience, and Workforce Impact

Battery energy storage systems provide critical support to modernizing the electric grid by balancing peak demand, reducing strain on substations and transmission lines, and improving system stability during extreme weather events. Storage also enables faster recovery following outages and strengthens emergency preparedness through rapid response capacity.

East Side Energy Storage has also committed to utilizing local electrical contractors for ongoing maintenance, supporting local employment and sustained economic activity. Reliable energy infrastructure further strengthens Wyandotte County's competitiveness for future commercial and industrial development.

Safety and Operational Standards

The company is utilizing the newest fire suppression and thermal management technologies available for battery energy storage systems. Modern BESS facilities incorporate early detection systems, automated shutdown capabilities, and 24/7 remote monitoring. Coordination with the Kansas City, Kansas Fire Department is already underway, and these measures exceed current industry standards, demonstrating a proactive and responsible approach to public safety.

Alignment with Planning and Community Goals

The project is consistent with **PlanKCK** and supports broader regional goals to expand sustainable energy infrastructure without impacting local ratepayers. It also positions Wyandotte County to capitalize on federal grid modernization and resilience funding, reinforcing the county's leadership in forward-looking infrastructure planning.

The project team has engaged nearby residents early in the process and has demonstrated a willingness to collaborate with neighbors and the Unified Government on road and infrastructure considerations. Continued transparency and responsiveness will help ensure the project remains a good long-term neighbor.

Recommendation

For these reasons — including grid reliability, safety, environmental stewardship, economic benefit, and alignment with long-term planning goals — the **Wyandotte Economic Development Council respectfully urges the Commission to support the East Side Energy Storage project**.

From: Lindsee Acton <eeacton@gmail.com>
Sent: Wednesday, April 29, 2026 2:48:54 PM
To: MayorWatson <MayorWatson@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Johnston, David <djohnston@wycokck.org>
Subject: Support for the East Side Energy Storage Project

You don't often get email from eeacton@gmail.com. Learn why this is important

Good Afternoon,

My name is Lindsee Acton. My husband Warren Scherich and I live at 1539 S 88th St.

I am writing to express my support for the East Side Energy Storage project proposed for the land at 8900 Metropolitan Avenue.

I had been concerned about the condition and capacity of local infrastructure, particularly neighborhood streets. However, I appreciate that the developer has agreed to bring 88th Street specifically up to code as part of this project.

I also had concerns about the impact of personnel on site and increased commercial traffic. Again, I understand and appreciate the developer's stated intention to limit personnel on site and therefore traffic flow.

Finally, my primary concern had been the development of historic and present agricultural land. But again, I understand the developer has committed to purchasing significantly more land than required, allowing the majority of the property to remain in agricultural use.

Overall, I appreciate that the proposed development includes a known, limited-impact use, rather than an unknown future use of this property. For these reasons, I support this project moving forward and ask the Commision to do the same.

Thank you,

--
Lindsee Acton
(913) 486-6958
eeacton@gmail.com

From: Jim Surber <jimsurber@gmail.com>
Sent: Wednesday, April 29, 2026 1:55:31 PM
To: MayorWatson <MayorWatson@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Johnston, David <djohnston@wycokck.org>
Subject: East Side BESS Project - 8900 Metropolitan

You don't often get email from jimsurber@gmail.com. Learn why this is important

Dear Wyandotte County Officials,

I live at 1434 S. 88th and am writing to express my support for the East Side Energy Storage project.

To me, the decision before the Commission is fundamentally about choosing between a **known, limited-impact use** and an **unknown future use** of this property.
This proposal has been carefully defined. The developer has agreed to numerous conditions addressing noise, screening, land use, and long-term responsibility, including a decommissioning bond to ensure the site is properly handled even in the event of company failure. Just as importantly, this project brings very little daily activity. It does not introduce a workforce, traffic, or ongoing operational presence that would change the character of the area.

If this project is not approved, the property will return to the open market and could be developed in ways that are more intensive, less controlled, and more disruptive to nearby residents. Given that choice, this project represents the lower-risk and more predictable outcome, and I support its approval.

Sincerely,

James Surber

From: Ty Gorman <ty.gorman@sierraclub.org>
Sent: Wednesday, April 29, 2026 4:09:45 PM
To: Johnston, David <djohnston@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; MayorWatson <MayorWatson@wycokck.org>
Cc: aferris <aferris@kckbpu.onmicrosoft.com>; Greg Kindle <gkindle@wyedc.org>; Brett Parker <thebrettparker@gmail.com>
Subject: Letter of Support for East Side BESS

You don't often get email from ty.gorman@sierraclub.org. Learn why this is important

Dear Commissioners:

Thank you all for your work to bring better living standards to us Wyandotte County residents. I hope you improve our community tomorrow by approving the Conditional Use Permit for Accelergen's East Side BESS clean energy development!

These kinds of batteries replace deadly fossil fuel pollution with clean/healthy stored (mostly wind) power, make the local grid more reliable, reduce electric costs, and bring ~$20 million in tax revenue (though we still have to fight to see that investment lower our taxes/bills for current residents). There is no real pollution or fire risk to the community from this kind of battery set up. I mention a bit more in the Op-ed published here: https://kansasreflector.com/2026/04/24/storage-is-key-to-a-strong-healthy-energy-future-wyandotte-county-deserves-responsible-investment/.

With that aside, let's get into the details (also covered in the UG recording of the las planning commissioner meeting).

1. Where/when is this going? The battery will take up a fraction of the acres of a much larger plot of land that was for sale next to a transmission substation just north of the Kansas River near 435. Most local landowners are for it, and almost no one was there to oppose it in the botched planning commission meeting where they voted it down because they didn't know what to do about energy financing, which always requires a 20

year permit. The few transmission lines required don't go far and the area is already crisscrossed by power lines. Most of the land will be undisturbed, and the road/building for the battery that they build will be removable with minimum impact in 20 years if needed. There are no appreciable environmental or health risks.

2. Is there already an offtake agreement in place with BPU or others? No, utilities don't sign an offtake agreement until the Commission allows the project to go forward (via the permit vote tomorrow). It will very likely be either BPU or Evergy that buys it. This type of project is in great demand across the SPP region. Even if it is Evergy that buys it on paper, the taxes and grid reliability benefits will stay local. That's why BPU supports the project regardless of who buys it.

4. Why is this called East Side? Because they're looking at installing another one in Leavenworth County, which is the West Side BESS. It doesn't have anything to do with East Wyandotte or any other organizations referencing the East Side.

5. What are the community benefits? Right now it's union labor and taxes (they have committed to pay full property taxes of ~$19 million even though the state republicans are trying to say they don't have to pay). They've given ~$40k so far to local BPU bill reduction and education, but commissioners could still work with staff to bring more real benefits to East KCK with Accelergen's money as the project moves forward.

I hope you vote to approve the permit for Accelergen's East Side BESS project tomorrow. It would be a shame for Wyandotte to tell the business community that we can't accommodate an investment this good: a no-risk project that's paying us more than they have to.

Best regards,

Ty Gorman (he/him)
Sierra Club Sr. Campaign Organizing Strategist
Beyond Coal Campaign
Southwest Power Pool, Kansas
E-Mail: ty.gorman@sierraclub.org
Cell: 913.227.9310

From: Taylor Made <taylormadedjdj@gmail.com>
Sent: Wednesday, April 29, 2026 11:59 PM
To: MayorWatson <MayorWatson@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Johnston, David <djohnston@wycokck.org>
Subject: East Side BESS Project - 8900 Metropolitan

You don't often get email from taylormadedjdj@gmail.com. Learn why this is important

Dear Unified Government of Wyandotte County,

My wife and I live at 1630 S 88th St, Kansas City, KS 66111 and have for 32 years, raising two children in a nice quiet area totally forgotten by the city and county; and, we like it that way. Yes, we are still hurt by our government not holding Google to their promise of providing fiber Internet to everyone interested in their service, but that was before this regime. Yes, we have a road where two vehicles can barely pass with road deterioration continually not addressed and pay for storm drains though we have none. But, we continue to put up with those things to keep it quiet around here. Now a company/corporation is wanting to put a Battery Energy Storage System facility around the corner on a piece of farm land. We keep hearing that it's better than the alternative, which is possible apartments, housing, etc... with the state supporting exit ramps to I-435 and Metropolitan. To me, these threats seem moot since there is no infrastructure in place. We have no sewer, no Internet, no storm drains, and no street that can support more traffic. With all that said, here is my two cents... I am not opposed to the Battery Energy Storage System going in if the Unified Government of Wyandotte County agrees to hold the company/corporation accountable to their promises. Improved streets (at least two lanes, not to cause issues with driveway grade) and Internet. We have survived this long with no sewer or storm

drains, I am sure we will continue to survive without them. Of course, we live on 88th Street and not directly across from where it will be placed, if passed.

Thank you for your time and attention in this matter.

--

Todd C. Taylor
816-820-4603

From: steve buche <stevebuche@att.net>
Sent: Thursday, April 30, 2026 4:12 AM
To: MayorWatson <MayorWatson@wycokck.org>; Burns Jr, William J <wjburns@wycokck.org>; Johnston, David <djohnston@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Davis, Andrew <adavis@wycokck.org>
Subject: East Side BESS Project - 8900 Metropolitan

> You don't often get email from stevebuche@att.net. Learn why this is important

Dear Wyandotte County Officials,

I live at 1400 S. 86th St. and am writing to express my support for the East Side Energy Storage project.

I have been involved in the meetings with the City, the Energy Company and other neighbors since this project was first announced. I understand the issues related to this project. I appreciate the City's due diligence in this matter. I respectfully ask the Commission to approve this project.

Thank you,

Steve Buche

From: A A <a124guy@yahoo.com>
Sent: Thursday, April 30, 2026 10:09 AM
To: MayorWatson <MayorWatson@wycokck.org>; Bynum, Melissa <mbynum@wycokck.org>; Kump, Andrew <akump@wycokck.org>; Howard, Jermaine <jhoward@wycokck.org>; wjburnes@wycokck.org; Ramirez, Christian <cramirez@wycokck.org>; Pacheco, Dr. Carlos <c.pacheco@wycokck.org>; Lopez, Philip <pjlopez@wycokck.org>; Stites, Chuck <cestites@wycokck.org>; Davis, Andrew <adavis@wycokck.org>; Hill, Evelyn <ehill@wycokck.org>; Johnston, David <djohnston@wycokck.org>
Subject: Battery storage facility on metropolitan

You don't often get email from a124guy@yahoo.com. Learn why this is important

Hello, my name is Adam Allfree. I live at 1151 S. 88th street kansascity kansas. Im right up the road from the proposed site for the energy storage facility. I am greatly in favor of this project vs an an unknown future project that will undoubtedly be a much greater traffic burden on 88th street. Thankyou.

Yahoo Mail: Search, Organize, Conquer